State Board of Cosmetology and Barber Examiners

Licensure Laws and Regulations

A compilation from the Indiana Code and Indiana Administrative Code

September 10, 2020 Edition

Indiana Professional Licensing Agency
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NOTICE: This compilation incorporates the most recent revisions of statutes and administrative rules governing the beauty culture profession, as of September 10, 2020. Note that this compilation is not an official version of the Indiana Code or the Indiana Administrative Code. It is distributed as a general guide for Indiana's cosmetologists, manicurists, estheticians, electrologists, barbers, instructors, beauty culture schools, beauty culture salons, and tanning facility operators. It is not intended to be offered as legal advice, and it may contain typographical errors. The State Board of Cosmetology and Barber Examiners and the staff of the Indiana Professional Licensing Agency are prohibited from providing legal advice on issues contained herein. For legal advice, please consult an attorney. To obtain official copies of the Indiana Code or Indiana Administrative Code, please contact your nearest public library or visit the website of the Indiana General Assembly at www.in.gov/legislative.

STATE BOARD OF COSMETOLOGY EXAMINERS

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INDIANA CODE § 25-8
ARTICLE 8. BEAUTY CULTURE

Non-Code Provision under Public Law 84-2010

P.L. 84-2010, SECTION 103.

(a) The definitions in IC 25-8, as amended by this act, apply to this SECTION.

(b) Any license by the:

(1) state board of barber examiners (IC 25-7-5-1 (before its repeal by this act)); or

(2) state board of cosmetology examiners (IC 25-8-3-1);

as effective on June 30, 2010, and before July 1, 2010, shall be treated after June 30, 2010, as if the license had been issued by the state board of cosmetology and barber examiners under IC 25-8-3-1, as amended by this act.

(c) On July 1, 2010, all the powers, duties, orders, and liabilities of the:

(1) state board of barber examiners (IC 25-7-5-1 (before its repeal by this act)); or

(2) state board of cosmetology examiners (IC 25-8-3-1);

concerning the examination, licensing, and disciplining of a person licensed or an applicant applying for a license under IC 25-7 (before its repeal by this act) or IC 25-8, as amended by this act, are transferred to the state board of cosmetology and barber examiners under IC 25-8-3-1, as amended by this act.

(d) On July 1, 2010, the property and records of the:

(1) state board of barber examiners (IC 25-7-5-1 (before its repeal by this act)); or

(2) state board of cosmetology examiners (IC 25-8-3-1);

concerning the examination, licensing, and disciplining of a person licensed or an applicant applying for a license under IC 25-7 (before its repeal by this act) or IC 25-8, as amended by this act, are transferred to the state board of cosmetology and barber examiners under IC 25-8-3-1, as amended by this act.

(e) Any rules adopted by the:

(1) state board of barber examiners (IC 25-7-5-1 (before its repeal by this act)); or

(2) state board of cosmetology examiners (IC 25-8-3-1); and

in effect on June 30, 2010, shall be treated as rules of the state board of cosmetology and barber examiners on July 1, 2010.

(f) Notwithstanding IC 25-8-3-7, the initial terms of office of the members of the board appointed under IC 25-8-3-5 (as amended by this act) are as follows:

(1) One (1) member appointed under IC 25-8-3-5(b)(1), as amended by this act, and one (1) member appointed under IC 25-8-3-5(b)(2), as amended by this act, three (3) years.

(2) One (1) member appointed under IC 25-8-3-5(b)(2), as amended by this act, one (1) member appointed under IC 25-8-3-5(b)(3), as amended by this act, and one (1) member appointed under IC 25-8-3-5(b)(4), as amended by this act,

two (2) years.

(3) One (1) member appointed under IC 25-8-3-5(b)(1), as amended by this act, and one (1) member appointed under IC 25-8-3-5(b)(5), as amended by this act, one (1) year.

The governor shall specify the terms of the cosmetologist and barber members described in subdivisions (1), (2), and (3) when making the initial appointments.

(g) The initial terms of the appointed members begin July 1, 2010.

(h) This SECTION expires July 1, 2015.

As added by P.L.84-2010, SEC.103.

INDIANA CODE § 25-8-1

Chapter 1. Repealed

IC 25-8-1 Repealed

(*Repealed by P.L.257-1987, SEC.18.)*

Chapter 1.1. Application of Article

Sec. 1. The practice of natural hair braiding (as defined in IC 25-8-2-20) is exempt from regulation under this article.

As added by P.L.189-2017, SEC.1.

INDIANA CODE § 25-8-2

Chapter 2. Cosmetology and Barber Regulation; Definitions

IC 25-8-2-1 Definitions applicable to article

Sec. 1. The definitions in this chapter apply throughout this article.

As added by P.L.257-1987, SEC.1.

IC 25-8-2-2 “Agency” defined

Sec. 2. "Agency" refers to the Indiana professional licensing agency established by IC 25-1-5-3.

As added by P.L.257-1987, SEC.1. Amended by P.L.1-2006, SEC.424.

IC 25-8-2-2.1 "Barber" defined

Sec. 2.1 “Barber” means a person licensed under IC 25-8-12.1.

As added by P.L.84-2010, SEC.21.

IC 25-8-2-2.2 "Barber Instructor" defined
Repealed

(Repealed by P.L.170-2013, SEC.2.)

IC 25-8-2-2.3 "Barber School" defined
Repealed

(Repealed by P.L.170-2013, SEC.3.)

IC 25-8-2-2.4 "Beauty culture salon" defined

Sec. 2.4. "Beauty culture salon" means an establishment licensed under IC 25-8-7 that offers beauty culture to the public.

As added by P.L.84-2010, SEC.24. Amended by P.L.170-2013, SEC.4.

IC 25-8-2-2.5 Repealed

(Repealed by P.L.157-2006, SEC.76.)

IC 25-8-2-2.6 “Beauty culture professional” defined

Sec. 2.6. "Beauty culture professional" refers to the following:

(1) A cosmetologist licensed under IC 25-8-9.
(2) An electrologist licensed under IC 25-8-10.
(3) A manicurist licensed under IC 25-8-11.
(4) An esthetician licensed under IC 25-8-12.5.
(5) An instructor licensed under IC 25-8-6.
(6) A (barber) beauty culturist licensed under IC 25-8-12.1.

As added by P.L.78-2008, SEC.2. Amended by P.L.84-2010, SEC.26;.

IC 25-8-2-2.7 Barbering
Sec. 2.7. (a) "Barbering" means performing one (1) or more of the following practices upon the head, face, or neck of a person:
(1) Cutting, trimming, styling, arranging, dressing, curling, permanent waving, cleansing, bleaching, tinting, coloring, or similarly treating hair.
(2) Shaving or trimming beards and mustaches, including the use of a straight razor.
(3) Applying oils, creams, antiseptics, clays, powders, lotions, or other preparations, either by hand or by mechanical appliances, in the performance of facial or scalp massage.
(b) "Barbering" does not include performing the act of natural hair braiding or any of the acts described in subsection (a) when done:
(1) in treating illness or disease;
(2) as a student in a beauty culture school; or
(3) without compensation.
As added by P.L.84-2010, SEC.25. Amended by P.L.170-2013, SEC.6. Amended by P.L. 158-2016, SEC.1. As amended by P.L.189-2017, Sec. 2.

IC 25-8-2-3 "Board" defined
Sec. 3. "Board" refers to the state board of cosmetology and barber examiners.
As added by P.L. 257-1987, SEC 1; Amended by P.L.84-2010, SEC.27.

IC 25-8-2-3.5 "Continuing education course" defined
(Repealed by P.L.78-2008, SEC.7.)

IC 25-8-2-4 "Cosmetologist" defined
Sec. 4. "Cosmetologist" means a person licensed under IC 25-8-9 to provide cosmetology.
As added by P.L.257-1987, SEC.1.

IC 25-8-2-5 "Cosmetology" defined
Sec. 5. (a) "Cosmetology" means performing any of the following acts on the head, face, neck, shoulders, torso, arms, hands, legs, or feet of a person:
(1) Cutting, trimming, styling, arranging, dressing, curling, waving, permanent waving, cleansing, bleaching, tinting, coloring, or similarly treating hair.
(2) Applying oils, creams, antiseptics, clays, lotions, or other preparations to massage, cleanse, stimulate, manipulate, exercise, or beautify.
(3) Arching eyebrows.
(4) Removing superfluous hair from the body by the use of depilatories, waxing, or tweezers.
(5) Manicuring and pedicuring.
(6) Shaving or trimming beards and mustaches.
(7) Giving facials, applying makeup, and giving skin care.
(b) "Cosmetology" does not include performing any of the acts described in subsection (a):
(1) in treating illness or disease;
(2) as a student in a beauty culture school that complies with the notice requirements set forth in IC 25-8-5-6;
(3) in performing shampooing operations; or
(4) without compensation.
(c) "Cosmetology" does not include performing the following:
(1) The act of threading.
(2) The act of natural hair braiding.
As added by P.L.257-1987, SEC.1. Amended by P.L.5-1988, SEC.135; P.L.236-1995, SEC.3; P.L.157-2006, SEC.35; P.L.78-2008, SEC.3; P.L.170-2013, SEC.7. Amended by P.L. 158-2016, SEC.2. As amended by P.L.189-2017, Sec. 3..

IC 25-8-2-5.5 "Cosmetology professional" defined
(Repealed by P.L.78-2008, SEC.7.)

IC 25-8-2-6 "Cosmetology salon" defined
Repealed
(Repealed by P.L.170-2013, SEC.8.)

IC 25-8-2-7 "Beauty culture school"
Sec. 7. "Beauty culture school" means an establishment licensed under this article that offers training in beauty culture.
As added by P.L.257-1987, SEC.1. Amended by P.L.236-1995, SEC.4; P.L.170-2013, SEC.9.

IC 25-8-2-8 "Electrolysis" defined
Sec. 8. "Electrolysis" means the removal of unwanted hair by an electrified needle.
As added by P.L.257-1987, SEC.1.

IC 25-8-2-9 "Electrologist" defined
Sec. 9. "Electrologist" means a person licensed under IC 25-8-10 to provide electrolysis.
As added by P.L.257-1987, SEC.1.

IC 25-8-2-9.2 "Electrology salon" defined
Repealed
(Repealed by P.L.170-2013, SEC.10.)

IC 25-8-2-9.5 "Esthetician" defined
Sec. 9.5. (a) "Esthetician" means a person who engages solely in one (1) or more of the following practices:
(1) Giving facials, applying makeup, and giving skin care.
(2) Beautifying, massaging, or cleaning the body with the use of cosmetic preparations, antiseptics, tonics, lotions, or creams.
(3) Removing superfluous hair from the body by the use of depilatories, waxing, or tweezers.
(b) The term does not include performing any of the acts described in subsection (a):
(1) in treating an illness or a disease;
(2) as a student in a beauty culture school that complies with the notice requirements under IC 25-8-5-6;
(3) without compensation; or
(4) incident to the retail sale of cosmetics.
(c) The term does not include a person who:
(1) engages in threading;
(2) engages in natural hair braiding; and
(3) does not engage in one (1) or more of the practices described in subsection (a).
As added by P.L.144-1990, SEC.1. Amended by P.L.184-1991, SEC.2; P.L.113-1999, SEC.2; P.L.78-2008, SEC.4; P.L.170-2013, SEC.11. As amended by P.L.189-2017, Sec. 4..

IC 25-8-2-9.6 "Esthetic salon" defined
Repealed
(Repealed by P.L.170-2013, SEC.12.)

IC 25-8-2-10 "Instructor" defined
Sec. 10. "Instructor" means a person licensed under IC 25-8-6 to teach in a beauty culture school.
As added by P.L.257-1987, SEC.1. Amended by P.L.236-1995, SEC.5; P.L.113-1999, SEC.3; P.L.84-2010, SEC.28; P.L.170-2013, SEC.13.

IC 25-8-2-11 "License" defined
Sec. 11. "License" means a document issued by the agency and the board to permit a person to engage in an activity regulated under this article.
As added by P.L.257-1987, SEC.1.

IC 25-8-2-12 "Licensed" defined
Sec. 12. "Licensed" means possessing a valid license issued under this article.
As added by P.L.257-1987, SEC.1.

IC 25-8-2-13 "Manicuring" defined
Sec. 13. "Manicuring" means cleaning, dressing, polishing, sculpting, tipping, or wrapping the nails of a person's hand.
As added by P.L.257-1987, SEC.1. Amended by P.L. 158-2016, SEC.3.

IC 25-8-2-14 "Manicurist" defined
Sec. 14. "Manicurist" means a person licensed under IC 25-8-11 to provide manicuring.
As added by P.L.257-1987, SEC.1.

IC 25-8-2-14.5 Mechanical devices

Sec. 14.5. "Mechanical devices" refers to the following:
(1) Clips.
(2) Combs.
(3) Crochet hooks.
(4) Hair pins.
(5) Rollers.
(6) Scissors.
(7) Blunt-tipped needles.
(8) Thread.
(9) Hair binders.
As added by P.L.189-2017, Sec. 5.

IC 25-8-2-15 "Manicurist salon" defined
Repealed
(Repealed by P.L.170-2013, SEC.14.)

IC 25-8-2-15.5 "Mobile salon"
Sec. 15.5. "Mobile salon" means either of the following:
(1) A self-contained facility that may be moved, towed, or transported from one (1) location to another and in which cosmetology, electrology, esthetics, barbering, or manicuring is practiced.
(2) A business in which cosmetology, electrology, esthetics, barbering, or manicuring equipment is transported to and used on a temporary basis at a location other than a selected salon site, including:
(A) other beauty culture salons;
(B) clients' homes; and
(C) nursing homes.
As added by P.L.197-2007, SEC.29. Amended by P.L.170-2013, SEC.15.

IC 25-8-2-16 Repealed
(Repealed by P.L.157-2006, SEC.76.)

IC 25-8-2-17 "Shampoo operation" defined
(Repealed by P.L.105-2008, SEC.67.)

IC 25-8-2-18 Repealed
(Repealed by P.L.157-2006, SEC.76.)

IC 25-8-2-18.5 "Pedicuring" defined
Sec. 18.5. "Pedicuring" means cleaning, dressing, polishing, sculpting, tipping, or wrapping the nails of a person's foot.
As added by P.L. 158-2016, SEC.4

IC 25-8-2-19 "Threading" defined
Sec. 19. "Threading" refers to:
(1) a technique that results in the removal of superfluous hair from the body by twisting thread around unwanted hair and pulling it from the skin; and
(2) the incidental trimming of eyebrow hair.
As added by P.L.78-2008, SEC.5.

IC 25-8-2-20 Natural hair braiding

Sec. 20. (a) "Natural hair braiding" means performing the act of twisting, wrapping, weaving, extending, locking, or braiding hair by hand or with mechanical devices that includes:
(1) the use of natural or synthetic hair extensions, natural or synthetic hair and fibers, decorative beads, and other hair accessories;
(2) minor trimming of natural hair or hair extensions incidental to twisting, wrapping, weaving, extending, locking, or braiding hair;
(3) the making of wigs from natural hair, natural fibers, synthetic fibers, and hair extensions; and
(4) the use of topical agents such as conditioners, gels, moisturizers, oils, pomades, and shampoos in performing the acts described in subdivisions (1) through (3).
(b) Natural hair braiding does not include:
(1) the application of dyes, reactive chemicals, or other preparations to alter the color of the hair or to straighten, curl, or alter the structure of the hair; or
(2) the use of chemical hair joining agents such as synthetic tape, keratin, bonds, or fusion bonds.
As added by P.L.189-2017, Sec. 6..

INDIANA CODE § 25-8-3

Chapter 3. State Board of Cosmetology and Barber Examiners

IC 25-8-3-1 Establishment

Sec. 1. The state board of cosmetology and barber examiners is established.
As added by P.L.257-1987, SEC.2. Amended by P.L.84-2010, SEC.29.

IC 25-8-3-2 Members; appointment

Sec. 2. The board consists of seven (7) members. The governor shall appoint all the members of the board.
As added by P.L.257-1987, SEC.2.

IC 25-8-3-3 Repealed
As added by P.L.257-1987, SEC.2. Repealed by P.L.84-2010, SEC.102.

IC 25-8-3-4 Repealed
As added by P.L.257-1987, SEC.2. Repealed by P.L.84-2010, SEC.102.

IC 25-8-3-5 Board membership qualifications
Sec. 5. (a) Each of the members of the board must reside in Indiana.
(b) Subject to IC 25-1-6.5-3, the members of the board must meet the following qualifications:
(1) Two (2) of the members must:

(A) possess a current cosmetologist license; and
(B) have practiced cosmetology in Indiana continuously for at least five (5) years immediately before appointment.
(2) Two (2) of the members of the board must:
(A) possess a current barber license; and
(B) have practiced barbering in Indiana continuously for at least five (5) years immediately before appointment.
(3) One (1) of the members must be an owner or operator of a beauty culture school. However, the member may not be a licensed barber or cosmetologist.
(4) One (1) of the members must be licensed as an electrologist, an esthetician, or a manicurist.
(5) One (1) of the members must not have any association with the practice of beauty culture, except as a consumer.

As added by P.L.257-1987, SEC.2. Amended by P.L.184-1991, SEC.6; P.L.84-2010, SEC.30; P.L.170-2013, SEC.16; P.L.158-2016, SEC.5; P.L.249-2019, SEC.57.

IC 25-8-3-6 Board member political affiliation

Sec. 6. No more than five (5) members of the board may belong to the same political party.
As added by P.L.257-1987, SEC.2. Amended by P.L.84-2010, SEC.31.

IC 25-8-3-7 Term of office

Sec. 7 (a) Each board member appointed before July 1, 2019, serves a term of three (3) years, beginning on the date of appointment and continuing until:
(1) the member is removed under section 8 of this chapter; or
(2) a successor is appointed.
(b) Each board member appointed after June 30, 2019, serves a term under IC 25-1-6.5.
As added by P.L.257-1987, SEC.2. Amended by P.L.249-2019, SEC.58.

IC 25-8-3-8 Removal; grounds

Sec. 8. The governor may remove a board member under IC 25-1-6.5-4.
As added by P.L.257-1987, SEC.2. Amended by P.L.249-2019, SEC.59.

IC 25-8-3-9 Appointment of successor - *REPEALED*

As added by P.L.257-1987, SEC.2. Repealed by P.L.249-2019, SEC.60.

IC 25-8-3-10 Election of officers

Sec. 10. The board shall, at its first meeting of each year, elect a president, vice president, and secretary from among its membership. Election of an officer under this section requires a majority vote of all the members of the board.
As added by P.L.257-1987, SEC.2.

IC 25-8-3-11 Officers; terms of office

Sec. 11. The officers elected under section 10 of this chapter have terms of one (1) year, beginning upon election and ending upon the election of a successor.
As added by P.L.257-1987, SEC.2.

IC 25-8-3-12 Officers; vacancy

Sec. 12. If an office described in section 10 of this chapter becomes vacant, the board may fill the vacancy at its next meeting following the vacancy.
As added by P.L.257-1987, SEC.2.

IC 25-8-3-13 Quorum

Sec. 13. The board must have a quorum to transact business. Four (4) members of the board constitute a quorum.
As added by P.L.257-1987, SEC.2.

IC 25-8-3-14 Business office

Sec. 14. The agency shall furnish the board with suitable quarters to conduct its business.
As added by P.L.257-1987, SEC.2.

IC 25-8-3-15 Seal

Sec. 15. The board shall adopt a seal to authenticate its orders and records.
As added by P.L.257-1987, SEC.2.

IC 25-8-3-16 Records

Sec. 16. The agency shall maintain a record of:
(1) the proceedings of the board;
(2) each person licensed under this article, stating the:
(A) name of the person; and
(B) address of the person;
(3) licenses issued under this article, stating the:
(A) number assigned to the license by the agency;
(B) date the license was issued; and
(C) actions taken by the board concerning the license, including any renewal, suspension, and revocation; and
(4) applications for a license under this article that were refused.
As added by P.L.257-1987, SEC.2. Amended by P.L.184-1991, SEC.7.

IC 25-8-3-17 Per diem and incurred expenses

Sec. 17. Each member of the board is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Each member of the board is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the state budget agency.
As added by P.L.257-1987, SEC.2.

IC 25-8-3-18 Disposition of receipts

Sec. 18. All money received under this article shall be paid to the agency.
As added by P.L.257-1987, SEC.2.

IC 25-8-3-19 Receipts; deposit

Sec. 19. The agency shall deposit all money received under this article with the treasurer of state.
As added by P.L.257-1987, SEC.2. Amended by P.L.184-1991, SEC.8.

IC 25-8-3-20 Repository of receipts

Sec. 20. The treasurer of state shall deposit the money received under section 19 of this chapter in the state general fund.
As added by P.L.257-1987, SEC.2. Amended by P.L.1-1990, SEC.250.

IC 25-8-3-21 Administration expenses

Sec. 21. The agency shall pay for the expenses for administering this article from the state general fund under appropriations designated for that purpose.
As added by P.L.257-1987, SEC.2.

IC 25-8-3-22 Implementing rules

Sec. 22. The board may adopt rules under IC 4-22-2 to implement this article.

As added by P.L.257-1987, SEC.2.

IC 25-8-3-23 Rules prescribing sanitary requirements, establishing standards, implementing licensing system, and establishing requirements for mobile salons

Sec. 23. (a) The board shall adopt rules under IC 4-22-2 to:

(1) prescribe sanitary requirements for:

(A) beauty culture salons; and

(B) beauty culture schools;

(2) establish standards for the practice of cosmetology and the operation of:

(A) beauty culture salons; and

(B) beauty culture schools;

(3) implement the licensing system under this article and provide for a staggered renewal system for licenses; and

(4) establish requirements for beauty culture school uniforms for students and instructors.

(b) The board shall adopt rules under IC 4-22-2 to specify whether the definition set forth in IC 25-8-2-5 includes the use of a straight razor.

(c) The board may adopt rules under IC 4-22-2 to establish the following for the practice of cosmetology, barbering, electrology, esthetics, or manicuring in a mobile salon:

(1) Sanitation standards.

(2) Safety requirements.

(3) Permanent address requirements at which the following are located:

(A) Records of appointments.

(B) License numbers of employees.

(C) If applicable, the vehicle identification number of the license holder's self-contained facility.

(4) Enforcement actions to ensure compliance with the requirements under this article and all local laws and ordinances.

As added by P.L.257-1987, SEC.2. Amended by P.L.184-1991, SEC.9; P.L.197-2007, SEC.30; P.L.84-2010, SEC.32; P.L.170-2013, SEC.17; P.L.158-2016, SEC.6.

IC 25-8-3-24 Enforcement personnel; compensation

Sec. 24. The agency shall provide inspectors, investigators, and clerks to enforce this article. The agency shall fix their compensation and reimburse them for their necessary expenses incurred in enforcing this article by payments from the state general fund under appropriations designated for that purpose.

As added by P.L.257-1987, SEC.

IC 25-8-3-25 Repealed

As added by P.L.257-1987, SEC.2. Repealed by P.L.214-1993, SEC.91.

IC 25-8-3-26 Sanitary rules given to licensees

Sec. 26. The board shall furnish each person licensed to operate:

(1) a beauty culture salon; or

(2) a beauty culture school;

with a copy of the rules concerning sanitary requirements described in section 23(a)(1) of this chapter.

As added by P.L.257-1987, SEC.2. Amended by P.L.184-1991, SEC.10; P.L.84-2010, SEC.33; P.L.170-2013, SEC.18.

IC 25-8-3-27Posting sanitary requirement rules in salon or school

Sec. 27. A person operating:

(1) a beauty culture salon; or

(2) a beauty culture school;

shall post the rules described in section 26 of this chapter in a conspicuous place in that salon or school.

As added by P.L.257-1987, SEC.2. Amended by P.L.184-1991, SEC.11; P.L.84-2010, SEC.34; P.L.170-2013, SEC.19.

IC 25-8-3-28 Inspections

Sec. 28. (a) A member of the board or any inspector or investigator may inspect:

(1) a beauty culture salon;

(2) a beauty culture school; or

(3) a mobile salon;

during its regular business hours.

(b) A member of the board or any inspector or investigator may inspect:

(1) a beauty culture salon;

(2) a beauty culture school; or

(3) a mobile salon;

before an initial license is issued.

As added by P.L.257-1987, SEC.2. Amended by P.L.184-1991, SEC.12; P.L.157-2006, SEC.37; P.L.177-2009, SEC.24; P.L.84-2010, SEC.35; P.L.170-2013, SEC.20; P.L.2-2014, SEC.104.

IC 25-8-3-29 Equal treatment for persons with criminal records

Sec. 29. (a) The board may not adopt a rule establishing different standards for an inmate or former inmate of a penal institution who applies for:

(1) admission to beauty culture school; or

(2) a license as a beauty culture professional.

(b) A person who graduates from a beauty culture school operated by a penal institution may not have the person's license denied or revoked as a result of the acts for which the person was convicted.

As added by P.L.84-2010, SEC.36. Amended by P.L.170-2013, SEC.21.

IC 25-8-3-30 Civil penalties; investigations; state board of cosmetology and barber examiners compliance fund

Sec. 30. (a) The board shall implement a program to investigate and assess a civil penalty of not more than five hundred dollars ($500) against a licensee under this article for the following violations:

(1) Violation of this article under IC 25-8-14-5.

(2) Failure to display a license required under IC 25-8-4-13.

(3) Failure to continue to meet the licensure requirements under IC 25-8-4-29.

(4) Engaging in beauty culture outside a beauty culture salon under IC 25-8-9-14.

(5) Operating a tanning facility without a license under IC 25-8-15.4-5.

(b) An individual who is investigated by the board and found by the board to have committed a violation specified in subsection (a) may appeal the determination made by the board in accordance with IC 4-21.5.

(c) The state board of cosmetology and barber examiners compliance fund is established to provide funds for administering and enforcing the investigation of violations specified in subsection (a). The fund shall be administered by the Indiana professional licensing agency.

(d) The expenses of administering the state board of cosmetology and barber examiners compliance fund shall be paid from the money in the fund. The fund consists of penalties collected through investigations and assessments by the board concerning violations specified in subsection (a).

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(f) Except as otherwise provided in this subsection, money in the fund at the end of a state fiscal year does not revert to the state general fund. If the total amount in the fund exceeds seven hundred fifty thousand dollars ($750,000) at the end of a state fiscal year after payment of all claims and expenses, the amount that exceeds seven hundred fifty thousand dollars ($750,000) reverts to the state general fund.
As added by P.L.170-2013, SEC.22.

I

NDIANA CODE § 25-8-4

Chapter 4. Cosmetology Licenses; General Provisions

IC 25-8-4-1 Exempt individuals

Sec. 1. The provisions of this article requiring a person to obtain a license do not apply to a person performing cosmetology as a:

(1) student in a beauty culture school;
(2) commissioned medical or surgical officer of the United States armed forces;
(3) chiropractor (as defined by IC 25-10-1-1(2));
(4) embalmer (as defined by IC 25-15-2-8);
(5) funeral director (as defined by IC 25-15-2-12);
(6) registered nurse (as defined by IC 25-23-1-1.1(a));
(7) licensed practical nurse (as defined by IC 25-23-1-1.2);
(8) physician (as defined by IC 25-22.5-1-1.1(g));
(9) podiatrist (as defined by IC 25-29-1-13); or
(10) person conducting an educational activity involving beauty culture at a scheduled meeting of an association that:
(A) recognizes a group of its members as beauty culture professionals; and
(B) is not open to persons who are not licensed under this chapter.

As added by P.L.257-1987, SEC.3. Amended by P.L.33-1993, SEC.17; P.L.236-1995, SEC.6; P.L.84-2010, SEC.37; P.L.170-2013, SEC.23.

IC 25-8-4-2 License reciprocity

Sec. 2. (a) If the board determines that:

(1) a person possesses a valid license from another jurisdiction to perform acts that require a license under this article; and
(2) the jurisdiction issuing the license imposes substantially equal requirements on applicants for the license as are imposed on applicants for an Indiana license;

the board may issue a license to perform those acts in Indiana to that person upon payment of the fee required under IC 25-8-13.

(b) This subsection applies only to applications for a cosmetologist license under IC 25-8-9. If the jurisdiction issuing the license does not impose substantially equal requirements for education hours as required under subsection (a)(2), the board may approve the combination of education hours plus actual licensed practice in the other jurisdiction when issuing a license to a person from that jurisdiction. One (1) year of licensed practice is equal to one hundred (100) hours of education to an applicant who has completed a minimum of one thousand (1,000) hours of education.

(c) This subsection applies only to applications for a manicurist license under IC 25-8-11. If the jurisdiction issuing a license does not impose substantially equal requirements for education hours as required under subsection (a)(2), the board may approve the combination of education hours plus actual licensed practice in the other jurisdiction when issuing a license to a person from that jurisdiction, as follows:

(1) For an applicant with less than twenty (20) years of actual licensed practice as a manicurist, one (1) year of licensed practice is equal to one hundred (100) hours of education to an applicant who has completed at least three hundred (300) hours of education.
(2) For an applicant with twenty (20) or more years of actual licensed practice as a manicurist, one (1) year of licensed practice is equal to one hundred (100) hours of education to an applicant who has completed at least one hundred (100) hours of education.

(d) This subsection applies only to applications for an electrologist license under IC 25-8-10. If the jurisdiction issuing a license does not impose substantially equal requirements for education hours as required under subsection (a)(2), the board may approve the combination of education hours plus actual licensed practice in the other jurisdiction when issuing a license to a person from that jurisdiction. One (1) year of licensed practice as an electrologist is equal to one hundred (100) hours of education to an applicant who has completed at least two hundred (200) hours of education.

(e) This subsection applies only to applications for an esthetician license under IC 25-8-12.5. If the jurisdiction issuing a license does not impose substantially equal requirements for education hours as required under subsection (a)(2), the board may approve the combination of education hours plus actual licensed practice in the other jurisdiction when issuing a license to a person from that jurisdiction. One (1) year of licensed practice as an esthetician is equal to one hundred (100) hours of education to an applicant who has completed at least four hundred (400) hours of education.

(f) This subsection applies only to applications for a beauty culture instructor license under IC 25-8-6. If the jurisdiction issuing a license does not impose substantially equal requirements for education hours as required under subsection (a)(2), the board may approve the combination of education hours plus actual licensed practice in the other jurisdiction when issuing a license to a person from that jurisdiction. One (1) year of licensed practice as a beauty culture instructor is equal to one hundred (100) hours of education to an applicant who has completed at least seven hundred (700) hours of education.

(g) This subsection applies only to applications for a barber license under IC 25-8-12.1. If the jurisdiction issuing the license does not impose substantially equivalent requirements as required under subsection (a)(2), the board may approve a combination of education hours plus actual licensed practice in the other jurisdiction when issuing a license to a person from that jurisdiction. One (1) year of licensed practice is equal to one hundred (100) hours of education to an applicant who has completed at least one thousand (1,000) hours of education.
As added by P.L.257-1987, SEC.3. Amended by P.L.184-1991, SEC.13; P.L.236-1995, SEC.7; P.L.84-1998, SEC.21; P.L.177-2009, SEC.25; P.L.84-2010, SEC.38.

IC 25-8-4-2.9 Provisional license; cosmetologist

Sec. 2.9. (a) This section applies only to applications for a cosmetologist license under this article.

(b) If an applicant comes from a jurisdiction that does not issue a cosmetologist license, the board may issue an initial provisional license to an applicant who meets the following requirements:

(1) The board finds that the applicant has sufficient training or experience as a cosmetologist.

(2) The applicant has not committed an act that would constitute a violation of the standards of practice under IC 25-1-11.

(3) The applicant pays a fee established by the board under IC 25-1-8.

(c) An applicant who has been granted an initial provisional license must work under the supervision of a licensed cosmetologist.

(d) A person who holds an initial provisional license may apply for renewal of a cosmetologist license under section 19 of this chapter.

(e) The holder of a provisional license may petition the board for the issuance of a cosmetologist license to practice without supervision. The holder of a provisional license who demonstrates to the board that the holder may satisfactorily practice without supervision shall be released from the terms of the provisional license and is entitled to hold a license under IC 25-8-4.

As added by P.L.177-2009, SEC.26.

IC 25-8-4-3 Repealed

As added by P.L.257-1987, SEC.3. Amended by P.L.184-1991, SEC.14. Repealed by P.L.236-1995, SEC.54.

IC 25-8-4-4 Transfer of license

Sec. 4. A license issued under this article may not be transferred unless:

(1) the license is a beauty culture salon license; and

(2) the person holding the license was required to change the location of the beauty culture salon by circumstances that the board determines were beyond the control of that person.

As added by P.L.257-1987, SEC.3. Amended by P.L.84-2010, SEC.39; P.L.170-2013, SEC.24; P.L.2-2014, SEC.105.

IC 25-8-4-5 Application

Sec. 5. A person who wishes to obtain a license issued under this article must complete a license application form prescribed by the board and file the application with the secretary of the board.

As added by P.L.257-1987, SEC.3.

IC 25-8-4-6 Verified statement negating misconduct

Sec. 6. The applicant must file with the application described in section 5 of this chapter a verified statement that the applicant has not engaged in activity which would subject the applicant to disciplinary procedures under IC 25-1-11.

As added by P.L.257-1987, SEC.3. Amended by P.L.214-1993, SEC.28.

IC 25-8-4-7 Examinations; time and place

Sec. 7. (a) Each applicant must pass a final practical demonstration examination of the acts permitted by the license. The applicant's beauty culture school shall administer the final practical demonstration examination.

(b) The board shall conduct a written examination of the students enrolled in beauty culture school or applicants for a beauty culture professional license. The written examinations described in this section:

(1) shall be conducted at the times and places determined by the board;

(2) may be administered through computer based testing;

(3) may be conducted before graduation from beauty culture school; and

(4) shall be conducted at times set by the board.

As added by P.L.257-1987, SEC.3. Amended by P.L.157-2006, SEC.38; P.L.84-2010, SEC.40; P.L.170-2013, SEC.25.

IC 25-8-4-8 Subjects tested

Sec. 8. The examinations described in section 7 of this chapter must include:

(1) a practical demonstration of the acts permitted by the license; and

(2) a written test concerning the licensed activity, as it is customarily taught in a beauty culture school.

As added by P.L.257-1987, SEC.3. Amended by P.L.214-1993, SEC.29; P.L.84-2010, SEC.41; P.L.170-2013, SEC.26.

IC 25-8-4-8.5 Repealed

As added by P.L.184-1991, SEC.15. Amended by P.L.236-1995, SEC.8. Repealed by P.L.157-2006, SEC.76.

IC 25-8-4-9Issuance of license

Sec. 9. The board shall issue a license to an applicant who:

(1) receives a minimum grade of seventy-five percent (75%) on both the written and practical examinations described in section 8 of this chapter; and

(2) complies with the remaining requirements for a license set forth in this article.

As added by P.L.257-1987, SEC.3. Amended by P.L.214-1993, SEC.30.

IC 25-8-4-10 Change of licensee's address; notice

Sec. 10. A person who holds a license issued under this article shall inform the board of a change of address by submitting a written statement that sets forth the current address of the person to the board no later than thirty (30) days following the change.

As added by P.L.257-1987, SEC.3.

IC 25-8-4-11 School license sign; standards

Sec. 11. A person who holds a beauty culture school license shall display a sign that complies with standards prescribed by the board on the premises of that establishment indicating that the establishment is a beauty culture school licensed under this article.

As added by P.L.257-1987, SEC.3. Amended by P.L.184-1991, SEC.16; P.L.84-2010, SEC.42; P.L.170-2013, SEC.27.

IC 25-8-4-12 Visibility of sign

Sec. 12. The sign described in section 11 of this chapter must be visible to a customer entering the main entrance of the establishment.

As added by P.L.257-1987, SEC.3.

IC 25-8-4-13 Individual license display

Sec. 13. A person who holds any license issued under this chapter except the licenses described in section 11 of this chapter shall display the license in a conspicuous place in that person's work area in the beauty culture salon, or beauty culture school where the person is employed. The license must be clearly visible to a customer of that person who is present in the licensed person's work area.

As added by P.L.257-1987, SEC.3. Amended by P.L.84-2010, SEC.43; P.L.170-2013, SEC.28.

IC 25-8-4-14 Duplicate license; issuance procedure

Sec. 14. The board may issue a duplicate license to a person licensed under this article if the person:

(1) files a verified statement with the board that the original license has been lost or destroyed; and

(2) pays the fee required under IC 25-1-8-2.

As added by P.L.257-1987, SEC.3. Amended by P.L.235-1995, SEC.4.

IC 25-8-4-15 Duplicate license registration number

Sec. 15. A duplicate license has the same registration number as the original license issued to that person.

As added by P.L.257-1987, SEC.3.

IC 25-8-4-16 Repealed

As added by P.L.257-1987, SEC.3. Repealed by P.L.184-1991, SEC.42.

IC 25-8-4-17Expiration of license

Sec. 17. (a) Subject to IC 25-1-2-6(e), and except for an instructor license issued under subsection (c) or IC 25-8-6-1, a license issued under this article expires on a date specified by the licensing agency under IC 25-1-6-4 and expires four (4) years after the initial expiration date.

(b) A license issued to an instructor under IC 25-8-6-1 expires at the time that the instructor's practitioner license expires. The board shall renew an instructor's license under this subsection concurrently with the instructor's practitioner license.

(c) Subject to IC 25-1-2-6(e), initial provisional licenses are valid for a length of time determined by the board, but not to exceed two (2) years.

As added by P.L.257-1987, SEC.3. Amended by P.L.177-2009, SEC.27; P.L.84-2010, SEC.44; P.L.170-2013, SEC.29; P.L.177-2015, SEC.18.

IC 25-8-4-18 Repealed

As added by P.L.257-1987, SEC.3. Amended by P.L.105-2008, SEC.21. Repealed by P.L.177-2009, SEC.63.

IC 25-8-4-19 Renewal before expiration

Sec. 19. The board shall renew a license if the license holder pays the fee established by the board under IC 25-1-8-2 to renew the license before the license is to expire. IC 25-1-2-6(e) applies to the expiration and renewal of a license issued under this article.

As added by P.L.257-1987, SEC.3. Amended by P.L.239-1995, SEC.4; P.L.157-2006, SEC.39; P.L.105-2008, SEC.22; P.L.177-2015, SEC.19.

IC 25-8-4-20 Repealed

As added by P.L.257-1987, SEC.3. Repealed by P.L.105-2008, SEC.67.

IC 25-8-4-21 Reinstatement procedure following expiration

Sec. 21. (a) The board may, upon application, reinstate a license under this article that has been expired for not more than three (3) years if the person holding the license meets the requirements of IC 25-1-8-6(c).

(b) The board may not reinstate a license issued under this article if the person holding the license does not apply for reinstatement not more than three (3) years after the expiration date of the license, unless the person holding the license meets the requirements for reinstatement under IC 25-1-8-6(d).

As added by P.L.257-1987, SEC.3. Amended by P.L.184-1991, SEC.17; P.L.239-1995, SEC.5; P.L.194-2005, SEC.33; P.L.157-2006, SEC.40; P.L.197-2007, SEC.31; P.L.105-2008, SEC.23; P.L.170-2013, SEC.30.

IC 25-8-4-22 Repealed

As added by P.L.257-1987, SEC.3. Amended by P.L.184-1991, SEC.18; P.L.214-1993, SEC.31; P.L.194-2005, SEC.34. Repealed by P.L.197-2007, SEC.94.

IC 25-8-4-23 Repealed

As added by P.L.257-1987, SEC.3. Amended by P.L.194-2005, SEC.35; P.L.157-2006, SEC.41. Repealed by P.L.197-2007, SEC.94.

IC 25-8-4-24 Repealed

As added by P.L.257-1987, SEC.3. Amended by P.L.194-2005, SEC.36. Repealed by P.L.197-2007, SEC.94.

IC 25-8-4-25 Repealed

As added by P.L.257-1987, SEC.3. Amended by P.L.194-2005, SEC.37. Repealed by P.L.197-2007, SEC.94.

IC 25-8-4-26 Repealed

As added by P.L.257-1987, SEC.3. Amended by P.L.194-2005, SEC.38. Repealed by P.L.197-2007, SEC.94.

IC 25-8-4-27 Repealed

As added by P.L.257-1987, SEC.3. Amended by P.L.184-1991, SEC.19; P.L.194-2005, SEC.39; P.L.197-2007, SEC.32. Repealed by P.L.105-2008, SEC.67.

IC 25-8-4-28 Repealed

As added by P.L.257-1987, SEC.3. Repealed by P.L.105-2008, SEC.67.

IC 25-8-4-29 Prohibited acts of licensee no longer complying with requirement for issuance of license

Sec. 29. A person holding a license under this chapter may not perform an act authorized by that license if the person knows that the person no longer complies with the requirements for the issuance of the license.

As added by P.L.257-1987, SEC.3.

IC 25-8-4-30 Licensed activity separate from residence

Sec. 30. A person may not engage in any activity licensed under this article in a structure that contains a residence unless the residence:

(1) is separated from the place where the licensed activity occurs by a substantial floor to ceiling partition; and

(2) has a separate entry.

As added by P.L.257-1987, SEC.3. Amended by P.L.184-1991, SEC.20.

INDIANA CODE § 25-8-5

Chapter 5. Beauty Culture School Licenses

IC 25-8-5-1 Beauty culture school licenses; barber school licenses

Sec. 1. (a) The board may issue a license under this article to operate a beauty culture school.

(b) Beginning July 1, 2014, a license issued or renewed under this chapter for a barber school must state, in prominent type on the license, that the license is a "barber school license".

As added by P.L.257-1987, SEC.4. Amended by P.L.170-2013, SEC.31; P.L.75-2014, SEC.2.

IC 25-8-5-2 Application; form

Sec. 2. A person must file a verified application for a beauty culture school license with the board on a form prescribed by the board to obtain that license.

As added by P.L.257-1987, SEC.4. Amended by P.L.170-2013, SEC.32.

IC 25-8-5-3Contents of application; required course work hours

Sec. 3. (a) The application described in section 2 of this chapter must state that:

(1) as a requirement for graduation, the proposed school will require its students to successfully complete the hours of course work required by the student's specific course of study to be eligible to sit for the licensing examination;

(2) no more than ten (10) hours of course work may be taken by a student during one (1) day;

(3) the course work will instruct the students in all theories and practical application of the students' specific course of study;

(4) the school will provide an adequate number of instructors based on the subject matter and manner by which the material is being taught;

(5) the school will be operated under the personal supervision of a licensed beauty culture instructor;

(6) the proposed school has obtained any building permit, certificate of occupancy, or other planning approval required under IC 22-15-3 and IC 36-7-4 to operate the school;

(7) the school, if located in the same building as a residence, will:

(A) be separated from the residence by a substantial floor to ceiling partition; and
(B) have a separate entry;

(8) as a requirement for graduation, the proposed school must administer and require the student to pass:

(A) a final practical demonstration examination of the acts permitted by the license; and
(B) the written examination required under IC 25-8-4-7(b).

(9) the applicant has paid the fee set forth in IC 25-8-13-3.

(b) The hours of course work required under subsection (a)(1) for a student to sit for a licensing examination must be at least one thousand five hundred (1,500) hours if the student's course of study leads to the student sitting for either the cosmetology or barber licensing examination.
As added by P.L.257-1987, SEC.4. Amended by P.L.184-1991, SEC.21; P.L.113-1999, SEC.6; P.L.157-2006, SEC.42; P.L.197-2007, SEC.33; P.L.170-2013, SEC.33; P.L.158-2016, SEC.7.

IC 25-8-5-4 Curriculum requirement rules; minimum space, equipment, and supplies requirement

Sec. 4. The board may adopt rules under IC 4-22-2 requiring that:

(1) the curriculum offered by a beauty culture school licensed under this chapter provide a minimum number of hours of instruction of each of the subjects described in section 3(a)(3) of this chapter; and

(2) the facility be equipped with a minimum amount of space, equipment, and supplies for the specific courses of study the beauty culture school is offering to allow for flexibility in spatial design and equipment needs when the beauty culture school's curriculum and instructional approach is taken into consideration.

As added by P.L.257-1987, SEC.4. Amended by P.L.170-2013, SEC.34; P.L.158-2016, SEC.8.

IC 25-8-5-4.2 Final practical demonstration examination

Sec. 4.2. (a) A beauty culture school licensed under this chapter shall require each student for graduation to pass a final examination that tests the student's practical knowledge of the curriculum studied.

(b) The board shall consider an applicant for the beauty culture professional examination as fulfilling the practical examination requirement established by IC 25-8-4-8(1) after successfully completing the final practical demonstration examination.

(c) A passing score of at least seventy-five percent (75%) is required on the final practical demonstration examination.

(d) The beauty culture school licensed under this chapter shall allow each student for graduation at least three (3) attempts to pass the final practical demonstration examination.

(e) The board may monitor the administration of the final practical demonstration examination for any of the following purposes:

(1) As a result of a complaint received.
(2) As part of random observations.
(3) To collect data.

As added by P.L.157-2006, SEC.43. Amended by P.L.78-2008, SEC.6; P.L.170-2013, SEC.35.

IC 25-8-5-4.5 Credit for valid license

Sec. 4.5. (a) If a student in a beauty culture school presents to the school a valid license issued by the board, the school shall accept and provide credit toward the student's current program for the hours completed in a beauty culture school in the theory and demonstration, or actual practice, of any of the following subjects:

(1) Electricity (basic electricity).
(2) Facials.
(3) Hair coloring (color rinses).
(4) Hair removal.
(5) Makeup.
(6) Manicuring.
(7) Pedicuring.
(8) Salesmanship (salesmanship and marketing).
(9) Sanitation (infection control or bacteriology).
(10) Scalp treatment.
(11) Skin (skin care).
(12) Shampooing (shampoo rinsing).
(13) Hair coloring (weekly rinses).
(14) Cutting, trimming, styling, arranging, dressing, curling, permanent waving, cleansing, bleaching, tinting, coloring, or similarly treating hair.
(15) Other areas as determined by the board.

(b) The school shall credit the appropriate subject areas on a student's transcript for the hours transferred under subsection (a).

(c) A student may not transfer any hours of credit above the amount required in each subject area under the student's current program.

(d) The student may receive credit for the number of hours that the student's current program requires in the subject areas covered by the student's license, even if the number of hours required under the current program is greater than the actual number of hours completed when the student's license was earned.
As added by P.L.113-1999, SEC.7. Amended by P.L.170-2013, SEC.36.

IC 25-8-5-4.6 Distance learning

Sec. 4.6. The board may adopt rules under IC 4-22-2 that will allow curriculum offered by a beauty culture school licensed under this chapter to be delivered within a distance learning environment. Instructors used in the distance learning environment must be licensed under IC 25-8-6.
As added by P.L.158-2016, SEC.9.

IC 25-8-5-5 Sign display at school entrances; standards

Sec. 5. (a) A beauty culture school licensed under this chapter shall

display a sign complying with standards established by the board at each entrance to the beauty culture school used by the school's customers.

(b) The sign must state that the students of the school are performing beauty culture in that establishment.

As added by P.L.257-1987, SEC.4. Amended by P.L.170-2013, SEC.37.

IC 25-8-5-6 Sign displaying prices

Sec. 6. A beauty culture school licensed under this chapter may not display a sign listing the prices charged for services at the beauty culture school unless:

(1) the beauty culture school displays the sign required under section 5 of this chapter; or

(2) the price list sign described in this section is only visible inside the school.

As added by P.L.257-1987, SEC.4. Amended by P.L.170-2013, SEC.38.

IC 25-8-5-7 Postsecondary higher education classes, courses, programs; rules; policies and procedures

Sec. 7. (a) A school of barbering, manicuring, esthetics, or cosmetology licensed under this chapter shall be authorized to offer postsecondary higher education classes, courses, or programs consistent with the rules and policies adopted by the board subject to the board's oversight.

(b) The board shall:

(1) adopt rules under IC 4-22-2 to comply with this section and any federal law or regulation; and

(2) develop policies and administrative procedures to:

(A) appropriately act on complaints concerning a beauty culture school licensed under this chapter; and

(B) comply with this section and any federal law or regulation.

As added by P.L.75-2014, SEC.3.

INDIANA CODE § 25-8-6

Chapter 6. Instructor Licenses

IC 25-8-6-1 Authorization

Sec. 1. The board may license a person to be an instructor.

As added by P.L.257-1987, SEC.5. Amended by P.L.236-1995, SEC.9; P.L.197-2007, SEC.34; P.L.170-2013, SEC.39.

IC 25-8-6-2 Application; form

Sec. 2. A person must file a verified application for an instructor license with the board. The application must be made on a form prescribed by the board.

As added by P.L.257-1987, SEC.5. Amended by P.L.236-1995, SEC.10; P.L.197-2007, SEC.35; P.L.170-2013, SEC.40.

IC 25-8-6-3 Contents of application

Sec. 3. The application described in section 2 of this chapter must state that the applicant:

(1) is at least eighteen (18) years of age;

(2) has graduated from high school or received the equivalent of a high school education;

(3) holds a cosmetologist, an electrologist, a manicurist, a barber, or an esthetician license issued under this article;

(4) has completed the education and experience requirements subject to the rules adopted by the board;

(5) has not committed an act for which the applicant could be disciplined under IC 25-8-14;

(6) has received a satisfactory grade (as described in IC 25-8-4-9) on an examination for instructor license applicants prescribed by the board; and

(7) has paid the fee set forth in IC 25-8-13-4 for the issuance of a license under this chapter.

As added by P.L.257-1987, SEC.5. Amended by P.L.5-1988, SEC.136; P.L.184-1991, SEC.22; P.L.197-2007, SEC.36; P.L.170-2013, SEC.41.

IC 25-8-6-4 Repeat examination; rules

Sec. 4. If a person does not receive a satisfactory grade on the examination described in section 3(6) of this chapter, that person may repeat the examination without completing any additional study in instructing.

As added by P.L.257-1987, SEC.5. Amended by P.L.170-2013, SEC.42.

IC 25-8-6-5 Repealed

As added by P.L.257-1987, SEC.5. Repealed by P.L.170-2013, SEC.43.

IC 25-8-6-6 Requirements to provide instruction

Sec. 6. A person who obtains an instructor license may provide instruction in the following:

(1) Cosmetology, if the person holds a cosmetologist license under IC 25-8-9.

(2) Electrology, if the person holds an electrologist license under IC 25-8-10.

(3) Manicuring, if the person holds a manicurist license under IC 25-8-11.

(4) Esthetics, if the person holds an esthetician license under IC 25-8-12.5.

(5) Barbering, if the person holds a barber license under IC 25-8-12.1.

As added by P.L.197-2007, SEC.37. Amended by P.L.170-2013, SEC.44.

INDIANA CODE § 25-8-6.1

Chapter 6.1. Esthetics Instructor Licenses

IC 25-8-6.1 Repealed

(*Repealed by P.L.197-2007, SEC.94.)*

INDIANA CODE § 25-8-6.2

Chapter 6.2. Electrology Instructor Licenses

IC 25-8-6.2 Repealed

(*Repealed by P.L.197-2007, SEC.94.)*

INDIANA CODE § 25-8-6.3

Chapter 6.3. Barber School Licenses

Repealed
(Repealed by P.L.170-2013, SEC.45.)

INDIANA CODE § 25-8-6.4
Chapter 6.4. Barber Instructor Licenses

Repealed
(Repealed by P.L.170-2013, SEC.45.)

INDIANA CODE § 25-8-7

Chapter 7. Beauty Culture Salon Licenses

IC 25-8-7-1 Cosmetology salon licenses; barber shop licenses
Sec. 1. (a) The board may issue a license under this article to operate a beauty culture salon.
(b) Beginning July 1, 2014, a license issued or renewed under this chapter for a barber shop must state, in prominent type on the license, that the license is a "barber shop license".
As added by P.L.257-1987, SEC.6. Amended by P.L.170-2013, SEC.47; P.L.75-2014, SEC.4.

IC 25-8-7-2 Requirements for license
Sec. 2. A person who wishes to obtain a beauty culture salon license must:
(1) do one (1) or more of the following:
(A) Select a site for the salon which, if located in the same building as a residence:
(i) is separated from the residence by a substantial floor to ceiling partition; and
(ii) has a separate entry.
(B) Meet the requirements for a mobile salon as established by the board under IC 25-8-3-23(c);
(2) if applicable, obtain any building permit, certificate of occupancy, or other approval action required under IC 22-15-3 and IC 36-7-4 to operate the beauty culture salon;
(3) install the furnishings, if applicable, and obtain the salon equipment required under rules adopted by the board; and
(4) submit a verified statement on a form prescribed by the board that the beauty culture salon will be under the personal supervision of a person who is licensed as a beauty culture professional before the application was submitted under this chapter.

As added by P.L.257-1987, SEC.6. Amended by P.L.184-1991, SEC.23; P.L.197-2007, SEC.38; P.L.170-2013, SEC.48; P.L.158-2016, SEC.10.

IC 25-8-7-3 Repealed
As added by P.L.257-1987, SEC.6. Repealed by P.L.170-2013, SEC.49.

IC 25-8-7-4 Prerequisites to license issuance
Sec. 4. The board may issue a license under this chapter if the applicant has:
(1) complied with section 2 of this chapter; and
(2) paid the fee for the license set forth in IC 25-8-13-5.
As added by P.L.257-1987, SEC.6.

IC 25-8-7-5 Temporary license
Sec. 5. If:
(1) the board cannot determine whether an applicant has complied with section 2 of this chapter at the time the application is filed; and
(2) the board determines that the board will require more than fifteen (15) days to determine if the applicant has complied with section 2 of this chapter;

then the board shall issue a temporary beauty culture salon license to the applicant.
As added by P.L.257-1987, SEC.6. Amended by P.L.170-2013, SEC.50.

IC 25-8-7-6 Duration of temporary license
Sec. 6. The temporary license issued under section 5 of this chapter is valid until the board approves or denies the application for a license under this chapter or until three (3) months following its issuance, whichever occurs first.
As added by P.L.257-1987, SEC.6.

IC 25-8-7-7 Salon license requirement of lessee of licensed salon
Sec. 7. The board may not require a beauty culture professional to obtain a license under this chapter if the beauty culture professional has leased or subleased a portion of a beauty culture salon from a person licensed under this chapter.
As added by P.L.257-1987, SEC.6. Amended by P.L.170-2013, SEC.51.

IC 25-8-7-8 Sign display at salon entrance; standards
Sec. 8. (a) A person holding a license issued under IC 25-8-7 shall display a sign complying with standards prescribed by the board at the main public entrance to the salon.
(b) The sign must:
(1) be clearly visible to a customer entering the establishment at that entrance; and
(2) state in legible printing that the establishment is a structure licensed as a beauty culture salon.
As added by P.L.257-1987, SEC.6. Amended by P.L.184-1991, SEC.24; P.L.113-1999, SEC.10; P.L.170-2013, SEC.52.

INDIANA CODE § 25-8-7.1

Chapter 7.1. Manicurist Salon Licenses

IC 25-8-7.1 Repealed
(Repealed by P.L.170-2013, SEC.54.)

INDIANA CODE § 25-8-7.2

Chapter 7.2. Electrology Salon Licenses

IC 25-8-7.2 Repealed
(Repealed by P.L.170-2013, SEC.54.)

INDIANA CODE § 25-8-8

Chapter 8. Repealed

IC 25-8-8 Repealed
(Repealed by P.L.157-2006, SEC.76.)

INDIANA CODE § 25-8-8.1
Chapter 8.1 Barber Shop Licenses

IC 25-8-8.1 Repealed
(Repealed by P.L.170-2013, SEC.55.)

INDIANA CODE § 25-8-9

Chapter 9. Cosmetologist Licenses

IC 25-8-9-1 Authorization
Sec. 1. The board may license a person to be a cosmetologist.
As added by P.L.257-1987, SEC.8.

IC 25-8-9-2 Application; form
Sec. 2. A person must file a verified application for a cosmetologist license with the board on a form prescribed by the board to obtain that license.
As added by P.L.257-1987, SEC.8.

IC 25-8-9-3 Contents of application
Sec. 3. The application described in section 2 of this chapter must state that the applicant:
(1) is at least seventeen (17) years of age;
(2) has successfully completed the tenth grade or received the equivalent of tenth grade education;
(3) has graduated from a beauty culture school;
(4) has received a satisfactory grade (as defined by IC 25-8-4-9) on an examination for cosmetologist license applicants prescribed by the board;
(5) has not committed an act for which the applicant could be disciplined under IC 25-8-14; and
(6) has paid the fee set forth in IC 25-8-13-7 for the issuance of a license under this chapter.
As added by P.L.257-1987, SEC.8. Amended by P.L.113-1999, SEC.11; P.L.170-2013, SEC.56; P.L.158-2016, SEC.11.

IC 25-8-9-4 Waiver of tenth grade education requirement; conditions
Sec. 4. The board may waive the requirement for applicants under section 3(2) of this chapter if:
(1) the applicant petitions the board for a waiver; and
(2) the board determines that the requirement would result in extreme hardship to the applicant if enforced.
As added by P.L.257-1987, SEC.8.

IC 25-8-9-5 Repeat examinations

Sec. 5. If a person does not receive a satisfactory grade on the examination described in section 3(4) of this chapter, that person may repeat the examination without completing any additional study in cosmetology.
As added by P.L.257-1987, SEC.8.

IC 25-8-9-6 Repealed
As added by P.L.257-1987, SEC.8. Repealed by P.L.170-2013, SEC.57.

IC 25-8-9-7 Repealed
As added by P.L.257-1987, SEC.8. Amended by P.L.214-1993, SEC.33; P.L.236-1995, SEC.15; P.L.157-2006, SEC.44; P.L.197-2007, SEC.41. Repealed by P.L.170-2013, SEC.58.

IC 25-8-9-8 Repealed
As added by P.L.257-1987, SEC.8. Amended by P.L.214-1993, SEC.34; P.L.236-1995, SEC.16; P.L.157-2006, SEC.45; P.L.197-2007, SEC.42. Repealed by P.L.170-2013, SEC.59.

IC 25-8-9-9 Repealed
As added by P.L.257-1987, SEC.8. Amended by P.L.214-1993, SEC.35; P.L.236-1995, SEC.17; P.L.157-2006, SEC.46; P.L.197-2007, SEC.43; P.L.177-2009, SEC.28. Repealed by P.L.170-2013, SEC.60.

IC 25-8-9-10 Repealed
As added by P.L.257-1987, SEC.8. Amended by P.L.184-1991, SEC.27; P.L.236-1995, SEC.18. Repealed by P.L.170-2013, SEC.61.

IC 25-8-9-11 Repealed

As added by P.L.257-1987, SEC.8. Amended by P.L.194-2005, SEC.40. Repealed by P.L.170-2013, SEC.62.

IC 25-8-9-12 Repealed
As added by P.L.257-1987, SEC.8. Repealed by P.L.170-2013, SEC.63.

IC 25-8-9-13 Practice in beauty culture school; restrictions
Sec. 13. A person licensed under this chapter may not engage in beauty culture in a beauty culture school except as part of student instruction.
As added by P.L.257-1987, SEC.8. Amended by P.L.170-2013, SEC.64.

IC 25-8-9-14 Practice restrictions
Sec. 14. A person licensed under this chapter may not engage in beauty culture outside a beauty culture salon unless that person:
(1) has the permission of a person who holds a cosmetology salon license and:
(A) employs the person licensed under this chapter; or
(B) leases or subleases a portion of a salon to the person licensed under this chapter; and
(2) complies with any other practice restrictions regarding this section established by the board.
As added by P.L.257-1987, SEC.8. Amended by P.L.236-1995, SEC.19; P.L.170-2013, SEC.65.

INDIANA CODE § 25-8-10

Chapter 10. Electrologist Licenses

IC 25-8-10-1 Authorization
Sec. 1. The board may license a person to perform electrolysis.
As added by P.L.257-1987, SEC.9.

IC 25-8-10-2 Application; form
Sec. 2. A person must file a verified application for an electrologist license with the board on a form prescribed by the board to obtain that license.
As added by P.L.257-1987, SEC.9.

IC 25-8-10-3 Contents of application
Sec. 3. The application described in section 2 of this chapter must state that the applicant:

(1) holds a cosmetologist license issued under IC 25-8-9 or an esthetician license issued under IC 25-8-12.5;

(2) has successfully completed the education and experience requirements under the rules adopted by the board in the instruction of electrology in a beauty culture school.

(3) has received a satisfactory grade (as defined by IC 25-8-4-9) on an examination for electrologist license prescribed by the board;

(4) has not committed an act for which the applicant could be disciplined under IC 25-8-14; and

(5) has paid the fee set forth in IC 25-8-13-8 for the issuance of a license under this chapter.

As added by P.L.257-1987, SEC.9. Amended by P.L.184-1991, SEC.28; P.L.214-1993, SEC.36; P.L.2-1995, SEC.95; P.L.170-2013, SEC.66.

IC 25-8-10-3.1 Repeat examination

Sec. 3.1. If a person does not receive a satisfactory grade on the examination described in section 3(3) of this chapter, the person may repeat the examination without completing any additional study in electrology.
As added by P.L.170-2013, SEC.67.

IC 25-8-10-4 Provisional license; electrologist

Sec. 4. (a) This section applies only to applications for an electrologist license under this article.

(b) If an applicant comes from a jurisdiction that does not issue an electrologist license, the board may issue an initial provisional license to an applicant who meets the following requirements:

(1) The board finds that the applicant has sufficient training or experience as an electrologist.

(2) The applicant has not committed an act that would constitute a violation of the standards of practice under IC 25-1-11.

(3) The applicant pays a fee established by the board under IC 25-1-8.

(c) An applicant who has been granted an initial provisional license must work under the supervision of a licensed cosmetologist or a licensed electrologist.

(d) A person who holds an initial provisional license may apply for renewal of an electrologist license under this chapter.

(e) The holder of a provisional license may petition the board for the issuance of an electrologist license to practice without supervision. The holder of a provisional license who demonstrates to the board that the holder may satisfactorily practice without supervision shall be released from the terms of the provisional license and is entitled to hold a license under this chapter.
As added by P.L.177-2009, SEC.29.

INDIANA CODE § 25-8-11

Chapter 11. Manicurist Licenses

IC 25-8-11-1 Authorization

Sec. 1. The board may license a person to perform manicuring.
As added by P.L.257-1987, SEC.10.

IC 25-8-11-2 Performance of manicuring without offering cosmetology

Sec. 2. A person may perform manicuring without offering cosmetology.
As added by P.L.257-1987, SEC.10.

IC 25-8-11-3 Application; form

Sec. 3. A person must file a verified application for a manicurist license with the board on a form prescribed by the board to obtain that license.
As added by P.L.257-1987, SEC.10.

IC 25-8-11-4 Contents of application

Sec. 4. The application described in section 3 of this chapter must state that the applicant:

(1) is at least eighteen (18) years of age;

(2) has successfully completed the eighth grade or received the equivalent of an eighth grade education;

(3) has graduated from a manicurist program in a beauty culture school;

(4) has received a satisfactory grade (as defined by IC 25-8-4-9) on an examination for manicurist license applicants prescribed by the board;

(5) has not committed an act for which the applicant could be disciplined under IC 25-8-14; and

(6) has paid the fee set forth in IC 25-8-13-9 for the issuance of a license under this chapter.

As added by P.L.257-1987, SEC.10. Amended by P.L.184-1991, SEC.29; P.L.113-1999, SEC.12; P.L.170-2013, SEC.68.

IC 25-8-11-5 Unsuccessful examination; consequences

Sec. 5. If a person does not receive a satisfactory grade on the examination described in section 4(4) of this chapter, the person may repeat the examination without completing any additional study in manicuring.
As added by P.L.257-1987, SEC.10. Amended by P.L.236-1995, SEC.20; P.L.173-1996, SEC.12; P.L.170-2013, SEC.69.

IC 25-8-11-6 Repealed

As added by P.L.257-1987, SEC.10. Repealed by P.L.170-2013, SEC.70.

IC 25-8-11-7 Use of acrylic liquid monomer formulated with methyl methacrylate

Sec. 7. (a) A person licensed under this article may not use acrylic liquid monomer formulated with methyl methacrylate (MMA).

(b) A person who violates subsection (a) may be disciplined under IC 25-1-11.
As added by P.L.113-1999, SEC.13.

IC 25-8-11-8 Provisional license; manicurist

Sec. 8. (a) This section applies only to applications for a manicurist license under this article.

(b) If an applicant comes from a jurisdiction that does not issue a manicurist license, the board may issue an initial provisional license to an applicant who meets the following requirements:

(1) The board finds that the applicant has sufficient training or experience as a manicurist.

(2) The applicant has not committed an act that would constitute a violation of the standards of practice under IC 25-1-11.

(3) The applicant pays a fee established by the board under IC 25-1-8.

(c) An applicant who has been granted an initial provisional license must work under the supervision of a licensed cosmetologist or licensed manicurist.

(d) A person who holds an initial provisional license may apply for renewal of a manicurist license under this chapter.

(e) The holder of a provisional license may petition the board for the issuance of a manicurist license to practice without supervision. The holder of a provisional license who demonstrates to the board that the holder may satisfactorily practice without supervision shall be released from the terms of the provisional license and is entitled to hold a license under this chapter.

As added by P.L.177-2009, SEC.30.

INDIANA CODE § 25-8-12

Chapter 12. Repealed

IC 25-8-12 Repealed

(Repealed by P.L.157-2006, SEC.76.)

INDIANA CODE § 25-8-12.1

Chapter 12.1 Barber Licenses

IC 25-8-12.1-1 Issuance of license

Sec. 1. (a) The board may license a person to be a barber.

(b) Beginning July 1, 2014, a license issued or renewed under this chapter must state, in prominent type on the license, that the license is a "barber license".

As added by P.L.84-2010, SEC.48. Amended by P.L.75-2014, SEC.5.

IC 25-8-12.1-2 Verified application

Sec. 2. A person must file a verified application with the board on a form prescribed by the board to obtain a barber license.

As added by P.L.84-2010, SEC.48.

IC 25-8-12.1-3 Contents of application

Sec. 3. The application described in section 2 of this chapter must state that the applicant:

(1) is either:

(A) at least eighteen (18) years of age; or

(B) at least seventeen (17) years of age and is a graduate of an accredited high school;

(2) has graduated with not less than one thousand five hundred (1,500) hours of training in a barber program in a beauty culture school;

(3) has received a satisfactory grade of at least seventy-five percent (75%) on an examination for barber license applicants prescribed by the board;

(4) has not committed an act that could subject the applicant to discipline under IC 25-1-11; and

(5) has paid the fee set forth in IC 25-8-13 for the issuance of a license under this chapter.

As added by P.L.84-2010, SEC.48. Amended by P.L.170-2013, SEC.71.

IC 25-8-12.1-4 Failure to pass examination

Sec. 4. If a person does not receive a satisfactory grade on the examination described in IC 25-8-4-7, that person may repeat the examination without completing any additional study in barbering.

As added by P.L.84-2010, SEC.48. Amended by P.L.170-2013, SEC.72.

IC 25-8-12.1-5 Restrictions on barbering in beauty culture school

Sec. 5. A person licensed under this chapter may not engage in barbering in a beauty culture school except as part of student instruction.

As added by P.L.84-2010, SEC.48. Amended by P.L.170-2013, SEC.73.

IC 25-8-12.1-6 Restrictions on barbering outside beauty culture school

Sec. 6. A person licensed under this chapter may not engage in barbering outside a beauty culture salon unless the person:

(1) has the permission of a person who holds a beauty culture salon license and:

(A) employs; or

(B) leases or subleases a part of a shop to;

the person licensed under this chapter; and

(2) complies with any other practice restrictions established by the board under this chapter.

As added by P.L.84-2010, SEC.48. Amended by P.L.170-2013, SEC.74.

IC 25-8-12.1-7 Repealed

As added by P.L.84-2010, SEC.48. Repealed by P.L.170-2013, SEC.75.

IC 25-8-12.1-8 Repealed

As added by P.L.84-2010, SEC.48. Repealed by P.L.170-2013, SEC.76.

IC 25-8-12.1-9 Repealed

As added by P.L.84-2010, SEC.48. Repealed by P.L.170-2013, SEC.77.

IC 25-8-12.1-10 Repealed

As added by P.L.84-2010, SEC.48. Repealed by P.L.170-2013, SEC.78.

IC 25-8-12.1-11 Repealed

As added by P.L.84-2010, SEC.48. Repealed by P.L.170-2013, SEC.79.

IC 25-8-12.1-12 License after military service

Sec. 12. A person who:

(1) enters active military service of the United States or of this state:

(A) in time of war or an emergency;

(B) for or during a period of training; or

(C) in connection with or under the operation of a system of selective service; and

(2) at the time of entry holds a valid license as a registered barber;

shall be granted a similar certificate of registration or license upon presenting to the board an honorable discharge from military service, dated not more than six (6) months before the time of the presentation.

The similar certificate or license shall be granted by the board upon payment of a fee established by the board.
As added by P.L.84-2010, SEC.48.

IC 25-8-12.1-13 Provisional license

Sec. 13. (a) This section applies only to applications for a barber license under this chapter.

(b) If an applicant comes from a jurisdiction that does not issue a barber license, the board may issue an initial provisional license to an applicant who meets the following requirements:

(1) The board finds that the applicant has sufficient training or experience as a barber.
(2) The applicant has not committed an act that would constitute a violation of the standards of practice under IC 25-1-11.
(3) The applicant pays a fee established by the board under IC 25-1-8.

(c) An applicant who has been granted an initial provisional license must work under the supervision of a licensed barber.

(d) A person who holds an initial provisional license may apply for renewal of a barber license under this article.

(e) The holder of a provisional license may petition the board for the issuance of a barber license to practice without supervision. The holder of a provisional license who demonstrates to the board that the holder may satisfactorily practice without supervision shall be released from terms of the provisional license and is entitled to hold a license under this chapter.
As added by P.L.84-2010, SEC.48.

INDIANA CODE § 25-8-12.5

Chapter 12.5. Esthetician Licenses

IC 25-8-12.5-1 Licensure by board

Sec. 1. The board may license a person to be an esthetician.
As added by P.L.144-1990, SEC.3.

IC 25-8-12.5-2 Cosmetology offering not required

Sec. 2. A person may act as an esthetician without offering cosmetology.
As added by P.L.144-1990, SEC.3.

IC 25-8-12.5-3 Verified application; filing; form

Sec. 3. A person must file a verified application for an esthetician license with the board on a form prescribed by the board to obtain the license.
As added by P.L.144-1990, SEC.3.

IC 25-8-12.5-4 Licensee qualifications

Sec. 4. To receive a license issued under this chapter, a person must:

(1) be at least seventeen (17) years of age;
(2) have successfully completed the tenth grade or received the equivalent of a tenth grade education;
(3) have graduated from an esthetics program in a beauty culture school;
(4) have received a satisfactory grade (as defined by IC 25-8-4-9) on an examination for esthetician license applicants prescribed by the board;
(5) not have committed an act for which the person could be disciplined under IC 25-8-14; and
(6) pay the fee set forth in IC 25-8-13-11 for the issuance of a license under this chapter.

As added by P.L.144-1990, SEC.3. Amended by P.L.184-1991, SEC.30; P.L.197-1995, SEC.2; P.L.84-1998, SEC.22; P.L.113-1999, SEC.15; P.L.177-2009, SEC.31; P.L.158-2016, SEC.12.

IC 25-8-12.5-5 Unsuccessful examination; consequences

Sec. 5. If a person does not receive a satisfactory grade on the examination described in section 4(4) of this chapter, the person may repeat the examination without completing any additional study in esthetics.
As added by P.L.144-1990, SEC.3. Amended by P.L.2-1995, SEC.96; P.L.236-1995, SEC.21; P.L.173-1996, SEC.13; P.L.170-2013, SEC.80.

IC 25-8-12.5-6 Repealed
As added by P.L.144-1990, SEC.3. Repealed by P.L.170-2013, SEC.81.

IC 25-8-12.5-7Repealed
As added by P.L.84-1998, SEC.23. Repealed by P.L.177-2009, SEC.63.

IC 25-8-12.5-8 Provisional license; esthetician

Sec. 8. (a) This section applies only to applications for an esthetician license under this article.

(b) If an applicant comes from a jurisdiction that does not issue an esthetician license, the board may issue an initial provisional license to an applicant who meets the following requirements:

(1) The board finds that the applicant has sufficient training or experience as an esthetician.
(2) The applicant has not committed an act that would constitute a violation of the standards of practice under IC 25-1-11.
(3) The applicant pays a fee established by the board under IC 25-1-8.

(c) An applicant who has been granted an initial provisional license must work under the supervision of a licensed cosmetologist or a licensed esthetician.

(d) A person who holds an initial provisional license may apply for renewal of an esthetician license under this chapter.

(e) The holder of a provisional license may petition the board for the issuance of an esthetician license to practice without supervision. The holder of a provisional license who demonstrates to the board that the holder may satisfactorily practice without supervision shall be released from the terms of the provisional license and is entitled to hold a license under this chapter.
As added by P.L.177-2009, SEC.32.

INDIANA CODE § 25-8-12.6

Chapter 12.6. Esthetician Shop License
(Repealed by P.L.170-2013, SEC.82.)

INDIANA CODE § 25-8-13

Chapter 13. Fees

IC 25-8-13-1 "Examination" defined

Sec. 1. As used in this chapter, "examination" includes the repetition of an examination by a person who did not receive a satisfactory grade (as defined by IC 25-8-4-9) on a prior examination.
As added by P.L.257-1987, SEC.12.

IC 25-8-13-2 Fee exempt transactions

Sec. 2. The board may not charge a fee for transferring a beauty

culture salon license under IC 25-8-4-4.
As added by P.L.257-1987, SEC.12. Amended by P.L.84-2010, SEC.49; P.L.170-2013, SEC.83.

IC 25-8-13-3 School license fee

Sec. 3. (a) The board shall charge a fee established by the board under IC 25-1-8-2 for an application to issue or renew a beauty culture school license. IC 25-1-2-6(e) applies to the issuance and renewal of a beauty culture school license.

(b) The board shall charge a fee established under IC 25-1-8-6 for reinstating a beauty culture school license.
As added by P.L.257-1987, SEC.12. Amended by P.L.197-1995, SEC.3; P.L.194-2005, SEC.41; P.L.157-2006, SEC.47; P.L.84-2010, SEC.50; P.L.170-2013, SEC.84; P.L.177-2015, SEC.20.

IC 25-8-13-4 Instructor's licensing fee

Sec. 4. (a) The board shall charge a fee established by the board under IC 25-1-8-2 for issuing or renewing an instructor license. IC 25-1-2-6(e) applies to the issuance and renewal of an instructor license.

(b) The board shall charge a fee established under IC 25-1-8-6 for reinstating an instructor license.
As added by P.L.257-1987, SEC.12. Amended by P.L.214-1993, SEC.37; P.L.236-1995, SEC.22; P.L.197-1995, SEC.4; P.L.194-2005, SEC.42; P.L.157-2006, SEC.48; P.L.84-2010, SEC.51; P.L.177-2015, SEC.21.

IC 25-8-13-5 Beauty culture salon license fee

Sec. 5. (a) The board shall charge a fee established by the board under IC 25-1-8-2 for issuing or renewing a beauty culture salon license. IC 25-1-2-6(e) applies to the issuance and renewal of a beauty culture salon license.

(b) The board shall charge a fee established under IC 25-1-8-6 for reinstating a beauty culture salon license.
As added by P.L.257-1987, SEC.12. Amended by P.L.184-1991, SEC.38; P.L.194-2005, SEC.43; P.L.157-2006, SEC.49; P.L.84-2010, SEC.52; P.L.170-2013, SEC.85; P.L.177-2015, SEC.22.

IC 25-8-13-6 Repealed

As added by P.L.257-1987, SEC.12. Amended by P.L.197-1995, SEC.5; P.L.194-2005, SEC.44. Repealed by P.L.157-2006, SEC.76.

IC 25-8-13-7 Cosmetologist license fees

Sec. 7. (a) The board shall charge a fee established by the board under IC 25-1-8-2 for providing an examination to an applicant for a cosmetologist license.

(b) The board shall charge a fee established by the board under IC 25-1-8-2 for issuing or renewing a cosmetologist license. IC 25-1-2-6(e) applies to the issuance and renewal of a cosmetologist license.

(c) The board shall charge a fee established under IC 25-1-8-6 for reinstating a cosmetologist license.

(d) The board shall charge a fee established by the board under IC 25-1-8-2 for issuing an Indiana cosmetologist license to a person who holds a license from another jurisdiction that meets the requirements set forth in IC 25-8-4-2.
As added by P.L.257-1987, SEC.12. Amended by P.L.236-1995, SEC.23; P.L.197-1995, SEC.6; P.L.194-2005, SEC.45; P.L.157-2006, SEC.50; P.L.177-2015, SEC.23.

IC 25-8-13-8 Electrologist license fees

Sec. 8. (a) The board shall charge a fee established by the board under IC 25-1-8-2 for providing an examination to an applicant for an electrologist license.

(b) The board shall charge a fee established by the board under IC 25-1-8-2 for issuing or renewing an electrologist license. IC 25-1-2-6(e) applies to the issuance and renewal of an electrologist license.

(c) The board shall charge a fee established under IC 25-1-8-6 for reinstating an electrologist license.

(d) The board shall charge a fee established by the board under IC 25-1-8-2 for issuing a license to a person who holds an electrologist license from another jurisdiction that meets the requirements under IC 25-8-4-2.
As added by P.L.257-1987, SEC.12. Amended by P.L.214-1993, SEC.38; P.L.236-1995, SEC.24; P.L.197-1995, SEC.7; P.L.194-2005, SEC.46; P.L.157-2006, SEC.51; P.L.177-2015, SEC.24.

IC 25-8-13-9 Manicurist license fees

Sec. 9. (a) The board shall charge a fee established by the board under IC 25-1-8-2 for providing an examination to an applicant for a manicurist license.

(b) The board shall charge a fee established by the board under IC 25-1-8-2 for issuing or renewing a manicurist license. IC 25-1-2-6(e) applies to the issuance and renewal of a manicurist license.

(c) The board shall charge a fee required under IC 25-1-8-6 for reinstating a manicurist license.

(d) The board shall charge a fee established by the board under IC 25-1-8-2 for issuing a license to a person who holds a manicurist license from another jurisdiction that meets the requirements under IC 25-8-4-2.
As added by P.L.257-1987, SEC.12. Amended by P.L.214-1993, SEC.39; P.L.236-1995, SEC.25; P.L.197-1995, SEC.8; P.L.194-2005, SEC.47; P.L.157-2006, SEC.52; P.L.177-2015, SEC.25.

IC 25-8-13-10 Repealed

As added by P.L.257-1987, SEC.12. Amended by P.L.197-1995, SEC.9; P.L.194-2005, SEC.48. Repealed by P.L.157-2006, SEC.76.

IC 25-8-13-11 Esthetician examination and license fees

Sec. 11. (a) The board shall charge a fee established by the board under IC 25-1-8-2 for providing an examination to an applicant for an esthetician license.

(b) The board shall charge a fee established by the board under IC 25-1-8-2 for issuing or renewing an esthetician license. IC 25-1-2-6(e) applies to the issuance and renewal of an esthetician license.

(c) The board shall charge a fee established under IC 25-1-8-6 for reinstating an esthetician license.

(d) The board shall charge a fee established by the board under IC 25-1-8-2 for issuing a license to a person who holds an esthetician license from another jurisdiction that meets the requirements under IC 25-8-4-2.
As added by P.L.144-1990, SEC.5. Amended by P.L.184-1991, SEC.39; P.L.214-1993, SEC.40; P.L.236-1995, SEC.26; P.L.197-1995, SEC.10; P.L.194-2005, SEC.49; P.L.157-2006, SEC.53; P.L.177-2015, SEC.26.

IC 25-8-13-12 Repealed

As added by P.L.144-1990, SEC.6. Repealed by P.L.184-1991, SEC.42.

IC 25-8-13-12.1 Barber license fees

Sec. 12.1. (a) The board shall establish fees under IC 25-1-8-2 for providing an examination to an applicant for a barber license.

(b) The board shall establish fees under IC 25-1-8-2 for issuing or renewing a barber license. IC 25-1-2-6(e) applies to the issuance and renewal of a barber license.

(c) The board shall charge a fee established under IC 25-1-8-6 for reinstating a barber license.

(d) The board shall charge a fee established by the board under IC 25-1-8-2 for issuing a license to a person who holds a barber license from another jurisdiction that meets the requirements under IC 25-8-4-2.

As added by P.L.84-2010, SEC.53. Amended by P.L.177-2015, SEC.27.

IC 25-8-13-13 Duplicate license fee

Sec. 13. The board shall charge the fee established under IC 25-1-8-2 for issuing a duplicate license.

As added by P.L.184-1991, SEC.40. Amended by P.L.235-1995, SEC.5.

INDIANA CODE § 25-8-14

Chapter 14. Enforcement

IC 25-8-14-1 Refusal to issue, renew, or reinstate license

Sec. 1. The board may under IC 4-21.5 refuse to issue, renew, or reinstate a license issued under this article if it determines that the applicant or license holder has not complied with IC 25-1-11.

As added by P.L.257-1987, SEC.13. Amended by P.L.214-1993, SEC.32; P.L.194-2005, SEC.50.

IC 25-8-14-2 Repealed

As added by P.L.257-1987, SEC.13. Repealed by P.L.214-1993, SEC.91.

IC 25-8-14-3 Repealed

As added by P.L.257-1987, SEC.13. Repealed by P.L.214-1993, SEC.91.

IC 25-8-14-4 Repealed

As added by P.L.257-1987, SEC.13. Repealed by P.L.214-1993, SEC.91.

IC 25-8-14-5 Violations; unlicensed acts; offense

Sec. 5. A person who:

(1) violates any provision of this article; or

(2) performs any act authorized by a license issued under this article without possessing a valid license to do so;

commits a Class C infraction.

As added by P.L.257-1987, SEC.13. Amended by P.L.239-1995, SEC.6.

IC 25-8-14-6 Practice or attending school while diseased; offenses

Sec. 6. (a) A person who:

(1) is a cosmetologist, a manicurist, an electrologist, an esthetician, a barber, or an instructor; and

(2) knowingly performs any act authorized by a license issued under this article while the person has an infectious, a contagious, or a communicable disease that has been epidemiologically demonstrated to be transmitted through casual contact;

commits a Class C infraction.

(b) A person who knowingly attends a beauty culture school as a student while the person has an infectious, a contagious, or a communicable disease that has been epidemiologically demonstrated to be transmitted through casual contact commits a Class C infraction.

As added by P.L.257-1987, SEC.13. Amended by P.L.184-1991, SEC.41; P.L.214-1993, SEC.41; P.L.84-2010, SEC.54; P.L.170-2013, SEC.86.

INDIANA CODE § 25-8-15

Chapter 15. Repealed

IC 25-8-15 Repealed

(Repealed by P.L.157-2006, SEC.76.)

INDIANA CODE § 25-8-15.4

Chapter 15.4. Tanning Facilities

IC 25-8-15.4-1 Application of chapter

Sec. 1. This chapter does not apply to a medical treatment facility that uses ultraviolet radiation in the treatment of disease.

As added by P.L.142-1995, SEC.31.

IC 25-8-15.4-2 Repealed

As added by P.L.142-1995, SEC.31. Repealed by P.L.82-2014, SEC.1.

IC 25-8-15.4-3 "Tanning device" defined

Sec. 3. As used in this chapter, "tanning device" means equipment that meets the following conditions:

(1) Emits ultraviolet radiation with wavelengths in the air between two hundred (200) and four hundred (400) nanometers.

(2) Is used for tanning human skin.

As added by P.L.142-1995, SEC.31.

IC 25-8-15.4-4 "Tanning facility" defined

Sec. 4. As used in this chapter, "tanning facility" means a facility that provides persons with access to a tanning device.

As added by P.L.142-1995, SEC.31.

IC 25-8-15.4-5 Necessity for license

Sec. 5. A person may not operate a tanning facility and charge a fee for the use of tanning devices unless the person has a license to operate the tanning facility issued by the board under this chapter.

As added by P.L.142-1995, SEC.31.

IC 25-8-15.4-6 License requirements

Sec. 6. To obtain a license to operate a tanning facility, a person:

(1) must submit an application to the board on a form prescribed by the board;

(2) must pay a fee established by the board under IC 25-1-8-2; and

(3) may be subject to an inspection of the facility by the board.

As added by P.L.142-1995, SEC.31. Amended by P.L.194-2005, SEC.51; P.L.177-2009, SEC.33.

IC 25-8-15.4-7Contents of license application

Sec. 7. The form described under section 6(1) of this chapter must contain the following information:

(1) The name and location of the tanning facility.

(2) The name of the person that owns the tanning facility.

(3) Any other information required by the board.

As added by P.L.142-1995, SEC.31.

IC 25-8-15.4-8Separate licenses; transfer of license to new location

Sec. 8. (a) A person must obtain a separate license for each tanning facility the person operates.

(b) If a person:

(1) has obtained a license to operate a tanning facility issued under this chapter; and

(2) changes the location of the tanning facility;

the board may transfer the license to the tanning facility at the new location.

As added by P.L.142-1995, SEC.31.

IC 25-8-15.4-9Expiration and renewal of licenses

Sec. 9. (a) Subject to IC 25-1-2-6(e), a license issued under this

chapter expires every fourth year on a date established by the licensing agency under IC 25-1-6-4.

(b) The board shall renew a license issued under this chapter if the person that operates the facility pays the fee for renewal established by the board under IC 25-1-8-2 on or before the date established by the licensing agency.

(c) If the holder of a license does not renew the license on or before the renewal date established by the licensing agency, the license expires and becomes invalid without any action by the board.

As added by P.L.142-1995, SEC.31. Amended by P.L.105-2008, SEC.24; P.L.177-2015, SEC.28.

IC 25-8-15.4-9.5 Reinstatement; requirements

Sec. 9.5. (a) The board may, upon application, reinstate a license under this chapter that has been expired for not more than three (3) years if the person holding the license meets the requirements for reinstatement established under IC 25-1-8-6(c).

(b) If more than three (3) years have elapsed since the date a license under this chapter expired, the individual holding the license may have the license reinstated by satisfying the requirements for reinstatement under IC 25-1-8-6(d).

As added by P.L.197-2007, SEC.44. Amended by P.L.105-2008, SEC.25.

IC 25-8-15.4-10 Display of license

Sec. 10. A person holding a tanning facility license issued under this chapter shall display the license in a manner that is clearly visible to a person entering the tanning facility.

As added by P.L.142-1995, SEC.31.

IC 25-8-15.4-11 Written statement

Sec. 11. Before a person uses a tanning device in a tanning facility, the operator, owner, or employee of the operator or owner of the tanning facility shall require the person to read and sign a written statement approved by the board that contains the following information:

(1) A person who uses a tanning device in this tanning facility must use protective eyewear.

(2) If the provided eye protection is not worn, use of a tanning device in this tanning facility may cause damage to the eyes.

(3) Overexposure to the ultraviolet radiation produced by a tanning device in this tanning facility may cause burns.

(4) Exposure to the ultraviolet radiation produced by the tanning devices in this tanning facility may cause premature aging of the skin and skin cancer.

(5) Abnormal skin sensitivity to ultraviolet radiation or burning may be caused by certain foods, cosmetics, or medication, including the following:

(A) Tranquilizers.
(B) Diuretics.
(C) Antibiotics.
(D) High blood pressure medication.
(E) Birth control medication.
(F) Other photosensitizing agents as determined under rules adopted by the board.

(6) A person who is taking a prescription drug or an over-the-counter drug should consult a physician or pharmacist before using a tanning device.

As added by P.L.142-1995, SEC.31.

IC 25-8-15.4-12 Display of sign

Sec. 12. An operator of a tanning facility shall prominently display a sign approved by the board in a manner that is clearly visible to a person using the tanning devices in the tanning facility.

As added by P.L.142-1995, SEC.31. Amended by P.L.82-2014, SEC.2.

IC 25-8-15.4-13 Denial of risks

Sec. 13. An owner, operator, or employee of a tanning facility may not profess that using a tanning device is free from risk.

As added by P.L.142-1995, SEC.31.

IC 25-8-15.4-14 Duties of operator

Sec. 14. The operator of a tanning facility shall do the following:

(1) Have an employee present in the tanning facility during business hours who, as determined under rules adopted by the board, is knowledgeable in the correct operation of the tanning devices in the tanning facility and is able to assist persons in the proper use of the tanning devices.

(2) Provide each person using a tanning device with properly sanitized eyewear that protects the eyes from ultraviolet radiation and allows adequate vision.

(3) Provide instructions to each person using a tanning device on how to maintain proper exposure distance as recommended by the manufacturer of the tanning device.

(4) Limit each person using a tanning device to the maximum exposure time:

(A) established under rules of the board; or
(B) if the board has not adopted rules concerning exposure time for the tanning device, recommended by the manufacturer of the tanning device.

(5) Not allow the temperature of a tanning facility to exceed one hundred (100) degrees Fahrenheit at any time.

(6) Provide and maintain:

(A) the tanning facility; and
(B) tanning devices in the tanning facility;

in a manner that meets sanitation and safety rules adopted by the board.

As added by P.L.142-1995, SEC.31.

IC 25-8-15.4-15 Repealed

As added by P.L.142-1995, SEC.31. Repealed by P.L.82-2014, SEC.3.

IC 25-8-15.4-16 Person under age 16 may not use tanning device in tanning facility; signature of parent or guardian on written statement if client at least 16 and less than 18 years of age

Sec. 16. (a) A person who is less than sixteen (16) years of age may not use a tanning device in a tanning facility.

(b) A person who is at least sixteen (16) years of age but less than eighteen (18) years of age may not use a tanning device in a tanning facility unless the parent or guardian of the person has also signed the written statement under section 11 of this chapter in the presence of the operator of the tanning facility.

As added by P.L.142-1995, SEC.31. Amended by P.L.82-2014, SEC.4.

IC 25-8-15.4-17 Protective eyewear

Sec. 17. A person who uses a tanning device in a tanning facility must use protective eyewear.

As added by P.L.142-1995, SEC.31.

IC 25-8-15.4-18 Reports to board

Sec. 18. (a) The operator of a tanning facility must report to the board each known:

(1) injury; or

(2) complaint of an injury;

that results from the use of a tanning device in the tanning facility.

(b) The operator must do the following:

(1) Telephone a report under subsection (a) to the board not more than forty-eight (48) hours after the injury or complaint of an injury occurs.

(2) File a written report under subsection (a) with the board on a form provided by the board not later than seven (7) days after the injury or complaint of an injury occurs.

(c) The board shall send a copy of the report filed under subsection (b)(2) to the following:

(1) The injured person or complaining person.

(2) The federal Food and Drug Administration.

As added by P.L.142-1995, SEC.31.

IC 25-8-15.4-19 Inspections

Sec. 19. An authorized representative of the board may inspect each tanning facility to determine compliance with this chapter and rules adopted under this chapter at any time during normal business hours of a tanning facility.

As added by P.L.142-1995, SEC.31.

IC 25-8-15.4-20 Denial, suspension, or revocation of license

Sec. 20. The board may deny, suspend, or revoke a license issued under this chapter if the person holding or requesting the license violates this chapter or a rule adopted under this chapter.

As added by P.L.142-1995, SEC.31.

IC 25-8-15.4-21 Repealed

As added by P.L.142-1995, SEC.31. Repealed by P.L.82-2014, SEC.5.

IC 25-8-15.4-22 Repealed

As added by P.L.142-1995, SEC.31. Repealed by P.L.82-2014, SEC.6.

IC 25-8-15.4-23 Repealed

As added by P.L.142-1995, SEC.31. Repealed by P.L.82-2014, SEC.7.

IC 25-8-15.4-24 Schedule of civil penalties; order of compliance; imposition of civil penalty

Sec. 24. (a) In addition to the other remedies provided in this chapter, the board shall adopt a schedule of civil penalties that may be levied to enforce the provisions of the following:

(1) This chapter.

(2) The rules adopted under this chapter by the board.

(b) A penalty included in the schedule of civil penalties adopted under subsection (a) may not exceed one thousand dollars ($1,000) for each violation per day.

(c) The board may issue an order of compliance, impose a civil penalty included in the schedule of civil penalties adopted under subsection (a), or both, against a person who does any of the following:

(1) Fails to comply with this chapter or a rule adopted under this chapter.

(2) Interferes with or obstructs the board or the board's authorized representative in the performance of duties under this chapter.

(d) An order of compliance may be issued under IC 4-21.5-3-6, IC 4-21.5-3-8, or IC 4-21.5-4. A civil penalty may be imposed only in a proceeding under IC 4-21.5-3-8.

(e) A proceeding commenced to impose a civil penalty may be consolidated with any other proceeding commenced to enforce this chapter or a rule adopted under this chapter.

As added by P.L.142-1995, SEC.31.

IC 25-8-15.4-25 Violations; offenses

Sec. 25. (a) Except as otherwise provided, a person who recklessly violates or fails to comply with this chapter commits a Class C misdemeanor.

(b) Each day a violation continues constitutes a separate offense.

As added by P.L.142-1995, SEC.31

INDIANA CODE § 25-8-16

Chapter 16. Inactive Licenses

IC 25-8-16 Repealed

(*Repealed by P.L.197-2007, SEC.94.)*

INDIANA CODE § 25-1-1.1

Chapter 1.1. Effect of Criminal Convictions on Licensed or Registered Persons

IC 25-1-1.1-1 Denial, revocation, or suspension of license or certificate of registration; conviction of crime

Sec. 1. (a) Except as provided under sections 2 through 5 of this chapter, a license or certificate of registration that an individual is required by law to hold to engage in a business, profession, or occupation may not be denied, revoked, or suspended because the applicant or holder has been convicted of an offense. The acts from which the applicant's or holder's conviction resulted may, however, be considered as to whether the applicant or holder should be entrusted to serve the public in a specific capacity.

(b) An individual licensed or certified under this title shall, not later than ninety (90) days after the entry of an order or judgment, notify the board in writing of any misdemeanor or felony criminal conviction, except traffic related misdemeanors other than operating a motor vehicle under the influence of a drug or alcohol. A certified copy of the order or judgment with a letter of explanation must be submitted to the board along with the written notice.

(Formerly: Acts 1973, P.L.249, SEC.1.) As amended by Acts 1978, P.L.2, SEC.2502; P.L.67-1990, SEC.6; P.L.155-2011, SEC.5; P.L.177-2015, SEC.4.

IC 25-1-1.1-2 Suspension, denial, or revocation of license or certificate; conviction for drug related offense

Sec. 2. Notwithstanding IC 25-1-7, a board, a commission, or a committee may suspend, deny, or revoke a license or certificate issued under this title by the board, the commission, or the committee without an investigation by the office of the attorney general if the individual who holds the license or certificate is convicted of any of the following and the board, commission, or committee determines, after the individual has appeared in person, that the offense affects the individual's ability to perform the duties of the profession:

(1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.

(2) Possession of methamphetamine under IC 35-48-4-6.1.

(3) Possession of a controlled substance under IC 35-48-4-7(a).

(4) Fraudulently obtaining a controlled substance under IC 35-48-4-7(c).

(5) Manufacture of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.1(b).
(6) Dealing in paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.5(b).
(7) Possession of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.3(b) (before its amendment on July 1, 2015).
(8) Possession of marijuana, hash oil, hashish, or salvia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-11.
(9) **A felony offense under IC 35-48-4 involving** possession of a synthetic drug **(as defined in IC 35-31.5-2-321), possession of a controlled substance analog (as defined in IC 35-48-1-9.3),** or possession of a synthetic drug lookalike substance **(as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019))** as a:
(A) Class D felony for a crime committed before July 1, 2014; or
(B) Level 6 felony for a crime committed after June 30, 2014;
under IC 35-48-4-11.5 **(before its repeal on July 1, 2019).**

(10) Maintaining a common nuisance under IC 35-48-4-13 (repealed) or IC 35-45-1-5, if the common nuisance involves a controlled substance.
(11) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.
(12) Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.
(13) Attempt under IC 35-41-5-1 to commit an offense listed in this section.
(14) A sex crime under IC 35-42-4.

(15) A felony that reflects adversely on the individual's fitness to hold a professional license.
(16) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described in this section.

As added by P.L.67-1990, SEC.7. Amended by P.L.1-1991, SEC.162; P.L.17-2001, SEC.5; P.L.151-2006, SEC.10; P.L.138-2011, SEC.6; P.L.182-2011, SEC.6; P.L.155-2011, SEC.6; P.L.6-2012, SEC.168; P.L.78-2012, SEC.7; P.L.196-2013, SEC.9; P.L.158-2013, SEC.277; P.L.168-2014, SEC.36; P.L.59-2016, SEC.6; P.L.85-2017, SEC.98.

IC 25-1-1.1-3 Suspension or revocation of license or certificate; conviction for additional drug related offenses

Sec. 3. A board, a commission, or a committee shall revoke or suspend a license or certificate issued under this title by the board, the commission, or the committee if the individual who holds the license or certificate is convicted of any of the following:

(1) Dealing in a controlled substance resulting in death under IC 35-42-1-1.5.

(2) Dealing in or manufacturing cocaine or a narcotic drug under IC 35-48-4-1.

(3) Dealing in methamphetamine under IC 35-48-4-1.1.

(4) Manufacturing methamphetamine under IC 35-48-4-1.2.

(5) Dealing in a schedule I, II, or III controlled substance under IC 35-48-4-2.

(6) Dealing in a schedule IV controlled substance under IC 35-48-4-3.

(7) Dealing in a schedule V controlled substance under IC 35-48-4-4.

(8) Dealing in a substance represented to be a controlled substance under IC 35-48-4-4.5 **(before its repeal on July 1, 2019).**

(9) Knowingly or intentionally manufacturing, advertising, distributing, or possessing with intent to manufacture, advertise, or distribute a substance represented to be a controlled substance under IC 35-48-4-4.6.

(10) Dealing in a counterfeit substance under IC 35-48-4-5.

(11) Dealing in marijuana, hash oil, hashish, or salvia as a felony under IC 35-48-4-10.

(12) **An offense under IC 35-48-4 involving the manufacture or sale of** a synthetic drug **(as defined in IC 35-31.5-2-321),** a synthetic drug lookalike substance **(as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019))** under IC 35-48-4-10.5 **(before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-1-9.3), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).**

(13) Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.

(14) Attempt under IC 35-41-5-1 to commit an offense listed in this section.

(15) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described in this section.

(16) A violation of any federal or state drug law or rule related to wholesale legend drug distributors licensed under IC 25-26-14.

As added by P.L.67-1990, SEC.8. Amended by P.L.182-1991, SEC.1; P.L.17-2001, SEC.6; P.L.1-2002, SEC.94; P.L.151-2006, SEC.11; P.L.138-2011, SEC.7; P.L.182-2011, SEC.7; P.L.78-2012, SEC.8; P.L.196-2013, SEC.10; P.L.238-2015, SEC.6; P.L.252-2017, SEC.4; P.L.198-2018, SEC.4.

IC 25-1-1.1-6 Explicit list of disqualifying crimes required; use of conviction; criteria for evaluating applicant's criminal history; petition to determine whether criminal conviction disqualifying

Sec. 6. (a) This section applies to a license or certificate under this title that is in effect on July 1, 2018, or created on or established after that date.

(b) As used in this section, "crime" has the meaning set forth in IC 33-23-1-4.

(c) As used in this section, "criminal history information" has the meaning set forth in IC 5-2-4-1.

(d) Not later than November 1, 2018, a board, commission, or committee shall revise its licensing or certification requirements to the extent necessary to explicitly list the crimes that may disqualify an

individual from receiving a license or certificate under this title. The board, commission, or committee may not:

(1) use nonspecific terms, such as moral turpitude or good character, as a licensing or certification requirement; or

(2) consider an arrest that does not result in a conviction.

(e) A board's, commission's, or committee's use of an individual's conviction of a crime as a conviction of concern is limited to a crime directly related to the duties and responsibilities of the occupation or profession for which the individual is applying for or holds a license or certification.

(f) If an individual has a conviction of concern, the period of disqualification may not exceed five (5) years after the date of the conviction, unless the individual:

(1) was convicted of a crime of violence (as defined by IC 35-50-1-2(a));

(2) was convicted of an offense relating to a criminal sexual act (as defined by IC 35-31.5-2-216); or

(3) is convicted of a second or subsequent crime during the disqualification period.

(g) An individual having a conviction of concern may at any time petition a board, commission, or committee requiring a license or certificate for a determination as to whether the individual's conviction of concern will disqualify the individual from receiving the license or certification. An individual filing a petition under this subsection shall submit the following:

(1) At no expense to the state, a national criminal background check by the Federal Bureau of Investigation.

(2) Any additional information requested by the board, commission, or committee to assist the board, commission, or committee in its review of the individual's petition.

(h) If an individual has a conviction of concern, the board, commission, or committee shall consider the following in determining whether to deny a license or certification to the individual based on the following factors:

(1) The nature and seriousness of the crime for which the individual was convicted.

(2) The passage of time since the commission of the crime.

(3) The relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation.

(4) Evidence of rehabilitation or treatment undertaken by the individual that might mitigate against a direct relation to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation.

(i) If a board, commission, or committee determines an individual's conviction of concern disqualifies the individual from receiving a license or certification solely or in part because of the individual's criminal history, the board, commission, or committee shall notify the individual in writing of the following:

(1) The grounds and reasons for the denial or disqualification.

(2) The individual has the right to a hearing to challenge the licensing authority's decision.

(3) The earliest date the individual may reapply for a license or certification or the earliest date the individual can petition the board, commission, or committee for a review.

(4) Evidence of rehabilitation may be considered upon reapplication.

(5) Findings for each of the factors specified in subdivisions (1) through (4).

Any written determination that an individual's criminal history contains a conviction of concern that merits the denial of a license must be documented in written findings under subdivision (1) by clear and convincing evidence sufficient for review by a court. In an administrative hearing or a civil action reviewing the denial of a license, a board, commission, or committee has the burden of proof on the question of whether the individual's criminal history, based on the standards provided in subsection (h), should lead to the denial of a license.

(j) The board, commission, or committee shall inform the individual of its determination concerning the individual's petition not later than sixty (60) days after the petition, criminal history information, and any other information requested under subsection (g) is received by the board, commission, or committee.

(k) The board, commission, or committee may charge a fee established under IC 25-1-8 that does not exceed twenty-five dollars ($25) to pay its costs of reviewing a petition filed under subsection (g).

(l) A board, commission, or committee may adopt rules under IC 4-22-2 to implement this section, including emergency rules under IC 4-22-2-37.1. Notwithstanding IC 4-22-2-37.1(g), an emergency rule adopted by the board, commission, or committee under this section and in the manner provided by IC 4-22-2-37.1 expires on the date on which a rule that supersedes the emergency rule is adopted by the board, commission, or committee under IC 4-22-2-24 through IC 4-22-2-36.
As added by P.L.182-2018, SEC.1. Amended by P.L.90-2019, SEC.12.

INDIANA CODE § 25-1-1.2

Chapter 1.2. Effect of Delinquency in Child Support Payments on Licensed or Registered Persons

IC 25-1-1.2-1"Applicant" defined

Sec. 1. As used in this chapter, "applicant" means a person who applies for:
(1) an unlimited license, certificate, registration, or permit;
(2) a limited or probationary license, certificate, registration, or permit;
(3) a temporary license, certificate, registration, or permit; or
(4) an intern permit;
issued by a board regulating a profession or an occupation.
As added by P.L.133-1995, SEC.19.

IC 25-1-1.2-2"Board" defined

Sec. 2. As used in this chapter, "board" means an entity that regulates occupations or professions under this title and the department of education as established by IC 20-19-3-1.

As added by P.L.133-1995, SEC.19. Amended by P.L.1-2005, SEC.191; P.L.246-2005, SEC.210.

IC 25-1-1.2-3"Bureau" defined

Sec. 3. As used in this chapter, "bureau" means the child support bureau established by IC 31-25-3-1.
As added by P.L.133-1995, SEC.19. Amended by P.L.145-2006, SEC.157.

IC 25-1-1.2-4"Delinquent" defined

Sec. 4. As used in this chapter, "delinquent" means at least:

(1) two thousand dollars ($2,000); or
(2) three (3) months;
past due on payment of court ordered child support.
As added by P.L.133-1995, SEC.19. Amended by P.L.23-1996, SEC.18.

IC 25-1-1.2-5"License" defined

Sec. 5. As used in this chapter, "license" has the meaning set forth in IC 25-1-2-6. *As added by P.L.133-1995, SEC.19.*

IC 25-1-1.2-6"Practitioner" defined

Sec. 6. As used in this chapter, "practitioner" means a person that holds:
(1) an unlimited license, certificate, registration, or permit;
(2) a limited or probationary license, certificate, registration, or permit;
(3) a temporary license, certificate, registration, or permit; or
(4) an intern permit;
issued by a board regulating a profession or an occupation.
As added by P.L.133-1995, SEC.19.

IC 25-1-1.2-7Order for suspension or denial of license; notice to practitioner; contents; reinstatement

Sec. 7. (a) Upon receiving an order of a court issued under IC 31-16-12-8 (or IC 31-1-11.5-13(k), IC 31-6-6.1-16(k), or IC 31-14-12-5 before their repeal), the board shall:
(1) suspend the license of the practitioner; or
(2) deny the application of the applicant;
who is the subject of the order.
(b) Upon receiving an order of a court issued under IC 31-16-12-8 (or IC 31-1-11.5-13(k), IC 31-6-6.1-16(k), or IC 31-14-12-5 before their repeal), the board shall promptly mail a notice to the last known address of the person who is the subject of the order, stating the following:
(1) That the practitioner's license has been suspended, beginning five (5) business days after the date the notice is mailed, and that the suspension will terminate ten (10) business days after the board receives an order allowing reinstatement from the court that issued the suspension order.
(2) That the practitioner has the right to petition for reinstatement of the practitioner's license to the court that issued the order for suspension.
(c) The board may not reinstate a license suspended under this section until the board receives an order allowing reinstatement from the court that issued the order for suspension.
As added by P.L.133-1995, SEC.19. Amended by P.L.23-1996, SEC.19; P.L.1-1997, SEC.109; P.L.207-2013, SEC.11.

IC 25-1-1.2-8Notice of probationary status for failure to pay child support; suspension; reinstatement

Sec. 8. (a) The board shall, upon receiving an order from the bureau under IC 31-25-4-32(e) or IC 31-25-4-34(b), place on probationary status any license issued by the board and held by the person who is the subject of the order. The board shall send the practitioner a notice that does the following:
(1) States that the person's license has been placed on probationary status.
(2) States that the person's license will be suspended if the board has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.
(3) Describes the amount of child support that the person is in arrears.
(4) Explains the procedures to:

(A) pay the person's child support arrearage in full; and
(B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(b) If the board has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (a), the board shall suspend the practitioner's license.

(c) The board may not reinstate a license or permit placed on probationary status or suspended under this section until the board receives a notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the practitioner has addressed the delinquency.
As added by P.L.133-1995, SEC.19. Amended by P.L.23-1996, SEC.20; P.L.1-1997, SEC.110; P.L.145-2006, SEC.158; P.L.103-2007, SEC.7; P.L.150-2018, SEC.10.

IC 25-1-1.2-9 Repealed
(*Repealed by P.L.23-1996, SEC.33.)*

IC 25-1-1.2-10 Repealed
(*Repealed by P.L.23-1996, SEC.33.)*

INDIANA CODE § 25-1-2

Chapter 2. Renewal of Licenses Granted by State Agencies. Notice of Expiration

IC 25-1-2-1 Declaration of intent

Sec. 1. It is the declared intent of the general assembly by the enactment of this law to require those agencies which are authorized to issue the licenses designated in section 2.1 of this chapter, in the interests of efficiency and economy in the administration of government, to issue such designated permits, licenses, certificates of registration, and other evidences of compliance with statute or regulation, and renewals thereof, for periods of two (2) years duration rather than upon an annual basis, and at the time of issuance or reissuance, or at the time designated by law for the collection of fees therefor, to require the payment of such fees for a period of two (2) years rather than for one (1) year.
Formerly: Acts 1961, c.79, s.1. As amended by P.L.1-1990, SEC.246.

IC 25-1-2-2 Repealed
Formerly: Acts 1961, c.79, s.2; Acts 1963(ss), c.4, s.1. As amended by Acts 1982, P.L.113, SEC.7; P.L.246-1985, SEC.12; P.L.169-1985, SEC.21; P.L.242-1989, SEC.3; P.L.238-1989, SEC.3. Repealed by P.L.1-1990, SEC.247.

IC 25-1-2-2.1 Two year or longer period for certain licenses

Sec. 2.1. Rather than being issued annually, the permits, licenses, certificates of registration, or evidences of authority granted by a state agency and described in IC 25-0.5-2 must be issued for a period of two (2) years or for the period specified in the article under which the permit, license, certificate of registration, or evidence of authority is issued if the period specified in the article is longer than two (2) years.
As added by P.L.1-1990, SEC.248. Amended by P.L.186-1990, SEC.1; P.L.183-1991, SEC.1; P.L.182-1991, SEC.2; P.L.25-1992, SEC.26; P.L.227-1993, SEC.2; P.L.124-1994, SEC.1; P.L.234-1995, SEC.1; P.L.175-1997, SEC.2; P.L.147-1997, SEC.5; P.L.84-1998, SEC.1; P.L.54-2001, SEC.3; P.L.162-2002, SEC.1; P.L.145-2003, SEC.1; P.L.87-2005, SEC.31; P.L.200-2007, SEC.2; P.L.3-2008, SEC.175; P.L.177-2009, SEC.10; P.L.84-2010, SEC.6; P.L.57-2013, SEC.24; P.L.232-2013, SEC.10; P.L.3-2014, SEC.7.

IC 25-1-2-3 Authorization to issue and reissue licenses

Sec. 3. Subject to section 6(e) of this chapter, licensing agencies shall issue and reissue licenses and collect license fees on the basis of a licensing period. The entire fee for the issuance or renewal of a license shall be payable before the issuance or renewal of the license.
Formerly: Acts 1961, c.79, s.3. As amended by Acts 1982, P.L.154, SEC.1; P.L.177-2015, SEC.5.

IC 25-1-2-4 Repealed
Formerly: Acts 1961, c.79, s.4. Repealed by P.L.177-2015, SEC.6.

IC 25-1-2-5 Rules and regulations

Sec. 5. Notice shall be given and forms prepared by such licensing agencies as necessary to execute the provisions of this chapter and in order to expedite and effectuate the conversion from one (1) year licensing periods to those of two (2) years, such licensing agencies may adopt and promulgate such rules and regulations they may deem necessary in the manner prescribed by law.
Formerly: Acts 1961, c.79, s.5. As amended by Acts 1982, P.L.154, SEC.2.

IC 25-1-2-6 Definitions; application of section; notice to licensee of need to renew; license expiration

Sec. 6. (a) As used in this section, "license" includes all occupational and professional licenses, registrations, permits, and certificates issued under the Indiana Code, and "licensee" includes all occupational and professional licensees, registrants, permittees, and certificate holders regulated under the Indiana Code.

(b) This section applies to the entities described in IC 25-0.5-3 that regulate occupations or professions under the Indiana Code.

(c) Notwithstanding any other law, the entities referenced in subsection (b) shall send a notice of the upcoming expiration of a license to each licensee at least ninety (90) days prior to the expiration of the license. The notice must inform the licensee of the need to renew and the requirement of payment of the renewal fee. If this notice of expiration is not sent by the entity, the licensee is not subject to a sanction for failure to renew if, once notice is received from the entity, the license is renewed within forty-five (45) days of the receipt of the notice.

(d) Notwithstanding any other law, the entities referenced in subsection (b) shall send notice of the expiration of a license to each individual whose license has expired within thirty (30) days following the expiration of the license. The notice must meet the following requirements:

(1) Inform the individual of the following:

(A) That the individual's license has expired.

(B) Any requirements that must be met before reinstatement of a license may occur.

(2) Be sent electronically. However, if the entity does not have an electronic mail address on record for the individual, the notice must be sent via United States mail.

(e) If a license is first issued to an individual less than ninety (90) days before the date at the end of the licensing period on which licenses of the type issued to the individual expire generally, the license issued to the individual:

(1) does not expire on that date; but

(2) expires at the conclusion of the next licensing period.

As added by Acts 1981, P.L.221, SEC.1. Amended by P.L.137-1985, SEC.5; P.L.246-1985, SEC.13; P.L.169-1985, SEC.22; P.L.149-1987, SEC.17; P.L.5-1988, SEC.132; P.L.28-1988, SEC.73; P.L.242-1989, SEC.4; P.L.234-1989, SEC.1; P.L.238-1989, SEC.4; P.L.186-1990, SEC.2; P.L.183-1991, SEC.2; P.L.23-1991, SEC.7; P.L.48-1991, SEC.12; P.L.2-1992, SEC.765; P.L.227-1993, SEC.3; P.L.33-1993, SEC.9; P.L.124-1994, SEC.2; P.L.175-1997, SEC.3; P.L.125-1997, SEC.17; P.L.147-1997, SEC.6; P.L.253-1997(ss), SEC.22; P.L.24-1999, SEC.2; P.L.82-2000, SEC.2; P.L.54-2001, SEC.4; P.L.162-2002, SEC.2; P.L.145-2003, SEC.2; P.L.185-2007, SEC.1; P.L.200-2007, SEC.3; P.L.3-2008, SEC.176; P.L.122-2009, SEC.1; P.L.160-2009, SEC.4; P.L.1-2010, SEC.100; P.L.84-2010, SEC.7; P.L.113-2010, SEC.100; P.L.42-2011, SEC.49; P.L.197-2011, SEC.73; P.L.57-2013, SEC.25; P.L.232-2013, SEC.11; P.L.3-2014, SEC.8; P.L.177-2015, SEC.7.

IC 25-1-2-7 Application of IC 25-1-2-6

Sec. 7. Section 6 of this chapter applies to the mining board (IC 22-10-1.5-2).
As added by P.L.37-1985, SEC.56.

IC 25-1-2-8 Application of chapter; fees

Sec. 8. This chapter applies to the imposition and collection of fees under the following:

IC 14-24-10

IC 16-19-5-2

IC 25-30-1-17.

As added by P.L.5-1988, SEC.133. Amended by P.L.2-1993, SEC.135; P.L.1-1995, SEC.69; P.L.98-2004, SEC.98; P.L.128-2017, SEC.10.

IC 25-1-2-9 Repealed

(Repealed by P.L. 194-2005, SEC. 87.)

INDIANA CODE § 25-1-3

Chapter 3. Civil Immunity of Regulatory Agencies

IC 25-1-3-1 Definitions

Sec. 1. (a) As used in this chapter, the term "regulatory board" means any state board, commission, or state agency which licenses persons in order to regulate the practice of a particular profession or professions.

(b) As used in this chapter, the term "board members" means members of a regulatory board.

(c) As used in this chapter, the term "secretary" means the executive

secretary or other person charged with the administration of the affairs of a regulatory board.
(Formerly: Acts 1975, P.L.268, SEC.1.)

IC 25-1-3-2 Extent of immunity from civil liability

Sec. 2. The board members, the secretary, his staff, counsel, investigators and hearing officer of every regulatory board, except as provided in section 4 of this chapter, shall be immune from civil liability for damages for conduct within the scope and arising out of the performance of their duties. This section shall not be construed to include civil actions for damages not directly related to the investigative process and shall apply only to the process for the finding of fact of the regulatory board.
(Formerly: Acts 1975, P.L.268, SEC.1.)

IC 25-1-3-3 Immunity from civil liability; statements in course of investigatory hearing or review proceedings

Sec. 3. Any person shall be immune from civil liability for damages for any sworn or written statements, made without malice, and transmitted to the regulatory board, executive secretary, or his staff, or made in the course of investigatory, hearing or review proceedings.
(Formerly: Acts 1975, P.L.268, SEC.1.)

IC 25-1-3-4 Regulatory boards covered

Sec. 4. The provisions of this chapter extend to every regulatory board of the state except the disciplinary commission of the supreme court of Indiana which is protected under IC 1971, 33-2-3-1.
(Formerly: Acts 1975, P.L.268, SEC.1.)

INDIANA CODE § 25-1-5

IC 25-1-5-1 Centralization of staff, functions, and services; purpose

Sec. 1. The centralization of staff, functions, and services contemplated by this chapter shall be done in such a way as to enhance the Indiana professional licensing agency's ability to:

(1) make maximum use of data processing as a means of more efficient operation; and

(2) provide more services and carry out functions of superior quality.

As added by Acts 1981, P.L.222, SEC.2. Amended by P.L.169-1985, SEC.23; P.L.206-2005, SEC.1.

IC 25-1-5-2 Definitions

Sec. 2. The following terms are defined for this chapter:

(1) "Agency" means the Indiana professional licensing agency established by section 3 of this chapter.

(2) "Board" means any agency, board, advisory committee, or group described in IC 25-0.5-5.

As added by Acts 1981, P.L.222, SEC.2. Amended by P.L.206-2005, SEC.2; P.L.3-2014, SEC.10.

IC 25-1-5-3 Indiana professional licensing agency; functions; duties and responsibilities

Sec. 3. (a) There is established the Indiana professional licensing agency. The agency shall perform all administrative functions, duties, and responsibilities assigned by law or rule to the executive director, secretary, or other statutory administrator of the entities described in IC 25-0.5-5.

(b) Nothing in this chapter may be construed to give the agency policy making authority, which authority remains with each board.
As added by Acts 1981, P.L.222, SEC.2. Amended by Acts 1982, P.L.113, SEC.8; P.L.137-1985, SEC.6; P.L.169-1985, SEC.24; P.L.149-1987, SEC.18; P.L.242-1989, SEC.5; P.L.238-1989, SEC.5; P.L.186-1990, SEC.3; P.L.48-1991, SEC.13; P.L.227-1993, SEC.4; P.L.213-1993, SEC.1; P.L.33-1993, SEC.10; P.L.124-1994, SEC.3; P.L.175-1997, SEC.4; P.L.147-1997, SEC.7; P.L.84-1998, SEC.2; P.L.24-1999, SEC.3; P.L.206-2005, SEC.3; P.L.2-2008, SEC.57; P.L.122-2009, SEC.3; P.L.84-2010, SEC.9; P.L.232-2013, SEC.12; P.L.3-2014, SEC.11.

IC 25-1-5-3.3 Treatment of rules adopted by health professions bureau before July 1, 2005; transfer of property and appropriations to agency; treatment of references to health professions bureau

Sec. 3.3. (a) The rules adopted by the health professions bureau before July 1, 2005, and in effect on June 30, 2005, shall be treated after June 30, 2005, as the rules of the agency.

(b) On July 1, 2005, the agency becomes the owner of all the property of the health professions bureau. An appropriation made to the health professions bureau shall be treated after June 30, 2005, as an appropriation to the agency.

(c) Any reference in a law, a rule, a license, a registration, a certification, or an agreement to the health professions bureau shall be treated after June 30, 2005, as a reference to the agency.
As added by P.L.220-2011, SEC.404.

IC 25-1-5-3.5 Board membership not a lucrative office

Sec. 3.5. For purposes of Article 2, Section 9 of the Constitution of the State of Indiana, membership on a board is not a lucrative office.
As added by P.L.135-2012, SEC.3.

IC 25-1-5-4 Additional duties and functions; staff

Sec. 4. (a) The agency shall employ necessary staff, including specialists and professionals, to carry out the administrative duties and functions of the boards, including but not limited to:

(1) notice of board meetings and other communication services;
(2) recordkeeping of board meetings, proceedings, and actions;
(3) recordkeeping of all persons licensed, regulated, or certified by a board;
(4) administration of examinations; and
(5) administration of license or certificate issuance or renewal.

(b) In addition, the agency:

(1) shall prepare a consolidated statement of the budget requests of all the boards described in IC 25-0.5-5;
(2) may coordinate licensing or certification renewal cycles, examination schedules, or other routine activities to efficiently utilize agency staff, facilities, and transportation resources, and to improve accessibility of board functions to the public;
(3) may consolidate, where feasible, office space, recordkeeping, and data processing services; and
(4) shall operate and maintain the electronic registry of professions established under IC 25-1-5.5.

(c) In administering the renewal of licenses or certificates under this chapter, the agency shall send a notice of the upcoming expiration of a license or certificate to each holder of a license or certificate at least ninety (90) days before the expiration of the license or certificate. The notice must inform the holder of the license or certificate of the need to renew and the requirement of payment of the renewal fee. If this notice of expiration is not sent by the agency, the holder of the license or

certificate is not subject to a sanction for failure to renew if, once notice is received from the agency, the license or certificate is renewed within forty-five (45) days after receipt of the notice.

(d) In administering an examination for licensure or certification, the agency shall make the appropriate application forms available at least thirty (30) days before the deadline for submitting an application to all persons wishing to take the examination.

(e) The agency may require an applicant for license renewal to submit evidence proving that:

(1) the applicant continues to meet the minimum requirements for licensure; and

(2) the applicant is not in violation of:

(A) the statute regulating the applicant's profession; or

(B) rules adopted by the board regulating the applicant's profession.

(f) The agency shall process an application for renewal of a license or certificate:

(1) not later than ten (10) days after the agency receives all required forms and evidence; or

(2) within twenty-four (24) hours after the time that an applicant for renewal appears in person at the agency with all required forms and evidence.

This subsection does not require the agency to issue a renewal license or certificate to an applicant if subsection (g) applies.

(g) The agency may delay issuing a license renewal for up to one hundred twenty (120) days after the renewal date for the purpose of permitting the board to investigate information received by the agency that the applicant for renewal may have committed an act for which the applicant may be disciplined. If the agency delays issuing a license renewal, the agency shall notify the applicant that the applicant is being investigated. Except as provided in subsection (h), before the end of the one hundred twenty (120) day period, the board shall do one (1) of the following:

(1) Deny the license renewal following a personal appearance by the applicant before the board.

(2) Issue the license renewal upon satisfaction of all other conditions for renewal.

(3) Issue the license renewal and file a complaint under IC 25-1-7.

(4) Upon agreement of the applicant and the board and following a personal appearance by the applicant before the board, renew the license and place the applicant on probation status under IC 25-1-9-9.

(h) If an individual fails to appear before the board under subsection (g), the board may take action on the applicant's license allowed under subsection (g)(1), (g)(2), or (g)(3).

(i) The applicant's license remains valid until the final determination of the board is rendered unless the renewal is denied or the license is summarily suspended under IC 25-1-9-10.

(j) The license of the applicant for a license renewal remains valid during the one hundred twenty (120) day period unless the license renewal is denied following a personal appearance by the applicant before the board before the end of the one hundred twenty (120) day period. If the one hundred twenty (120) day period expires without action by the board, the license shall be automatically renewed at the end of the one hundred twenty (120) day period.

(k) The board's renewal of a license does not preclude the board from imposing sanctions on the licensee as a result of a complaint filed by the attorney general after renewal of the license.

(l) Notwithstanding any other statute, the agency may stagger license or certificate renewal cycles. However, if a renewal cycle for a specific board or committee is changed, the agency must obtain the approval of the affected board or committee.

(m) An application for a license, certificate, registration, or permit is abandoned without an action of the board, if the applicant does not complete the requirements to complete the application within one (1) year after the date on which the application was filed. However, the board may, for good cause shown, extend the validity of the application for additional thirty (30) day periods. An application submitted after the abandonment of an application is considered a new application.

As added by Acts 1981, P.L.222, SEC.2. Amended by P.L.169-1985, SEC.25; P.L.149-1987, SEC.19; P.L.22-1999, SEC.1; P.L.44-2000, SEC.1; P.L.75-2002, SEC.1; P.L.206-2005, SEC.4; P.L.177-2009, SEC.14; P.L.3-2014, SEC.12; P.L.177-2015, SEC.8; P.L.78-2017, SEC.4.

IC 25-1-5-5 Executive director

Sec. 5. (a) The agency shall be administered by an executive director appointed by the governor who shall serve at the will and pleasure of the governor.

(b) The executive director must be qualified by experience and training.

(c) The term "executive director" or "secretary", or any other statutory term for the administrative officer of a board described in IC 25-0.5-5, means the executive director of the agency or the executive director's designee.

(d) The executive director is the chief fiscal officer of the agency and is responsible for hiring of all staff, and for procurement of all services and supplies in accordance with IC 5-22. The executive director may appoint not more than three (3) deputy directors, who must be qualified to work for the boards which are served by the agency.

(e) The executive director shall execute a bond payable to the state, with surety to consist of a surety or guaranty corporation qualified to do business in Indiana, in an amount fixed by the state board of accounts, conditioned upon the faithful performance of duties and the accounting for all money and property that come into the executive director's hands or under the executive director's control. The executive director may likewise cause any employee of the agency to execute a bond if that employee receives, disburses, or in any way handles funds or property of the agency. The costs of any such bonds shall be paid from funds available to the agency.

(f) The executive director may present to the general assembly legislative recommendations regarding operations of the agency and the boards it serves, including adoption of four (4) year license or certificate renewal cycles wherever feasible.

(g) The executive director may execute orders, subpoenas, continuances, and other legal documents on behalf of a board or committee when requested to do so by the board or committee.

(h) The executive director or the executive director's designee may, upon request of a board or committee, provide advice and technical assistance on issues that may be presented to the boards or committees.

As added by Acts 1981, P.L.222, SEC.2. Amended by Acts 1982, P.L.113, SEC.9; P.L.169-1985, SEC.26; P.L.149-1987, SEC.20; P.L.48-1991, SEC.14; P.L.49-1997, SEC.63; P.L.206-2005, SEC.5; P.L.6-2012, SEC.169; P.L.3-2014, SEC.13.

IC 25-1-5-6 Executive director; representatives; staff placement

Sec. 6. (a) The executive director may designate certain employees of the agency to represent the executive director of the agency at the board meetings, proceedings, or other activities of the board.

(b) The executive director shall assign staff to individual boards and shall work with the boards to ensure efficient utilization and placement of staff.

As added by Acts 1981, P.L.222, SEC.2. Amended by P.L.169-1985,

SEC.27; P.L.206-2005, SEC.6.

IC 25-1-5-7 Repealed
As added by Acts 1981, P.L.222, SEC.2. Amended by P.L.169-1985, SEC.28. Repealed by P.L.186-1990, SEC.17.

IC 25-1-5-8 Repealed
As added by P.L.26-1985, SEC.19. Amended by P.L.332-1989(ss), SEC.45. Repealed by P.L.206-2005, SEC.15.

IC 25-1-5-9 Submission of certified document as proof of required diploma

Sec. 9. If a board or committee requires an applicant for a certificate or license to submit a certified copy of a diploma showing that the applicant graduated from a school or program as a condition for certification or licensure, the applicant may satisfy this requirement by submitting another certified document that shows that the applicant graduated from or received the required diploma from the applicable school or program.
As added by P.L.177-1996, SEC.1.

IC 25-1-5-10 Provider profiles

Sec. 10. (a) As used in this section, "provider" means an individual licensed, certified, registered, or permitted by any of the entities described in IC 25-0.5-6.
(b) The agency shall create and maintain a provider profile for each provider described in subsection (a).
(c) A provider profile must contain the following information:
(1) The provider's name.
(2) The provider's license, certification, registration, or permit number.
(3) The provider's license, certification, registration, or permit type.
(4) The date the provider's license, certification, registration, or permit was issued.
(5) The date the provider's license, certification, registration, or permit expires.
(6) The current status of the provider's license, certification, registration, or permit.
(7) The provider's city and state of record.
(8) A statement of any disciplinary action taken against the provider within the previous ten (10) years by an entity described in IC 25-0.5-6.
(d) The agency shall make provider profiles available to the public.
(e) The computer gateway administered by the office of technology established by IC 4-13.1-2-1 shall make the information described in subsection (c)(1), (c)(2), (c)(3), (c)(6), (c)(7), and (c)(8) generally available to the public on the Internet.
(f) The agency may adopt rules under IC 4-22-2 to implement this section.
As added by P.L.211-2001, SEC.1. Amended by P.L.177-2005, SEC.45; P.L.206-2005, SEC.7; P.L.2-2008, SEC.58; P.L.122-2009, SEC.4; P.L.84-2010, SEC.10; P.L.232-2013, SEC.13; P.L.3-2014, SEC.14.

IC 25-1-5-11 Personal information; confidentiality; Social Security numbers; access; exceptions to confidentiality

Sec. 11. (a) As used in this section, "applicant" means an individual who applies for a license, certificate, registration, or permit issued by a board under this title.
(b) As used in this section, "licensee" means an individual who is or has been licensed, certified, or registered by a board under this title.
(c) As used in this section, "personal information" means the following:
(1) Home telephone number.
(2) Electronic mail address.
(d) Except as otherwise provided in this section, the personal information of an individual who is:
(1) a licensee;
(2) an applicant; or
(3) a board member;
is confidential for purposes of IC 5-14-3-4 and may not be disclosed to the public by the agency or a board.
(e) An applicant or a licensee shall provide the applicant's or licensee's Social Security number to the agency.
(f) The agency and the boards shall collect and release the applicant's or licensee's Social Security number as provided in state or federal law.
(g) Notwithstanding IC 4-1-10-3, the agency and the boards may allow access to the Social Security number of each applicant or licensee to:
(1) a testing service that provides the examination for licensure, certification, or registration to the agency or the boards; or
(2) an individual state regulatory board or an organization composed of state regulatory boards for the applicant's or licensee's profession for the purpose of coordinating:
(A) licensure, certification, or registration; and
(B) disciplinary activities among the individual states.
(h) Notwithstanding subsection (d), the agency or a board may disclose personal information of an individual described in subsection (d) if the person requesting the information provides proof of identity and represents that the use of the personal information will be strictly limited to at least one (1) of the following:
(1) For use by a government agency, including a court or law enforcement agency, in carrying out its functions, or a person acting on behalf of a government agency in carrying out its functions.

(2) For use in connection with a civil, a criminal, an administrative, or an arbitration proceeding in a court or government agency or before a self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or under an order of a court.

(3) For use in research activities, and for use in producing statistical reports, as long as the personal information is not published, re-disclosed, or used to contact the individuals who are the subject of the personal information.

(4) For use by any person, when the person demonstrates, in a form and manner prescribed by the agency, that written consent has been obtained from the individual who is the subject of the information.

(5) For any other use specifically authorized by law that is related to the agency or a board or to public safety.

As added by P.L.157-2006, SEC.18. Amended by P.L.151-2013, SEC.9.

INDIANA CODE § 25-1-6

Chapter 6. Professional Licensing Agency

IC 25-1-6-1
Centralization of staff, functions, and services
Sec. 1. The centralization of staff, functions, and services contemplated by this chapter shall be done in such a way as to enhance the licensing agency's ability to:
(1) make maximum use of data processing as a means of more

efficient operation;
(2) provide more services and carry out functions of superior quality; and
(3) ultimately and significantly reduce the number of staff needed to provide these services and carry out these functions.
As added by Acts 1981, P.L.222, SEC.3. Amended by P.L.132-1984, SEC.2; P.L.194-2005, SEC.1.

IC 25-1-6-2
Definitions
Sec. 2. The following terms are defined for this chapter:
(1) "Board" means any agency, board, advisory committee, or group described in IC 25-0.5-7.
(2) "Licensing agency" means the Indiana professional licensing agency created by IC 25-1-5-3.
As added by Acts 1981, P.L.222, SEC.3. Amended by P.L.132-1984, SEC.3; P.L.206-2005, SEC.8; P.L.3-2014, SEC.15.

IC 25-1-6-3
Indiana professional licensing agency; functions, duties, and responsibilities
Sec. 3. (a) The licensing agency shall perform all administrative functions, duties, and responsibilities assigned by law or rule to the executive director, secretary, or other statutory administrator of the entities described in IC 25-0.5-7.
(b) Nothing in this chapter may be construed to give the licensing agency policy making authority, which remains with each board.
As added by Acts 1981, P.L.222, SEC.3. Amended by Acts 1982, P.L.113, SEC.10; P.L.132-1984, SEC.4; P.L.246-1985, SEC.14; P.L.257-1987, SEC.14; P.L.234-1989, SEC.2; P.L.186-1990, SEC.4; P.L.23-1991, SEC.8; P.L.48-1991, SEC.15; P.L.1-1992, SEC.129; P.L.30-1993, SEC.4; P.L.234-1995, SEC.2; P.L.82-2000, SEC.3; P.L.227-2001, SEC.3; P.L.162-2002, SEC.3; P.L.145-2003, SEC.3; P.L.194-2005, SEC.2; P.L.206-2005, SEC.9; P.L.185-2007, SEC.3; P.L.200-2007, SEC.4; P.L.3-2008, SEC.177; P.L.160-2009, SEC.6; P.L.84-2010, SEC.11; P.L.42-2011, SEC.50; P.L.57-2013, SEC.27; P.L.3-2014, SEC.16.

IC 25-1-6-3.5
Board membership not a lucrative office
Sec. 3.5. For purposes of Article 2, Section 9 of the Constitution of the State of Indiana, membership on a board is not a lucrative office.
As added by P.L.135-2012, SEC.4.

IC 25-1-6-4
Additional duties and functions; staff; requirements for renewal; delay of renewal; investigations; sanctions; staggering renewal cycles; abandoned application

Sec. 4. (a) The licensing agency shall employ necessary staff, including specialists and professionals, to carry out the administrative duties and functions of the boards, including but not limited to:
(1) notice of board meetings and other communication services;
(2) record keeping of board meetings, proceedings, and actions;
(3) record keeping of all persons or individuals licensed, regulated, or certified by a board;
(4) administration of examinations; and
(5) administration of license or certificate issuance or renewal.

(b) In addition, the licensing agency:
(1) shall prepare a consolidated statement of the budget requests of all the boards described in IC 25-0.5-7;
(2) may coordinate licensing or certification renewal cycles, examination schedules, or other routine activities to efficiently utilize licensing agency staff, facilities, and transportation resources, and to improve accessibility of board functions to the public; and
(3) may consolidate, where feasible, office space, record keeping, and data processing services.

(c) In administering the renewal of licenses or certificates under this chapter, the licensing agency shall issue a ninety (90) day notice of expiration to all holders of a license or certificate. The notice must inform the holder of a license or certificate of the requirements to:

(1) renew the license or certificate; and

(2) pay the renewal fee.

(d) If the licensing agency fails to send notice of expiration under subsection (c), the holder of the license or certificate is not subject to a sanction for failure to renew if the holder renews the license or certificate not more than forty-five (45) days after the holder receives the notice from the licensing agency.

(e) The licensing agency may require an applicant for a license or certificate renewal to submit evidence showing that the applicant:

(1) meets the minimum requirements for licensure or certification; and

(2) is not in violation of:

(A) the law regulating the applicant's profession; or

(B) rules adopted by the board regulating the applicant's profession.

(f) The licensing agency may delay renewing a license or certificate for not more than one hundred twenty (120) days after the renewal date to permit the board to investigate information received by the licensing agency that the applicant for renewal may have committed an act for which the applicant may be disciplined. If the licensing agency delays renewing a license or certificate, the licensing agency shall notify the applicant that the applicant is being investigated. Except as provided in subsection (g), the board shall do one (1) of the following before the expiration of the one hundred twenty (120) day period:

(1) Deny renewal of the license or certificate following a personal appearance by the applicant before the board.

(2) Renew the license or certificate upon satisfaction of all other requirements for renewal.

(3) Renew the license and file a complaint under IC 25-1-7.

(4) Upon agreement of the applicant and the board and following a personal appearance by the applicant before the board, renew the license or certificate and place the applicant on probation status under IC 25-1-11-12.

(g) If an applicant fails to appear before the board under subsection (f), the board may take action as provided in subsection (f)(1), (f)(2), or (f)(3).

(h) The applicant's license or certificate remains valid until the final determination of the board is rendered unless the renewal is:

(1) denied; or

(2) summarily suspended under IC 25-1-11-13.

(i) The license or certificate of the applicant for license renewal remains valid during the one hundred twenty (120) day period unless the license or certificate is denied following a personal appearance by the applicant before the board before the end of the one hundred twenty (120) day period. If the one hundred twenty (120) day period expires without action by the board, the license or certificate shall be automatically renewed at the end of the one hundred twenty (120) day period.

(j) The board's renewal of a license does not preclude the board from imposing sanctions on the licensee as a result of a complaint filed by the attorney general after renewal of the license.

(k) Notwithstanding any other law, the licensing agency may stagger license or certificate renewal cycles.

(l) An application for a license or certificate is abandoned without an action by the board if the applicant does not complete the requirements for obtaining the license or certificate not more than one (1) year after the date on which the application was filed. However, the board may, for good cause shown, extend the validity of the application for additional thirty (30) day periods. An application submitted after the abandonment of an application is considered a new application.
As added by Acts 1981, P.L.222, SEC.3. Amended by P.L.132-1984, SEC.5; P.L.194-2005, SEC.3; P.L.3-2014, SEC.17; P.L.177-2015, SEC.9; P.L.78-2017, SEC.5.

IC 25-1-6-5
Executive director
Sec. 5. (a) The licensing agency shall be administered by an executive director appointed by the governor who shall serve at the will and pleasure of the governor.
(b) The executive director must be qualified by experience and training.
(c) The term "executive director" or "secretary", or any other statutory term for the administrative officer of a board described in IC 25-0.5-7, means the executive director of the licensing agency or the executive director's designee.
(d) The executive director is the chief fiscal officer of the licensing agency and is responsible for hiring of all staff and for procurement of all services and supplies in accordance with IC 5-22. The executive director may appoint no more than three (3) deputy directors, who must be qualified to work for the boards which are served by the licensing agency.
(e) The executive director shall execute a bond payable to the state, with surety to consist of a surety or guaranty corporation qualified to do business in Indiana, in an amount fixed by the state board of accounts, conditioned upon the faithful performance of duties and the accounting for all money and property that come into the executive director's hands or under the executive director's control. The executive director may likewise cause any employee of the licensing agency to execute a bond if that employee receives, disburses, or in any way handles funds or property of the licensing agency. The costs of any such bonds shall be paid from funds available to the licensing agency.
(f) The executive director may present to the general assembly legislative recommendations regarding operations of the licensing agency and the boards it serves, including adoption of four (4) year license or certificate renewal cycles wherever feasible.
(g) Upon the request of a board or commission, the executive director may execute orders, subpoenas, continuances, and other legal documents on behalf of the board or commission.
(h) Upon the request of a board or commission, the executive director may provide advice and technical assistance on issues that may be presented to the board or commission.
As added by Acts 1981, P.L.222, SEC.3. Amended by Acts 1982, P.L.113, SEC.11; P.L.132-1984, SEC.6; P.L.49-1997, SEC.64; P.L.194-2005, SEC.4; P.L.6-2012, SEC.170; P.L.3-2014, SEC.18.

IC 25-1-6-5.5
Appeal of license renewal denial
Sec. 5.5. A person who has a license renewal denied by a board described in IC 25-0.5-7 may file an appeal of the denial in accordance with IC 4-21.5-3.
As added by P.L.227-2001, SEC.4. Amended by P.L.1-2002, SEC.95; P.L.194-2005, SEC.5; P.L.3-2014, SEC.19.

IC 25-1-6-6
Executive director; representatives; staff placement
Sec. 6. (a) The executive director shall designate certain employees of the licensing agency to represent the executive director of the licensing agency at board meetings, proceedings, or any other activities of a board.
(b) The executive director shall assign staff to individual boards and shall work with the boards to ensure efficient utilization and placement of staff.
As added by Acts 1981, P.L.222, SEC.3. Amended by P.L.132-1984, SEC.7.

IC 25-1-6-7
Repealed
(Repealed by P.L.186-1990, SEC.17.)

IC 25-1-6-8
Department of state revenue; access to names of licensees and applicants; persons on tax warrant list
Sec. 8. (a) The licensing agency and the boards shall allow the department of state revenue, the alcohol and tobacco commission, and the bureau of motor vehicles access to the name of each person who:
(1) is licensed under this chapter or IC 25-1-5; or
(2) has applied for a license under this chapter or IC 25-1-5.
(b) If the department of state revenue notifies the licensing agency that a person is on the most recent tax warrant list, the licensing agency shall not issue or renew the person's license until:
(1) the person provides to the licensing agency a statement from the department of state revenue indicating that the person's tax warrant has been satisfied; or
(2) the licensing agency receives a notice from the commissioner of the department of state revenue under IC 6-8.1-8-2(k).
(c) If the alcohol and tobacco commission notifies the licensing agency that a person has an outstanding balance due to the alcohol and tobacco commission, the licensing agency shall not issue or renew the person's license until the person provides to the licensing agency a statement from the alcohol and tobacco commission indicating that the person's outstanding balance has been satisfied.
(d) If the bureau of motor vehicles notifies the licensing agency that a person has an outstanding balance due to the bureau of motor vehicles because a check, draft, or order issued or delivered by the person to the bureau of motor vehicles was returned or dishonored because of insufficient funds, the licensing agency shall not issue or renew the person's license until the person provides to the licensing agency a statement from the bureau of motor vehicles indicating that the person's outstanding balance has been satisfied.

As added by P.L.26-1985, SEC.20. Amended by P.L.332-1989(ss), SEC.46; P.L.2-2005, SEC.63; P.L.206-2005, SEC.10; P.L.172-2011, SEC.131; P.L.261-2013, SEC.41.

IC 25-1-6-9
Repealed
(Repealed by P.L.186-1990, SEC.17.)

IC 25-1-6-10
Provision of Social Security numbers; access to numbers
Sec. 10. (a) An individual who applies for a license issued by a board under this chapter or who holds a license issued by a board under this chapter shall provide the individual's Social Security number to the licensing agency.
(b) The licensing agency and the boards shall collect and release the applicant's or licensee's Social Security number as otherwise provided in state or federal law.
(c) Notwithstanding IC 4-1-10-3, the licensing agency and the boards may allow access to the Social Security number of each person who is licensed under this chapter or has applied for a license under this chapter to:
(1) a testing service that provides the examination for licensure to the licensing agency or the boards; or
(2) an individual state regulatory board or an organization composed of state regulatory boards for the applicant's or licensee's profession for the purpose of coordinating licensure and disciplinary activities among the individual states.
As added by P.L.157-2006, SEC.19.

IC 25-1-7
Chapter 7. Investigation and Prosecution of Complaints Concerning Regulated Occupations

IC 25-1-7-1
Definitions
Sec. 1. The following terms are defined for this chapter:
(1) "Board" means the appropriate entity described in IC 25-0.5-8.
(2) "Director" refers to the director of the division of consumer protection.
(3) "Division" refers to the division of consumer protection, office of the attorney general.
(4) "Law enforcement agency" has the meaning set forth in IC 35-47-15-2.
(5) "Licensee" means a person who is:
(A) licensed, certified, or registered by an entity described in IC 25-0.5-8; and
(B) the subject of a complaint filed with the division.
(6) "Person" means an individual, a partnership, a limited liability company, or a corporation.
(7) "Regulated occupation" means an occupation in which a person is licensed, certified, or registered by one (1) of the entities described in IC 25-0.5-8.
As added by Acts 1981, P.L.222, SEC.4. Amended by Acts 1982, P.L.113, SEC.12; P.L.137-1985, SEC.7; P.L.246-1985, SEC.15; P.L.169-1985, SEC.29; P.L.149-1987, SEC.21; P.L.257-1987, SEC.15; P.L.242-1989, SEC.6; P.L.234-1989, SEC.3; P.L.238-1989, SEC.6; P.L.1-1990, SEC.249; P.L.186-1990, SEC.5; P.L.183-1991, SEC.3; P.L.23-1991, SEC.9; P.L.48-1991, SEC.16; P.L.1-1992, SEC.130; P.L.30-1993, SEC.5; P.L.227-1993, SEC.5; P.L.213-1993, SEC.2; P.L.8-1993, SEC.371; P.L.33-1993, SEC.11; P.L.1-1994, SEC.120; P.L.124-1994, SEC.4; P.L.234-1995, SEC.3; P.L.175-1997, SEC.5; P.L.147-1997, SEC.8; P.L.84-1998, SEC.3; P.L.24-1999, SEC.4; P.L.82-2000, SEC.4; P.L.162-2002, SEC.4; P.L.145-2003, SEC.4; P.L.185-2007, SEC.4; P.L.193-2007, SEC.4; P.L.200-2007, SEC.5; P.L.3-2008, SEC.178; P.L.134-2008, SEC.16; P.L.1-2009, SEC.138; P.L.122-2009, SEC.5; P.L.160-2009, SEC.7; P.L.1-2010, SEC.102; P.L.84-2010, SEC.12; P.L.113-2010, SEC.101; P.L.42-2011, SEC.51; P.L.57-2013, SEC.28; P.L.232-2013, SEC.14; P.L.3-2014, SEC.20; P.L.227-2015, SEC.2.

IC 25-1-7-2
Duties of attorney general
Sec. 2. The office of the attorney general, under the conditions specified in this chapter, may receive, investigate, and prosecute complaints concerning regulated occupations.
As added by Acts 1981, P.L.222, SEC.4.

IC 25-1-7-3
Investigation of complaints
Sec. 3. (a) Except as provided in subsections (b) and (c), the division is responsible for the investigation of complaints concerning licensees.
(b) The medical licensing board of Indiana shall investigate a complaint concerning a physician licensed under IC 25-22.5 and a violation specified in IC 25-22.5-2-8. The division shall forward a complaint concerning a physician licensed under IC 25-22.5 and a violation specified in IC 25-22.5-2-8 to the medical licensing board of Indiana for investigation by the board. However, if the complaint includes a violation in addition to a violation specified in IC 25-22.5-2-8, the division shall investigate the complaint in its entirety and notify the medical licensing board of Indiana of the investigation.
(c) The state board of cosmetology and barber examiners shall investigate complaints under IC 25-8-14-5, IC 25-8-4-13, IC 25-8-4-29, IC 25-8-9-10, IC 25-8-9-14, and IC 25-8-15.4-5. The division shall forward a complaint concerning the practice of beauty culture under IC 25-8 to the state board of cosmetology and barber examiners for investigation by the state board of cosmetology and barber examiners. However, if the complaint includes a violation in addition to a violation specified in IC 25-8-14-5, IC 25-8-4-13, IC 25-8-4-29, IC 25-8-9-10, IC 25-8-9-14, and IC 25-8-15.4-5, the division shall investigate the complaint in its entirety and notify the state board of cosmetology and barber examiners of the investigation.
As added by Acts 1981, P.L.222, SEC.4. Amended by P.L.149-2011, SEC.1; P.L.226-2011, SEC.17; P.L.170-2013, SEC.1.

IC 25-1-7-4
Complaints; requisites; standing
Sec. 4. All complaints must be written and signed by the complainant and initially filed with the director. Except for employees of the attorney general's office acting in their official capacity, a complaint may be filed by any person, including members of any of the entities described in IC 25-0.5-8.
As added by Acts 1981, P.L.222, SEC.4. Amended by P.L.3-2014, SEC.21.

IC 25-1-7-5
Duties and powers of director
Sec. 5. (a) Subsection (b)(1) does not apply to:
(1) a complaint filed by:
(A) a member of any of the entities described in IC 25-0.5-8; or
(B) the Indiana professional licensing agency; or
(2) a complaint filed under IC 25-1-5-4.
(b) Except as provided in section 3(b) or 3(c) of this chapter, the director has the following duties and powers:
(1) The director shall make an initial determination as to the

merit of each complaint. A copy of a complaint having merit shall be submitted to the board having jurisdiction over the licensee's regulated occupation, that board thereby acquiring jurisdiction over the matter except as otherwise provided in this chapter.
(2) The director shall through any reasonable means notify the licensee of the nature and ramifications of the complaint and of the duty of the board to attempt to resolve the complaint through negotiation.
(3) The director shall report any pertinent information regarding the status of the complaint to the complainant.
(4) The director may investigate any written complaint against a licensee. The investigation shall be limited to those areas in which there appears to be a violation of statutes governing the regulated occupation.
(5) The director has the power to subpoena witnesses and to send for and compel the production of books, records, papers, and documents for the furtherance of any investigation under this chapter. The circuit or superior court located in the county where the subpoena is to be issued shall enforce any such subpoena by the director.
As added by Acts 1981, P.L.222, SEC.4. Amended by P.L.22-1999, SEC.2; P.L.14-2000, SEC.55; P.L.206-2005, SEC.11; P.L.149-2011, SEC.2; P.L.226-2011, SEC.18; P.L.3-2014, SEC.22., SEC.22; P.L.227-2015, SEC. 3.

IC 25-1-7-6
Statement of settlement; period to resolve
Sec. 6. (a) This section does not apply to:
(1) a complaint filed by:
(A) a member of any of the entities described in IC 25-0.5-8; or
(B) the Indiana professional licensing agency; or
(2) a complaint filed under IC 25-1-5-4.
(b) If, at any time before the director files the director's recommendations with the attorney general, the board files with the director a statement signed by the licensee and the complainant that the complaint has been resolved, the director shall not take further action. For a period of thirty (30) days after the director has notified the board and the licensee that a complaint has been filed, the division shall not conduct any investigation or take any action whatsoever, unless requested by the board. If, during the thirty (30) days, the board requests an extension of the thirty (30) day period, the director shall grant it for a period not exceeding an additional twenty (20) days. If at any time during the thirty (30) day period or an extension thereof, the board notifies the director of its intention not to proceed further to resolve the complaint, the division may proceed immediately under this chapter. For every purpose of this section, a board may designate a board member or staff member to act on behalf of or in the name of the board.
As added by Acts 1981, P.L.222, SEC.4. Amended by P.L.22-1999, SEC.3; P.L.206-2005, SEC.12; P.L.3-2014, SEC.23.

IC 25-1-7-7
Disciplinary sanctions; report to attorney general; prosecution; hearing officer
Sec. 7. (a) If there has been no statement of settlement filed by the board under section 6 of this chapter, and if, after conducting an investigation, the director believes that the licensee should be subjected to disciplinary sanctions by the board of his regulated occupation, then he shall so report to the attorney general. Upon receiving the director's report, the attorney general may prosecute the matter, on behalf of the state of Indiana, before the board. The board may designate any person as a hearing officer to hear the matter.
(b) Notwithstanding subsection (a) of this section, if the board by majority vote so requests, the attorney general shall prosecute the matter before the board, on behalf of the state of Indiana.
As added by Acts 1981, P.L.222, SEC.4.

IC 25-1-7-8
Witnesses
Sec. 8. At the hearing, the board or hearing officer may call witnesses in addition to those presented by the state or the licensee.
As added by Acts 1981, P.L.222, SEC.4.

IC 25-1-7-9
Disqualification of board member
Sec. 9. A board member is disqualified from any consideration of the case if the board member filed the complaint or participated in negotiations regarding the complaint. The board member is not disqualified from the board's final determination solely because the board member was the hearing officer or determined the complaint and the information pertaining to the complaint was current significant investigative information (as defined by IC 25-23.2-1-5 (repealed)).
As added by Acts 1981, P.L.222, SEC.4. Amended by P.L.181-2002, SEC.1; P.L.1-2007, SEC.166.

IC 25-1-7-10
Confidentiality of complaints and information
Sec. 10. (a) Except as provided in section 3(b) of this chapter, all complaints and information pertaining to the complaints shall be held in strict confidence until the attorney general files notice with the board of the attorney general's intent to prosecute the licensee.
(b) A person in the employ of the office of attorney general or the Indiana professional licensing agency, or any person not a party to the complaint, may not
disclose or further a disclosure of information concerning the complaint unless the disclosure is required:
(1) required under law;
(2) required for the advancement of an investigation; or
(3) made to a law enforcement agency that has jurisdiction or is reasonably believed to have jurisdiction over a person or matter involved in the complaint.
As added by Acts 1981, P.L.222, SEC.4. Amended by P.L.181-2002, SEC.2; P.L.1-2007, SEC.167; P.L.149-2011, SEC.3; P.L.226-2011, SEC.19; P.L.227-2015, SEC.4; Amended by P.L. 168-2016, SEC 3.

IC 25-1-7-11
Administrative orders and procedures
Sec. 11. Nothing in this chapter limits the rights of the licensee or the state under IC 4-21.5.
As added by Acts 1981, P.L.222, SEC.4. Amended by P.L.7-1987, SEC.110.

IC 25-1-7-12
Reimbursement of attorney general
Sec. 12. (a) If:
(1) a fund is created by statute for the payment of an unpaid judgment against a licensee; and
(2) the office of the attorney general is required by statute to provide services to the boards that administer the funds described in subdivision (1);
the office of the attorney general is entitled to reimbursement for the costs incurred in providing the services described in subdivision (2).
(b) If:
(1) more than one (1) fund is established by statute for the

payment of an unpaid judgment against a licensee; and
(2) the office of the attorney general is entitled to reimbursement under subsection (a);
the funds for reimbursement shall be taken in equal amounts from each of the funds described in subdivision (1).
As added by P.L.255-1987, SEC.1.

IC 25-1-7-13
Reports; contents
Sec. 13. The office of the attorney general shall submit to each board, at the request of the board, a report that includes the following information concerning that regulated occupation:
(1) The number of complaints filed.
(2) The number of cases currently under investigation.
(3) The number of cases closed.
(4) The number of cases resolved.
(5) The age of the complaints.
As added by P.L.177-1997, SEC.1.

IC 25-1-7-14
Cease and desist orders
Sec. 14. (a) Notwithstanding any other law, if the board of a regulated occupation believes that a person who is not licensed, certified, or registered under this title is engaged in or is believed to be engaged in activities for which a license, certification, or registration is required under this title, the board may do the following:
(1) File a complaint with the attorney general, who shall investigate and may file:
(A) with notice; or
(B) without notice, if the attorney general determines that the person is engaged in activities that may affect an individual's health or safety;
a motion for a cease and desist order with the appropriate board. For purposes of this subdivision, the board may designate a board member or an employee of the Indiana professional licensing agency to act on behalf or in the name of the board.
(2) Upon review of the attorney general's motion for a cease and desist order, the board may issue an order requiring the affected person to show cause why the person should not be ordered to cease and desist from such activities. The show cause order must set forth a time and place for a hearing at which the affected person may appear and show cause as to why the person should not be subject to licensing, certification, or registration under this title. For purposes of this subdivision, the board may designate a board member to act on behalf or in the name of the board.
(b) If the board, after a hearing, determines that the activities in which the person is engaged are subject to licensing, certification, or registration under this title, the board may issue a cease and desist order that must describe the person and activities that are the subject of the order.
(c) A hearing conducted under this section must comply with the requirements under IC 4-21.5.
(d) A cease and desist order issued under this section is enforceable in the circuit or superior courts. A person who is enjoined under a cease and desist order and who violates the order shall be punished for contempt of court.
(e) A cease and desist order issued under this section does not relieve any person from prosecution under any other law.
(f) In addition to the powers specified in subsections (a) through (e), the state board of funeral and cemetery service may:
(1) file complaints under subsection (a)(1);
(2) issue show cause orders under subsection (a)(2); and
(3) hold hearings and issue cease and desist orders under subsection (b);
in relation to persons who are engaged in or believed to be engaged in activities for which a certificate of authority is required under IC 30-2-13.
(g) Cease and desist orders may be issued by the state board of funeral and cemetery service under subsection (f) for failure to possess a certificate of authority even if the person has a valid:
(1) funeral home license;
(2) funeral director license;
(3) embalmer license; or
(4) cemetery registration.
(h) A cease and desist order issued under this section by a board defined in IC 25-1-11-1 may also include an order for the person to pay consumer restitution to a person who suffered damages as a result of the activities that were the basis for the cease and desist order.
(i) A cease and desist order issued under this section may also include an order for repayment of the costs of the proceedings. The person's ability to pay must be considered when costs are assessed. These costs are limited to costs for the following:
(1) Court reporters.
(2) Transcripts.
(3) Certification of documents.
(4) Photo duplication.
(5) Witness attendance and mileage fees.
(6) Postage.
(7) Expert witnesses.
(8) Depositions.
(9) Notarizations.
(10) Administrative law judges.
(11) Real estate review appraisals.
As added by P.L.84-2010, SEC.13. Amended by P.L.155-2011, SEC.9; P.L.134-2013, SEC.2.

IC 25-1-8
Chapter 8. Occupational and Professional Licensure, Registration, and Certification Fees

IC 25-1-8-1
"Board"
Sec. 1. As used in this chapter, "board" means any of the entities described in IC 25-0.5-9.
As added by Acts 1981, P.L.223, SEC.1. Amended by P.L.250-1983, SEC.1; P.L.246-1985, SEC.16; P.L.169-1985, SEC.30; P.L.19-1986, SEC.42; P.L.149-1987, SEC.22; P.L.257-1987, SEC.16; P.L.3-1989, SEC.144; P.L.234-1989, SEC.4; P.L.186-1990, SEC.6; P.L.183-1991, SEC.4; P.L.23-1991, SEC.10; P.L.48-1991, SEC.17; P.L.1-1992, SEC.131; P.L.30-1993, SEC.6; P.L.33-1993, SEC.12; P.L.213-1993, SEC.3; P.L.227-1993, SEC.6; P.L.1-1994, SEC.121; P.L.124-1995, SEC.5; P.L.234-1995, SEC.4; P.L.147-1997, SEC.9; P.L.84-1998, SEC.4; P.L.24-1999, SEC.5; P.L.82-2000, SEC.5; P.L.162-2002, SEC.5; P.L.2-2003, SEC.64; P.L.145-2003, SEC.5; P.L.185-2007, SEC.5; P.L.200-2007, SEC.6; P.L.3-2008, SEC.179; P.L.122-2009, SEC.6; P.L.160-2009, SEC.8; P.L.1-2010, SEC.103; P.L.84-2010, SEC.14; P.L.113-2010, SEC.102; P.L.42-2011, SEC.52; P.L.57-2013, SEC.29; P.L.3-2014, SEC.24.

IC 25-1-8-1.1
Repealed
(Repealed by P.L.19-1986, SEC.43.)

IC 25-1-8-2
Fees; establishment and collection
Sec. 2. (a) Notwithstanding any other provision regarding the fees

to be assessed by a board, a board shall establish by rule and cause to be collected fees for the following:
(1) Examination of applicants for licensure, registration, or certification.
(2) Issuance, renewal, or transfer of a license, registration, or certificate.
(3) Restoration of an expired license, registration, or certificate when such action is authorized by law.
(4) Issuance of licenses by reciprocity or endorsement for out-of-state applicants.
(5) Issuance of board or committee reciprocity or endorsements for practitioners licensed, certified, or registered in Indiana who apply to another state for a license.
No fee shall be less than ten dollars ($10) unless the fee is collected under a rule adopted by the board which sets a fee for miscellaneous expenses incurred by the board on behalf of the practitioners the board regulates.
(b) Fees established by statute shall remain in effect until replaced by a new fee adopted by rule under this section.
(c) In no case shall the fees be less than are required to pay all of the costs, both direct and indirect, of the operation of the board.
(d) For the payment of fees, a board shall accept cash, a draft, a money order, a cashier's check, and a certified or other personal check. If a board receives an uncertified personal check for the payment of a fee and if the check does not clear the bank, the board may void the license, registration, or certificate for which the check was received.
(e) Unless designated by rule, a fee is not refundable.
(f) A board shall charge a fee of not more than twenty-five dollars ($25) for the issuance of a duplicate license, registration, or certificate.
As added by Acts 1981, P.L.223, SEC.1. Amended by Acts 1982, P.L.113, SEC.13; P.L.169-1985, SEC.31; P.L.48-1991, SEC.18; P.L.33-1993, SEC.13; P.L.235-1995, SEC.1; P.L.197-2007, SEC.19.

IC 25-1-8-3
Quadrennial license or registration cycle; refunds
Sec. 3. (a) A board, operating on a quadrennial license, registration, or certificate renewal cycle, shall refund one-half (1/2) of the amount of the license, registration, or certificate fee if the holder of the license, registration, or certificate surrenders it at least two (2) years before it expires.
(b) This section does not apply to the holder of a license, registration, or certificate revoked or suspended by the board.
As added by Acts 1982, P.L.113, SEC.14.

IC 25-1-8-4
Quadrennial license renewal system
Sec. 4. (a) Notwithstanding any law establishing a biennial license renewal system, a board operating on such a system may by rule establish a quadrennial license renewal system.
(b) If a board establishes a quadrennial license renewal system, it may provide for a reduction in the fees for the four (4) year license.
As added by P.L.234-1983, SEC.3.

IC 25-1-8-5
Employment of professionals for testing; examination on statutes, rules, and regulations; standards of review
Sec. 5. (a) Notwithstanding any statutory provisions regarding the administration of examinations, a board or committee may employ organizations or additional professionals to assist in the preparation, administration, and scoring of licensing examinations.
(b) A board or committee may require applicants for licensure, certification, or registration by examination, endorsement, or reciprocity to pass a test on the state or federal statutes, state rules, and federal regulations that the board or committee determines by rule to be relevant to the practice of a regulated profession.
(c) A board or committee may enter into a contract with a testing company or national association to set the standards of review for an examination by an applicant for licensure, certification, or registration. The standards of review may include:
(1) setting fees for review;
(2) requiring that an examination remain confidential; and
(3) prohibiting the release of the examination or copies of the examination.
As added by P.L.169-1985, SEC.32. Amended by P.L.152-1988, SEC.5; P.L.48-1991, SEC.19.

IC 25-1-8-6
Reinstatement of delinquent or lapsed licenses
Sec. 6. (a) As used in this section, "board" means any of the entities described in IC 25-0.5-10.
(b) This section does not apply to a license, certificate, or registration that has been revoked or suspended.
(c) Notwithstanding any other law regarding the reinstatement of a delinquent or lapsed license, certificate, or registration and except as provided in section 8 of this chapter, the holder of a license, certificate, or registration that was issued by the board that is three (3) years or less delinquent must be reinstated upon meeting the following requirements:
(1) Submission of the holder's completed renewal application.
(2) Payment of the current renewal fee established by the board under section 2 of this chapter.
(3) Payment of a reinstatement fee established by the Indiana professional licensing agency.
(4) If a law requires the holder to complete continuing education as a condition of renewal, the holder:
(A) shall provide the board with a sworn statement, signed by the holder, that the holder has fulfilled the continuing education requirements required by the board; or
(B) shall, if the holder has not complied with the continuing education requirements, meet any requirements imposed under IC 25-1-4-5 and IC 25-1-4-6.
(d) Notwithstanding any other law regarding the reinstatement of a delinquent or lapsed license, certificate, or registration and except as provided in section 8 of this chapter, unless a statute specifically does not allow a license, certificate, or registration to be reinstated if it has lapsed for more than three (3) years, the holder of a license, certificate, or registration that was issued by the board that is more than three (3) years delinquent must be reinstated upon meeting the following requirements:
(1) Submission of the holder's completed renewal application.
(2) Payment of the current renewal fee established by the board under section 2 of this chapter.
(3) Payment of a reinstatement fee equal to the current initial application fee.
(4) If a law requires the holder to complete continuing education as a condition of renewal, the holder:
(A) shall provide the board with a sworn statement, signed by the holder, that the holder has fulfilled the continuing education requirements required by the board; or
(B) shall, if the holder has not complied with the continuing education requirements, meet any requirements imposed under IC 25-1-4-5 and IC 25-1-4-6.
(5) Complete such remediation and additional training as deemed appropriate by the board given the lapse of time involved.
(6) Any other requirement that is provided for in statute or rule

that is not related to fees.
As added by P.L.269-2001, SEC.5. Amended by P.L.206-2005, SEC.13; P.L.157-2006, SEC.20; P.L.185-2007, SEC.6; P.L.197-2007, SEC.20; P.L.3-2008, SEC.180; P.L.105-2008, SEC.2; P.L.122-2009, SEC.7; P.L.160-2009, SEC.9; P.L.1-2010, SEC.104; P.L.84-2010, SEC.15; P.L.3-2014, SEC.25.

IC 25-1-8-7
Repealed
(Repealed by P.L.157-2006, SEC.76.)

IC 25-1-8-8 Delaying reinstatement; investigation; petition; sanctions; invalid during investigations

Sec. 8. (a) As used in this section, "board" has the meaning set forth in section 6(a) of this chapter.

(b) The licensing agency may delay reinstating a license, certificate, or registration for not more than one hundred twenty (120) days after the date the applicant applies for reinstatement of a license, certificate, or registration to permit the board to investigate information received by the licensing agency that the applicant for reinstatement may have committed an act for which the applicant may be disciplined. If the licensing agency delays reinstating a license, certificate, or registration, the licensing agency shall notify the applicant that the applicant is being investigated. Except as provided in subsection (c), the board shall do one (1) of the following before the expiration of the one hundred twenty (120) day period:

(1) Deny reinstatement of the license, certificate, or registration following a personal appearance by the applicant before the board.

(2) Reinstate the license, certificate, or registration upon satisfaction of all other requirements for reinstatement.

(3) Reinstate the license and file a complaint under IC 25-1-7.

(4) Upon agreement of the applicant and the board and following a personal appearance by the applicant before the board, reinstate the license, certificate, or registration and place the applicant on probation status under IC 25-1-9-9 or IC 25-1-11-12.

(c) If an applicant fails to appear before the board under subsection (b), the board may take action as provided in subsection (b)(1), (b)(2), or (b)(3).

(d) The license, certificate, or registration of the applicant for license reinstatement remains invalid during the one hundred twenty (120) day period unless:

(1) the license, certificate, or registration is reinstated following a personal appearance by the applicant before the board before the end of the one hundred twenty (120) day period;

(2) the board issues a conditional license to the practitioner that is effective until the reinstatement is denied or the license is reinstated; or

(3) the reinstatement is denied.

If the one hundred twenty (120) day period expires without action by the board, the license, certificate, or registration shall be automatically reinstated at the end of the one hundred twenty (120) day period.

(e) The board's reinstatement of a license does not preclude the board from imposing sanctions on the licensee as a result of a complaint filed by the attorney general after reinstatement of the license.

As added by P.L.197-2007, SEC.21. Amended by P.L.177-2015, SEC.10; P.L.78-2017, SEC.6.

IC 25-1-11
Chapter 11. Professional Licensing Standards of Practice
IC 25-1-11-1
"Board"
Sec. 1. As used in this chapter, "board" means any of the entities described in IC 25-0.5-12.
As added by P.L.214-1993, SEC.1. Amended by P.L.2-1995, SEC.93; P.L.234-1995, SEC.5; P.L.82-2000, SEC.6; P.L.162-2002, SEC.6; P.L.145-2003, SEC.6; P.L.185-2007, SEC.7; P.L.200-2007, SEC.7; P.L.3-2008, SEC.181; P.L.160-2009, SEC.10; P.L.84-2010, SEC.18; P.L.113-2010, SEC.103; P.L.42-2011, SEC.53; P.L.3-2014, SEC.27.

IC 25-1-11-2 "Practitioner" defined
Sec. 2. As used in this chapter, "practitioner" means a person that holds:
(1) an unlimited license, certificate, registration, or permit;
(2) a limited or probationary license, certificate, registration, or permit;
(3) a temporary license, certificate, registration, or permit;
(4) an intern permit; or
(5) an inactive license;
issued by the board regulating a profession.
As added by P.L.214-1993, SEC.1. Amended by P.L.236-1995, SEC.1.

IC 25-1-11-3 "License" defined
Sec. 3. As used in this chapter, "license" includes a license, certificate, registration, or permit.
As added by P.L.214-1993, SEC.1.

IC 25-1-11-4 "Person" defined
Sec. 4. As used in this chapter, "person" means an individual, a partnership, a corporation, or a limited liability company.
As added by P.L.214-1993, SEC.1. Amended by P.L.236-1995, SEC.2.

IC 25-1-11-5 Practitioner compliance with professional standards; findings; meriting disciplinary sanctions
Sec. 5. (a) A practitioner shall comply with the standards established by the board regulating a profession. A practitioner is subject to the exercise of the disciplinary sanctions under section 12 of this chapter if, after a hearing, the board finds that:
(1) a practitioner has:
(A) engaged in or knowingly cooperated in fraud or material deception in order to obtain a license to practice, including cheating on a licensing examination;
(B) engaged in fraud or material deception in the course of professional services or activities;
(C) advertised services or goods in a false or misleading manner; or
(D) been convicted of a crime or assessed a civil penalty involving fraudulent billing practices.
(2) a practitioner has been convicted of a crime that:
(A) has a direct bearing on the practitioner's ability to continue to practice competently; or
(B) is harmful t o the public.
(3) a practitioner has knowingly violated a state statute or rule or federal statute or regulation regulating the profession for which the practitioner is licensed;

(4) a practitioner has continued to practice although the practitioner has become unfit to practice due to:
(A) professional incompetence, including undertaking professional activities that the practitioner is not qualified by training or experience to undertake;
(B) failure to keep abreast of current professional theory or practice;
(C) physical or mental disability; or
(D) addiction to, abuse of, or severe dependency on alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely;
(5) a practitioner has engaged in a course of lewd or immoral conduct in connection with the delivery of services to the public;
(6) a practitioner has allowed the practitioner's name or a license issued under this chapter to be used in connection with an individual or business who renders services beyond the scope of that individual's or business's training, experience, or competence;
(7) a practitioner has had disciplinary action taken against the practitioner or the practitioner's license to practice in any state or jurisdiction on grounds similar to those under this chapter;
(8) a practitioner has assisted another person in committing an act that would constitute a ground for disciplinary sanction under this chapter;
(9) a practitioner has allowed a license issued by a board to be:
(A) used by another person; or
(B) displayed to the public when the license has expired, is inactive, or has been revoked or suspended; or
(10) a practitioner has failed to comply with an order imposing a sanction under section 12 of this chapter.

(b) If an applicant or a practitioner has engaged in or knowingly cooperated in fraud or material deception to obtain a license to practice, including cheating on the licensing examination, the board may rescind the license if it has been granted, void the examination or other fraudulent or deceptive material, and prohibit the applicant from reapplying for the license for a length of time established by the board. An applicant who is aggrieved by a decision of the board under this section is entitled to hearing and appeal rights under the Indiana administrative rules and procedures act (IC 4-21.5).

(c) A certified copy of the record of disciplinary action is conclusive evidence of the other jurisdiction's disciplinary action under subsection (a)(7).

As added by P.L.214-1993, SEC.1. Amended by P.L.84-1998, SEC.6; P.L.113-1999, SEC.1; P.L.197-2007, SEC.24.

IC 25-1-11-6 Architect or landscape architect; grounds for disciplinary sanctions

Sec. 6. A practitioner registered as an architect or a landscape architect is subject to the disciplinary sanctions under section 12 of this chapter if, after a hearing, the board finds that the practitioner has:
(1) permitted the practitioner's seal to be affixed to plans, specifications, or drawings that were not prepared by the practitioner or under the practitioner's personal supervision by the practitioner's regularly employed subordinates; or
(2) used the title "engineer" or advertised to practice engineering and is not registered under IC 25-31-1.

As added by P.L.214-1993, SEC.1.

IC 25-1-11-7 Auctioneers; grounds for disciplinary sanctions

Sec. 7. A practitioner licensed to practice auctioneering is subject to the disciplinary sanctions under section 12 of this chapter if, after a hearing, the board finds that the practitioner has failed to:
(1) account and to make payment under IC 25-6.1-6-2; or
(2) keep the funds of others separate from the practitioner's own private accounts.

As added by P.L.214-1993, SEC.1.

IC 25-1-11-8 Barbers; grounds for disciplinary sanctions

Sec. 8. A practitioner registered as a barber is subject to the disciplinary sanctions under section 12 of this chapter if, after a hearing, the board finds that the practitioner has continued to practice barbering while the practitioner has an infectious, a contagious, or a communicable disease that has been epidemiologically demonstrated to be transmitted through casual contact during the scope of practice of barbering.

As added by P.L.214-1993, SEC.1.

IC 25-1-11-9 Engineers or land surveyors; grounds for disciplinary sanctions

Sec. 9. A practitioner registered as an engineer or a land surveyor is subject to the disciplinary sanctions under section 12 of this chapter if, after a hearing, the board finds that the practitioner:
(1) has permitted the practitioner's seal to be affixed to plans, specifications, or drawings not prepared by the practitioner or under the practitioner's personal supervision by the practitioner's regularly employed subordinates;
(2) has used the title "architect" or advertised to practice architecture and is not registered under IC 25-4-1.

As added by P.L.214-1993, SEC.1.

IC 25-1-11-9.5 Repealed

(Repealed by P.L. 194-2005, SEC. 87.)

IC 25-1-11-10 Physical and mental examination of practitioner

Sec. 10. The board may order a practitioner to submit to a reasonable physical or mental examination, at the practitioner's expense, if the practitioner's physical or mental capacity to practice safely and competently is at issue in a disciplinary proceeding.

As added by P.L.214-1993, SEC.1. Amended by P.L.178-1997, SEC.1. Amended by P.L. 194-2005, SEC. 7.

IC 25-1-11-11 Refusal of physical or mental examination; summary suspension

Sec. 11. Failure to comply with a board order to submit to a physical or mental examination makes a practitioner liable to summary suspension under section 13 of this chapter.

As added by P.L.214-1993, SEC.1.

IC 25-1-11-12 Sanctions for violations

Sec. 12. (a) The board may impose any of the following sanctions, singly or in combination, if the board finds that a practitioner is subject to disciplinary sanctions under sections 5 through 9 of this chapter:
(1) Permanently revoke a practitioner's license.
(2) Suspend a practitioner's license.
(3) Censure a practitioner.
(4) Issue a letter of reprimand.
(5) Place a practitioner on probation status and require the practitioner to:
(A) report regularly to the board upon the matters that are the basis of probation;
(B) limit practice to those areas prescribed by the board;
(C) continue or renew professional education approved by the board until a satisfactory degree of skill has been attained in those areas that are the basis of the probation;
(D) perform or refrain from performing any acts, including community restitution or service without compensation, that the board considers appropriate to the public interest or to the rehabilitation or treatment of the practitioner; or
(E) satisfactorily complete a quality review (before July 1, 2012) or peer review (after June 30, 2012) specified by the board as a condition

for termination of probationary status if the practitioner is a licensee (as defined in IC 25-2.1-1-8).

(6) Assess a civil penalty against the practitioner for not more than one thousand dollars ($1,000) for each violation listed in sections 5 through 9 of this chapter except for a finding of incompetency due to a physical or mental disability.

(7) Order a practitioner to pay consumer restitution to a person who suffered damages as a result of the conduct or omission that was the basis for the disciplinary sanctions under this chapter.

(b) When imposing a civil penalty under subsection (a)(6), the board shall consider a practitioner's ability to pay the amount assessed. If the practitioner fails to pay the civil penalty within the time specified by the board, the board may suspend the practitioner's license without additional proceedings. However, a suspension may not be imposed if the sole basis for the suspension is the practitioner's inability to pay a civil penalty.

(c) The board may withdraw or modify the probation under subsection (a)(5) if the board finds after a hearing that the deficiency that required disciplinary action has been remedied or that changed circumstances warrant a modification of the order.

As added by P.L.214-1993, SEC.1. Amended by P.L.32-2000, SEC.12; P.L.177-2009, SEC.17; P.L.197-2011, SEC.74.

IC 25-1-11-13 Summary license suspension of real estate appraisers and other practitioners; notification by consumer protection division

Sec. 13. (a) The board may summarily suspend a practitioner's license for ninety (90) days before a final adjudication or during the appeals process if the board finds that a practitioner represents a clear and immediate danger to the public's health, safety, or property if the practitioner is allowed to continue to practice. The summary suspension may be renewed upon a hearing before the board, and each renewal may be for not more than ninety (90) days.

(b) The board may summarily suspend the license of a real estate appraiser for ninety (90) days before a final adjudication or during the appeals process if the board finds that the licensed real estate appraiser has engaged in material and intentional misrepresentations or omissions in the preparation of at least three (3) written appraisal reports that were submitted by a person to obtain a loan. The summary suspension may be renewed after a hearing before the board. Each renewal of a summary suspension may be for not more than ninety (90) days.

(c) The board may summarily suspend the license of an individual licensed under IC 25-34.1 for ninety (90) days before a final adjudication or during the appeals process if the board finds that the individual has engaged in material and intentional misrepresentations or omissions in at least three (3) transactions. The summary suspension may be renewed after a hearing before the board. Each renewal of a summary suspension may be for not more than ninety (90) days.

(d) Before the board may summarily suspend a license under this section, the consumer protection division of the office of the attorney general shall make a reasonable attempt to notify a practitioner of:

(1) a hearing by the board to suspend the practitioner's license; and

(2) information regarding the allegation against the practitioner.

The consumer protection division of the office of the attorney general shall also notify the practitioner that the practitioner may provide a written or an oral statement to the board on the practitioner's behalf before the board issues an order for summary suspension. A reasonable attempt to notify the practitioner is made if the consumer protection division of the office of the attorney general attempts to notify the practitioner by telephone or facsimile at the last telephone number or facsimile number of the practitioner on file with the board.

As added by P.L.214-1993, SEC.1. Amended by P.L.178-1997, SEC.2; P.L.197-2007, SEC.25; P.L.209-2007, SEC.3; P.L.3-2008, SEC.182; P.L.231-2013, SEC.9.

IC 25-1-11-14 Reinstatement of suspended license

Sec. 14. The board may reinstate a license that has been suspended under this chapter if, after a hearing, the board is satisfied that the applicant is able to practice with reasonable skill, safety, and competency to the public. As a condition of reinstatement, the board may impose disciplinary or corrective measures authorized under this chapter.

As added by P.L.214-1993, SEC.1. Amended by P.L.178-1997, SEC.3.

IC 25-1-11-15 Reinstatement of revoked license

Sec. 15. The board may not reinstate a license that has been revoked under this chapter. An individual whose license has been revoked under this chapter may not apply for a new license until seven (7) years after the date of revocation.

As added by P.L.214-1993, SEC.1.

IC 25-1-11-16 Consistency of sanctions

Sec. 16. The board shall seek to achieve consistency in the application of sanctions authorized in this chapter. Significant departures from prior decisions involving similar conduct must be explained in the board's findings or orders.

As added by P.L.214-1993, SEC.1.

IC 25-1-11-17 Surrender of practitioner license

Sec. 17. (a) Except as provided in subsection (b), a practitioner may petition the board to accept the surrender of the practitioner's license instead of having a hearing before the board. The practitioner may not surrender the practitioner's license without the written approval of the board, and the board may impose any conditions appropriate to the surrender or reinstatement of a surrendered license.

(b) The board may not approve the surrender of a practitioner's license under subsection (a) if the office of the attorney general:

(1) has filed an administrative complaint concerning the practitioner's license; and

(2) opposes the surrender of the practitioner's license.

As added by P.L.214-1993, SEC.1. Amended by P.L.105-2009, SEC.13; P.L.52-2009, SEC.10.

IC 25-1-11-18 Costs; practitioners subjected to sanctions

Sec. 18. A practitioner who has been subjected to disciplinary sanctions may be required by a board to pay the costs of the proceeding. The practitioner's ability to pay shall be considered when costs are assessed. If the practitioner fails to pay the costs, a suspension may not be imposed solely upon the practitioner's inability to pay the amount assessed. These costs are limited to costs for the following:

(1) Court reporters.
(2) Transcripts.
(3) Certification of documents.
(4) Photo duplication.
(5) Witness attendance and mileage fees.
(6) Postage.
(7) Expert witnesses.
(8) Depositions.
(9) Notarizations.
(10) Administrative law judges.
(11) Real estate review appraisals, if applicable.

As added by P.L.214-1993, SEC.1. Amended by P.L. 194-2005, SEC. 8; P.L.105-2009, SEC.14; P.L.52-2009, SEC.11.

IC 25-1-11-19 Refusal of licensure or granting of probationary license

Sec. 19. (a) The board may refuse to issue a license or may issue a probationary license to an applicant for licensure if:

(1) the applicant has:

(A) been disciplined by a licensing entity of another state or jurisdiction; or

(B) committed an act that would have subjected the applicant to the disciplinary process if the applicant had been licensed in Indiana when the act occurred; and

(2) the violation for which the applicant was or could have been disciplined has a bearing on the applicant's ability to competently perform or practice the profession in Indiana.

(b) The board may:

(1) refuse to issue a license; or

(2) issue a probationary license;

to an applicant for licensure if the applicant practiced without a license in violation of the law.

(c) Whenever the board issues a probationary license, the board may require a licensee to do any of the following:

(1) Report regularly to the board upon the matters that are the basis of the discipline of the other state or jurisdiction.

(2) Limit practice to the areas prescribed by the board.

(3) Continue or renew professional education requirements.

(4) Engage in community restitution or service without compensation for the number of hours specified by the board.

(5) Perform or refrain from performing an act that the board considers appropriate to the public interest or to the rehabilitation or treatment of the applicant.

(d) The board shall remove any limitations placed on a probationary license under this section if the board finds after a public hearing that the deficiency that required disciplinary action has been remedied.

As added by P.L.194-2005, SEC.9. Amended by P.L.197-2007, SEC.26.

IC 25-1-11-20 Applicant appearance before board

Sec. 20. The board may require an applicant for licensure to appear before the board before issuing a license.

As added by P.L. 194-2005, SEC. 10.

IC 25-1-11-21 Repealed

As added by P.L.144-2007, SEC.26. Repealed by P.L.94-2016, SEC.2.

INDIANA CODE § 25-1-12

Chapter 12. Renewal of Licenses Held by Individuals in Military Service

IC 25-1-12-1 Applicability of chapter

Sec. 1. (a) This chapter applies to an individual who:

(1) holds a license, certificate, registration, or permit under this title, IC 16, or IC 22; and

(2) is called to active duty.

(b) This chapter applies to all individuals who:

(1) hold a license, certificate, registration, or permit under this title, IC 15, IC 16, or IC 22; and

(2) have been called to full-time service in the:

(A) armed forces of the United States; or

(B) National Guard;

after September 11, 2001.

As added by P.L.88-2004, SEC.2. Amended by P.L.2-2008, SEC.61; P.L.220-2011, SEC.405.

IC 25-1-12-2 "Active duty" defined

Sec. 2. As used in this chapter, "active duty" means full-time service in the:

(1) armed forces of the United States; or

(2) national guard;

for a period that exceeds thirty (30) consecutive days in a calendar year.

As added by P.L.88-2004, SEC.2.

IC 25-1-12-3 "Armed forces of the United States" defined

Sec. 3. As used in this chapter, "armed forces of the United States" means the active or reserve components of:

(1) the army;

(2) the navy;

(3) the air force;

(4) the coast guard;

(5) the marine corps; or

(6) the merchant marine.

As added by P.L.88-2004, SEC.2. Amended by P.L. 2-2005, SEC. 64.

IC 25-1-12-4 "National guard" defined

Sec. 4. As used in this chapter, "national guard" means:

(1) the Indiana army national guard; or

(2) the Indiana air national guard.

As added by P.L.88-2004, SEC.2.

IC 25-1-12-5 "Practitioner" defined

Sec. 5. As used in this chapter, "practitioner" means an individual who holds:

(1) an unlimited license, certificate, or registration;

(2) a limited or probationary license, certificate, or registration;

(3) a temporary license, certificate, registration, or permit;

(4) an intern permit; or

(5) a provisional license;

issued under this title, IC 16, or IC 22.

As added by P.L.88-2004, SEC.2. Amended by P.L.2-2008, SEC.62.

IC 25-1-12-6 Extension to renew license or complete continuing education; requirements for extension; additional extensions

Sec. 6. (a) Notwithstanding any other law, a practitioner who is called to active duty out-of-state and meets the requirements of subsection (b) is entitled to an extension of time described in subsection (c) to:

(1) renew; and

(2) complete the continuing education required by;

the practitioner's license, certificate, registration, or permit.

(b) The practitioner must meet the following requirements to receive the extension of time provided under subsection (a):

(1) On the date the practitioner enters active duty, the practitioner's license, certificate, registration, or permit may not be revoked, suspended, lapsed, or be the subject of a complaint under IC 25-1-7.

(2) The practitioner's license, certificate, registration, or permit must expire while the practitioner is out-of-state on active duty and the practitioner must not have received the notice of expiration before the date the practitioner entered active duty.

(3) The practitioner shall provide proof of out-of-state active duty by providing a copy of the practitioner's:

(A) discharge; or

(B) government movement orders;

to the agency, board, commission, or committee issuing the practitioner's license, certificate, registration, or permit at the time the practitioner renews the practitioner's license, certificate, registration, or permit under this chapter.

(c) The extension of time provided under subsection (a) is equal to one hundred eighty (180) days after the date of the practitioner's discharge or release from active duty.

(d) The agency, board, commission, or committee that issued the practitioner's license, certificate, registration, or permit may extend the period provided in subsection (c) if the agency or board determines that an illness, an injury, or a disability related to the practitioner's active duty prevents the practitioner from renewing or completing the continuing education required for the practitioner's license, certificate, registration, or permit. However, the agency, board, commission, or committee may not extend the period for longer than three hundred sixty-five (365) days after the date of the practitioner's discharge or release from active duty.

As added by P.L.88-2004, SEC.2. Amended by P.L. 2-2005, SEC. 65.

IC 25-1-12-7 Waiver of late fees

Sec. 7. Any late fees that may be assessed against a practitioner in connection with a renewal under this chapter are waived.

As added by P.L.88-2004, SEC.2.

IC 25-1-12-8 Construction with federal law

Sec. 8. This chapter may not be construed as a restriction or limitation on any of the rights, benefits, and protections granted to a member of:

(1) the armed forces of the United States; or

(2) the national guard;

under federal law.

As added by P.L.88-2004, SEC.2.

INDIANA CODE § 25-1-14

IC 25-1-14 Chapter 14. Repealed

Repealed by P.L.134-2012, SEC.28.

INDIANA CODE § 25-1-16

Chapter 16. Evaluation of regulated occupations

IC 25-1-16-1 "Agency"

Sec. 1. As used in this chapter, "agency" refers to the Indiana professional licensing agency.

As added by P.L.84-2010, SEC.19.

IC 25-1-16-2 "Board"

Sec. 2. As used in this chapter, "board" means an entity that regulates a specific regulated occupation.

As added by P.L.84-2010, SEC.19.

IC 25-1-16-3 Repealed

As added by P.L.84-2010, SEC.19. Amended by P.L.112-2014, SEC.4. Repealed by P.L.49-2017, SEC.1.

IC 25-1-16-4 "License"

Sec. 4. As used in this chapter, "license" means:

(1) an unlimited license, permit, certificate, or certificate of registration;

(2) a temporary, limited, or probationary license, permit, certificate, or certificate of registration;

(3) an intern permit; or

(4) a provisional license;

issued by the board regulating the regulated occupation in question. "Licensed" has a corresponding meaning.

As added by P.L.84-2010, SEC.19. Amended by P.L.112-2014, SEC.5.

IC 25-1-16-4.5 "Office"

Sec. 4.5. As used in this chapter, "office" refers to the office of management and budget.

As added by P.L.112-2014, SEC.6.

IC 25-1-16-5 "Regulated occupation"

Sec. 5. As used in this chapter, "regulated occupation" has the meaning set forth in IC 25-1-7-1.

As added by P.L.84-2010, SEC.19.

IC 25-1-16-6 Repealed

As added by P.L.84-2010, SEC.19. Amended by P.L.112-2014, SEC.7. Repealed by P.L.49-2017, SEC.2.

IC 25-1-16-7 Repealed

As added by P.L.84-2010, SEC.19. Amended by P.L.112-2014, SEC.8; P.L.168-2016, SEC.4. Repealed by P.L.49-2017, SEC.3.

IC 25-1-16-8 Review and evaluation of regulated occupations and boards; report

Sec. 8. (a) The agency shall review and evaluate each regulated occupation and board. The review and evaluation must include the following:

(1) The functions, powers, and duties of the regulated occupation and the board, including any functions, powers, or duties that are inconsistent with current or projected practice of the occupation.

(2) An assessment of the management efficiency of the board.

(3) An assessment of the regulated occupation's and the board's ability to meet the objectives of the general assembly in licensing the regulated occupation.

(4) An assessment of the necessity, burden, and alternatives to the licenses issued by the board.

(5) An assessment of the fees that the board charges for licenses.

(6) Any other criteria identified by the agency.

(b) The agency shall prepare a report concerning each regulated occupation and board that the agency reviews and evaluates. The report must contain the following:

(1) The number of individuals who are licensed in the regulated occupation.

(2) A summary of the board's functions and actions.

(3) The budget and other fiscal factors of regulating the regulated occupation, including the actual cost of administering license applications, renewals, and issuing licenses.

(4) An assessment of the effect of the regulated occupation on the state's economy, including consumers and businesses.

(5) Any recommendations for legislation, including whether:

(A) the regulation of a regulated occupation should be modified;

(B) the board should be combined with another board;

(C) the board or the regulation of the regulated occupation should be terminated;

(D) a license should be eliminated; or

(E) multiple licenses should be consolidated into a single license.

(6) Any recommendations for administrative changes.

(7) Information that supports the agency's recommendations.

(c) This section does not apply to fees that support dedicated funds. After the agency has reviewed and evaluated a regulated occupation and board, the agency shall provide the board that is the subject of the agency's evaluation with recommendations for fees that the board should charge for application fees, renewal fees, and fees to issue licenses. The recommendation for fees must comply with the requirements under IC 25-1-8-2. However, the recommendation must not exceed the lesser of either one hundred dollars ($100) or the actual administrative cost to process the application or renew or issue the license.
As added by P.L.84-2010, SEC.19. Amended by P.L.112-2014, SEC.9; P.L.149-2016, SEC.76; P.L.49-2017, SEC.4.

IC 25-1-16-9 Cooperation with agency; testimony
Sec. 9. (a) A board shall cooperate with the agency, as the agency determines is necessary in the agency's review and evaluation of the board.

(b) The agency shall allow testimony concerning each regulated occupation that is being reviewed and evaluated.
As added by P.L.84-2010, SEC.19. Amended by P.L.49-2017, SEC.5.

IC 25-1-16-10 Review schedule
Sec. 10. The agency shall establish a schedule to review and evaluate each regulated occupation. Each regulated occupation must be reviewed and evaluated at least every five (5) years.

As added by P.L.84-2010, SEC.19. Amended by P.L.112-2014, SEC.10; P.L.49-2017, SEC.6.

IC 25-1-16-11 Repealed
As added by P.L.84-2010, SEC.19. Amended by P.L.112-2014, SEC.11. Repealed by P.L.49-2017, SEC.7.

IC 25-1-16-12 Repealed
As added by P.L.84-2010, SEC.19. Repealed by P.L.49-2017, SEC.8.

IC 25-1-16-13 Annual report

Sec. 13. The agency shall submit a report to the:
(1) governor; and
(2) legislative services agency;
not later than July 1 of each year. The report submitted to the legislative services agency must be in an electronic format under IC 5-14-6.
As added by P.L.84-2010, SEC.19. Amended by P.L.53-2014, SEC.140; P.L.112-2014, SEC.12; P.L.49-2017, SEC.9.

IC 25-1-16-14 Public input
Sec. 14. The agency shall seek public input when considering any proposals or reports concerning the elimination of a license or change to a regulated occupation.
As added by P.L.112-2014, SEC.13. Amended by P.L.49-2017, SEC.10.

IC 25-1-16-15 Review of new license proposals
Sec. 15. The agency shall review and evaluate a proposal to license a new occupation upon the request of any of the following:
(1) A member of the general assembly.
(2) A legislative staff member on behalf of a member of the general assembly.
(3) A member of the legislative services agency on behalf of a member of the general assembly.
As added by P.L.112-2014, SEC.14. Amended by P.L.49-2017, SEC.11.

IC 25-1-16-16 Development of policies and parameters to reduce or eliminate duplicative licensing, regulation, and certification by state and multiple units

Sec. 16. (a) As used in this section, "unit" has the meaning set forth in IC 36-1-2-23.
(b) The agency shall develop proposed policies and parameters for licensing, registration, and certification of occupations and professions by units to reduce or eliminate redundant and duplicative licensing, regulation, and certification of an occupation or profession by both the state and multiple units. When developing the proposed policies and parameters, the agency shall consult with:
(1) the small business ombudsman (designated under IC 5-28-17-6);
(2) the office; and
(3) representatives of units.

(c) Not later than November 1, 2018, the agency shall submit to the legislative council in an electronic format under IC 5-14-6 a report that includes:
(1) the proposed policies and parameters developed under subsection (b); and
(2) any recommended legislation.

(d) This section expires January 1, 2019.
As added by P.L.182-2018, SEC.3.

INDIANA CODE § 25-1-17

Chapter 17.
Licensure of Individuals with Military Training; Licensure of Military Spouses

IC 25-1-17-1 "Board"

Sec. 1. As used in this chapter, "board" has the meaning set forth in IC 25-1-8-1.
As added by P.L.57-2012, SEC.2.

IC 25-1-17-2 "Military service"
Sec. 2. As used in this chapter, "military service" means service performed while an active member of any of the following:

(1) The armed forces of the United States.
(2) A reserve component of the armed forces of the United States.
(3) The National Guard.

As added by P.L.57-2012, SEC.2.

IC 25-1-17-3 "Military spouse"

Sec. 3. As used in this chapter, "military spouse" means the husband or wife of an individual who is a member of the armed forces of the United States.
As added by P.L.57-2012, SEC.2.

IC 25-1-17-4 Issuance of license, certificate, registration, or permit to military service applicant; conditions

Sec. 4. Notwithstanding any other law, a board shall issue a license, certificate, registration, or permit to a military service applicant to allow the applicant to practice the applicant's occupation in Indiana if, upon application to a licensing board, the applicant satisfies the following conditions:

(1) Has:

(A) completed a military program of training;

(B) been awarded a military occupational specialty; and

(C) performed in that occupational specialty;

at a level that is substantially equivalent to or exceeds the academic or experience requirements for a license, certificate, registration, or permit of the board from which the applicant is seeking licensure, certification, registration, or a permit.

(2) Has engaged in the active practice of the occupation for which the person is seeking a license, certificate, registration, or permit from the board for at least two (2) of the five (5) years preceding the date of the application under this section.

(3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license, certificate, registration, or permit to practice that occupation in Indiana at the time the act was committed.

(4) Pays the fees required by the board from which the applicant is seeking licensure, certification, registration, or a permit.

As added by P.L.57-2012, SEC.2.

IC 25-1-17-5 Issuance of license, certificate, registration, or permit to military spouse applicant; conditions

Sec. 5. Notwithstanding any other law, a board shall issue a license, certificate, registration, or permit to a military spouse to allow the military spouse to practice the military spouse's occupation in Indiana if, upon application to the board, the military spouse satisfies the following conditions:

(1) Holds a current license, certification, registration, or permit from another jurisdiction, and that jurisdiction's requirements for a license, certificate, registration, or permit are substantially equivalent to or exceed the requirements for a license, certificate, registration, or permit of the board from which the applicant is seeking licensure, certification, registration, or a permit.

(2) Can demonstrate competency in the occupation through methods as determined by the board, including having completed continuing education units or having had recent experience for at least two (2) of the five (5) years preceding the date of the application under this section.

(3) Has not committed any act in any jurisdiction that would have constituted grounds for refusal, suspension, or revocation of a license, certificate, registration, or permit to practice that occupation in Indiana at the time the act was committed.

(4) Is in good standing and has not been disciplined by the agency that has jurisdiction to issue the license, certification, registration, or permit.

(5) Pays any fees required by the occupational licensing board for which the applicant is seeking licensure, certification, registration, or a permit.

As added by P.L.57-2012, SEC.2.

IC 25-1-17-6 Relevant experience

Sec. 6. (a) All relevant experience of a:

(1) military service member in the discharge of official duties; or

(2) military spouse, including full-time and part-time experience, regardless of whether in a paid or volunteer capacity;

must be credited in the calculation of years of practice in an occupation as required under section 4 or 5 of this chapter.

(b) In determining if a military service member substantially meets the academic requirements for a license, certificate, registration, or permit issued by a board, the board shall consider the recommendations in the Guide to the Evaluation of Educational Experiences in the Armed Services published by the American Council on Education, or the council's successor organization.
As added by P.L.57-2012, SEC.2.

IC 25-1-17-7 Effect of nonresidency

Sec. 7. A nonresident who is issued a license, certificate, registration, or permit under this chapter is entitled to the same rights and subject to the same obligations as required of a resident who is issued a license, certificate, registration, or permit by a board.
As added by P.L.57-2012, SEC.2.

IC 25-1-17-8 Provisional License

Sec. 8. (a) Notwithstanding any other law, an applicant for a license is entitled to a provisional license in the regulated occupation applied for and at the same practice level as determined by the board, without an examination, if all of the following conditions are met:

(1) The person submits a signed affidavit affirming, under the penalties for perjury, the following:

(A) The person is the spouse of an active duty member of the armed forces assigned to Indiana.

(B) The person is in good standing in all states in which the person holds a license for the regulated occupation applied for.

(C) The person has not had a license revoked and has not voluntarily surrendered a license in another state or country while under investigation for unprofessional conduct.

(D) The person has not had discipline imposed by the regulating entity for the regulated occupation in another state or country.

(E) The person does not have an investigation pending before the regulating entity in another state or country that relates to unprofessional conduct.

(2) The person submits verification that the person is currently licensed in at least one (1) other state in the regulated occupation applied for.

(3) The person submits to a national criminal history background check (as defined in IC 25-1-1.1-4) and does not have a disqualifying criminal history as determined by the board.

(4) The person has submitted an application for a license with the board and has paid any application fee.

(b) An applicant who has met the requirements in subsection (a) shall be issued a provisional license not more than thirty (30) days after the requirements are met.

(c) A provisional license expires three hundred sixty-five (365) days after it is issued.

(d) In addition to any other penalties for perjury, a person who violates this section commits a Class A infraction.

(e) If the board discovers that any of the information submitted under this section is false, the board may immediately revoke the person's provisional license.

(f) This section does not apply to a license that is established by or recognized through an interstate compact, a reciprocity agreement, or a comity agreement that is established by a board or a law.

(g) This section does not prohibit an individual from proceeding under other licensure, certification, registration, or permit requirements established by a board or a law.
As added by P.L.57-2012, SEC.2. Amended by P.L.89-2020, SEC.1.

IC 25-1-17-9 Rules

Sec. 9. A board may adopt rules under IC 4-22-2 necessary to implement this chapter.
As added by P.L.57-2012, SEC.2.

IC 25-1-17-10 Applications under established requirements

Sec. 10. This chapter does not prohibit a military service applicant or military spouse from proceeding under other licensure, certification, registration, or permit requirements established by a board.
As added by P.L.57-2012, SEC.2.

IC 25-1-17-11 Rules for expedited issuance or renewal of license, certificate, registration, or permit to military spouse

Sec. 11. The board shall expedite the issuance or renewal of a:

(1) license;
(2) certificate;
(3) registration; or
(4) permit;

of a military spouse whose husband or wife is assigned to a duty station in Indiana.
As added by P.L.94-2016, SEC.3. Amended by P.L.78-2017, SEC.7.

TITLE 820 STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS

NOTE: Originally adopted by the Board of Beauty Culturist Examiners. Name changed by P.L.257-1987, SECTION 20, effective September 1, 1987. Name changed by P.L. 84-2010 SECTION 27.

ARTICLE 1. Beauty Culture Schools and Shops (Repealed)

(Repealed by State Board of Cosmetology Examiners; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1412, eff Apr 1, 1990)

ARTICLE 2. Licensing

Rule 1. Licensing Requirements; Miscellaneous Provisions

820 IAC 2-1-1 Transfer of licenses prohibited
Authority: IC 25-8-3-23
Affected: IC 25-1-11-12; IC 25-8-4-4

Sec. 1. (a) Under IC 25-8-4-4, licenses issued by the board may not be transferred. Accordingly:

(1) cosmetology schools;
(2) cosmetology salons;
(3) electrology salons;
(4) manicurist salons;
(5) esthetic salons;
(6) barber shops;
(7) barber schools; and
(8) mobile salons;

may not operate under new ownership or in a new location until a new license has been issued by the board.

(b) Subsection (a) does not apply to cosmetology salons changing locations if approved by the board under IC 25-8-4-4.

(c) Temporary permits or licenses for new salons will not be issued without board approval when the new salon is located in the same location where another salon has operated on probation or under sanctions imposed under IC 25-1-11-12. *(State Board of Cosmetology and Barber Examiners; 820 IAC 2-1-1; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1401, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 561; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 2-1-1.1 Mobile salons
Authority: IC 25-8-3-23
Affected: IC 25-8-2-15.5

Sec. 1.1. In addition to those services permitted in mobile salons under IC 25-8-2-15.5, mobile salons may also be licensed for the practice of barbering. *(State Board of Cosmetology and Barber Examiners; 820 IAC 2-1-1.1; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 2-1-2 Cosmetology schools, cosmetology salons, electrology salons, manicurist salons, and esthetic salons; mobile structure prohibited (Repealed)

Sec. 2. *(Repealed by State Board of Cosmetology and Barber Examiners; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA)*

820 IAC 2-1-3 Cosmetology school license applications; notice of intention (Repealed)

Sec. 3. *(Repealed by State Board of Cosmetology and Barber Examiners; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA)*

820 IAC 2-1-4 Application for a cosmetology school license; required items

Authority: IC 25-8-3-23
Affected: IC 25-8-5-2; IC 25-8-5-3

Sec. 4. (a) An application for a cosmetology school license shall include the matters required by IC 25-8-5-3 and the following:

(1) The contract that is to be used between the cosmetology school and its students, which must include the school's refund policy.

(2) A report from the office of the state fire marshal showing compliance with fire safety laws.

(3) A copy of the cosmetology school's deed for the property where the cosmetology school is located or a lease for at least one (1) year showing that the premises are to be used as a cosmetology school.

(4) A budget for the first year of operation of the cosmetology school.

(5) A financial statement on a form provided by the board.

(6) A floor plan of the cosmetology school, which shall show, in detail, the following:

(A) The placement of students.

(B) Classroom entrances and exits.

(C) Space for waiting customers (indicating the number of chairs).

(D) Separate student and public cloakroom spaces.

(E) At least two (2) restrooms.

(7) A list of licensed instructors who will be teaching in the cosmetology school.

(b) The application shall be completed in its entirety and verified. *(State Board of Cosmetology and Barber Examiners; 820 IAC 2-1-4; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1402, eff Apr 1, 1990; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 2-1-5 Education equivalencies

Authority: IC 25-8-3-23
Affected: IC 25-8-9-3; IC 25-8-11-4; IC 25-8-12.5-4

Sec. 5. Successful completion of the general education diploma (GED) shall be considered the equivalent of the following:

(1) A tenth grade education for cosmetology applicants under IC 25-8-9-3(2).

(2) A tenth grade education for esthetician applicants under IC 25-8-12.5-4(2).

(3) An eighth grade education for manicurist applicants under IC 25-8-11-4(2).

(4) An eighth grade education for shampoo operator applicants under IC 25-8-12-3(2) *[IC 25-8-12 was repealed by P.L.157-2006, SECTION 76, effective July 1, 2006.]*.

(State Board of Cosmetology and Barber Examiners; 820 IAC 2-1-5; filed Dec 3, 1991, 11:00 a.m.: 15 IR 561; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 2-1-6 Signs requirements for cosmetology salons, electrology salons, manicurist salons, esthetic salons, and mobile salons

Authority: IC 25-8-3-23; IC 25-8-7-8
Affected: IC 25-8

Sec. 6. (a) A person holding:

(1) a cosmetology salon license;

(2) an electrology salon license;

(3) a manicurist salon license;

(4) an esthetic salon license; or

(5) a mobile salon license;

shall display a clearly visible sign at the main public entrance of the salon or the self-contained mobile salon.

(b) The sign must:

(1) be clearly visible at the main public entrance;

(2) state in legible printing the name of the establishment; and

(3) state that the establishment is licensed as:

(A) a cosmetology salon;

(B) an electrology salon;

(C) a manicurist salon;

(D) an esthetic salon; or

(E) a mobile salon.

(State Board of Cosmetology and Barber Examiners; 820 IAC 2-1-6; filed Dec 3, 1991, 11:00 a.m.: 15 IR 562; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 2-1-6.5 License display requirements for mobile salons

Authority: IC 25-8-3-23; IC 25-8-4-13
Affected: IC 25-8

Sec. 6.5. In addition to the requirements of IC 25-8-4-13, a person holding a mobile salon license shall display the license in a conspicuous place in the mobile salon or the licensee's work space in a mobile salon that is not selfcontained.

(State Board of Cosmetology and Barber Examiners; 820 IAC 2-1-6.5; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 2-1-6.6 License display requirements for beauty culture professionals

Authority: IC 25-8-3-23; IC 25-8-4-13
Affected: IC 25-8

Sec. 6.6. In addition to the requirements of IC 25-8-4-13, a person holding a beauty culture professional license shall display the license in a conspicuous place in the mobile salon or the licensee's work space in a mobile salon that is not self-contained. *(State*

Board of Cosmetology and Barber Examiners; 820 IAC 2-1-6.6; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 2-1-7 Addresses and contact information for cosmetology salons, electrology salons, manicurist salons, esthetic salons, and mobile salons
Authority: IC 25-8-3-23
Affected: IC 25-8-4-2

Sec. 7. (a) Applications for cosmetology salon, electrology salon, manicurist salon, and esthetic salon licenses shall include both the applicant's mailing address and the actual location of the salon, if different than the mailing address.

(b) Applications for mobile salon licenses shall include both the applicant's mailing address and the permanent address where records of appointments and license numbers of employees are kept, if different than the mailing address.

(c) Applicants for mobile salon licenses shall provide the applicant's mobile telephone number. *(State Board of Cosmetology and Barber Examiners; 820 IAC 2-1-7; filed Dec 3, 1991, 11:00 a.m.: 15 IR 562; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

Rule 2. Examinations

820 IAC 2-2-1 Examination for instructors
Authority: IC 25-8-3-23
Affected: IC 25-8-4-2

Sec. 1. (a) In addition to qualifying under the requirements of IC 25-8-4-2, an applicant for a beauty culture instructor license must pass an examination on Indiana statutes and rules before being licensed.

(b) The passing score for the examination is seventy-five percent (75%). *(State Board of Cosmetology and Barber Examiners; 820 IAC 2-2-1; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1402, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 562; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1487; filed May 4, 2001, 11:16 a.m.: 24 IR 2682; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 2-2-1.1 Photograph with application (Repealed)

Sec. 1.1. *(Repealed by State Board of Cosmetology and Barber Examiners; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA)*

820 IAC 2-2-1.2 Photo identification required (Repealed)

Sec. 1.2. *(Repealed by State Board of Cosmetology and Barber Examiners; filed F*

820 IAC 2-2-2 Instructor license; examination fee (Repealed)

Sec. 2. *(Repealed by State Board of Cosmetology and Barber Examiners; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA)*

820 IAC 2-2-3 Age requirement; necessity of examination
Authority: IC 25-8-3-23; IC 25-8-6-4
Affected: IC 25-8

Sec. 3. (a) Individuals submitting an application for the written examination under IC 25-8 shall be at least eighteen (18) years of age.

(b) All first attempt state board examinations must be taken within one (1) year after graduation from an applicable course in a cosmetology school. Any repeat examination must be successfully completed within three (3) years after graduation from the same course.

(c) The board may waive the requirements in subsection (b) if an applicant can show good cause. *(State Board of Cosmetology and Barber Examiners; 820 IAC 2-2-3; filed Dec 3, 1991, 11:00 a.m.: 15 IR 562; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1488; filed May 4, 2001, 11:16 a.m.: 24 IR 2682; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 2-2-4 License examination; attire, equipment (Repealed)

Sec. 4. *(Repealed by State Board of Cosmetology and Barber Examiners; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA)*

820 IAC 2-2-5 Repeat examination
Authority: IC 25-8-3-23
Affected: IC 25-8-9-5

Sec. 5. (a) An applicant who does not receive a satisfactory grade on the applicant's second attempt on the beauty culture professional written examination as allowed by IC 25-8-9-5 shall only be allowed to take the written examination again upon submission of proof of completion of an additional one hundred (100) hours of instruction in the theory of beauty culture as a student in a cosmetology school.

(b) An applicant who does not receive a satisfactory grade on the sixth attempt of the written examination allowed by subsection (a) may take the written examination the seventh time.

(c) The requirements of subsection (a) concerning additional education apply for the eighth written examination attempt and every odd-numbered attempt thereafter. *(State Board of Cosmetology and Barber Examiners; 820 IAC 2-2-5; filed Dec 3, 1991, 11:00 a.m.: 15 IR 563; filed May 4, 2001, 11:16 a.m.: 24 IR 2682; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; errata filed Apr 22, 2010, 12:08 p.m.: 20100505-IR-820080935ACA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 2-2-6 Repeat examinations; instructor (Repealed)

Sec. 6. *(Repealed by State Board of Cosmetology and Barber Examiners; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA)*

820 IAC 2-2-7 Repeat examinations; manicurist (Repealed)

Sec. 7. *(Repealed by State Board of Cosmetology and Barber Examiners; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA)*

820 IAC 2-2-8 Repeat examinations; electrologist (Repealed)

Sec. 8. *(Repealed by State Board of Cosmetology and Barber Examiners; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA)*

820 IAC 2-2-9 Repeat examinations; shampoo operator (Repealed)

Sec. 9. *(Repealed by State Board of Cosmetology and Barber Examiners; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA)*

820 IAC 2-2-10 Repeat examinations; esthetician (Repealed)
Sec. 10. *(Repealed by State Board of Cosmetology and Barber Examiners; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA)*

820 IAC 2-2-11 Repeat examinations; instructor, electrologist, or esthetician license; reciprocity applicants (Repealed)
Sec. 11. *(Repealed by State Board of Cosmetology and Barber Examiners; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA)*

ARTICLE 3. SANITARY AND EQUIPMENT REQUIREMENTS

Rule 1. Sanitary and Equipment Requirements for Beauty Culture Salons, Mobile Salons, and Cosmetology Schools

820 IAC 3-1-1 Scope
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 1. (a) This rule establishes sanitary and equipment requirements for cosmetology schools, cosmetology salons, electrology salons, manicurist salons, and mobile salons.
(b) Unless otherwise stated, all the requirements in this rule are applicable to cosmetology schools, cosmetology salons, and mobile salons. Mobile salons that are not self-contained facilities shall have adequate equipment to perform the services at the temporary location.
(c) Sections 8, 12, 13, 14, and 17 of this rule apply to electrology salons and mobile salons offering electrology services.
(d) Sections 8 and 15 through 17 of this rule apply to manicurist salons and mobile salons offering manicuring services.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-1; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1402, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 563; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-1-2 Water supply
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 2. (a) Hot and cold running water shall be supplied.
(b) The water supply required in subsection (a) shall be connected with a pressure supply whenever it is available. *(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-2; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1402, eff Apr 1, 1990;readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 3-1-3 Sanitizers; disinfectants
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 3. (a) There must be at least:
(1) one (1) wet EPA registered bactericide, viricide, and fungicide disinfectant; and
(2) one (1) dry sanitizer;
on the premises.
(b) Each workstation must have at least:
(1) one (1) wet sanitizer or disinfectant; or
(2) one (1) dry sanitizer.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-3; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1403, eff Apr 1, 1990; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-1-4 Work stations; covered waste receptacle
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 4. (a) Cosmetology salons and self-contained mobile salons shall be supplied with at least one (1) covered waste receptacle for every four (4) workstations.
(b) As used in subsection (a), workstations refers to booths and chairs, other than waiting room chairs. *(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-4; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1403, eff Apr 1, 1990; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 3-1-5 Floors; walls; furniture
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 5. Floors, walls, and furniture shall be kept clean and sanitary at all times. *(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-5; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1403, eff Apr 1, 1990; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 3-1-6 Disinfectants
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 6. (a) All implements, except those that come in contact with blood or body fluids, shall be disinfected by complete immersion in a bactericidal, viricidal, and fungicidal disinfectant that is mixed and used according to the manufacturer's directions.
(b) All implements that have come in contact with blood or body fluids shall be disinfected by complete immersion in an EPA registered bactericide, viricide, fungicide, and tuberculocidal disinfectant that is mixed and used according to the manufacturer's directions.
(c) Spills, except those that contain blood or body fluids, shall be disinfected by use of an EPA registered bactericidal, viricidal, and fungicidal disinfectant that is mixed and used according to the manufacturer's directions.
(d) Spills that do contain blood or body fluids shall be disinfected by use of an EPA registered bactericidal, viricidal, fungicidal, and tuberculocidal disinfectant that is mixed and used according to the manufacturer's directions. *(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-6; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1403, eff Apr 1, 1990; readopted filed May 22, 2001,*

9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-1-7 Shampoo bowls, sinks
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 7. (a) A shampoo bowl or shampoo sink shall be used.
(b) A shampoo bowl may not be located in a restroom.
(c) The following shall be cleaned thoroughly and sanitized immediately after use:
(1) Shampoo bowls.
(2) Shampoo sinks.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-7; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1403, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 563; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-1-8 Clean hands; uniforms
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 8. (a) Each:
(1) cosmetologist;
(2) electrologist;
(3) manicurist;
(4) esthetician; and
(5) instructor or student in a cosmetology school;
shall wash his or her hands with soap and fresh water or waterless hand sanitizer before serving each customer.
(b) All:
(1) cosmetologists;
(2) electrologists; and
(3) manicurists;
shall at all times, while serving customers, wear a clean, opaque, washable outer garment.
(c) All students in a cosmetology school shall at all times wear a clean, washable uniform of the color and style established by the cosmetology school for each course. The following are not acceptable elements of a uniform:
(1) Sandals or other open footwear.
(2) Shorts.
(3) Denim jeans.
(4) Skirts above the knee.
(d) Student name badges shall be required as part of the uniform required by subsection (c).
(e) All cosmetology school instructors and student instructors shall wear a clean, washable outer garment and badge identifying the following:
(1) The instructor's or student instructor's name.
(2) The instructor as an instructor or student instructor.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-8; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1403, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 564; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1488; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-1-9 Combs, brushes, and towels
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 9. (a) Each cosmetologist, or student in a cosmetology school, shall be required to have an adequate supply of combs, brushes, and towels in order to service the needs of patrons.
(b) An adequate supply under subsection (a) shall be not fewer than twelve (12) towels.
(c) An adequate supply under subsection (a) shall be not fewer than eight (8) combs and three (3) brushes.
(d) After each use on a customer, combs and brushes must be:
(1) thoroughly cleaned;
(2) completely immersed in an EPA registered bactericide, viricide, and fungicide disinfectant;
(3) rinsed in water and dried; and
(4) stored, until their next use, in a container that:
(A) is closed;
(B) is clean; and
(C) has nothing stored in it that has not been disinfected.

(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-9; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1403, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 564; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-1-10 Towels
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 10. (a) Clean towels shall be:
(1) used for each customer; and
(2) stored in a sanitary manner or in a clean and closed cabinet or drawer.
(b) Soiled towels shall be stored in a covered hamper. *(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-10; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1403, eff Apr 1, 1990; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 3-1-11 Hair capes, drapes, protective coverings
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 11. Whenever a hair cape or drape is used, a clean towel or other clean protection shall be placed around the customer's neck in such a manner to prevent the hair cape or drape from touching the skin. *(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-11; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1403, eff Apr 1, 1990; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 3-1-12 Electrology; cleanliness
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 12. (a) All instruments, needles, and tweezers used by an electrologist shall be sterilized prior to use on a customer.
(b) Sterilization required under subsection (a) shall be as follows:
(1) Before putting into a sterilizer, needles/probes must be precleaned using a clean cotton ball moistened with a low residue detergent and cool water or a solution having at least seventy percent (70%) alcohol.

(2) Precleaning of needles/probes may also be accomplished by cleaning in an ultrasonic cleaning unit used according to manufacturer's instructions.
(3) After precleaning, needles/probes should be rinsed thoroughly and dried.
(4) Sterilization must be accomplished by means of a dry heat sterilizer in which the instruments are heated to three hundred forty degrees Fahrenheit (340° F) for two (2) hours or by means of steam autoclave sterilizer in which the instruments are subjected to saturated steam at the pressure of fifteen (15) pounds per square inch for thirty (30) minutes at two hundred fifty degrees Fahrenheit (250° F).

(c) An electrologist or electrology student in a cosmetology school shall:
(1) wash his or her hands in fresh water with germicidal soap immediately before serving each customer; and
(2) while serving customers, wear gloves which must be disposed after use during the service of one (1) customer.

(d) The chair and table where a customer is receiving electrology services shall have clean coverings.

(e) There shall be a clean draping between the electrologist and the customer during an electrology session. *(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-12; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1404, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 564; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 3-1-13 Electrology; separate room
Authority: IC 25-8-3-23
Affected: IC 25-8-7; IC 25-8-14

Sec. 13. (a) Where electrology is provided, the cosmetology salon, self-contained mobile salon, or cosmetology school shall maintain a separate room for the practice that is used exclusively for electrology services.

(b) The room required under subsection (a) shall be surrounded by ceiling to floor walls and accessed only by closing doors.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-13; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1404, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 565; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-1-14 Electrology equipment; salons
Authority: IC 25-8-3-23
Affected: IC 25-8

Sec. 14. (a) Electrology salons, cosmetology salons, or self-contained mobile salons practicing electrology shall have the following equipment:
(1) At least one (1) sink or bowl with hot and cold running water.
(2) At least one (1) treatment table.
(3) At least one (1) treatment stool.
(4) At least one (1) lamp.
(5) At least one (1) closed cabinet for storage of clean linens.
(6) At least one (1) closed hamper for storage of soiled linens.
(7) At least one (1) covered waste receptacle.
(8) At least twelve (12) pairs of disposable rubber gloves.
(9) At least one (1) face mask.
(10) At least one (1) steam autoclave sterilizer or at least one (1) dry heat sterilizer.
(11) At least twelve (12) sterile needles.
(12) At least six (6) pairs of tweezers.
(13) At least one (1) epilator.
(14) At least twelve (12) clean coverings for chair and table where electrology is performed.
(15) At least twelve (12) clean drapings for securing between electrologist and customer during an electrology session.
(16) At least one (1) bottle for skin sanitizing agent.
(17) At least one (1) bottle of residue detergent or one (1) bottle of solution having at least seventy percent (70%) alcohol.
(18) At least one (1) covered container each for supplies such as cotton, lip rolls, etc.

(b) Mobile salons that are not self-contained facilities shall have adequate equipment to perform the services at the temporary location.

(c) Regardless of the minimum requirements established in subsection (a), electrology salons, cosmetology salons practicing electrology, or self-contained mobile salons must have whatever equipment is needed to adequately serve their customers and otherwise comply with IC 25-8 and this title.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-14; filed Dec 3, 1991, 11:00 a.m.: 15 IR 565; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-1-15 Manicurist; cleanliness
Authority: IC 25-8-3-23
Affected: IC 25-8

Sec. 15. (a) All implements used by a manicurist, or manicurist student in a cosmetology school, shall be disinfected prior to use on a customer.

(b) Disinfection procedures required under subsection (a) shall be as follows:
(1) Before putting nonporous implements into a disinfectant, implements shall be precleaned using soap and fresh water.
(2) After cleaning, implements shall be rinsed thoroughly and dried.
(3) Nonporous implements shall be fully immersed in an EPA registered bactericide, viricide, and fungicide disinfectant for ten (10) minutes or according to manufacturer's instructions.
(4) All porous nail files must be cleaned and sprayed with alcohol or bleach.
(5) Any porous nail file that has come in contact with blood, bodily fluids, or unhealthy skin or nails must be thrown away.
(6) All metal electric file drill bits must be disinfected with an EPA registered bactericide, viricide, and fungicide disinfectant; at least seventy percent (70%) isopropyl alcohol; or ten percent (10%) bleach solution.
(7) All sandpaper electric file drill bits must be thrown away after one-time usage.

(c) A manicurist or manicurist student in a cosmetology school shall do the following:
(1) Wash hands with soap and fresh water or waterless hand sanitizer immediately before serving each customer.
(2) Assure that the table where a customer is receiving manicuring services has been cleaned.
(3) Use a clean towel for each customer.
(4) Manicure bowls and pedicure basins, tubs, and footbaths must be disinfected before serving each customer in the following manner:
(A) Remove all debris and wash the basin or tub.
(B) Spray the basin or tub with an EPA registered tuberculocidal bactericide, viricide, and fungicide disinfectant with

contact of not less than ten (10) minutes or according to manufacturer's directions.

(5) Basins, tubs, or footbaths that circulate water (whirlpool tubs) must be disinfected after serving each customer in the following manner:

(A) Remove all debris and wash the basin, tub, or footbath.

(B) Fill with water and:

(i) an EPA registered tuberculocidal bactericide, viricide, and fungicide disinfectant; or

(ii) ten percent (10%) bleach solution.

(C) Circulate at least ten (10) minutes.

(D) Do not use alcohol.

(6) Filter covers of basins, tubs, or footbaths that circulate water (whirlpool tubs) must be removed and cleaned daily with:

(A) an EPA registered bactericide, viricide, and fungicide disinfectant; or

(B) bleach.

(7) Screens to filter debris on basins, tubs, or footbaths that circulate water (whirlpool tubs) must be removed and cleaned daily.

(8) Clean the hot mitten liners with soap and water after each use.

(9) Clean the manicure bowl with an EPA registered tuberculocidal bactericide, viricide, and fungicide disinfectant after each use.

(10) Use ventilation while using chemicals.

(d) Customers shall wash their hands with soap and water or waterless hand sanitizer before receiving manicure services.

(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-15; filed Dec 3, 1991, 11:00 a.m.: 15 IR 565; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; errata filed Apr 22, 2010, 12:08 p.m.: 20100505-IR-820080935ACA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-1-16 Manicurist equipment; salons

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 16. (a) Manicurist salons, cosmetology salons, or self-contained mobile salons practicing manicuring shall have at least the following equipment:

(1) One (1) sink or bowl with hot and cold running water.

(2) One (1) manicuring table.

(3) Two (2) chairs.

(4) One (1) lamp.

(5) One (1) wet disinfectant.

(6) One (1) manicure bowl.

(7) One (1) dry sanitizer.

(8) One (1) closed cabinet or drawer for storage of clean towels.

(9) One (1) closed hamper for storage of soiled towels.

(10) One (1) covered waste receptacle.

(11) Twelve (12) towels.

(12) One (1) pair of cuticle nippers.

(13) One (1) pair of fingernail clippers.

(14) One (1) pair of toenail clippers.

(15) Six (6) nail files.

(16) One (1) nail brush.

(17) One (1) nail pusher.

(18) If pedicure services are offered, one (1) pedicure basin, tub, or footbath.

(b) Mobile salons that are not self-contained facilities shall have adequate equipment to perform the services at the temporary location.

(c) Regardless of the minimum requirements established in subsection (a), manicuring salons, cosmetology salons, or selfcontained mobile salons practicing manicuring must have whatever additional equipment is needed to adequately serve their customers and otherwise comply with IC 25-8 and this title.

(d) The use of razor devices to shave, reduce, or remove calluses or corns is prohibited. *(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-16; filed Dec 3, 1991, 11:00 a.m.: 15 IR 566; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 3-1-17 No pets; cosmetology schools, cosmetology salons, electrology salons, manicurist salons, esthetic salons, and self-contained mobile salons

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 17. (a) Cosmetology schools, cosmetology salons, electrology salons, esthetician salons, manicurist salons, and selfcontained mobile salons are prohibited from allowing pets on the premises.

(b) In compliance with the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), animals classified as service animals under 28 CFR 36.104 are not prohibited from being on the premises.

(c) A person holding a cosmetology school or cosmetology salon license, electrology salon license, esthetician salon license, manicurist salon license, or a mobile salon license shall display a sign at the entrance of the salon, self-contained mobile salon, or school that states "no pets allowed".

*(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-17; filed Dec 3, 1991, 11:00 a.m.: 15 IR 566; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR*Indiana *820120064FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 3-1-18 Mobile salon application requirements

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 18. (a) Any person, firm, or corporation applying for a mobile salon license that intends to practice in a self-contained mobile salon shall file a verified application with the board to include the following:

(1) Affirmation of compliance with applicable city, county, and state laws and ordinances, including fire and zoning.

(2) Affirmation of a valid Indiana driver license issued to the person responsible for driving the mobile salon.

(3) The permanent address of the physical location where records of appointments, license numbers of employees, and the vehicle identification number of the mobile salon that is self-contained are kept.

(4) The required fee.

(b) Any person, firm, or corporation applying for a mobile salon license that intends to practice without using a self-contained mobile salon shall file a verified application with the board to include the permanent physical address where records of appointments and license numbers of employees are kept.

(c) Mobile salons shall be inspected by the board prior to issuance of the license. *(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-18; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 22, 2016, 12:09*

p.m.: 20161221-IR-820160316RFA)

820 IAC 3-1-19 Self-contained mobile salon requirements
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 19. (a) Each self-contained mobile salon shall be equipped with the following:
(1) A self-contained, portable water supply of at least one hundred (100) gallons in holding tanks with gauges indicating levels in the tanks and reserve capabilities. If the portable water supply is depleted, operation must cease until the supply is replenished.
(2) Continuous, on-demand hot water.
(3) At least one (1) state fire marshal approved fire extinguisher must be mounted in public view.
(b) A self-contained mobile salon shall:
(1) comply with all state, county, and local laws and ordinances; and
(2) follow the manufacturer's instructions when the mobile facility is stationary to ensure it is securely parked and stable.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-19; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-1-20 Self-contained mobile salon safety and sanitation requirements
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 20. (a) A self-contained mobile salon shall be under the personal supervision of a person who has at least six (6) months experience as a licensed beauty culture professional.
(b) No person having charge of a self-contained mobile salon, whether as an owner or an employee, shall permit any room, or part thereof, in which:
(1) cosmetology;
(2) manicuring;
(3) esthetics;
(4) electrology; or
(5) barbering;
is practiced, to be used for residential purposes or for any other purpose that would tend to make the unit unsanitary, unsafe, or endanger the health and safety of the consumer.
(c) The:
(1) floors;
(2) carpeting;
(3) walls;
(4) ceiling;
(5) furniture;
(6) equipment; and
(7) contents;
of the self-contained mobile salon shall be kept clean and in good repair at all times.
(d) All storage cabinet doors must be secured by the use of spring struts or friction catches.
(e) All equipment must be securely anchored to the establishment.
(f) The self-contained mobile salon must be handicap accessible.
(g) No services may be performed while the self-contained mobile salon is in motion. *(State Board of Cosmetology and Barber Examiners; 820 IAC 3-1-20; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

Rule 2. Sanitary and Equipment Requirements for Esthetic Salons and Cosmetology Schools Teaching Esthetics
820 IAC 3-2-1 Scope
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 1. (a) This rule establishes sanitary and equipment requirements for the following:
(1) Esthetic salons.
(2) Cosmetology salons where esthetic services are provided.
(3) Mobile salons where esthetic services are provided.
(4) Cosmetology schools teaching esthetics.
(b) Unless otherwise stated, all the requirements in this rule are applicable to the following:
(1) Esthetic salons.
(2) Cosmetology salons where esthetic services are provided.
(3) Mobile salons where esthetic services are provided.
(4) Cosmetology schools teaching esthetics.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-1; filed Dec 3, 1991, 11:00 a.m.: 15 IR 566; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-2 Water supply
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 2. (a) Hot and cold running water shall be supplied.
(b) The water supply required in subsection (a) shall be connected with a pressure supply whenever it is available. *(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-2; filed Dec 3, 1991, 11:00 a.m.: 15 IR 566; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 3-2-3 Sterilizers
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 3. There must be:
(1) at least one (1) operable cold sterilizer; and
(2) at least one (1) of the following:
(A) One (1) operable steam autoclave sterilizer; or
(B) One (1) operable dry heat sterilizer;
on the premises.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-3; filed Dec 3, 1991, 11:00 a.m.: 15 IR 567; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-4 Work units; covered waste receptacle
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 4. (a) There shall be at least one (1) covered waste receptacle located in every work unit.
(b) As used in subsection (a), "work unit" refers to the following:
(1) Chairs and tables (other than waiting room chairs and tables).
(2) Booths.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-4; filed Dec 3, 1991, 11:00 a.m.: 15 IR 567; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010,

2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-5 Floors; walls; furniture
Authority: IC 25-8-3-23
Affected: IC 25-8

Sec. 5. Floors, walls, and furniture shall be kept clean and sanitary at all times. *(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-5; filed Dec 3, 1991, 11:00 a.m.: 15 IR 567; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 3-2-6 Facial bowls; facial sinks
Authority: IC 25-8-3-23
Affected: IC 25-8

Sec. 6. (a) There shall be at least one (1) facial bowl or facial sink on the premises.

(b) Facial bowls and facial sinks shall be cleaned with an effective disinfectant and rinsed with warm water prior to using.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-6; filed Dec 3, 1991, 11:00 a.m.: 15 IR 567; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-7 Clean uniforms
Authority: IC 25-8-3-23
Affected: IC 25-8

Sec. 7. (a) All estheticians shall at all times while serving customers wear a clean, washable outer garment.

(b) All esthetician students in a cosmetology school shall at all times wear a clean, washable uniform and style established by the cosmetology school.

(c) A student name badge shall be required as part of the uniform required by subsection (b). *(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-7; filed Dec 3, 1991, 11:00 a.m.: 15 IR 567; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 3-2-8 Towels; linens; headbands
Authority: IC 25-8-3-23
Affected: IC 25-8

Sec. 8. (a) Clean towels, linens, and headbands shall be used for each customer.

(b) Clean towels, linens, and headbands shall be stored in a clean and closed cabinet or drawer.

(c) Soiled towels, linens, and headbands shall be stored in a covered hamper. *(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-8; filed Dec 3, 1991, 11:00 a.m.: 15 IR 567; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 3-2-9 Esthetics; cleanliness
Authority: IC 25-8-3-23
Affected: IC 25-8

Sec. 9. (a) All instruments, including:
(1) forceps;
(2) comedone extractors;
(3) tweezers;
(4) brushes; and
(5) facial rollers;
used by an esthetician, or esthetics student in a cosmetology school, shall be sterilized prior to use on a customer.

(b) Sterilization required under subsection (a) shall be as follows:
(1) Instruments shall be:
(A) washed in a low residue detergent and rinsed prior to sterilization; and
(B) disinfected using an EPA registered bactericide, viricide, and fungicide disinfectant, used according to manufacturer's instructions.
(2) High frequency wands shall be cleaned using an EPA registered bactericide, viricide, and fungicide disinfectant, used according to manufacturer's instructions.
(3) Forceps, tweezers, and comedone extractors shall be sterilized using a steam autoclave or a dry heat sterilizer.
(4) All instruments, other than those instruments under subdivision (3), shall be sterilized or disinfected by means of:
(A) an EPA registered bactericide, viricide, and fungicide disinfectant;
(B) a steam autoclave using fifteen (15) pounds of pressure for thirty (30) minutes at two hundred fifty (250) degrees Fahrenheit or follow manufacturer's instructions; or
(C) a dry heat sterilizer.
(5) Sterilization shall be accomplished by placing instruments in one (1) or both of the following:
(A) A steam autoclave sterilizer in which the instruments are ubjected to saturated steam of the pressure of fifteen (15) pounds per square inch for thirty (30) minutes at two hundred fifty (250) degrees Fahrenheit.
(B) A dry heat sterilizer in which instruments are heated for two (2) hours at three hundred forty (340) degrees Fahrenheit.

(c) An esthetician, or esthetics student in a cosmetology school, shall do the following:
(1) Wash his or her hands in fresh water with germicidal soap (antimicrobiotic) immediately before serving each customer.
(2) When extracting blackheads, milia, or comedones, wear protective gloves, which must be disposed of after providing the service to a customer.
(3) When waxing, wear protective gloves, which must be disposed of after providing the service to a customer, and use a new applicator for each application of wax.

(d) The chair and table where a customer is receiving esthetician services shall have clean coverings.

(e) There shall be a secured draping between the esthetician or esthetics student in a cosmetology school and the customer during an esthetics session.

(f) All disposable items, including:
(1) cotton swabs;
(2) tissues;
(3) tongue depressors;
(4) spatulas;
(5) cellulose sponges;
(6) plastic or saran wraps; and
(7) gauze;
used by an esthetician or esthetics student in a cosmetology school shall be disposed of after serving a customer.

(g) An esthetician or an esthetics student in a cosmetology school shall dispense all products in a sanitary manner using:
(1) spatulas;

(2) pumps; or
(3) other sanitary devices.
(h) Lancets used by an esthetician or an esthetics student in a cosmetology school shall be disposed of in a lancet safety device (waste container) after serving a customer.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-9; filed Dec 3, 1991, 11:00 a.m.: 15 IR 567; filed May 4, 2001, 11:16 a.m.: 24 IR 2684; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; errata filed Apr 22, 2010, 12:08 p.m.: 20100505-IR-820080935ACA; readopted filed Nov 25, 2013, 9:22 a.m.:20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-10 Esthetics; separate room
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 10. (a) Cosmetology salons where esthetics services are provided, esthetic salons, and cosmetology schools where esthetics is provided shall maintain a separate room for the practice that is used exclusively for esthetic services.
(b) The room required under subsection (a) shall be:
(1) surrounded by ceiling to floor walls; and
(2) accessed only by doors that shall remain closed when esthetic services are being performed.
(c) This section does not apply to mobile salons.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-10; filed Dec 3, 1991, 11:00 a.m.: 15 IR 568; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-11 Facility treatment chair; hydraulic chair
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 11. There shall be at least one (1) facility treatment chair or hydraulic treatment chair on the premises.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-11; filed Dec 3, 1991, 11:00 a.m.: 15 IR 568; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-12 Utility table
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 12. (a) There shall be at least one (1) utility table for each facility treatment chair or hydraulic treatment chair on the premises.
(b) As an alternative to the requirement in subsection (a), one (1) continuous counter top may be used.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-12; filed Dec 3, 1991, 11:00 a.m.: 15 IR 568; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-13 Esthetician's stool
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 13. There shall be at least one (1) esthetician stool on the premises.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-13; filed Dec 3, 1991, 11:00 a.m.: 15 IR 568; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-14 Hands free magnification lamp
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 14. There shall be at least one (1) hands free magnification lamp on the premises.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-14; filed Dec 3, 1991, 11:00 a.m.: 15 IR 568; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-15 Disinfectant
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 15. There shall be at least one (1) container of an EPA registered bactericide, viricide, and fungicide disinfectant on the premises.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-15; filed Dec 3, 1991, 11:00 a.m.: 15 IR 568;readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-16 Towels, storage
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 16. (a) Clean towels shall be:
(1) used for each customer; and
(2) stored in a sanitary manner.
(b) Soiled towels shall be stored in a covered hamper.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-16; filed Dec 3, 1991, 11:00 a.m.: 15 IR 568; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-17 Storage hamper
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 17. There shall be at least one (1) storage hamper for storage of soiled linens on the premises.
(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-17; filed Dec 3, 1991, 11:00 a.m.: 15 IR 568; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-18 Lancet safety device
Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 18. There shall be at least one (1) lancet safety device (waste container) on the premises.

(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-18; filed Dec 3, 1991, 11:00 a.m.: 15 IR 569; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-19 Protective gloves

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 19. There shall be at least twelve (12) pair of protective gloves on the premises.

(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-19; filed Dec 3, 1991, 11:00 a.m.: 15 IR 569; filed May 4, 2001, 11:16 a.m.: 24 IR 2684; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-20 Spatulas; tongue depressors

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 20. There shall be at least twelve (12) spatulas or tongue depressors on the premises.

(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-20; filed Dec 3, 1991, 11:00 a.m.: 15 IR 569; readopted filed May 22, 2001, :56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-21 Towels

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 21. There shall be at least twelve (12) towels on the premises.

(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-21; filed Dec 3, 1991, 11:00 a.m.: 15 IR 569; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul Indiana Administrative Code *19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 3-2-22 Draping

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 22. There shall be at least twelve (12) clean drapings on the premises for securing between esthetician and customer as required by section 9(e) of this rule.

(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-22; filed Dec 3, 1991, 11:00 a.m.: 15 IR 569; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 3-2-23 Additional requirements

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 23. (a) Regardless of the minimum requirements established in sections 11 through 22 of this rule, esthetic salons, cosmetology salons, and self-contained mobile salons practicing esthetics must have whatever additional equipment is needed to adequately serve their customers and otherwise comply with IC 25-8 and this title.

(b) Mobile salons that are not self-contained facilities shall have adequate equipment to perform the services at the temporary location.

(State Board of Cosmetology and Barber Examiners; 820 IAC 3-2-23; filed Dec 3, 1991, 11:00 a.m.: 15 IR 569; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filedAug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA;readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

ARTICLE 4. COSMETOLOGY SCHOOLS

Rule 1. General Requirements

820 IAC 4-1-1 Courses offered

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 1. Cosmetology schools may do the following:

(1) Offer courses in one (1) or more of the following:

(A) Cosmetologist training for individuals attempting to obtain the education required by IC 25-8-9-3(3).

(B) Manicurist training for individuals attempting to obtain the education required by IC 25-8-11-4(3).

(C) Electrologist training for individuals attempting to obtain the education required by IC 25-8-10-3(2).

(D) Instructor training for individuals attempting to obtain the education required by IC 25-8-6-3(4).

(E) Esthetician training for individuals attempting to obtain the education required by IC 25-8-12.5-4(3).

(2) Enroll students for more than the number of hours required by IC 25-8 and this article.

(3) Offer courses to licensees in order to provide advanced training.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-1-1; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1404, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 569; filed May 4, 2001, 11:16 a.m.: 24 IR 2684; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-1-2 Enrolling students

Authority: IC 25-8-3-23

Affected: IC 25-8

Sec. 2. (a) Cosmetology schools are prohibited from enrolling students who do not meet the educational requirements for licensure unless they advise the student that he or she must obtain the education before he or she can obtain a license.

(b) The educational requirements referred to in subsection (a) are those required by statute for particular licenses as follows:

(1) For instructor licenses in IC 25-8-6-3(2).

(2) For cosmetologist licenses in IC 25-8-9-3(2) (subject to the waiver provisions of IC 25-8-9-4).

(3) For manicurist licenses in IC 25-8-11-4(2).

(4) For esthetician licenses in IC 25-8-12.5-4(2).

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-1-2; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1404, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 569; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-1-3 Electrologist training; necessity of cosmetologist or esthetician license
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14
Sec. 3. Individuals may not enroll in electrologist training unless they have obtained a cosmetologist or esthetician license.
(State Board of Cosmetology and Barber Examiners; 820 IAC 4-1-3; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1405, eff Apr 1, 1990; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1488; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-1-4 Age of students (Repealed)
Sec. 4. *(Repealed by State Board of Cosmetology and Barber Examiners; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA)*

820 IAC 4-1-5 Hours in session
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14
Sec. 5. (a) Students in cosmetology schools must be enrolled for:
(1) not fewer than twenty (20) hours; and
(2) not more than fifty (50) hours;
a week.
(b) Students shall obtain all required hours on the premises of the cosmetology school; however, up to ten percent (10%) of the course hours may be used for:
(1) educational programs;
(2) seminars;
(3) workshops; or
(4) other industry-related activities;
located off the school premises under the direction of the cosmetology school.
(c) A complete record of hours of attendance for each student must be:
(1) kept by time clock or computer; and
(2) recorded in the school's records.
(d) Students enrolled in cosmetology schools shall complete the required education within three (3) years from the date of enrollment.
(e) The board may waive the requirements of subsection (d) if the:
(1) applicant petitions the board for a waiver; and
(2) board determines that the applicant has demonstrated, with good cause, a hardship, such as:
(A) an emergency;
(B) a documented illness; or
(C) military service.
(State Board of Cosmetology and Barber Examiners; 820 IAC 4-1-5; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1405, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 570; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1489; filed May 4, 2001, 11:16 a.m.: 24 IR 2685; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Dec 19, 2007, 3:34 p.m.: 20080116-IR-820060454FRA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-1-6 Theory, demonstration practice and actual practice hours; restrictions
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14
Sec. 6. (a) Course hours obtained by students in cosmetology schools for:
(1) theory and demonstration practice; and
(2) actual practice;
may not be obtained simultaneously.
(b) Students shall not be called away from scheduled theory and demonstration practice in order to do actual practice.
(State Board of Cosmetology and Barber Examiners; 820 IAC 4-1-6; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1405, eff Apr 1, 1990; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-1-7 Records
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14
Sec. 7. Cosmetology schools shall retain records for each student, which must include the following:
(1) Hours of school attendance.
(2) Grades awarded.
(3) Time records.
(4) The progress report.
(State Board of Cosmetology and Barber Examiners; 820 IAC 4-1-7; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1405, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 570; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-1-8 Transcripts to students
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14
Sec. 8. (a) If all financial obligations have been met according to the cosmetology school's contract, certified transcripts of all hours and grades must be available to any current or former student, upon request, within thirty (30) days.
(b) Cosmetology school may charge a fee not to exceed ten dollars ($10) for providing a certified transcript.
(State Board of Cosmetology and Barber Examiners; 820 IAC 4-1-8; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1405, eff Apr 1, 1990; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-1-9 Record retention
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14
Sec. 9. Cosmetology schools shall retain student records for not fewer than five (5) years, which shall include the following:
(1) Hours of school attendance.
(2) Grades awarded.
(3) The progress report.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-1-9; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1405, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 570; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-1-10 Monthly verified report
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14

Sec. 10. (a) No later than the fifteenth day of each month, cosmetology schools shall submit a verified report to the board including the information required in subsection (b).

(b) The report required by subsection (a) must include the following information concerning student activity in the previous month:

(1) The names of all new students.

(2) For all students who have paid the cosmetology school all money (tuition) to which it is legally entitled, the names of all students who have dropped out of school and the number of hours they have accrued.

(c) Cosmetology schools are not required to send enrollment cards to the board.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-1-10; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1405, eff Apr 1, 1990; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-1-11 Graduation defined
Authority: IC 25-8-3-23
Affected: IC 25-8-5-4; IC 25-8-9-3

Sec. 11. A student shall be deemed to have graduated from a cosmetology school (having completed the educational requirements established by IC 25-8-9-3(3)) when all of the following have occurred:

(1) The student has completed at least the:

(A) one thousand five hundred (1,500) hours of education required by 820 IAC 4-4-4;

(B) four hundred fifty (450) hours of education required by 820 IAC 4-4-5;

(C) three hundred (300) hours of education required by 820 IAC 4-4-7;

(D) seven hundred (700) hours of education required by 820 IAC 4-4-7.1; or

(E) one thousand (1,000) hours of education required by 820 IAC 4-4-7.2.

(2) The student has passed all required examinations.

(3) All money owed by the student to the school has been paid.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-1-11; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1406, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 570; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1489; filed May 4, 2001, 11:16 a.m.: 24 IR 2685; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; filed Sep 30, 2003, 11:30 a.m.: 27 IR 515; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-1-11.1 Completion of esthetics course defined (Repealed)

Sec. 11.1. *(Repealed by State Board of Cosmetology and Barber Examiners; filed May 4, 2001, 11:16 a.m.: 24 IR 2694)*

820 IAC 4-1-12 Completion of application by cosmetology school; cosmetology student required to attend cosmetology school after graduation prohibited
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14

Sec. 12. A cosmetology school shall fill out its portion of its students' applications for a license no later than ten (10) days after the student graduates under section 11 of this rule.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-1-12; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1406, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 571; filed May 4, 2001, 11:16 a.m.: 24 IR 2685; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-1-13 School closure; notification to board
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14

Sec. 13. Cosmetology schools that are going out of business shall notify the board not less than thirty (30) days before closing.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-1-13; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1406, eff Apr 1, 1990; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-1-14 Copy of laws and rules to student
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14

Sec. 14. Cosmetology schools shall provide a copy of the state board of cosmetology examiners' licensing laws and rules to each student upon enrollment. This requirement may be satisfied by supplying each student with the Internet address through which the statutes and rules can be accessed online.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-1-14; filed Dec 3, 1991, 11:00 a.m.: 15 IR 571; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

Rule 2. Equipment and Facilities
820 IAC 4-2-1 Size and separation
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14

Sec. 1. (a) The only businesses permitted in a cosmetology school are the teaching of cosmetology and barbering. Any other business operation must be:

(1) separated by a solid wall from ceiling to floor, with no openings; and

(2) accessed only by a separate outside entrance.

(b) Cosmetology schools shall contain at least three thousand (3,000) square feet of usable space.

(c) Subsection (b) shall not apply to any cosmetology school licensed before July 1, 2001. However, cosmetology schools that were licensed before July 1, 2001, and have less than three thousand (3,000) square feet may not reduce their square footage.

Cosmetology schools that were licensed before July 1, 2001, and have more than three thousand (3,000) square feet may not reduce their sizes to less than three thousand (3,000) square feet. *(State Board of Cosmetology and Barber Examiners; 820 IAC 4-2-1; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1406, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 571; filed Oct 31, 1997, 8:45 a.m.: 21 IR 1004; filed May 4, 2001, 11:16 a.m.: 24 IR 2686; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 4-2-2 Facilities
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14

Sec. 2. (a) Cosmetology schools shall have the following:
(1) A student lounge.
(2) A locker room for students with a locker for each student enrolled.
(3) At least two (2) restrooms.
(4) A waiting area with seating capacity for at least eight (8) individuals.
(5) Cloak space for the general public to accommodate twenty (20) people. This space shall be in addition to that provided to students.
(6) At least one (1) classroom with a seating capacity for not fewer than twenty (20) students.
(7) A classroom of sufficient size to accommodate worktables, mannequins, and any other equipment required for the courses taught for at least twenty (20) students. This classroom must be separate from any other area or any other activities of the school that take place.
(8) A laboratory area of sufficient size to accommodate the equipment, in kind and number, specified for each cosmetology discipline taught. If the school also teaches barbering, the laboratory must be of sufficient size to also accommodate the equipment required by the laws regulating that profession.
(9) Ventilation to provide for proper heating and cooling and exhaust of fumes.
(10) A sign visible at the main entrance of the school designating:
(A) the name of the school; and
(B) that the establishment is a cosmetology school licensed by the state board of cosmetology examiners under IC 25-8.
If a school also teaches barbering, it must comply with the sign requirements in 816 IAC 1-2-3.
(11) A visible sign posted inside the school notifying customers of the school that cosmetology and, if applicable, barbering services are done by students.
(12) A school seal designating the name of the school. If a person holds more than one (1) cosmetology school license, each cosmetology school shall be required to have a seal.
(13) A time clock or computer that will accurately record the date or day and hours that each student spends in attendance at the school.
(14) A visible sign posted at the entrance of the cosmetology school that indicates "no pets allowed".

(b) The student lounge and locker room required in subsection (a) may be separate or combined.

(c) The restrooms required in subsection (a) shall be located within the three thousand (3,000) square foot area required by section 1(b) of this rule. *(State Board of Cosmetology and Barber Examiners; 820 IAC 4-2-2; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1406, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 571; filed Oct 31, 1997, 8:45 a.m.: 21 IR 1004; filed May 4, 2001, 11:16 a.m.: 24 IR 2686; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 4-2-3 Equipment
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14

Sec. 3. Cosmetology schools shall have at least the following equipment, which shall be maintained in good working condition:
(1) One (1) fire-resistant and two (2) metal locked filing cabinets for records of enrolled students. If a school uses computerized records, it must maintain a backup for those records. The backup of the records must be removed from the school or stored in a fireproof safe.
(2) One (1) wet disinfectant container containing an EPA registered bactericide, viricide, and fungicide disinfectant for each workstation in use.
(3) One (1) dry sanitizer for each twenty (20) students present.
(4) Four (4) shampoo chairs and four (4) shampoo bowls with hot and cold running water.
(5) Two (2) reclining facial chairs that are capable of supporting both the head and feet to be placed in an enclosed or screened area.
(6) One (1) facial supply cabinet containing the following:
(A) Astringents.
(B) Lotions.
(C) Creams.
(D) Makeup.
(E) Other necessary supplies for facials.
(7) Fifteen (15) hair dryers of which at least five (5) must be stationary, hooded dryers.
(8) Twenty (20) workstations with mirrors.
(9) Closed cabinets equipped for storing clean towels to be used on customers. The cabinets shall have storage space for ten (10) dozen towels for every twenty (20) students present in class.
(10) One (1) covered soiled towel container per ten (10) students.
(11) Ten (10) disposal cans with covers, placed at convenient locations throughout the school.
(12) Sanitary drinking water facilities.
(13) Two (2) manicuring tables and two (2) stools.
(State Board of Cosmetology and Barber Examiners; 820 IAC 4-2-3; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1407, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 572; filed Oct 31, 1997, 8:45 a.m.: 21 IR 1005; filed May 4, 2001, 11:16 a.m.: 24 IR 2687; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-2-4 Electrology equipment (Repealed)

Sec. 4. *(Repealed by State Board of Cosmetology and Barber Examiners; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA)*

820 IAC 4-2-5 Cosmetology tool case; textbooks and workbooks
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14

Sec. 5. (a) Not later than the completion of the first two hundred fifty (250) hours of education, cosmetology schools shall furnish the following to each student enrolled in cosmetologist training:
(1) A tool case.
(2) Textbooks.
(3) Workbooks.

(b) The tool case required by subsection (a) shall include at least the following:

(1) Six (6) dozen rollers.
(2) One (1) razor.
(3) Eight (8) combs.
(4) Three (3) brushes.
(5) Two (2) shampoo capes.
(6) One (1) pair of scissors.
(7) One (1) pair of nippers.
(8) One (1) nonporous nail file.
(9) One (1) box of emery boards.
(10) One (1) nail pusher.
(11) One (1) manicure bowl.
(12) One (1) nail brush.
(13) One (1) box of hair clips.

(c) The items required to be furnished to students under this section shall become the personal property of the students to be used in their training. *(State Board of Cosmetology and Barber Examiners; 820 IAC 4-2-5; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1407, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 573; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

820 IAC 4-2-6 Esthetics equipment
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14

Sec. 6. Cosmetology schools that offer a course in esthetics shall have at least the following equipment in good working condition located in a separate room for the use of esthetics students:

(1) One (1) utility table for each facility treatment chair or hydraulic treatment chair. Alternatively, one (1) continuous countertop may be used for every two (2) students.
(2) One (1) esthetician's stool for every two (2) students.
(3) One (1) facial vaporizer for every two (2) students.
(4) One (1) galvanic disencrustation/ionization current apparatus or faradic and sinusoidal apparatus for every eight (8) students.
(5) One (1) high frequency apparatus for every four (4) students.
(6) One (1) heating mitts.
(7) One (1) Wood's lamp.
(8) One (1) hands-free magnification lamp for every two (2) students.
(9) One (1) electric wax heater.
(10) One (1) utility table for each facial treatment chair, table, or hydraulic treatment chair. Alternatively, one (1) continuous countertop may be used.
(11) One (1) facial bowl or sink per facial treatment chair, table, or hydraulic treatment chair.
(12) One (1) EPA registered tuberculocidal bactericide, viricide, and fungicide disinfectant.
(13) One (1) steam autoclave sterilizer or one (1) dry heat sterilizer.
(14) One (1) closed cabinet for clean linens.
(15) One (1) covered hamper for soiled linens per work unit.
(16) One (1) covered waste receptacle per work unit.
(17) One (1) esthetic services supply cabinet containing the following:
(A) Astringents.
(B) Lotions.
(C) Creams.
(D) Other necessary supplies for facials.
(18) One (1) lancet safety device (waste container).
(19) One (1) box of disposable lancets.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-2-6; filed Dec 3, 1991, 11:00 a.m.: 15 IR 573; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; errata filed Apr 22, 2010, 12:08 p.m.: 20100505-IR-820080935ACA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-2-7 Esthetics tool case; textbooks and workbooks
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14

Sec. 7. (a) Not later than the completion of the first eighty (80) hours, cosmetology schools shall furnish the following to each student enrolled in esthetician training:

(1) An esthetician tool case.
(2) A cosmetic case.
(3) Textbooks.
(4) Workbooks.

(b) The esthetician tool case required by subsection (a) shall include at least the following:

(1) Two (2) headbands or plastic caps.
(2) One (1) jar of cold wax.
(3) Twelve (12) wax gauze strips.
(4) Twelve (12) tongue depressors.
(5) Twelve (12) spatulas.
(6) Twelve (12) cotton tipped applicators.
(7) One (1) box of protective gloves.
(8) Two (2) comedone extractors.
(9) Twelve (12) lancets.
(10) One (1) toner (spray bottle).
(11) Two (2) small mixing bowls.
(12) One (1) bottle of waterless hand sanitizer.
(13) One (1) container with an EPA registered tuberculocidal bactericide, viricide, and fungicide disinfectant solution for implements.
(14) One (1) bottle of cleanser.
(15) One (1) bottle of massage cream.
(16) One (1) bottle of moisturizer.
(17) One (1) cotton roll.
(18) Twelve (12) sponges.
(19) One (1) pair of tweezers.
(20) One (1) mirror.
(21) One (1) brow brush.
(22) One (1) jar of exfoliant.
(23) One (1) jar of mask.
(24) One (1) lancet safety device (waste container).

(c) The cosmetic case required by subsection (a) shall include at least the following:

(1) Two (2) makeup sponges.
(2) Six (6) disposable lip brushes.
(3) Two (2) eyeliner brushes.
(4) Four (4) shadow brushes.
(5) Two (2) blush brushes/powder brushes and two (2) powder brushes.
(6) One (1) concealer.
(7) Two (2) foundations of different color.
(8) One (1) powder.
(9) One (1) brow powder/brow pencil.
(10) Six (6) disposable mascara wands.
(11) Two (2) each of light, medium, and dark eye shadow.
(12) Six (6) lip pencils of different color.
(13) Six (6) lipsticks.
(14) Two (2) contour blushes of different color.
(15) Two (2) highlight blushes of different color.

(d) The items required to be furnished to students under this section shall become the personal property of the students to be used in their training.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-2-7; filed Dec 3, 1991, 11:00 a.m.: 15 IR 574; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; errata filed Apr 22, 2010, 12:08 p.m.: 20100505-IR-820080935ACA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-2-8 Manicurist tool case; textbooks and workbooks
Authority: IC 25-8-3-23
Affected: IC 25-8-5

Sec. 8. (a) Not later than completion of the first forty (40) hours, cosmetology schools shall furnish the following to each student enrolled in manicurist training:

(1) A manicurist tool case.
(2) Textbooks.
(3) Workbooks.

(b) The manicurist tool case required by subsection (a) shall include at least the following:

(1) One (1) pair of cuticle nippers.
(2) One (1) nail pusher.
(3) One (1) box of porous nail files.
(4) One (1) nonporous nail file.
(5) One (1) nail brush.
(6) One (1) manicure bowl.

(c) The items required to be furnished to students under this section shall become the personal property of the students to be used in their training.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-2-8; filed Dec 3, 1991, 11:00 a.m.: 15 IR 574; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-2-9 Electrology tool case; textbooks and workbooks
Authority: IC 25-8-3-23
Affected: IC 25-8

Sec. 9. (a) Not later than the completion of the first forty (40) hours, the cosmetology schools shall furnish the following to each student enrolled in electrology training:

(1) An electrology tool case.
(2) Textbooks.
(3) Workbooks.

(b) In the teaching of theory and practice in electrology, schools shall use one (1) or more textbooks that sufficiently address issues in the practice of electrology as it currently exists.

(c) A textbook that meets this requirement is the Compendium of Study, American Electrology Association, revised November 1991.

(d) The electrology tool case shall include at least the following:

(1) Twelve (12) two-part needles.
(2) Twelve (12) insulated needles.
(3) Twelve (12) tapered needles.
(4) Twelve (12) bulbous needles.
(5) Three (3) pair of "H" forceps.
(6) Three (3) pair of "OC" forceps.
(7) Three (3) pair of "M3C" forceps.
(8) One (1) facemask.
(9) One (1) pair of eye goggles.
(10) Twenty-five (25) client history cards.
(11) One (1) pair of magnifying glasses.
(12) One (1) pair of scissors.
(13) One (1) puncture-proof sharps container.
(14) One (1) roll of autoclave tubing or one (1) roll of dry heat tubing.
(15) One (1) roll of autoclave or dry heat indicator tape.
(16) Two (2) spore tests.

(e) The items required to be furnished to students under this section shall become the personal property of the students to be used in their training. *(State Board of Cosmetology and Barber Examiners; 820 IAC 4-2-9; filed Dec 3, 1991, 11:00 a.m.: 15 IR 575; filed Jun 7, 1993, 10:00 a.m.: 16 IR 2417; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)*

Rule 3. Instructors

820 IAC 4-3-1 Beauty culture instructor license
Authority: IC 25-8-3-23
Affected: IC 25-8

Sec. 1. (a) All beauty culture instructors in cosmetology schools must hold a beauty culture instructor license issued by the board.

(b) In addition to complying with subsection (a), any individual teaching electrology in a cosmetology school must:

(1) hold an electrologist license issued by the board; and
(2) have practiced electrology in a cosmetology or electrology salon for at least six (6) months.

(c) In addition to complying with subsection (a), any individual teaching esthetics in a cosmetology school must:

(1) hold an esthetician license issued by the board; and
(2) have practiced esthetics in a cosmetology salon or an esthetician salon for at least six (6) months.

(d) In addition to complying with subsection (a), any individual teaching manicuring in a cosmetology school must:

(1) hold a cosmetologist license or manicurist license issued by the board; and
(2) have practiced manicuring in a salon for at least six (6) months.

(e) In addition to complying with subsection (a), any individual teaching cosmetology in a cosmetology school must:

(1) hold a cosmetologist license issued by the board; and
(2) have practiced cosmetology in a salon for at least six (6) months.

(f) Notwithstanding subsections (a) through (e), beauty culture instructor students may instruct other students provided a licensed beauty culture instructor is present.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-3-1; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1408, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 575; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1489; filed May 4, 2001, 11:16 a.m.: 24 IR 2687; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; filed Mar 18, 2005, 10:00 a.m.: 28 IR 2382; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Dec 5, 2008, 10:21 a.m.: 20081231-IR-820080201FRA; readopted filed Nov 13, 2015, 11:06 a.m.: 20151209-IR-820150114RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-3-2 Number of instructors
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14

Sec. 2. (a) Cosmetology schools shall provide at least one (1) instructor present for each twenty (20) students or fraction thereof in attendance. An instructor who is engaged in personal or administrative matters shall not be considered present for the purpose of this subsection.

(b) Instructors in the quantity required by subsection (a) shall be in the school during all classroom hours and shall supervise all student demonstration practice hours and actual practice hours.

(c) No electrology services shall be provided to the customers of a cosmetology school by a student without direct and fulltime personal supervision of an instructor.

(d) No esthetician services shall be provided to the customers of a cosmetology school by a student without direct supervision of an instructor.

(e) No cosmetology services shall be provided to the customers of a cosmetology school by a student without direct supervision of an instructor.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-3-2; filed Feb 23, 1990, 5:00 p.m.:13 IR 1408, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 575; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-3-3 Cosmetology practice prohibited

Authority: IC 25-8-3-23
Affected: IC 25-8

Sec. 3. During school hours, instructors shall not engage in the private or public practice of cosmetology or esthetics. This shall not prohibit instructors from engaging in cosmetology or esthetics for the purpose of practical demonstrations for students.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-3-3; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1408, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 576; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

Rule 4. Curriculum

820 IAC 4-4-1 Scope of rule; compliance with hours required

Authority: IC 25-8-3-23; IC 25-8-5-4
Affected: IC 25-8-5; IC 25-8-14

Sec. 1. (a) This rule establishes the requirements for the education for students in cosmetology schools being trained as the following:

(1) Cosmetologists.
(2) Manicurists.
(3) Electrologists.
(4) Estheticians.
(5) Instructors.

(b) Cosmetology schools and their students must comply with the hour requirements as presented in detail in sections 4 through 7 of this rule. Credit hours may not be given for any hours not spent as provided for in sections 4 through 7 of this rule.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-4-1; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1408, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 576; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-4-2 Cosmetology courses

Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14

Sec. 2. (a) Section 4 of this rule establishes the curriculum for cosmetologist training.

(b) Section 5 of this rule establishes the curriculum for manicurist training.

(c) Section 7 of this rule establishes the curriculum for electrologist training.

(d) Section 7.1 of this rule establishes the curriculum for esthetician training.

(e) Section 7.2 of this rule establishes the curriculum for instructor training.

(f) In sections 4 through 7.2 of this rule:

(1) the first column in each section states the subject matter of training;
(2) the second column lists the number of hours required in classroom theory training and demonstration practice;
(3) the third column lists the number of hours of actual practice required for each student; and
(4) the fourth column lists the total number of hours of training required in each subject.

(g) The hours required in classroom theory training identified in subsection (f) are defined as a systematically organized knowledge of a system of facts, accepted principles, laws, and rules of procedure devised to:

(1) analyze;
(2) predict;
(3) explain; or
(4) demonstrate;

the nature of a particular subject matter of training. Such a system is distinguished from actual practice.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-4-2; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1408, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 576; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-4-3 Transfer of hours between courses prohibited *(Voided)*

Sec. 3. *(Voided by P.L.113-1999, SECTION 18, effective May 3, 1999 ; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA)*

820 IAC 4-4-4 Specific curriculum for cosmetologists

Authority: IC 25-8-3-23; IC 25-8-5-4
Affected: IC 25-8-5; IC 25-8-14

Sec. 4. (a) The following are the requirements for cosmetologist training:

Subject	Theory and Demonstration	Sanitation and Actual Practice	Total Hours
Hair cutting	100	175	275
Sanitation	40		40
Statutes and rules	10		10
Salesmanship	5	5	10
Management	10		10
Manicuring	5	25	30
Pedicuring	5	15	20
Hair removal (waxing)	5	10	15
Eyebrow			
Upper lip			
Chin area			
Anatomy and physiology	5		5
Skin	5		5
Hair	5		5
Electricity	5		5
Chemistry	10		10
Shampooing	5	30	35
Scalp performances	10	10	20

Facials and makeup	20	45	65
Hair coloring	40	150	190
Texture services	70	250	320
Hair styling	70	210	280
Includes wet and thermal sets, hair waving, hair pressing, hair braiding, and finger waves			
Discretionary hours	150		150
Totals	575	925	1,500

(b) Students shall be required to complete not fewer than the number of actual practice performances provided for in the progress report required by section 10 of this rule.

(c) All:

(1) manicures;
(2) pedicures;
(3) facials;
(4) scalp performances; and
(5) shampoos;

must be done on live models. At least twenty-five percent (25%) of the other services must be done on live models.

(d) The actual practice not described in subsection (c) may be on actual customers of the cosmetology school. However, students shall not work on customers of the cosmetology school until they have completed a total of two hundred (200) hours.
Customers shall be rotated according to students' needs for practice on live models.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-4-4; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1409, eff Apr 1, 1990; filed Oct 27, 1993, 9:00 a.m.: 17 IR 393; filed May 4, 2001, 11:16 a.m.: 24 IR 2687; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; errata filed Apr 22, 2010, 12:08 p.m.: 20100505-IR-820080935ACA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-4-5 Specific curriculum for manicurists

Authority: IC 25-8-3-23; IC 25-8-5-4
Affected: IC 25-8

Sec. 5. (a) The following are the requirements for manicurist training:

Subject	Theory and Demonstration	Sanitation and Actual Practice	Total Hours
Sanitation	40		40
Anatomy and disorders	25		25
Statutes and rules	10		10
Nail techniques with sanitation	30	160	190
(1) Basic preparation			
Tips			
Sculptures			
Overlays			
(2) Product application			
Fiberglass			
Gel nails			
Nail wrapping			
Acrylic nails			
Manicuring	10	50	60
Pedicuring	10	25	35
Chemistry	10		10
Salesmanship	5	10	15
Electric drill/file	10	10	20
Discretionary hours	45		45
Totals	195	255	450

(b) Students shall be required to complete not fewer than the number of actual practice performances provided for in the progress report required by section 14 of this rule.

(c) The nails on two (2) hands or two (2) feet constitute one (1) performance of a manicure or pedicure. All:

(1) manicures;
(2) pedicures; and
(3) nail techniques;

must be done on live models.

(d) Students shall not work on customers of the cosmetology school until they have completed a total of forty (40) hours.
Customers shall be rotated according to students' needs for practice on live models.

(State Board of Cosmetology Examiners; 820 IAC 4-4-5; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1409, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 576, eff Jan 1, 1992 [IC 4-22-2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #91-87 was filed Dec 3, 1991.]; filed Oct 27, 1993, 9:00 a.m.: 17 IR 393; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1489; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; filed May 17, 2002, 1:15 p.m.: 25 IR 3178; errata filed Nov 15, 2002, 3:37 p.m.: 26 IR 1109; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-4-6 Specific curriculum for shampoo operators (Repealed)

Sec. 6. *(Repealed by State Board of Cosmetology Examiners; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA)*

820 IAC 4-4-7 Specific curriculum for electrologists

Authority: IC 25-8-3-23
Affected: IC 25-8

Sec. 7. (a) The following are the requirements for electrology training:

Subject	Theory and Demonstration Practice	Actual Practice	Total Hours
Introduction to electrology	3		3
(1) Overview of school program			
(2) State laws and rules			
(3) Hair removal: past and present permanent, temporary, electronic tweezers, and laser			
Infection control	35		35
(1) Microbiology			
(2) Personal hygiene			
(3) Hand washing			
(4) Sanitation			
(5) Antisepsis			
(6) Disinfection			
(7) Sterilization (a minimum of two (2) hours must be actual manual use of sterilization equipment (steam autoclave or dry heat, or both) sterilized by each student)			
(8) Aseptic techniques			
(9) Immunology			
(10) Human immunodeficiency virus (HIV), hepatitis, and herpes			
Basic electricity	5		5
Basic chemistry	2		2
Causes of hair growth	8		8
(1) Terminology			
(2) Hair growth stimulation			
(3) Causes of excess hair			
(4) The endocrine system			
(5) The role of puberty, pregnancy, and menopause			
Anatomy and physiology	20		20
(1) Cells, metabolism, and body systems			
(2) Human anatomy			

Understanding electrology treatments	22		22
(1) Electrology equipment and accessories operation, care, and maintenance			
(2) Techniques and procedures			
(3) Variables: needles, intensity, timing, and insertions			
(4) Effects of maltreatment			
(5) Contraindications			
Modalities of electrology			
(1) Single needle electrolysis	8	24	32
(2) Multiple needle electrolysis	9	30	39
(3) Manual thermolysis	8	20	28
(4) Automatic thermolysis	9	25	34
(5) The blend	20	40	60
Professional considerations	5		5
(1) Professional image projection			
(2) Your personality and human relations			
(3) Ethical issues and legal issues			
(4) Business principles and practices			
Clinical learning experiences	7		7
(1) Interpersonal skills: stress management and relaxation techniques			
(2) Health history assessment			
(3) Consultation			
(4) Contraindications			
(5) Pretreatment and posttreatment care			
(6) Practice on all body parts			
(7) Side effects, tissue injury, and complications			
(8) Treatment records			
Totals	161	139	300

(b) Students shall be required to complete not fewer than the number of actual practice performances provided for in the progress report required by section 12 of this rule.

(c) All electrology services must be done on live models.

(d) Students shall not work on customers of the cosmetology school until they have completed a total of forty (40) hours. Customers shall be rotated according to students' needs for practice on live models.

(State Board of Cosmetology Examiners; 820 IAC 4-4-7; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1410, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 577, eff Jan 1, 1992 [IC 4-22-2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #91-87 was filed Dec 3, 1991.]; filed Jun 7, 1993, 10:00 a.m.: 16 IR 2418; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1490; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.:20161221-IR-820160316RFA)

820 IAC 4-4-7.1 Specific curriculum for estheticians

Authority: IC 25-8-3-23; IC 25-8-5-4

Affected: IC 25-8

Sec. 7.1. (a) An esthetician curriculum shall be a minimum course of seven hundred (700) hours of instruction in the theory and practice of esthetics consisting of the following:

Subject	Theory and Demonstration Practice	Actual Practice	Total Hours
Chemistry of skin care	15	25	40
Physiology and histology	30	30	60
(1) Anatomy			
(2) Skin and gland structure and function			
(3) Conditions and disorders of skin			
(4) Histology of skin; cells and tissue			
Bacteriology, disinfection, sterilization, and sanitation	15	20	35
(1) Personal hygiene			
(2) Public health			
(3) Sanitation, disinfection, and sterilization			
(4) Methods and procedures			
Introduction and operation to skin care Machinery	20	30	50
(1) Types of current			
(2) Purpose and effects			
Introduction to skin care	15	30	45
(1) Facial structure			
(2) Skin analysis			
(3) Patron appointments and consultation			
Skin care	35	120	155
(1) Massage and cleansing procedures			
(2) Movements in facial massage manipulations			
(3) Mask and packs			
(4) Massage and cleansing hands and feet (credit will not be allowed for manicures and pedicures)			
(5) Extraction technique			
Makeup	15	40	55
(1) Contouring			
(2) Application			
(3) Color accent			
(4) Purpose and effects			
(5) Supplies and implements			
(6) Preparation and procedures			
(7) Eyelash application			
Hair removal (superfluous hair)	15	55	70
Tweezing, waxing, and depilatories			
(1) Eyebrow arching			
(2) Lip, chin, and face			
(3) Leg			
(4) Body areas			
Introduction to advanced spa techniques	10	15	25
(1) Exfoliation techniques			
(2) Advanced techniques			
Safety precautions	5	15	20
(1) In skin care			
(2) Machinery (electrical)			
(3) Facial treatments			
(4) Makeup			
Professional and personality development	20		20
(1) Professional ethics and practices			
(2) Personality development			
(3) Personal attitude and image			
Salesmanship, marketing, salon management, and retailing	25	20	45
(1) Salon development			
(2) Insurance			
(3) Client records			
State statutes and rules	10		10
Discretionary hours			70
Total	230	400	700

(b) Students shall be required to complete not fewer than the number of actual practice performances provided for in the progress report required by section 11 of this rule.

(c) All:

(1) acne treatments;
(2) makeup applications;
(3) advanced techniques; and
(4) waxing;

must be done on live models. At least fifty percent (50%) of other services must be done on live models.

(d) The actual practice not described in subsection (c) may be on actual customers of the cosmetology school. However, students shall not work on customers of the cosmetology school until they have completed a total of ninety (90) hours. Customers shall be rotated according to students' needs for practice on live models.

(State Board of Cosmetology Examiners; 820 IAC 4-4-7.1; filed Dec 3, 1991, 11:00 a.m.: 15 IR 577; filed Jun 7, 1993, 10:00 a.m.: 16 IR 2419; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1491; filed May 4, 2001, 11:16 a.m.: 24 IR 2688; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA))

820 IAC 4-4-7.2 Specific 1,000 hour curriculum for instructor training
Authority: IC 25-8-3-23
Affected: IC 25-8

Sec. 7.2. The following are the requirements for the one thousand (1,000) hour curriculum for instructor training:

Subject	Theory and Demonstration Practice	Actual Practice	Total Hours
Orientation and review of the pertinent curriculum	50	100	150
Introduction to teaching	60		60
Course outline and development	160	170	330
(1) Lesson planning			
(2) Teaching techniques			
(3) Teaching aids			
(4) Developing, administering, and grading examinations			
School administration	30	20	50
(1) Record keeping			
(2) Law and rules			
Teaching			
(1) Assisting in the clinic and theory classrooms		150	150
(2) Practice teaching in the clinic and theory classrooms		260	260
Totals	300	700	1,000

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-4-7.2; filed Dec 3, 1991, 11:00 a.m.: 15 IR 578, eff Jan 1, 1992 [IC 4-22-2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #91-87 was filed Dec 3, 1991.]; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1491; filed May 4, 2001, 11:16 a.m.: 24 IR 2689; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-4-8 School examinations
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14

Sec. 8. (a) Cosmetology schools shall give their students examinations in each of the subjects required in a particular course as listed in sections 4 through 7.2 of this rule. Discretionary hours shall not be considered a subject.

(b) Cosmetology schools may cover more than one (1) subject per examination.

(c) The passing score for each of these examinations shall be at least seventy-five percent (75%).

(State Board of Cosmetology Examiners; 820 IAC 4-4-8; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1410, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 579; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1492; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-4-9 Removal of credits prohibited
Authority: IC 25-8-3-23
Affected: IC 25-8-5; IC 25-8-14

Sec. 9. (a) Cosmetology schools may not remove credits earned by students for any reason.

(b) As used in this section, “credits earned” includes the following:
(1) Hours attended.
(2) Actual practice performances completed.
(3) Examinations passed.

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-4-9; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1410, eff Apr 1, 1990; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-4-10 Student progress book for cosmetology
Authority: IC 25-8-3-23
Affected: IC 25-8

Sec. 10. (a) Students in cosmetologist training shall perform no fewer than the number of performances of actual practice hours required by the student progress book.

(b) It is the purpose of the progress book that the student, cosmetology school, and board may at all times know the exact progress of the student concerning practical experience and the number of completed performances of required activities.

(c) It is the responsibility of the cosmetology school to keep the progress book up to date.

(d) The progress book reads as follows:

OFFICIAL STUDENT PROGRESS REPORT
TRAINING IN COSMETOLOGY

STATE OF INDIANA
BOARD OF COSMETOLOGY EXAMINERS

Student's Name _____

Date Issued _____. Date Completed _____

REQUIREMENTS FOR USE OF PROGRESS REPORT

(1) All students enrolling in cosmetology training shall be permitted to review this progress report, which is to be completed on or before graduation.
(2) The amount of performances is equal to the hours outlined by the state board of cosmetology examiners. It is to be the minimum requirement only.
(3) Each performance, as it is accomplished, must be dated and initialed by the licensed instructor, or instructor trainee, who oversees the performance. All projects are to be checked for accuracy and sanitation. Credit is given only if done to the school's standards. All projects must be identified whether "S" for student, "P" for patron (or customer), or "M" for mannequin. A pencil cap rubber stamp, pen written initials (first and last initials) of the instructor, or electronic records are acceptable methods of marking.
(4) The number of performances on mannequin, patron, or student may be determined by each school subject to the requirements of section 4 of this rule.
(5) Overages in any area may not be applied to any other area.
(6) In the development of the student's sales ability, all items in the sales category must be completed on patrons.
(7) All projects are to be recorded as one (1) project marked for one (1) project completed.
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(8) The progress report must never be taken home by the student and must remain in the school at all times.
(9) The requirements of this progress report are minimum requirements. A school may require more actual performances than those prescribed in this report.

School name _____
Address _____
City _____ State _____ Zip _____
Instructor's signature _____
Instructor's identifying initialing _____
Instructor's signature _____
Instructor's identifying initialing _____
Instructor's signature _____
Instructor's identifying initialing _____
Instructor's signature _____
Instructor's identifying initialing _____

Hair Styling (400 performances)

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	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50	51	52
53	54	55	56	57	58	59	60	61	62	63	64	65
66	67	68	69	70	71	72	73	74	75	76	77	78
79	80	81	82	83	84	85	86	87	88	89	90	91
92	93	94	95	96	97	98	99	100	101	102	103	104
105	106	107	108	109	110	111	112	113	114	115	116	117
118	119	120	121	122	123	124	125	126	127	128	129	130
131	132	133	134	135	136	137	138	139	140	141	142	143
144	145	146	147	148	149	150	151	152	153	154	155	156
157	158	159	160	161	162	163	164	165	166	167	168	169
170	171	172	173	174	175	176	177	178	179	180	181	182
183	184	185	186	187	188	189	190	191	192	193	194	195
196	197	198	199	200	201	202	203	204	205	206	207	208
209	210	211	212	213	214	215	216	217	218	219	220	221
222	223	224	225	226	227	228	229	230	231	232	233	234
235	236	237	238	239	240	241	242	243	244	245	246	247
248	249	250	251	252	253	254	255	256	257	258	259	260
261	262	263	264	265	266	267	268	269	270	271	272	273
274	275	276	277	278	279	280	281	282	283	284	285	286
287	288	289	290	291	292	293	294	295	296	297	298	299
300	301	302	303	304	305	306	307	308	309	310	311	312
313	314	315	316	317	318	319	320	321	322	323	324	325
326	327	328	329	330	331	332	333	334	335	336	337	338
339	340	341	342	343	344	345	346	347	348	349	350	351
352	353	354	355	356	357	358	359	360	361	362	363	364
365	366	367	368	369	370	371	372	373	374	375	376	377
378	379	380	381	382	383	384	385	386	387	388	389	390
391	392	393	394	395	396	397	398	399	400			

Hair Styling, Finger Waves (20 performances)

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15	16	17	18	19	20						

Texture Services (100 performances)

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	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50	51	52
53	54	55	56	57	58	59	60	61	62	63	64	65
66	67	68	69	70	71	72	73	74	75	76	77	78
79	80	81	82	83	84	85	86	87	88	89	90	91
92	93	94	95	96	97	98	99	100				

Scalp Treatments (25 performances)

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	

Facial Treatments (30 performances)

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									

Makeup Application (15 performances)

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15											

Hair Cuts (250 performances)

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	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50	51	52
53	54	55	56	57	58	59	60	61	62	63	64	65
66	67	68	69	70	71	72	73	74	75	76	77	78
79	80	81	82	83	84	85	86	87	88	89	90	91
92	93	94	95	96	97	98	99	100	101	102	103	104
105	106	107	108	109	110	111	112	113	114	115	116	117
118	119	120	121	122	123	124	125	126	127	128	129	130
131	132	133	134	135	136	137	138	139	140	141	142	143
144	145	146	147	148	149	150	151	152	153	154	155	156
157	158	159	160	161	162	163	163	164	165	166	167	168
169	170	171	172	173	174	175	176	177	178	179	180	181
182	183	184	185	186	187	188	189	190	191	192	193	194
195	196	197	198	199	200	201	202	203	204	205	206	207
208	209	210	211	212	213	214	215	216	217	218	219	220
221	222	223	224	225	226	227	228	229	230	231	232	233
234	235	236	237	238	239	240	241	242	243	244	245	246
247	248	249	250									

Hair Coloring (75 performances) – temporary, semipermanent, deposit, permanent

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	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50	51	52
53	54	55	56	57	58	59	60	61	62	63	64	65
66	67	68	69	70	71	72	73	74	75			

Manicures (25 performances)

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	

Pedicures (15 performances)

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15											

Salesmanship (25 performances)

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	

Hair Removal (30 performances)

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									

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-4-10; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1412, eff Apr 1, 1990; filed Oct 27, 1993, 9:00 a.m.: 17 IR 394; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1492; filed May 4, 2001, 11:16 a.m.: 24 IR 2689; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; errata filed Apr 22, 2010, 12:08 p.m.: 20100505-IR-820080935ACA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-4-11 Student progress report for esthetician
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 11. (a) Students in esthetician training shall perform not fewer than the number of performances of actual practice hours required by the student progress report.
(b) It is the purpose of the progress report that the student, cosmetology school, and board may at all times know the exact progress of the student concerning practical experience and the number of completed performances of required activities.
(c) It is the responsibility of the cosmetology school to keep the progress report up to date.
(d) The progress report reads as follows:

OFFICIAL STUDENT
PROGRESS REPORT
TRAINING
IN
ESTHETICS

STATE OF INDIANA
BOARD OF
COSMETOLOGY EXAMINERS

Student's Name _____
Date Issued _____
Date Completed _____

REQUIREMENTS FOR USE OF PROGRESS REPORT

(1) All students enrolling in a cosmetology school for training as an esthetician shall be permitted to review this progress report, which is to be completed on or before graduation.
(2) The amount of performances or hours is equal to the hours outlined by the state board of cosmetology examiners. It is to be the minimum requirement only.
(3) Each performance or hour, as it is accomplished, must be dated and initialed by the licensed instructor, or instructor trainee, who oversees the performance. All projects are to be checked for accuracy and credit given only if done to the school's standards. All projects must be identified whether "S" for student, "P" for patron (or customer), or "M" for mannequin. A pencil cap rubber stamp, pen written initials (first and last initials) of the instructor, or electronic records are acceptable methods of marking.
(4) The number of performances on mannequin, patron, or student or number of hours may be determined by each school subject to the requirements of 820 IAC 4-4-6.1.
(5) Overages in any area may not be applied to any other area.
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(6) In the development of the student's sales ability, all items in the sales category must be completed on patrons.
(7) All projects are to be recorded as one (1) project marked for one (1) project completed.
(8) The progress report shall not be taken home by the student and shall remain in the school at all times.
(9) The requirements of this progress report are minimum requirements. A school may require more actual performances than those prescribed in this report.
School name _____
Address _____
City _____State _____Zip _____
Instructor's signature _____
Instructor's identifying initials _____
Instructor's signature _____
Instructor's identifying initials _____
Instructor's signature _____
Instructor's identifying initials _____
Instructor's signature _____
Instructor's identifying initials _____

Skin Care Analysis/Consultations (50 performances)

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	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50		

Facials:

Cleansing (100 performances)

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	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50	51	52
53	54	55	56	57	58	59	60	61	62	63	64	65
66	67	68	69	70	71	72	73	74	75	76	77	78
79	80	81	82	83	84	85	86	87	88	89	90	91
92	93	94	95	96	97	98	99	100				

Massage (100 performances)

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	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50	51	52
53	54	55	56	57	58	59	60	61	62	63	64	65
66	67	68	69	70	71	72	73	74	75	76	77	78
79	80	81	82	83	84	85	86	87	88	89	90	91
92	93	94	95	96	97	98	99	100				

Facials (125 performances)

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	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50	51	52
53	54	55	56	57	58	59	60	61	62	63	64	65
66	67	68	69	70	71	72	73	74	75	76	77	78
79	80	81	82	83	84	85	86	87	88	89	90	91
92	93	94	95	96	97	98	99	100	101	102	103	104
105	106	107	108	109	110	111	112	113	114	115	116	117
118	119	120	121	122	123	124	125					

Acne Treatments (5 performances)

1	2	3	4	5

Hand and Foot Treatments (25 performances)

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	

Makeup Application (50 performances)

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	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50		

Eyelash Applications (15 performances)

Strip or Individual

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15											

Advanced Techniques (10 performances)

1	2	3	4	5	6	7	8	9	10

Waxing (100 performances)

Lip, chin, face (30)

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									

Eyebrow (40)

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	32	33	34	35	36	37	38	39
40												

Body areas (25)

(arms, underarms, upper thigh-bikini, or back)

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	

Leg (15)

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15											

Sterilization and sanitation (50 performances)

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	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50		

Salesmanship (50 performances)

(services or retail)

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	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49	50		

(State Board of Cosmetology and Barber Examiners; 820 IAC 4-4-11; filed Dec 3, 1991, 11:00 a.m.: 15 IR 579; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1494; filed May 4, 2001, 11:16 a.m.: 24 IR 2691; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; errata filed Apr 22, 2010, 12:08 p.m.: 20100505-IR-820080935ACA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-4-12 Student progress report for electrology
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 12. (a) Students in electrology training shall perform not fewer than the number of performances of actual practice hours required by the student progress report.
(b) It is the purpose of the progress report that the student, cosmetology school, and state board of cosmetology examiners may at all times know the exact progress of the student concerning practical experience and the number of completed performances of required activities.
(c) It is the responsibility of the cosmetology school to keep the progress report up to date.
(d) All performances listed in this progress report are to be completed in accordance with 820 IAC 3.
(e) The progress report reads as follows:
OFFICIAL STUDENT
PROGRESS REPORT
TRAINING
IN
ELECTROLOGY
STATE OF INDIANA
BOARD OF COSMETOLOGY EXAMINERS
Student's Name _____
Date Issued _____
Date Completed _____
REQUIREMENTS FOR USE OF PROGRESS REPORT
(1) All students enrolling in training as an electrologist shall be permitted to review this progress report, which is to be completed on or before graduation.
(2) The amount of performances is equal to the hours outlined by the state board of cosmetology examiners. It is to be the minimum requirement only.
(3) Each performance, as it is accomplished, must be dated and initialed by the licensed instructor or instructor trainee who oversees the performance. All projects are to be checked for accuracy and credit given only if done to the school's standards. All projects must be identified whether "S" for student or "P" for patron (or customer). A pencil cap rubber stamp, pen written initials (first and last initials) of the instructor, or electronic records are acceptable methods of marking.
(4) The number of performances on patron or student may be determined by each school subject to the requirements of section 7 of this rule.
(5) Any overages in any area may not be applied to any other area.
(6) In the development of the student's sales ability, all items in the sales category must be completed on patrons.
(7) All projects are to be recorded as one (1) project marked for one (1) project completed.
(8) The progress report must never be taken home by the student and must remain in the school at all times.
(9) The requirements of this progress report are minimum requirements. A school may require more actual performances than those prescribed in this report.
School name _____
Address _____
City _____ State _____ Zip _____
Instructor's signature _____
Instructor's identifying initialing _____
Instructor's signature _____
Instructor's identifying initialing _____
Instructor's signature _____
Instructor's identifying initialing _____
Instructor's signature _____
Instructor's identifying initialing _____

Electrology Modalities - 175 total hours

(a) Galvanic Single Needle Electrolysis

Facial Area (60 performances)

Eyebrow

1 2 3 4 5 6 7 8

Hairline

1 2 3 4 5 6 7 8

Chin

1 2 3 4 5 6 7 8 9 10 11 12

Upper Lip

1 2 3 4 5 6 7 8

Ears

1 2 3 4 5 6 7 8

Neck

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

Body Areas (56 performances)

Underarm

1 2 3 4 5 6 7 8

Breast

1 2 3 4

Bikini – Abdomen

1 2 3 4 5 6 7 8

Bikini – Upper Thigh

1 2 3 4 5 6 7 8

Legs

1 2 3 4 5 6 7 8

Back

1 2 3 4 5 6 7 8

Arms

1 2 3 4 5 6 7 8

Toes

1 2 3 4

Fingers

1 2 3 4

(b) Galvanic Multiple Needle Electrolysis

Facial Areas (54 performances)

Eyebrow

1 2 3 4 5 6 7 8

Hairline

1 2 3 4 5 6 7 8

Chin

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

Upper Lip

1 2 3 4 5 6 7 8

Ears

1 2

Neck

1 2 3 4 5 6 7 8 9 10 11 12

Body Areas (58 performances)

Underarm

1 2 3 4 5 6 7 8

Breast

1 2 3 4

Bikini - Abdomen

1 2 3 4 5 6 7 8

Bikini - Upper Thigh

1 2 3 4 5 6 7 8

Legs

1 2 3 4 5 6 7 8

Back

1 2 3 4 5 6 7 8

Arms

1 2 3 4 5 6 7 8

Toes

1 2

Fingers

1 2 3 4

(c) Manual Thermolysis

Facial Areas (42 performances)

Eyebrow

1 2 3 4 5 6

Hairline

1 2 3 4 5 6 7 8

Chin

1 2 3 4 5 6 7 8

Upper lip

1 2 3 4 5 6 7 8

Ears

1 2 3 4

Neck

1 2 3 4 5 6 7 8

Body Areas (64 performances)

Underarm

1 2 3 4 5 6 7 8

Breast

1 2 3 4 5 6 7 8

Bikini - Abdomen

1 2 3 4 5 6 7 8

Bikini - Upper Thigh

1 2 3 4 5 6 7 8

Legs

1 2 3 4 5 6 7 8

Back

1 2 3 4 5 6 7 8

Arms

1 2 3 4 5 6 7 8

Toes

1 2 3 4

Fingers

1 2 3 4

(d) Flash Thermolysis - 30 hours (1 performance equals 15

minutes)
Facial Areas (50 performances)
Eyebrow
1 2 3 4 5 6 7 8
Hairline
1 2 3 4 5 6 7 8 9 10 11 12
Chin
1 2 3 4 5 6 7 8 9 10 11 12
Upper Lip
1 2 3 4 5 6 7 8
Ears
1 2
Neck
1 2 3 4 5 6 7 8
Body Areas (54 performances)
Underarm
1 2 3 4 5 6 7 8
Breast
1 2 3 4
Bikini – Abdomen
1 2 3 4 5 6 7 8
Bikini – Upper Thigh
1 2 3 4 5 6 7 8
Legs
1 2 3 4 5 6 7 8
Back
1 2 3 4 5 6
Arms
1 2 3 4 5 6 7 8
Toes
1 2
Fingers
1 2
(e) Blend
Facial Areas (104 performances)
Eyebrow
1 2 3 4 5 6 7 8 9 10 11 12
Hairline
1 2 3 4 5 6 7 8
Chin
1 2 3 4 5 6 7 8 9 10 11 12 13
14 15 16 17 18 19 20
Upper Lip
1 2 3 4 5 6 7 8 9 10 11 12 13
14 15 16
Ears
1 2 3 4 5 6 7 8 9 10 11 12 13
14 15 16
Neck
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 32
Body Areas (100 performances)
Underarm
1 2 3 4 5 6 7 8 9 10 11 12
Breast
1 2 3 4
Bikini - Abdomen
1 2 3 4 5 6 7 8 9 10 11 12 13
14 15 16
Bikini - Upper Thigh
1 2 3 4 5 6 7 8 9 10 11 12 13
14 15 16
Legs
1 2 3 4 5 6 7 8 9 10 11 12
Back
1 2 3 4 5 6 7 8 9 10 11 12
Arms
1 2 3 4 5 6 7 8 9 10 11 12
Toes
1 2 3 4 5 6 7 8
Fingers
1 2 3 4 5 6 7 8

(State Board of Cosmetology Examiners; 820 IAC 4-4-12; filed Jun 7, 1993, 10:00 a.m.: 16 IR 2419; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1496; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-4-13 Student progress book for shampoo operators (Repealed)

Sec. 13. *(Repealed by State Board of Cosmetology Examiners; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA)*

820 IAC 4-4-14 Student progress report for manicurists
Authority: IC 25-8-3-23
Affected: IC 25-8
Sec. 14. (a) Students in manicurist training shall perform not fewer than the number of performances of actual practice hours required by the student progress report.
(b) It is the purpose of the progress report that the student, cosmetology school, and state board of cosmetology examiners may at all times know the exact progress of the student concerning practical experience and the number of completed performances of required activities.
(c) It is the responsibility of the cosmetology school to keep the progress report up to date.
(d) All performances listed in the progress report are to be completed in accordance with 820 IAC 3.
(e) The progress report reads as follows:

OFFICIAL STUDENT
PROGRESS REPORT
TRAINING IN
MANICURING

STATE OF INDIANA
BOARD OF COSMETOLOGY EXAMINERS

Student's Name _____
Date Issued _____
Date Completed _____
REQUIREMENTS FOR USE IN PROGRESS REPORT
(1) All students enrolling in manicuring training shall be permitted to review this progress report, which is to be completed on or before graduation.
(2) The amount of performances is equal to the hours outlined by the state board of cosmetology examiners. It is to be the minimum requirement only.
(3) Each performance, as it is accomplished, must be dated and initialed by the licensed instructor, or instructor trainee, who oversees the performance. All projects are to be checked for accuracy and credit and given only if done to the school's standards. All projects must be identified whether "S" for student or "P" for patron (or customer). A pencil cap rubber stamp, pen written initials (first and last initials) of the instructor, or electronic records are acceptable methods of marking.
(4) The number of performances on patron or student may be determined by each school subject to the requirements of section 6 of this rule.
(5) Overages in any area may not be applied to any other area.
(6) In the development of the student's sales ability, all items in the sales category must be completed on patrons.
(7) All projects are to be recorded as one (1) project marked for one (1) project completed.
(8) The progress report must never be taken home by the student and must remain in the school at all times.
(9) The requirements of the progress report are minimum requirements. A school may require more actual performances than those prescribed in this report.
School name _____
Address _____
City _____ State _____ Zip _____
Instructor's signature _____
Instructor's identifying initialing _____
Instructor's signature _____
Instructor's identifying initialing _____
Instructor's signature _____
Instructor's identifying initialing _____
Instructor's signature _____
Instructor's identifying initialing _____

Manicures (40 performances)

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	32	33	34	35	36	37	38	39
40												

Nail Techniques (28 performances)

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											

Nail Repair (15 performances)
(1 performance per patron)

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15											

Pedicures (15 performances)

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15											

Salesmanship (20 performances)
Services or Retail

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15	16	17	18	19	20						

Electric File/Drill (20 performances)

1	2	3	4	5	6	7	8	9	10	11	12	13
14	15	16	17	18	19	20						

(State Board of Cosmetology Examiners; 820 IAC 4-4-14; filed Oct 27, 1993, 9:00 a.m.: 17 IR 398; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1500; filed May 4, 2001, 11:16 a.m.: 24 IR 2693; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236; filed May 17, 2002, 1:15 p.m.: 25 IR 3179; errata filed Nov 15, 2002, 3:37 p.m.: 26 IR 1109; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Feb 12, 2010, 2:58 p.m.: 20100310-IR-820080935FRA; readopted filed Nov 22, 2016, 12:09 p.m.: 20161221-IR-820160316RFA)

820 IAC 4-4-15 Student progress book for instructor training *(Repealed*)

Sec. 15. *(Repealed by State Board of Cosmetology Examiners; filed May 4, 2001, 11:16 a.m.: 24 IR 2694)*

ARTICLE 5. TANNING FACILITIES

Rule 1. Sanitation and Safety

820 IAC 5-1-1 Repealed

Sec. 1. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-1.5 "Board" defined

Authority: IC 25-8-3-22
Affected: IC 25-8-15.4

Sec. 1.5. As used in this rule, "board" means the Indiana board 0f cosmetology examiners or its authorized representative *(State Board of Cosmetology and Barber Examiners; 820 IAC 5-1-1.5; filed Sep 17, 1998, 3:55 p.m.: 22 IR 456; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA)*

820 IAC 5-1-2 "Customer" defined

Authority: IC 25-8-3-22
Affected: IC 25-8-15.4

Sec. 2. As used in this rule, "customer" means a person receiving the services of a tanning facility. *(State Board of Cosmetology Examiners; 820 IAC 5-1-2; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1377; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-2) to the State Board of Cosmetology Examiners (820 IAC 5-1-2) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-3 Repealed

Sec. 3. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-4 "Inspection" defined

Authority: IC 25-8-3-22
Affected: IC 25-8-15.4

Sec. 4. As used in this rule, "inspection" means an official examination or observation, including, but not limited to, tests, surveys, and monitoring, to determine compliance with orders, requirements, and conditions. *(State Board of Cosmetology Examiners; 820 IAC 5-1-4; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1377; filed Sep 17, 1998, 3:55 p.m.: 22 IR 456; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-4) to the State Board of Cosmetology Examiners (820 IAC 5-1-4) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-5 "Interference with board agent" defined

Authority: IC 25-8-3-22
Affected: IC 25-8-15.4

Sec. 5. As used in this rule, "interference with board agent" means, but is not limited to, physical obstruction, attack, or threatened attack on a representative of the department while that representative is conducting inspection, licensing, or enforcement activities. *(State Board of Cosmetology Examiners; 820 IAC 5-1-5; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1377; filed Sep 17, 1998, 3:55 p.m.: 22 IR 456; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-5) to the State Board of Cosmetology Examiners (820 IAC 5-1-5) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-6 "Operator" defined

Authority: IC 25-8-3-22
Affected: IC 25-8-15.4

Sec. 6. (a) As used in this rule, "operator" means an individual eighteen (18) years of age or older, designated by the owner or licensee to control operation of the tanning facility and to instruct and assist the consumer in the proper operation of its sunlamp products. The operator is responsible for running the sunlamp products, exercising control over the kill switches, cleaning the equipment, cleaning the protective eyewear, providing protective eyewear to the users, and giving instructions to the person using the equipment.

(b) The person who is at the tanning facility to use the tanning equipment shall not be the operator.

(c) There must be at least one (1) operator on the premises at all times that the tanning facility is open. However, the tanning facility may have working at the tanning facility an employee who is not an operator. *(State Board of Cosmetology Examiners; 820 IAC 5-1-6; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1377; filed Sep 17, 1998, 3:55 p.m.: 22 IR 456; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-6) to the State Board of Cosmetology Examiners (820 IAC 5-1-6) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-7 "Person" defined

Authority: IC 25-8-3-22
Affected: IC 25-8-15.4

Sec. 7. As used in this rule, "person" means any individual, partnership, copartnership, firm, company, corporation, association, trust, estate, or any other legal entity, its or their successors or assigns or agents of the aforesaid. *(State Board of Cosmetology Examiners; 820 IAC 5-1-7; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1377; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-7) to the State Board of Cosmetology Examiners (820 IAC 5-1-7) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-8 "Protective eyewear" defined

Authority: IC 25-8-3-22
Affected: IC 25-8-15.4

Sec. 8. As used in this rule, "protective eyewear" means any device designed to be worn by users of sunlamp products to reduce the exposure of the eyes to radiation. *(State Board of Cosmetology Examiners; 820 IAC 5-1-8; filed Mar 17, 1992, 10:20*

a.m.: 15 IR 1377; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-8) to the State Board of Cosmetology Examiners (820 IAC 5-1-8) by P.L.142-1995, SECTION 33, effective July 1, 1995.

820 IAC 5-1-9 "Radiation machine" defined
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4

Sec. 9. As used in this rule, "radiation machine" means any device capable of producing radiation, including ultraviolet radiation used for tanning. *(State Board of Cosmetology Examiners; 820 IAC 5-1-9; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1377; filed Sep 17, 1998, 3:55 p.m.: 22 IR 456; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-9) to the State Board of Cosmetology Examiners (820 IAC 5-1-9) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-10 Repealed

Sec. 10. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-11 Repealed

Sec. 11. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-12 "Sunlamp product" defined
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4

Sec. 12. As used in this rule, "sunlamp product" means any electronic product designed to incorporate one (1) or more ultraviolet lamps and intended for irradiation of any part of the living human body, by ultraviolet radiation with wavelength in air between two hundred (200) and four hundred (400) nanometers, to induce skin tanning. *(State Board of Cosmetology Examiners; 820 IAC 5-1-12; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1377; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-12) to the State Board of Cosmetology Examiners (820 IAC 5-1-12) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-13 "Tanning facility" defined
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4

Sec. 13. As used in this rule, "tanning facility" means a facility that provides persons access to use a sunlamp product and charges a fee for a membership or usage. The term includes any club or association that provides access to a sunlamp to its members. The term does not include a medical treatment facility that uses ultraviolet radiation under the supervision of a licensed physician or other licensed medical practitioner in the treatment of disease. *(State Board of Cosmetology Examiners; 820 IAC 5-1-13; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1378; filed Sep 17, 1998, 3:55 p.m.: 22 IR 457; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-13) to the State Board of Cosmetology Examiners (820 IAC 5-1-13) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-14 "Ultraviolet radiation" defined
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4

Sec. 14. As used in this rule, "ultraviolet radiation" includes radiation in the wavelengths between two hundred (200) and four hundred (400) nanometers. *(State Board of Cosmetology Examiners; 820 IAC 5-1-14; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1378; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-14) to the State Board of Cosmetology Examiners (820 IAC 5-1-14) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-15 "Violation" defined
Authority: IC 25-8-3-22
Affected: IC 25-1-11-5; IC 25-8-15.4

Sec. 15. As used in this rule, "violation" means the failure of an owner, agent, or employee of a tanning facility to abide by IC 25-1-11-5 and local ordinances. *(State Board of Cosmetology Examiners; 820 IAC 5-1-15; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1378; filed Sep 17, 1998, 3:55 p.m.: 22 IR 457; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-15) to the State Board of Cosmetology Examiners (820 IAC 5-1-15) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-16 License to operate required
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-5

Sec. 16. A person may not charge a fee for the use of sunlamp products unless the person has a license from the board of cosmetology examiners to operate a tanning facility. A separate license must be obtained for each tanning facility the person operates. *(State Board of Cosmetology Examiners; 820 IAC 5-1-16; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1378; filed Sep 17, 1998, 3:55 p.m.: 22 IR 457; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-16) to the State Board of Cosmetology Examiners (820 IAC 5-1-16) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-17 License period
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-9

Sec. 17. A license to operate a tanning facility under this rule shall expire on July 1 of the second succeeding year following the date the license was issued. *(State Board of Cosmetology Examiners; 820 IAC 5-1-17; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1378; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-17) to the State Board of Cosmetology Examiners (820 IAC 5-1-17) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-18 License transfers
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-9
Sec. 18. A license can only be transferred when the tanning facility has moved location. Changing ownership of the tanning facility requires a new license. *(State Board of Cosmetology Examiners; 820 IAC 5-1-18; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1378; filed Sep 17, 1998, 3:55 p.m.: 22 IR 457; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-18) to the State Board of Cosmetology Examiners (820 IAC 5-1-18) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-19 Repealed
Sec. 19. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-20 License application required
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4
Sec. 20. To obtain a license to operate a tanning facility, a person must do the following:
(1) File an application with the board on a form prescribed by the board. The information shall include the following:
(A) The name, address, and telephone number of the following:
(i) The tanning facility.
(ii) The owner of the tanning facility.
(iii) If the licensee is a corporation, all shareholders owning at least five percent (5%) who own a sunlamp product.
(iv) If the licensee is a partnership, all partners of a business who own a sunlamp product.
(v) All settlors, trustees, and beneficiaries of trusts who own a sunlamp product.
(B) If the facility is mobile, the location, by address, at which the facility will be parked during the hours it is open for business.
(C) A signed and dated certification that the applicant has read and understands the requirements of this rule.
(D) All additional information requested by the board to substantiate that the proposed facility can reasonably be expected to provide access to sunlamp products without causing a health or safety hazard to its customers.
(2) Pay the fee set by the board in 820 IAC 7.
(3) Each person establishing or acquiring a tanning facility shall:
(A) apply to the board for a license; and
(B) obtain the license;
before operating the facility.
(4) The owner shall maintain and make available for inspection written records that must include the:
(A) manufacturer;
(B) year and month of manufacture;
(C) model number;
(D) serial number; and
(E) type;
of each sunlamp product located within the facility.
(State Board of Cosmetology and Barber Examiners; 820 IAC 5-1-20; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1378; filed Sep 17, 1998, 3:55 p.m.: 22 IR 457; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; filed Jun 4, 2009, 9:07 a.m.: 20090701-IR-820080606FRA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-20) to the State Board of Cosmetology Examiners (820 IAC 5-1-20) by P.L.142-1995, SECTION 33, effective July 1, 1995.

820 IAC 5-1-21 License to be displayed
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-10
Sec. 21. A person holding a tanning facility license issued under this rule shall display the license in a manner that is clearly visible to customers using the tanning facility. *(State Board of Cosmetology Examiners; 820 IAC 5-1-21; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1379; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-21) to the State Board of Cosmetology Examiners (820 IAC 5-1-21) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-22 Notification of changes
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-7
Sec. 22. The operator of a tanning facility shall notify the board in writing before making any changes to the facility or its operating procedures which would require amendment of any information previously submitted to the board in accordance with this rule. Changing ownership of the tanning facility requires the new owner to obtain a new license. *(State Board of Cosmetology Examiners; 820 IAC 5-1-22; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1379; filed Sep 17, 1998, 3:55 p.m.: 22 IR 458; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-22) to the State Board of Cosmetology Examiners (820 IAC 5-1-22) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-23 Equipment construction
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-14
Sec. 23. Sunlamp products shall meet the following codes:
(1) All sunlamp product electrical circuits shall be listed by the Underwriter Laboratories (UL) or the Electrical Testing Laboratories (ETL).
(2) Defective or burned out lamps or filters shall be replaced with a type intended for use in that device as specified on the product label or certified by the manufacturer to be equivalent to those specified on the product label.
(State Board of Cosmetology Examiners; 820 IAC 5-1-23; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1379; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-23) to the State Board of Cosmetology Examiners (820 IAC 5-1-23) by P.L.142-1995, SECTION 33, effective July 1, 1995.

820 IAC 5-1-24 Consumer protection
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-14

Sec. 24. There shall be physical barriers to protect customers from injury induced by touching or breaking the lamps in a sunlamp product. Each customer shall be shown how to use suitable physical aids. Each customer shall be shown how to maintain the proper exposure distance recommended by the manufacturer. There shall also be the following requirements:

(1) The construction of a tanning booth shall be such that it will withstand the stress of use and the impact of a falling person.

(2) There shall be physical barriers or other means such as handrails or floor markings to indicate the proper exposure distance between ultraviolet lamps and the customer's skin in upright tanning booths.

(3) Each ultraviolet lamp contained within the sunlamp product shall be shielded to prevent contact with the customer. A screen or transparent cover shall be used for this purpose.

(4) Body contact surfaces of each sunlamp product shall be sanitized by the operator between each customer use by swabbing the body contact surfaces with a chemical sanitizing solution of at least twice the strength required for that particular sanitizing solution as stated in section 25(d)(1), 25(d)(2), 25(d)(3), or 25(d)(4) of this rule. The swabbing shall be accomplished with single use towels. Exposure to the ultraviolet radiation produced by the tanning equipment itself is not a sanitizing agent for the purposes of this rule.

(5) The operator of a tanning facility shall keep a list of emergency telephone numbers in view at each tanning facility. This list shall include the telephone numbers of the following:

(A) Closest hospital.

(B) Fire department.

(C) Emergency medical services or, if the service is available, 911.

(State Board of Cosmetology Examiners; 820 IAC 5-1-24; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1379; filed Sep 17, 1998, 3:55 p.m.: 22 IR 458; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-24) to the State Board of Cosmetology Examiners (820 IAC 5-1-24) by P.L.142-1995, SECTION 33, effective July 1, 1995.

820 IAC 5-1-25 Protective eyewear

Authority: IC 25-8-3-22

Affected: IC 25-8-15.4-14

Sec. 25. (a) No person shall be allowed to use a sunlamp product unless protective eyewear is worn.

(b) Each consumer shall be provided with protective eyewear and instructions for its use.

(c) The spectral transmittance of the protective eyewear required by this section shall not exceed a value of one-thousandth (0.001) over the wavelength through a range of greater than two hundred (200) nanometers through three hundred twenty (320) nanometers, and a value of one-hundredth (0.01) over the wavelength range of greater than three hundred twenty (320) nanometers through four hundred (400) nanometers, and shall be sufficient over the wavelength greater than four hundred (400) nanometers to enable the user to see clearly enough to prevent injury and to turn the timer off.

(d) Protective eyewear provided by the operator shall be sanitized by the operator before each use by:

(1) immersion for at least one (1) minute in a clean solution containing at least two hundred (200) milligrams per liter (two hundred (200) parts per million) of available quaternary ammonium compound at a temperature of at least seventy-five (75) degrees Fahrenheit;

(2) immersion for at least one (1) minute in a clean solution containing at least fifty (50) milligrams per liter (fifty (50) parts per million) of available chlorine as a hypochlorite and at a temperature of at least seventy-five (75) degrees Fahrenheit;

(3) immersion for at least one (1) minute in a clean solution containing at least twelve and one-half (12.5) milligrams per liter (twelve and one-half (12.5) parts per million) of available iodine and at a pH of which the efficacy has been demonstrated to be effective by the manufacturer and at a temperature of at least seventy-five (75) degrees Fahrenheit;

(4) immersion in a clean solution containing any other chemical sanitizing agent approved by the department that will provide the equivalent bactericidal effect of a solution containing at least fifty (50) milligrams per liter of available chlorine as hypochlorite at a temperature of at least seventy-five (75) degrees Fahrenheit for one (1) minute; or

(5) swabbing with a chemical sanitizing solution of the same strength required under subdivision (1) if quaternary ammonium compounds are used or at least twice the strength required for that particular sanitizing solution if halogens are used under subdivisions (2) through (4).

(e) A test kit or other device that accurately measures the concentration of the sanitizing solution in parts per million shall be provided and used to measure the strength of the sanitizing solution at least once each day of tanning facility operation.

(f) Exposure to the ultraviolet radiation produced by the tanning equipment itself is not considered a sanitizing agent.

(g) Each sunlamp product shall be accompanied by at least the number of sets of protective eyewear that is equal to the number of customers who can simultaneously use the facility. Eyewear shall be provided and shall meet or exceed the sunlamp product manufacturer's recommendations. *(State Board of Cosmetology Examiners; 820 IAC 5-1-25; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1379; filed Sep 17, 1998, 3:55 p.m.: 22 IR 458; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-25) to the State Board of Cosmetology Examiners (820 IAC 5-1-25) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-26 Limiting exposure

Authority: IC 25-8-3-22

Affected: IC 25-8-15.4-14

Sec. 26. Each customer shall be limited to less than or equal to the maximum exposure time recommended by the manufacturer of the sunlamp product. However, in no event shall exposure at a tanning facility be allowed for more than the manufacturer's recommended exposure time for a given skin type in any twenty-four (24) hour period. *(State Board of Cosmetology Examiners; 820 IAC 5-1-26; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1380; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-26) to the State Board of Cosmetology Examiners (820 IAC 5-1-26) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-27 Equipment controls
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-14

Sec. 27. (a) A control or kill switch must be incorporated on each sunlamp product which enables the customer to manually terminate radiation without disconnecting the electrical plug or coming into contact with the ultraviolet lamp.

(b) The electric power supply for each sunlamp product must run through a control or kill switch that will enable the operator to manually terminate the radiation. There must be a clear wide path to the kill switches. There shall be no obstructions of any kind in front of the kill switches, including, but not limited to, a circuit breaker cover, chairs, or any boxes or storage on the floor. The controller kill switch must be outside of the room that contains the sunlamp products. *(State Board of Cosmetology Examiners; 820 IAC 5-1-27; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1380; filed Sep 17, 1998, 3:55 p.m.: 22 IR 459; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-27) to the State Board of Cosmetology Examiners (820 IAC 5-1-27) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-28 Sunlamp product maintenance
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-14

Sec. 28. (a) No customer shall be allowed to use a sunlamp product having a defective timer.

(b) All sunlamp products shall be maintained in compliance with this rule concerning repair, labeling, and alteration and accessibility of timing devices. If a part must be replaced, the defective part shall be replaced with a part which complies with 21 CFR 1040.20(c) (April 1988 Edition). Sunlamp products shall be maintained as follows:

(1) For each sunlamp product and ultraviolet lamp, the ratio of the irradiance within the wavelength range of greater than two hundred (200) nanometers through two hundred sixty (260) nanometers to the irradiance within the wavelength range of greater than two hundred sixty (260) nanometers through three hundred twenty (320) nanometers shall not exceed three-thousandths (0.003) at any distance or direction from the product or lamp.

(2) Each sunlamp product shall incorporate a timing device with multiple timer settings adequate for the manufacturer's recommended exposure intervals as follows:

(A) The timer may not automatically reset and cause radiation emission to resume for a period greater than the unused portion of the timer cycle when emission from the sunlamp product has been terminated.

(B) The timing device shall not automatically reset when emission from the sunlamp product has been terminated. This requirement does not preclude the ability of the customer to reset the time.

(C) The maximum timer interval shall not exceed the manufacturer's maximum recommended exposure time. No timer shall have an error greater than ten percent (10%) of the maximum timer interval for the product.

(State Board of Cosmetology Examiners; 820 IAC 5-1-28; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1380; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-28) to the State Board of Cosmetology Examiners (820 IAC 5-1-28) by P.L.142-1995, SECTION 33, effective July 1, 1995.

820 IAC 5-1-29 Warning sign
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-12; IC 25-8-15.4-13

Sec. 29. An operator of a tanning facility shall conspicuously display warning signs in accordance with the following:

(1) A warning sign shall be posted in each tanning facility room where customers arrange for the use of a sunlamp product, in each tanning facility room where customers wait to use a sunlamp product, and in the immediate proximity of and no less than one (1) meter or thirty-nine (39) inches from each sunlamp product. The warning sign shall be readily legible, clearly visible, and not obstructed by any barrier, equipment, or other item present so that the customer can easily view the warning sign before energizing the ultraviolet light generating equipment. The warning sign shall meet the following requirements:

(A) The uppercase letters on the warning sign in the room where the customers pay for the use of a sunlamp product and in the room where the customers wait to use a sunlamp product shall be at least eighteen (18) millimeters or eleven-sixteenths (11/16) inch tall and the lowercase letters shall be at least thirteen (13) millimeters or one-half (1/2) inch tall.

(B) The uppercase letters on the warning sign in the immediate proximity of the sunlamp product shall be at least ten (10) millimeters or seven-sixteenths (7/16) inch tall and the lowercase letters shall be five (5) millimeters or one-fourth (1/4) inch tall.

(2) The warning signs required by subdivision (1) shall state the following:

WARNING: ULTRAVIOLET RADIATION
FAILURE TO USE PROTECTIVE EYEWEAR MAY RESULT IN SEVERE BURNS OR LONG-TERM INJURY TO THE EYES

1. Protective eyewear is required by law.
2. Follow instructions.
3. Avoid overexposure. As with natural sunlight, exposure can cause eye and skin injury and allergic reactions. Repeated exposure may cause skin cancer or chronic sun damage characterized by wrinkling, dryness, fragility and bruising of the skin.
4. Ultraviolet radiation from sunlamps will aggravate the effects of the sun. Therefore, do not sunbathe before or after exposure to ultraviolet radiation.
5. Medication or cosmetics may increase sensitivity to ultraviolet radiation. Consult a physician before using a sunlamp if you are using medications, have history of skin problems, or believe you are especially sensitive to sunlight. Individuals on birth control medication who use this product may develop discolored skin.

IF YOU DO NOT TAN IN THE SUN IT IS UNLIKELY THAT YOU WILL TAN FROM THE USE OF THIS DEVICE

(State Board of Cosmetology Examiners; 820 IAC 5-1-29; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1381; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-29) to the State Board of

Cosmetology Examiners (820 IAC 5-1-29) by P.L.142-1995, SECTION 33, effective July 1, 1995.

820 IAC 5-1-30 Customer warning
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-11

Sec. 30. Before a person uses a tanning device in a tanning facility, the operator, owner, or employee of the operator or owner of the tanning facility shall require the person to read and sign a written statement approved by the department that contains the following information:

(1) A person who uses a tanning device in this tanning facility must use protective eyewear.
(2) If the provided eye protection is not worn, use of a tanning device in this tanning facility may cause damage to the eyes.
(3) Overexposure to the ultraviolet radiation produced by a tanning device in this tanning facility may cause burns.
(4) Exposure to the ultraviolet radiation produced by the tanning devices in this tanning facility may cause premature aging of the skin and skin cancer.
(5) Abnormal skin sensitivity to ultraviolet radiation or burning may be caused by certain foods, cosmetics, or medication, including the following:
(A) Tranquilizers.
(B) Diuretics.
(C) Antibiotics.
(D) High blood pressure medication.
(E) Birth control medication.
(F) Other photosensitizing agents as determined under rules adopted by the board.
(6) An individual who is taking a prescription drug or over-the-counter drug should consult a physician before using a tanning device.

(State Board of Cosmetology Examiners; 820 IAC 5-1-30; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1381; filed Sep 17, 1998, 3:55 p.m.: 22 IR 459; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-30) to the State Board of Cosmetology Examiners (820 IAC 5-1-30) by P.L.142-1995, SECTION 33, effective July 1, 1995.

820 IAC 5-1-31 Parental supervision
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-15

Sec. 31. (a) A person who is less than sixteen (16) years of age must be accompanied by a parent or guardian while the child is using a sunlamp product in a tanning facility and while that sunlamp product is in use.

(b) A person who is less than eighteen (18) years of age may not use a sunlamp product in a tanning facility unless the parent or guardian of the person has also signed the written statement under section 34 of this rule in the presence of the operator of the tanning facility. *(State Board of Cosmetology Examiners; 820 IAC 5-1-31; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1382; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-31) to the State Board of Cosmetology Examiners (820 IAC 5-1-31) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-32 Records
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-14

Sec. 32. The operator shall require each customer to fill out a form specifying home address, phone number, and age. This form shall be kept as a permanent record of the individual's attendance. *(State Board of Cosmetology Examiners; 820 IAC 5-1-32; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1382; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-32) to the State Board of Cosmetology Examiners (820 IAC 5-1-32) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-33 Assurance of notification
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4

Sec. 33. (a) Each time a customer uses a tanning facility, or each time a customer executes or renews a contract to use a tanning facility, the customer must, before using a sunlamp product, sign a written statement that he or she:

(1) has read and understood the warnings specified in sections 29 through 30 of this rule before using the device;
(2) agrees to use the protective eyewear that the tanning facility provides;
(3) understands that some people who are not susceptible to tanning under natural sunlight may also not be susceptible to tanning under artificial light; and
(4) has not used a tanning device within the past twenty-four (24) hours.

(b) For visually handicapped persons, the warning statement shall be read by the operator in the presence of a witness. Both the witness and the operator shall sign the statement.

(c) The owner or operator must maintain for a period not less than twenty-four (24) months, a record signed by the customer that he or she has read and understood the warning required in sections 29 through 30 of this rule.

(d) Records of each customer's total number of tanning visits and tanning times must be kept at the tanning facility and available for inspection for one (1) year. In addition, records up to five (5) years old must be provided to the board on request, although they need not be kept at the tanning facility. It is recommended that records be kept permanently, as potentially adverse health effects from tanning may not become apparent within five (5) years. *(State Board of Cosmetology Examiners; 820 IAC 5-1-33; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1382; filed Sep 17, 1998, 3:55 p.m.: 22 IR 460; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-33) to the State Board of Cosmetology Examiners (820 IAC 5-1-33) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-34 Training
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-14

Sec. 34. (a) Each operator must be adequately trained prior to serving the customers. Training shall include the following:

(1) The requirements of sections 22 through 33 of this rule.
(2) Procedures for correct operation of the facility.
(3) How to recognize injury or overexposure.

(4) Manufacturer's procedures for operation and maintenance of sunlamp products.
(5) Emergency procedures in case of injury.

(b) A list of operators trained in accordance with this section shall be maintained and available at the facility during employment and for a period of one (1) year after termination. The list shall include the name, last known mailing address, and home telephone number of each operator. *(State Board of Cosmetology Examiners; 820 IAC 5-1-34; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1382; filed Sep 17, 1998, 3:55 p.m.: 22 IR 460; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-34) to the State Board of Cosmetology Examiners (820 IAC 5-1-34) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-35 Local zoning requirements
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-7

Sec. 35. Tanning facilities shall meet all requirements of the local zoning commission and shall be approved by said commission before construction or operation begins. *(State Board of Cosmetology Examiners; 820 IAC 5-1-35; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1382; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-35) to the State Board of Cosmetology Examiners (820 IAC 5-1-35) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-36 Safe water supply
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-14

Sec. 36. A tanning facility shall be provided with safe, potable water. *(State Board of Cosmetology Examiners; 820 IAC 5-1-36; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1383; filed Sep 17, 1998, 3:55 p.m.: 22 IR 460; errata, 22 IR 3420; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-36) to the State Board of Cosmetology Examiners (820 IAC 5-1-36) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-37 Repealed

Sec. 37. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-38 Repealed

Sec. 38. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-39 Repealed

Sec. 39. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-40 Repealed

Sec. 40. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-41 Repealed

Sec. 41. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-42 Repealed

Sec. 42. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-43 Repealed

Sec. 43. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-44 Repealed

Sec. 44. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-45 Repealed

Sec. 45. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-46 Repealed

Sec. 46. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-47 Repealed

Sec. 47. *(Repealed by State Board of Cosmetology Examiners; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461)*

820 IAC 5-1-48 Advertising requirements
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4-13

Sec. 48. A tanning facility owner or operator shall not claim, or distribute promotional material that claims, that using a sunlamp product is safe or free from risk. A tanning facility owner or operator shall not advertise or promote special unlimited use of the tanning facilities that encourage customers to repetitively use the facility beyond the manufacturer's recommended limits for a twenty-four (24) hour period. *(State Board of Cosmetology Examiners; 820 IAC 5-1-48; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1384; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-48) to the State Board of Cosmetology Examiners (820 IAC 5-1-48) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-49 Levying civil penalties
Authority: IC 25-8-3-22
Affected: IC 4-21.5; IC 25-8-15.4

Sec. 49. (a) The board may commence an action to levy civil penalties against the owner or operator of a tanning facility who does either of the following:
(1) Fails to comply with any federal, state, or local statute, rule, or ordinance regarding sunlamp products or the operation of any enterprise that owns sunlamp products.
(2) Interferes with or obstructs the board or its designated agent in the performance of its duties.

(b) A civil penalty shall not exceed one thousand dollars ($1,000) per violation and the absence of harm will not result in assessment of a lower penalty for a violation.

(c) In the determination of the seriousness of the violation and the specific amount of the civil penalty to be sought for each violation, the department will consider the following:

(1) The potential for harm or imminent threat to public health.
(2) The extent of deviation from statutory or regulatory requirements.
(3) The degree of willfulness or negligence.
(4) Any history of noncompliance.

(d) After determining the appropriate penalty based on the schedule in this section, the department may adjust the penalty to reflect a good faith effort to comply by the owner or operator of a tanning facility.

(e) Each individual penalty may be multiplied by the number of days the particular violation occurred.

(f) After filing an action under IC 4-21.5, and in an attempt to resolve violations without resort to a hearing, the department may negotiate and enter into agreed orders. An agreed order may suspend all or part of the civil penalty calculated under the requirements and deadlines established in the agreed order. *(State Board of Cosmetology Examiners; 820 IAC 5-1-49; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1384; filed Sep 17, 1998, 3:55 p.m.: 22 IR 460; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-49) to the State Board of Cosmetology Examiners (820 IAC 5-1-49) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-50 Incorporation by reference
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4

Sec. 50. When used in this rule, 21 CFR 1040.20, (April 1988) is hereby incorporated by reference. This federal rule as incorporated does not include any later amendments than those specified in the incorporation citation. Sales of the CFR are handled exclusively by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. The incorporated material is available for public review at the Indiana state department of health. *(State Board of Cosmetology Examiners; 820 IAC 5-1-50; filed Mar 17, 1992, 10:20 a.m.: 15 IR 1385; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA) NOTE: Transferred from the Indiana State Department of Health (410 IAC 6-13-50) to the State Board of Cosmetology Examiners (820 IAC 5-1-50) by P.L.142-1995, SECTION 33, effective July 1, 1995.*

820 IAC 5-1-51 Injuries
Authority: IC 25-8-3-22
Affected: IC 25-8-15.4

Sec. 51. Operators must promptly report any injury that:
(1) would be considered life threatening;
(2) could result in permanent injury; or
(3) could necessitate any form of medical treatment or first aid.

(State Board of Cosmetology Examiners; 820 IAC 5-1-51; filed Sep 17, 1998, 3:55 p.m.: 22 IR 461; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236; readopted filed Jul 19, 2007, 1:01 p.m.: 20070808-IR-820070046RFA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA)

ARTICLE 6. CONTINUING EDUCATION *(REPEALED)*

(Repealed by State Board of Cosmetology Examiners; filed Sep 27, 2006, 2:46 p.m.: 20061025-IR-820060108FRA)

ARTICLE 7. FEES

Rule 1. Fees Applicable to Licensure; Verification; Duplicate Licenses

Rule 1. Fees Applicable to Licensure; Verification; Duplicate Licenses

820 IAC 7-1-1 Application/issuance fees
Authority: IC 25-1-8-2; IC 25-8-4
Affected: IC 25-8

Sec. 1. The board shall charge and collect the following application/issuance fees for licenses:
(1) Cosmetologist: $40
(2) Electrologist: $40
(3) Esthetician: $40
(4) Manicurist: $40
(5) Beauty culture instructor: $40
(6) Cosmetology school: $400
(7) Cosmetology salon: $40
(8) Electrology salon: $40
(9) Esthetic salon: $40
(10) Manicurist salon: $40
(11) Tanning facility: $200
(12) Mobile salon: $40

(State Board of Cosmetology and Barber Examiners; 820 IAC 7-1-1; filed Jun 4, 2009, 9:07 a.m.: 20090701-IR-820080606FRA; filed Aug 30, 2012, 2:01 p.m.: 20120926-IR-820120064FRA)

820 IAC 7-1-2 Examination fees
Authority: IC 25-1-8-2; IC 25-8-4
Affected: IC 25-8

Sec. 2. An applicant for licensure by examination shall pay the examination or reexamination fee assessed by the professional examination service which administers the examination directly to the professional examination service. *(State Board of Cosmetology and Barber Examiners; 820 IAC 7-1-2; filed Feb 10, 2006, 11:15 a.m.: 29 IR 2195; readopted filed Nov 9, 2012, 11:32 a.m.: 20121205-IR-820120383RFA)*

820 IAC 7-1-3 Renewal fees
Authority: IC 25-1-8-2; IC 25-8-4
Affected: IC 25-8

Sec. 3. The board shall charge and collect the following renewal fees every four (4) years for licenses:
(1) Cosmetologist: $40
(2) Electrologist: $40
(3) Esthetician: $40
(4) Manicurist: $40
(5) Beauty culture instructor: $40
(6) Cosmetology school: $400
(7) Cosmetology salon: $40
(8) Electrology salon: $40
(9) Esthetic salon: $40
(10) Manicurist salon: $40
(11) Tanning facility: $200

(State Board of Cosmetology and Barber Examiners; 820 IAC 7-1-3; filed Jun 4, 2009, 9:07 a.m.: 20090701-IR-820080606FRA;

readopted filed Nov 13, 2015, 11:06 a.m.: 20151209-IR-820150114RFA)

ARTICLE 8. Barber Schools and Shops

ARTICLE 8. BARBER SCHOOLS AND SHOPS
NOTE: IC 25-7 was repealed by P.L.84-2010, SECTION 102, effective July 1, 2010.

Rule 1. Sanitary Requirements for Barber Schools and Shops
820 IAC 8-1-1 Sanitary requirements established
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12
Sec. 1. (a) This rule establishes sanitary requirements to be followed by barbers, barbering instructors, barber shops, and barber schools.
(b) Violations of this rule shall subject the violator or violators to appropriate sanctions under IC 25-7-1-13(f) *[Repealed by P.L.234-1995, SECTION 30, effective July 1, 1995.]*, IC 25-31-1-16.1 *[sic]*, or IC 25-31-2-2 *[sic]*. *(State Board of Cosmetology and Barber Examiners; Preamble; filed Jan 2, 1946, 9:45 a.m.: Rules and Regs. 1947, p. 693; filed Nov 28, 1988, 5:30 p.m.: 12 IR 921; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-1-1) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-1-1) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-1-2 Keeping in clean and sanitary condition, well lighted, and ventilated
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-5
Sec. 2. All barber shops, barber schools, together with all furniture, equipment, tools, utensils, floors, walls, and ceilings, shall at all times be kept in a clean and sanitary condition, well lighted, and well ventilated. Barbers and barber students shall use a clean towel and either a clean hair cloth or neck strip for each patron. *(State Board of Cosmetology and Barber Examiners; Rule 1; filed Jan 2, 1946, 9:45 a.m.: Rules and Regs. 1947, p. 693; filed Nov 28, 1988, 5:30 p.m.: 12 IR 921; filed Sep 16, 1998, 4:02 p.m.: 22 IR 454; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-1-2) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-1-2) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-1-3 Hands to be washed before serving customer; smoking prohibited while serving customer
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7
Sec. 3. Every barber and student shall wash his hands with soap and water immediately before serving each patron, and no smoking while serving a customer. *(State Board of Cosmetology and Barber Examiners; Rule 4; filed Jan 2, 1946, 9:45 a.m.: Rules and Regs. 1947, p. 693; filed Nov 28, 1988, 5:30 p.m.: 12 IR 921; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-1-5) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-1-3) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-1-4 Cleaning of shaving mugs and brushes
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7
Sec. 4. Shaving mugs and brushes shall be thoroughly rinsed with hot water before each patron is served. (Shaving powder or cream is preferable.) *(State Board of Cosmetology and Barber Examiners; Rule 5; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 693; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-1-6) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-1-4) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-1-5 Storage of clean towels
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7
Sec. 5. Clean towels must be kept in closed compartments at all times. *(State Board of Cosmetology and Barber Examiners; Rule 7; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 694; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-1-8) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-1-5) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-1-6 Storage of tools; disinfection
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7
Sec. 6. All instruments shall be properly sterilized. *(State Board of Cosmetology and Barber Examiners; Rule 9; filed Jan 2, 1946, 9:45 a.m.: Rules and Regs. 1947, p. 694; filed Oct 22, 1997, 8:45 a.m.: 21 IR 1003; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-1-10) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-1-6) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

Rule 2. Barber School Approval; Requisites; Curriculum

820 IAC 8-2-1 Student registration records; filing with board
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-5
Sec. 1. (a) No later than the fifteenth day of each month, a barber school shall submit a verified report to the board of barber examiners (board), including the following information concerning student activity in the previous month:
(1) The names of all new students.
(2) For all students who have paid the barber school all money (tuition) to which it is legally entitled, the names of all students who have dropped out of school and the number of hours they have accrued.
(3) The medical findings must be attached.
(b) Barber schools are not required to send enrollment cards to the board. *(State Board of Cosmetology and Barber Examiners; Rule 14; filed Jan 2, 1946, 9:45 a.m.: Rules and Regs. 1947, p. 694; filed Sep 16, 1998, 4:02 p.m.: 22 IR 455; readopted filed Jun*

22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-1) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-1) by P.L.84-2010, SECTION 103, effective July 1, 2010.

820 IAC 8-2-2 Services by students only; instructors' duties
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-2-1

Sec. 2. All service rendered in schools on patrons must be done by students only. Instructors shall be allowed to teach and aid the students in performing the various services; however, they shall not be permitted to finish up the patrons after the students have completed their work. *(State Board of Cosmetology and Barber Examiners; Rule 15; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 694; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-2) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-2) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-2-3 Signs
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-2-1

Sec. 3. Each barber school shall display a sign indicating that it is a barber school–said sign to be displayed at the main entrance of said place; also there must be a sign on the inside stating that all work is done by students only. *(State Board of Cosmetology and Barber Examiners; Rule 16; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 694; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-3) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-3) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-2-4 Daily hours for lectures and demonstrations
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-7

Sec. 4. All students shall receive not less than one hour and thirty minutes of lectures and demonstrations each day, with the exception of Saturdays, Sundays and holidays. *(State Board of Cosmetology and Barber Examiners; Rule 17; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 694; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.:20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-4) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-4) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-2-5 Attendance
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-7

Sec. 5. Students must be on time for all class studies and work, and shall not take any time off or leave the school without permission. *(State Board of Cosmetology and Barber Examiners; Rule 18; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 695; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-5) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-5) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-2-6 Classrooms
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-7

Sec. 6. Each accredited school shall have a suitable class room to be used for demonstration and study, said room to have necessary charts and equipment to carry out the curriculum and provisions of the law. *(State Board of Cosmetology and Barber Examiners; Rule 19; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 695; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-6) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-6) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-2-7 Clothing of students and teachers
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-7

Sec. 7. All students and teachers must be attired in clean, washable coverall outer garments, preferably smocks, which must be in a clean state at all times. *(State Board of Cosmetology and Barber Examiners; Rule 20; filed Jan 2, 1946, 9:45 am: Rules and Regs. 1947, p. 695; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-7) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-7) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-2-8 Curriculum
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-7

Sec. 8. (a) This section establishes the curriculum for barber training. The first column in subsection (c) states the subject matter of training. The second column lists the number of hours required in classroom theory training and demonstration practice required for each student. The third column lists the actual practice required for each student. The fourth column lists the total number of hours of training required in each subject.
(b) The hours required in classroom theory training identified in subsection (a) are defined as a systematically organized knowledge of a system of facts, accepted principles, laws, and rules of procedure devised to analyze, predict, explain, or demonstrate the nature of a particular subject matter of training. Such a system is distinguished from actual practice.
(c) The following are the requirements for barber training:

Subject	Theory and Demonstration Practice	Actual Hours	Total Hours
Sanitation, bacteriology, and sterilization	40		40
Laws and rules	20		20
Salesmanship	5	10	15
Management	10		10
Skin	10		10
Hair	10		10

Facials	20	25	45
Hair styling, (includes air waving, fingerwaves, and thermal curling)	75	150	225
Electricity/light therapy			
High frequency			
UV/infrared	10		10
Chemistry	10		10
Shampoo/massage	20	50	70
Scalp treatment	10	25	35
History of barbering	10		10
Shaving/shaping (includes mustache and beard)	20	25	45
Honing and stropping	15		15
Personal hygiene/professional ethics	10		10
Equipment care	10		10
Hair coloring	60	70	130
Semipermanent			
Permanent			
Permanent waving and chemical relaxing	55	210	265
Haircuts	100	200	300
Anatomy and physiology	15		15
Hairpieces			
Full, partial, facial	50		50
Discretionary hours	50	100	150
TOTAL HOURS	635	865	1,500

(State Board of Cosmetology and Barber Examiners; Rule 21; filed Jan 2, 1946, 9:45 a.m.: Rules and Regs. 1947, p. 695; filed Feb 20, 1986, 3:00 p.m.: 9 IR 1658; filed Jan 5, 1994, 5:00 p.m.: 17 IR 995; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-8) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-8) by P.L.84-2010, SECTION 103, effective July 1, 2010.

820 IAC 8-2-9 Student progress book
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-7

Sec. 9. (a) Students in barber training shall perform no fewer than the number of performances of actual practice hours required by the student progress book.
(b) It is the purpose of the progress book that the student, barber school, and Indiana state board of barber examiners may at all times know the exact progress of the student concerning practical experience and the number of completed performances of required activities.
(c) It is the responsibility of the barber school to keep the progress book up to date.
(d) Students shall be required to complete practice performances provided in the progress book as listed in subsection (e).
(e) The progress book reads as follows:

OFFICIAL STUDENT
PROGRESS BOOK
STATE OF INDIANA
BOARD OF BARBER EXAMINERS

Student's Name
Date Issued
Date Completed

REQUIREMENTS FOR USE OF PROGRESS BOOK
(1) All students enrolling in barber training shall be permitted to review this progress book which is to be completed on or before being admitted to the state board of barber examiners for examinations for a barber license.
(2) The amount of performances is equal to the hours outlined by the state board of barber examiners. It is to be the minimum requirement only.
(3) Each performance, as it is accomplished, must be dated and initialed by the licensed instructor who oversees the performance. All projects are to be checked for accuracy and credit given only if done to the school's standards. All projects must be identified whether "S" for student, "P" for patron (or customer), or "M" for mannequin. A pencil cap rubber stamp or pen written initials (first and last initials) of the instructor are both acceptable methods of marking.
(4) Any overages in any area may not be applied to any other area.
(5) All items in the sales category must be completed on patrons, since this is to help the student to develop sales ability.
(6) All projects are to be recorded as one (1) project marked for one (1) project completed.
(7) The progress book must never be taken home by the student and must remain in the school at all times.
(8) The requirements of this progress book are minimum requirements. A school may require more actual performances than those prescribed in this book.

School name
Address
City State Zip
Instructor's signature
Instructor's identifying initialing
Instructor's signature
Instructor's identifying initialing
Instructor's signature
Instructor's identifying initialing
Instructor's signature
Instructor's identifying initialing
Haircuts (267 performances equal 200 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 32 33 34 35 36 37 38 39
40 41 42 43 44 45 46 47 48 49 50 51 52
53 54 55 56 57 58 59 60 61 62 63 64 65
66 67 68 69 70 71 72 73 74 75 76 77 78
79 80 81 82 83 84 85 86 87 88 89 90 91
92 93 94 95 96 97 98 99 100 101 102 103 104
105 106 107 108 109 110 111 112 113 114 115 116 117
118 119 120 121 122 123 124 125 126 127 128 129 130
131 132 133 134 135 136 137 138 139 140 141 142 143
144 145 146 147 148 149 150 151 152 153 154 155 156
157 158 159 160 161 162 163 164 165 166 167 168 169
170 171 172 173 174 175 176 177 178 179 180 181 182
183 184 185 186 187 188 189 190 191 192 193 194 195
196 197 198 199 200 201 202 203 204 205 206 207 208
209 210 211 212 213 214 215 216 217 218 219 220 221
222 223 224 225 226 227 228 229 230 231 232 233 234
235 236 237 238 239 240 241 242 243 244 245 246 247
248 249 250 251 252 253 254 255 256 257 258 259 260
261 262 263 264 265 266 267
Permanent Wave/Chemical processing (105 performances equal 210 hours)

25% of performances must be done on live models
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 32 33 34 35 36 37 38 39
40 41 42 43 44 45 46 47 48 49 50 51 52
53 54 55 56 57 58 59 60 61 62 63 64 65
66 67 68 69 70 71 72 73 74 75 76 77 78
79 80 81 82 83 84 85 86 87 88 89 90 91
92 93 94 95 96 97 98 99 100 101 102 103 104
105
Hair Color, Permanent or Semipermanent (35 performances equal 70 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 32 33 34 35
Shampoo/Massage (200 performances equal 50 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 32 33 34 35 36 37 38 39
40 41 42 43 44 45 46 47 48 49 50 51 52
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53 54 55 56 57 58 59 60 61 62 63 64 65
66 67 68 69 70 71 72 73 74 75 76 77 78
79 80 81 82 83 84 85 86 87 88 89 90 91
92 93 94 95 96 97 98 99 100 101 102 103 104
105 106 107 108 109 110 111 112 113 114 115 116 117
118 119 120 121 122 123 124 125 126 127 128 129 130
131 132 133 134 135 136 137 138 139 140 141 142 143
144 145 146 147 148 149 150 151 152 153 154 155 156
157 158 159 160 161 162 163 164 165 166 167 168 169
170 171 172 173 174 175 176 177 178 179 180 181 182
183 184 185 186 187 188 189 190 191 192 193 194 195
196 197 198 199 200
Salesmanship (40 performances equal 10 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 32 33 34 35 36 37 38 39
40
Facials (50 performances equal 25 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 32 33 34 35 36 37 38 39
40 41 42 43 44 45 46 47 48 49 50
Hair Styling (300 performances equal 150 hours)
50% of performances must be done on live models
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 32 33 34 35 36 37 38 39
40 41 42 43 44 45 46 47 48 49 50 51 52
53 54 55 56 57 58 59 60 61 62 63 64 65
66 67 68 69 70 71 72 73 74 75 76 77 78
79 80 81 82 83 84 85 86 87 88 89 90 91
92 93 94 95 96 97 98 99 100 101 102 103 104
105 106 107 108 109 110 111 112 113 114 115 116 117
118 119 120 121 122 123 124 125 126 127 128 129 130
131 132 133 134 135 136 137 138 139 140 141 142 143
144 145 146 147 148 149 150 151 152 153 154 155 156
157 158 159 160 161 162 163 164 165 166 167 168 169
170 171 172 173 174 175 176 177 178 179 180 181 182
183 184 185 186 187 188 189 190 191 192 193 194 195
196 197 198 199 200 201 202 203 204 205 206 207 208
209 210 211 212 213 214 215 216 217 218 219 220 221
222 223 224 225 226 227 228 229 230 231 232 233 234
235 236 237 238 239 240 241 242 243 244 245 246 247
248 249 250 251 252 253 254 255 256 257 258 259 260
261 262 263 264 265 266 267 268 269 270 271 272 273
274 275 276 277 278 279 280 281 282 283 284 285 286
287 288 289 290 291 292 293 294 295 296 297 298 299
300
Scalp Treatments (50 performances equal 25 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 32 33 34 35 36 37 38 39
40 41 42 43 44 45 46 47 48 49 50
Shaving/Shaping (50 performances equal 25 hours)
25% of performances must be done on live models
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 32 33 34 35 36 37 38 39
40 41 42 43 44 45 46 47 48 49 50

(State Board of Cosmetology and Barber Examiners; 820 IAC 8-2-9; filed Jan 5, 1994, 5:00 p.m.: 17 IR 997; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-8.1) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-9) by P.L.84-2010, SECTION 103, effective July 1, 2010.

820 IAC 8-2-10 Equipment
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12

Sec. 10. In order for a barber school licensee to operate a barber school, the following equipment must be on the school premises:
(1) Twenty (20) barber chairs, unless otherwise permitted by the state board of barber examiners, spaced no closer than five (5) or more feet from the center of the chairs.
(2) Lockers with one (1) locker available for each enrolled student.
(3) Separate restrooms for men and women.
(4) Sanitary drinking facilities.
(5) One (1) time clock.
(6) Not less than three (3) lavatories or shampoo bowls.
(7) A mirror behind each barber chair.
(8) Individual tool cabinets, kits, or workstands for each and every barber chair.
(9) Individual wet tool sterilizer for each and every barber chair.
(10) No less than one (1) hair dryer per every six (6) enrolled students.
(11) No less than one (1) red dermal light or heat lamp and one (1) high frequency machine.
(12) One (1) blackboard no smaller than thirty-six (36) inches by thirty-six (36) inches.
(13) One (1) chart of the skin and hair.
(14) One (1) chart of the muscles of the head, face, and neck.
(15) One (1) chart of the bone structure of the face and head.
(16) One (1) chart of the nerves of the head, face, and neck.
(17) One (1) medical dictionary and one (1) standard dictionary.
(18) One (1) microscope for the study of bacteria.

(State Board of Cosmetology and Barber Examiners; Rule 22; filed Feb 6, 1981, 4:10 p.m.: 4 IR 373; filed Nov 28, 1988, 5:30 p.m.: 12 IR 921; filed Oct 22, 1997, 8:45 a.m.: 21 IR 1003; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4,

2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-9) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-10) by P.L.84-2010, SECTION 103, effective July 1, 2010.

820 IAC 8-2-11 Facilities
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12

Sec. 11. Facilities. In order for a barber school licensee to operate a barber school, the barber school must be maintained as follows:
(1) Not less than two well lighted and well ventilated rooms, one for the clinic or service department and one for the class room; unless one room only is provided for class room and services then only one operation can be performed at a time.
(2) Linoleum or asphalt tile floors or their equivalent.
(State Board of Cosmetology and Barber Examiners; Rule 23; filed Feb 6, 1981, 4:10 pm: 4 IR 374; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-10) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-11) by P.L.84-2010, SECTION 103, effective July 1, 2010.

20 IAC 8-2-12 Use of instructors
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12

Sec. 12. (a) In order for a barber school licensee to operate a barber school, a licensed barbering instructor must be physically present at all times where and while:
(1) classroom instruction is being given; and
(2) students are engaged in the practice of barbering.
However, where audio-visual aids or tapes are being used in the adjoining rooms, the presence of one (1) licensed barber instructor in the clinic room is sufficient.
(b) Every instructor in a licensed school shall:
(1) devote his or her entire time during school or class hours to that of instructing the students; and
(2) not apply time to the private practice of barbering for compensation.
(State Board of Cosmetology and Barber Examiners; Rule 24; filed Feb 6, 1981, 4:10 p.m.: 4 IR 374; filed Feb 20, 1986, 3:00 p.m.: 9 IR 1660; filed Nov 28, 1988, 5:30 p.m.: 12 IR 922; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA; filed Oct 1, 2010, 3:53 p.m.: 20101027-IR-820090865FRA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-11) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-12) by P.L.84-2010, SECTION 103, effective July 1, 2010.

820 IAC 8-2-13 Seminars
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12

Sec. 13. Seminars. In order for a barber school licensee to operate a barber school, there must be no seminars permitted by the school under its auspices and control except by notification to the State Board of Barber Examiners. *(State Board of Cosmetology and Barber Examiners; Rule 25; filed Feb 6, 1981, 4:10 pm: 4 IR 375; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-12) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-13) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-2-14 Scheduled classes
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12

Sec. 14. Schedule of Classes. In order for a barber school licensee to operate a barber school, there must be a definite schedule of classes which must be posted in a conspicuous place in the school by the licensee. *(State Board of Cosmetology and Barber Examiners; Rule 26; filed Feb 6, 1981, 4:10 pm: 4 IR 375; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-13) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-14) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-2-15 Notification of instructors
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12

Sec. 15. Notification of Instructors. In order for a school licensee to operate as a barber school it must advise the Board of Barber Examiners in writing of the names of each instructor to be used by the school as well as all changes in the teaching staff of the school. *(State Board of Cosmetology and Barber Examiners; Rule 27; filed Feb 6, 1981, 4:10 pm: 4 IR 375; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-14) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-15) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-2-16 Curriculum
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-7; IC 25-7-11; IC 25-7-12

Sec. 16. Curriculum. In order for a barber school licensee to operate a barber school, it must have on file with the Board an updated copy of its curriculum and tuition rates with the curriculum clearly showing the sequence in which various subjects are to be taught and the number of sessions or hours for each subject. *(State Board of Cosmetology and Barber Examiners; Rule 28; filed Feb 6, 1981, 4:10 pm: 4 IR 375; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-15) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-16) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-2-17 Loss of license
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12

Sec. 17. Loss of License. The State Board of Barber Examiners may suspend or revoke a barber school license for any of the following reasons:
(1) Violation of the Indiana Barber Law insofar as it is applicable to the operation of barber schools;
(2) Violation of the rules and regulations of the State Board of Barber Examiners having to do with barber schools;
(3) Misrepresentation;
(4) Failure to fulfill the terms of contracts made with students.

(State Board of Cosmetology and Barber Examiners; Rule 29; filed Feb 6, 1981, 4:10 pm: 4 IR 376; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-16) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-17) by P.L.84-2010, SECTION 103, effective July 1, 2010.

820 IAC 8-2-18 Application for new barber school licensure
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-11; IC 25-7-12

Sec. 18. Application for New Barber School Licensure. Applications for barber school licensure shall include the following:
(1) Full name of applicant and the type of business entity;
(2) The exact location of where the school or college is located or proposed to be located;
(3) The name and address of the owner of the school premises, and if they are leased the name and address of the lessor of the school premises;
(4) The names and addresses of all the directors and stockholders of the applicant, if the applicant is a corporation;
(5) A detailed drawing of the premises where the instruction is to take place, including the size of the building and the number of barber chairs available;
(6) The number and qualifications of the instructors on the staff and proposed number of students;
(7) A statement, certified by a public accountant licensed to practice in the State of Indiana of the assets and liabilities and net worth of the person or firm making the application;
(8) Evidence that a performance bond of twenty five thousand dollars ($25,000.00) guaranteeing the operation of the school for three years and conditioned on compliance with barbering laws and regulations applicable to the school has been secured.
(9) Some reliable proof that the community will support the proposed barber school;
(10) The biennial license fee;
(11) Complete copy of the curriculum and tuition rates with the curriculum organized in a written form showing the sequence in which various subjects are to be taught and the number of sessions or hours for each subject.
(State Board of Cosmetology and Barber Examiners; Rule 30; filed Feb 6, 1981, 4:10 pm: 4 IR 376; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-17) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-18) by P.L.84-2010, SECTION 103, effective July 1, 2010.

820 IAC 8-2-19 Transferred students
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7

Sec. 19. If a student wishes to transfer to another barber school, the student must do the following:
(1) Notify the school in which the student is presently enrolled of the student's withdrawal.
(2) Submit a transcript of his or her grades and hours to the new barber school.
(3) Complete and submit the school entry form to the new school. A student cannot transfer to another school until all financial arrangements have been satisfactorily settled with the school from which the student is transferring, a transcript of hours has been received by the new school, and the school entry form is completed. The
board may order the issuance of the grade transcript by the forwarding school upon complaint of affected student. *(State Board of Cosmetology and Barber Examiners; Rule 31; filed Feb 6, 1981, 4:10 p.m.: 4 IR 377; filed Feb 20, 1986, 3:00 p.m.: 9 IR 1660; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; filed Jul 31, 2006, 8:50 a.m.: 20060830-IR-816050323FRA; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-18) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-19) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-2-20 Licensing examination
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7-5

Sec. 20. (a) A barber student must pass the licensing examination within three (3) years of graduation. If a barber student fails to pass the licensing examination within three (3) years of graduation, the student must successfully complete the barber instruction again, in compliance with the standards in place at the time of reentry to barber school, before being permitted to sit for the barber examination.
(b) The board of barber examiners may waive the requirement in subsection (a) if an applicant is unable to meet the deadline and shows good cause. *(State Board of Cosmetology and Barber Examiners; 820 IAC 8-2-20; filed Sep 16, 1998, 4:02 p.m.: 22 IR 455; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA)*
NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-2-19) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-2-20) by P.L.84-2010, SECTION 103, effective July 1, 2010.

Rule 3. Fees and Examinations

820 IAC 8-3-1 Fees (Repealed)

Sec. 1. *(Repealed by State Board of Cosmetology and Barber Examiners; filed Oct 1, 2010, 3:53 p.m.: 20101027-IR-820090865FRA)*

820 IAC 8-3-2 Examination scores
Authority: IC 25-7-5-14; IC 25-7-5-15
Affected: IC 25-7

Sec. 2. The board examination shall be a standardized examination for the testing of barbers. An applicant shall be deemed to have passed the barber examination upon attaining a passing score of 75% on the written portion and a passing score of 75% on the practical portion of the examination. The same passing scores shall apply to the barbering instructor examination. *(State Board of Cosmetology and Barber Examiners; 820 IAC 8-3-2; filed Feb 20, 1986, 3:00 pm: 9 IR 1660; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-3-2) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-3-2) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-3-3 Practice limitations
Authority: IC 25-7-5-14; IC 25-7-5-15

Affected: IC 25-7

Sec. 3. No licensee of the board shall perform permanent waving or hair coloring without benefit of adequate training qualifying the licensee to use these techniques. *(State Board of Cosmetology and Barber Examiners; 820 IAC 8-3-3; filed Feb 20, 1986, 3:00 pm: 9 IR 1660; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-3-3) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-3-3) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-3-4 Reexamination requirements; barber (Repealed)

Sec. 4. *(Repealed by State Board of Cosmetology and Barber Examiners; filed Oct 1, 2010, 3:53 p.m.: 20101027-IR-820090865FRA)*

820 IAC 8-3-5 Reexamination requirements; barbering instructor

Authority: IC 25-7-5-14; IC 25-7-5-15

Affected: IC 25-7

Sec. 5. (a) This section establishes reexamination requirements for an applicant who has failed one (1) or both portions of the barbering instructor examination.

(b) An applicant who files a new application and pays the required fee within ninety (90) days after the date of the first examination shall be required to take only the portion or portions of the examination previously failed.

(c) An applicant who fails to apply within a ninety (90) day period, or fails to pass the previous reexamination, will be required to take only the portion or portions of the examination previously failed, upon filing within one (1) year after the date of the examination failure, a new application with proof of completing two hundred fifty (250) additional hours of instructor training in an approved school of barbering and pay the examination fee.

(d) An applicant who fails to apply within one (1) year after the date of the first examination failure shall be required to file a new application:

(1) with proof of completing two hundred fifty (250) additional hours of instructor training in an approved school of barbering;

(2) pay the examination fee; and

(3) shall pass both portions of the examination.

(State Board of Cosmetology and Barber Examiners; 820 IAC 8-3-5; filed Jan 20, 1993, 4:00 p.m.: 16 IR 1511; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-3-5) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-3-5) by P.L.84-2010, SECTION 103, effective July 1, 2010.

820 IAC 8-3-6 Barber examination; application; filing deadline

Authority: IC 25-7-5-14; IC 25-7-5-15

Affected: IC 25-7

Sec. 6. A completed application and the applicable fees for licensure by examination to practice as a licensed barber or barber instructor shall be filed with the board not later than two (2) weeks before the next scheduled written examination date. *(State Board of Cosmetology and Barber Examiners; 820 IAC 8-3-6; filed Jan 20, 1993, 4:00 p.m.: 16 IR 1512; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA; filed Oct 1, 2010, 3:53 p.m.: 20101027-IR-820090865FRA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-3-6) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-3-6) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

Rule 4. Barbering Instructors

820 IAC 8-4-1 Barbering instructors; education, training; experience requirements

Authority: IC 25-7-5-14; IC 25-7-5-15

Affected: IC 25-7-5

Sec. 1. To qualify for licensure as a barbering instructor, an individual must:

(1) be an Indiana licensed barber;

(2) be a graduate of an accredited high school or have received a high school equivalency certificate (GED); and

(3) have completed at least nine hundred (900) hours in instructor training from a school of barbering.

(State Board of Cosmetology and Barber Examiners; 820 IAC 8-4-1; filed Nov 28, 1988, 5:30 p.m.: 12 IR 922; filed Sep 18, 1998, 11:46 a.m.: 22 IR 454; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA; filed Oct 1, 2010, 3:53 p.m.: 20101027-IR-820090865FRA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-4-1) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-4-1) by P.L.84-2010, SECTION 103, effective July 1, 2010.

820 IAC 8-4-2 Barber instructor training

Authority: IC 25-7-1-25

Affected: IC 25-7-1-1

Sec. 2. (a) Section 3 of this rule establishes the curriculum for barber instructor training. The first column in section 3 of this rule states the subject matter of training. The second column lists the number of hours required in classroom and demonstration practice required for each student. The third column lists the number of hours of actual practice required for each student. The fourth column lists the total number of hours of training required in each subject.

(b) The hours required in classroom theory training identified in subsection (a) are defined as a systematically organized knowledge of a system of facts, accepted principles, laws, and rules of procedure devised to analyze, predict, explain, or demonstrate the nature of a particular subject matter of training. Such a system is distinguished from actual practice. *(State Board of Cosmetology and Barber Examiners; 820 IAC 8-4-2; filed Jan 5, 1994, 5:00 p.m.: 17 IR 998; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-4-2) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-4-2) by P.L.84-2010, SECTION 103, effective July 1, 2010.*

820 IAC 8-4-3 Barber instructor training curriculum

Authority: IC 25-7-5-14; IC 25-7-5-15

Affected: IC 25-7-12

Sec. 3. The following are the requirements for curriculum for barber instructor training:

Subject	Theory and Demonstration Practice	Actual Hours	Total Hours
Orientation and review of the curriculum for barber training as established in 816 IAC 1-2-8	30	50	80
Introduction to teaching	30		30
Course outline and development	160	170	330
(1) Lesson planning			
(2) Teaching techniques			
(3) Teaching aids			
(4) Developing			
(5) Administering and grading examinations			
Laws and rules	30	20	50
(1) Record keeping			
(2) School administration			
Teaching			
(1) Assisting in the clinic and theory classrooms		150	150
(2) Practice teaching in the clinic and theory classrooms		260	260
TOTAL HOURS	250	650	900

(State Board of Cosmetology and Barber Examiners; 820 IAC 8-4-3; filed Jan 5, 1994, 5:00 p.m.: 17 IR 998; readopted filed Jun 22, 2001, 8:59 a.m.: 24 IR 3823; readopted filed Oct 4, 2007, 3:36 p.m.: 20071031-IR-816070045RFA) NOTE: Transferred from the Board of Barber Examiners (816 IAC 1-4-3) to the State Board of Cosmetology and Barber Examiners (820 IAC 8-4-3) by P.L.84-2010, SECTION 103, effective July 1, 2010.

Rule 5. Fees

820 IAC 8-5-1 Application/issuance fees
Authority: IC 25-1-8-2; IC 25-8-13
Affected: IC 25-8
Sec. 1. The board shall charge and collect the following application/issuance fees:
(1) Barber license: $40
(2) Barber instructor license: $40
(3) Barber shop license: $40
(4) Barber school license: $300
(State Board of Cosmetology and Barber Examiners; 820 IAC 8-5-1; filed Oct 1, 2010, 3:53 p.m.: 20101027-IR-820090865FRA; readopted filed Nov 25, 2013, 9:22 a.m.: 20131225-IR-820130286RFA)

820 IAC 8-5-2 Examination fees
Authority: IC 25-1-8-2; IC 25-8-13
Affected: IC 25-1-8-5; IC 25-8
Sec. 2. (a) If the board administers the examination, the examination or repeat examination fee is fifty dollars ($50).
(b) If the board elects to use a professional examination service under IC 25-1-8-5, an applicant for licensure by examination shall pay the examination or repeat examination fee assessed by the professional examination service that administers the examination
directly to the professional examination service. *(State Board of Cosmetology and Barber Examiners; 820 IAC 8-5-2; filed Oct 1, 2010, 3:53 p.m.: 20101027-IR-820090865FRA)*

820 IAC 8-5-3 Temporary work permit fee
Authority: IC 25-1-8-2; IC 25-8-13
Affected: IC 25-8
Sec. 3. The board shall charge and collect a ten dollar ($10) fee for a temporary work permit. *(State Board of Cosmetology and Barber Examiners; 820 IAC 8-5-3; filed Oct 1, 2010, 3:53 p.m.: 20101027-IR-820090865FRA)*

820 IAC 8-5-4 Renewal fees
Authority: IC 25-1-8-2; IC 25-8-13
Affected: IC 25-8
Sec. 4. The board shall charge and collect the following renewal fees:
(1) Barber license: $40
(2) Barber instructor license: $40
(3) Barber school license: $300
(4) Barber shop license: $40
(State Board of Cosmetology and Barber Examiners; 820 IAC 8-5-4; filed Oct 1, 2010, 3:53 p.m.: 20101027-IR-820090865FRA)

Rule 9. CONVICTIONS OF CONCERN

Rule 1. Convictions of Concern
820 IAC 9-1-1 Scope
Authority: IC 25-1-1.1-6
Affected: IC 25-8
Sec. 1. This rule implements IC 25-1-1.1-6 regarding convictions of concern, which may disqualify an individual for licensure and includes in section 4 of this rule an explicit list of crimes that may disqualify an individual from receiving a license issued under IC 25-8. *(State Board of Cosmetology and Barber Examiners; 820 IAC 9-1-1; filed Sep 10, 2020, 3:18 p.m.: 20201007-IR-820190433FRA)*

820 IAC 9-1-2 Issuance of license
Authority: IC 25-1-1.1-6
Affected: IC 25-8
Sec. 2. An applicant for licensure who has a conviction of concern may still be granted a license based on the criteria stated in IC 25-1-1.1-6(h). *(State Board of Cosmetology and Barber Examiners; 820 IAC 9-1-2; filed Sep 10, 2020, 3:18 p.m.: 20201007-IR-820190433FRA)*

820 IAC 9-1-3 Authority to issue license on probation
Authority: IC 25-1-1.1-6
Affected: IC 25-1-9-16; IC 25-8
Sec. 3. This rule and IC 25-1-1.1-6 do not limit the authority of a board or committee to issue a license on probation if appropriate under IC 25-1-9-16 or any other applicable statute. *(State Board of Cosmetology and Barber Examiners; 820 IAC 9-1-3; filed Sep 10, 2020, 3:18 p.m.: 20201007-IR-820190433FRA)*

820 IAC 9-1-4 Convictions of concern
Authority: IC 25-1-1.1-6
Affected: IC 6-3-6-11; IC 7.1-5-1-3; IC 9-26-1-1.1; IC 9-30-5; IC 11-8-8-18; IC 16-42-19; IC 23-0.5-2-9; IC 25; IC 31-33-22-2; IC 35
Sec. 4. The following are convictions of concern:
(1) Crimes involving sexual acts that can be considered without respect to age of conviction are as follows:

(A) Child molesting (IC 35-42-4-3).
(B) Child seduction (IC 35-42-4-7).
(C) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
(D) Incest (IC 35-46-1-3).
(E) Making an unlawful proposition (IC 35-45-4-3).
(F) Prostitution (IC 35-45-4-2).
(G) Rape (IC 35-42-4-1).
(H) Sexual misconduct with a minor (IC 35-42-4-9(a)).
(2) Crimes of violence that can be considered without respect to age of conviction are as follows:
(A) Aggravated battery (IC 35-42-2-1.5).
(B) Attempted murder (IC 35-41-5-1).
(C) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC 35-43-2-1).
(D) Child exploitation as a Level 5 felony under IC 35-42-4-4(b) or a Level 4 felony under IC 35-42-4-4(c).
(E) Child molesting (IC 35-42-4-3).
(F) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
(G) Involuntary manslaughter (IC 35-42-1-4).
(H) Kidnapping (IC 35-42-3-2).
(I) Murder (IC 35-42-1-1).
(J) Penalties; death or catastrophic injury; death of a law enforcement animal (IC 9-30-5-5) (formerly operating a vehicle while intoxicated causing death).
(K) Classification of offense; serious bodily injury (IC 9-30-5-4) (formerly operating a vehicle while intoxicated causing serious bodily injury to another person).
(L) Rape (IC 35-42-4-1).
(M) Reckless homicide (IC 35-42-1-5).
(N) Resisting law enforcement as a felony (IC 35-44.1-3-1).
(O) Robbery as a Level 2 felony or a Level 3 felony (IC 35-42-5-1).
(P) Sexual misconduct with a minor as a Level 1 felony under IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2).
(Q) Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).
(R) Voluntary manslaughter (IC 35-42-1-3).
(3) Agricultural terrorism (IC 35-47-12-2) (before its repeal).
(4) Armor-piercing ammunition; offense; exceptions (IC 35-47-5-11.5).
(5) Arson (IC 35-43-1-1).
(6) Assisting suicide (IC 35-42-1-2.5).
(7) Attempt under IC 35-41-5-1 to commit an offense listed in this section.
(8) Attempting to purchase handgun by ineligible person (IC 35-47-2.5-15) (before its repeal).
(9) Auto theft (IC 35-43-4-2.5) (before its repeal).
(10) Battery (IC 35-42-2-1).
(11) Burglary (IC 35-43-2-1).
(12) Carjacking (IC 35-42-5-2) (before its repeal).
(13) Carrying a handgun without being licensed; exceptions; person convicted of domestic battery (IC 35-47-2-1).
(14) Causing suicide (IC 35-42-1-2).
(15) Check deception (IC 35-43-5-5).
(16) Check fraud (IC 35-43-5-12).
(17) Child exploitation; possession of child pornography; exemptions; defenses (IC 35-42-4-4).
(18) Child sexual trafficking (IC 35-42-3.5-1.3).
(19) Child solicitation (IC 35-42-4-6).
(20) "Chinese throwing star" defined; related offenses (IC 35-47-5-12).
(21) Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.
(22) Consumer product tampering; offenses (IC 35-45-8-3).
(23) Corrupt business influence (IC 35-45-6-2).
(24) Counterfeiting; false or fraudulent sales receipts; forgery; application fraud (IC 35-43-5-2).
(25) Criminal confinement (IC 35-42-3-3).
(26) Criminal organization recruitment (IC 35-45-9-5).
(27) Criminal parole violation by a sexual predator (IC 35-44.1-3-9).
(28) Criminal recklessness; element of hazing; liability barred for good faith report or judicial participation (IC 35-42-2-2).
(29) Criminal stalking (IC 35-45-10-5).
(30) Criminal transfer of a firearm (IC 35-47-2.5-16).
(31) Criminal use or possession of code grabbing device (IC 35-45-12-2).
(32) Dangerous control of a firearm (IC 35-47-10-6).
(33) Dangerous possession and unlawful transfer of a firearm (IC 35-47-10-5).
(34) Dealing in a controlled substance by a practitioner (IC 35-48-4-1.5).
(35) Dealing in a controlled substance resulting in death (IC 35-42-1-1.5).
(36) Dealing in a counterfeit substance (IC 35-48-4-5).
(37) Dealing in a schedule I, II, or III controlled substance or controlled substance analog (IC 35-48-4-2).
(38) Dealing in a schedule IV controlled substance or controlled substance analog (IC 35-48-4-3).
(39) Dealing in a schedule V controlled substance or controlled substance analog (IC 35-48-4-4).
(40) Dealing in a substance represented to be a controlled substance (IC 35-48-4-4.5) (before its repeal).
(41) Dealing in a synthetic drug or synthetic drug lookalike substance (IC 35-48-4-10.5) (before its repeal).
(42) Dealing in cocaine or narcotic drug (IC 35-48-4-1).
(43) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).
(44) Dealing in methamphetamine (IC 35-48-4-1.1).
(45) Deception (IC 35-43-5-3).
(46) Delivery of deadly weapon to intoxicated person (IC 35-47-4-1).
(47) Deploying a booby trap (IC 35-47.5-5-10).
(48) Destructive device or explosive to kill, injure, or intimidate or to destroy property (IC 35-47.5-5-8).
(49) Destructive devices (IC 35-47.5-5-2).
(50) Disarming a law enforcement officer (IC 35-44.1-3-2).
(51) Disrupting operation of aircraft; Class B felony (IC 35-47-6-1.6).
(52) Dissemination of matter or conducting performance harmful to minors (IC 35-49-3-3).
(53) Distribution of destructive device, explosive, or detonator to a minor (IC 35-47.5-5-5).
(54) Distribution of regulated explosives to persons convicted of felony (IC 35-47.5-5-4).
(55) Domestic battery (IC 35-42-2-1.3).
(56) Dumping controlled substance waste (IC 35-48-4-4.1).
(57) Duties of driver of motor vehicle involved in accident; sentencing (IC 9-26-1-1.1).
(58) Escape (IC 35-44.1-3-4).
(59) Evasion of tax; offenses; prosecution (IC 6-3-6-11).
(60) Failure of carriers of dangerous communicable diseases to warn persons at risk (IC 35-45-21-3).

(61) Failure to make report (IC 31-33-22-1).
(62) False government issued identification (IC 35-43-5-2.5).
(63) False identity statement (IC 35-44.1-2-4).
(64) False reporting; false informing (IC 35-44.1-2-3).
(65) False reports; criminal and civil liability; notification of prosecuting attorney (IC 31-33-22-3).
(66) Feticide (IC 35-42-1-6).
(67) Firearm, explosive, or deadly weapon; possession in commercial or chartered aircraft (IC 35-47-6-1).
(68) Firearm, explosive, or deadly weapon; possession in controlled access areas of an airport (IC 35-47-6-1.3).
(69) Firearms and handguns; giving false information or offering false evidence of identity (IC 35-47-2-17).
(70) Fraud (IC 35-43-5-4).
(71) Fraud on financial institutions (IC 35-43-5-8).
(72) Harassment; "obscene message" defined (IC 35-45-2-2).
(73) Hindering or obstructing detection, disarming, or destruction of destructive device (IC 35-47.5-5-7).
(74) Hoax devices or replicas (IC 35-47.5-5-6).
(75) Homicide (IC 35-42-1).
(76) Human organ trafficking (IC 35-46-5-1).
(77) Human trafficking (IC 35-42-3.5-1.4).
(78) Identity deception (IC 35-43-5-3.5).
(79) Inappropriate communication with a child (IC 35-42-4-13).
(80) Inmate fraud (IC 35-43-5-20).
(81) Insurance fraud; insurance application fraud (IC 35-43-5-4.5).
(82) Insurance fraud (IC 35-43-5-7.2).
(83) Intentional signing of false document; sanctions (IC 23-0.5-2-9).
(84) Interference with custody (IC 35-42-3-4).
(85) Interfering with drug or alcohol screening test (IC 35-43-5-19).
(86) Intimidation (IC 35-45-2-1).
(87) Knife with a detachable blade (IC 35-47-5-2).
(88) Legend drug deception; penalty (IC 35-43-10-3).
(89) Machine gun (IC 35-47-5-8).
(90) Malicious mischief (IC 35-45-16-2).
(91) Manufacturing methamphetamine (IC 35-48-4-1.2).
(92) Medicaid fraud (IC 35-43-5-7.1).
(93) Money laundering; defenses (IC 35-45-15-5).
(94) Neglect of a dependent; child selling (IC 35-46-1-4).
(95) Notario publico deception (IC 35-43-5-3.7).
(96) Notary fraud; notarial fraud (IC 35-43-5-23).
(97) Obscene performance (IC 35-49-3-2).
(98) Obstruction of delivery of prescription drug (IC 35-45-21-5).
(99) Obtaining child abuse information under false pretenses; knowingly falsifying records or interfering with an investigation (IC 31-33-22-2).
(100) Offenses concerning Social Security numbers (IC 35-44.2-4-2).
(101) Offenses relating to registration labeling and prescription forms (IC 35-48-4-14).
(102) Operating loaded machine gun (IC 35-47-5-9).
(103) Participation in criminal organization; offense (IC 35-45-9-3).
(104) Perjury (IC 35-44.1-2-1).
(105) Permitting child to possess a firearm (IC 35-47-10-7).
(106) Pointing firearm at another person (IC 35-47-4-3).
(107) Possession of a controlled substance or controlled substance analog; obtaining a schedule V controlled substance (IC 35-48-4-7).
(108) Possession of a dangerous device while incarcerated (IC 35-44.1-3-7).
(109) Possession of a fraudulent sales document manufacturing device (IC 35-43-5-15).
(110) Possession of a knife on school property (IC 35-47-5-2.5).
(111) Possession of cocaine or narcotic drug (IC 35-48-4-6).
(112) Possession of device or substance to interfere with drug or alcohol screening test (IC 35-43-5-18).
(113) Possession of electronic gaming device; maintaining a professional gambling site; exception for antique slot machines possessed for decorative, historic, or nostalgic purposes (IC 35-45-5-3.5).
(114) Possession of firearms on school property or a school bus; defense to a prosecution; possession of firearms in a motor vehicle parked in a school parking lot (IC 35-47-9-2).
(115) Possession of methamphetamine (IC 35-48-4-6.1).
(116) "Machine gun"; prohibited sales or transfers of ownership (IC 35-47-2-7).
(117) Promoting prostitution (IC 35-45-4-4).
(118) Promotion of child sexual trafficking; promotion of sexual trafficking of a younger child (IC 35-42-3.5-1.2).
(119) Promotion of human labor trafficking (IC 35-42-3.5-1).
(120) Promotion of human sexual trafficking (IC 35-42-3.5-1.1).
(121) Public intoxication prohibited; failure to enforce by a law enforcement officer (IC 7.1-5-1-3).
(122) "Qualified egg bank"; unlawful transfer of human organisms; exceptions; penalties (IC 35-46-5-3).
(123) Refusal to aid an officer (IC 35-44.1-3-3).
(124) Registration violations; penalty (IC 11-8-8-17).
(125) Regulated explosives; persons convicted of felonies; prior unrelated convictions (IC 35-47.5-5-3).
(126) Remote aerial harassment (IC 35-45-10-6).
(127) Resisting law enforcement (IC 35-44.1-3-1).
(128) Robbery (IC 35-42-5-1).
(129) Sale, distribution, or exhibition of obscene matter (IC 35-49-3-1).
(130) Sale or distribution of HIV testing equipment (IC 35-45-21-2).
(131) Sex offender Internet offense (IC 35-42-4-12).
(132) Sex offender residency restrictions (IC 35-42-4-11).
(133) Sex offender unmanned aerial vehicle offense (IC 35-42-4-12.5).
(134) Sexual battery (IC 35-42-4-8).
(135) Sexual misconduct with a service provider (IC 35-44.1-3-10).
(136) Sexually violent predator; duty to notify (IC 11-8-8-18).
(137) Stolen valor fraud (IC 35-43-5-22).
(138) Strangulation (IC 35-42-2-9).
(139) Synthetic drug or synthetic drug lookalike substance (IC 35-48-4-11.5) (before its repeal).
(140) Synthetic identity deception (IC 35-43-5-3.8).
(141) "Synthetic urine" (IC 35-43-5-19.5).
(142) Terrorism (IC 35-47-12-1) (before its repeal).
(143) Terroristic deception (IC 35-43-5-3.6) (before its repeal).
(144) Terroristic mischief (IC 35-47-12-3) (before its repeal).
(145) Theft (IC 35-43-4-2).
(146) Threats; refusal to join or withdrawal from organization; intimidation offense (IC 35-45-9-4).
(147) Trafficking with an inmate; carrying a deadly weapon into a correctional facility (IC 35-44.1-3-5).
(148) Trafficking with an inmate outside a facility (IC 35-44.1-3-6).
(149) Transferring contaminated body fluids (IC 35-45-21-1).
(150) Undisclosed transport of dangerous device (IC 35-47-6-1.1).
(151) Unlawful employment by a sexual predator (IC 35-42-4-10).

(152) Unlawful entry of school property by a serious sex offender (IC 35-42-4-14).
(153) Unlawful delivery, manufacture, distribution, or possession of a substance represented to be a controlled substance; factors (IC 35-48-4-4.6).
(154) Unlawful photography and surveillance on private property (IC 35-46-8.5-1).
(155) Unlawful possession of a card skimming device (IC 35-43-5-4.3).
(156) Unlawful possession of a firearm by a domestic batterer (IC 35-47-4-6).
(157) Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).
(158) Unlawful purchase of a handgun (IC 35-47-2.5-14) (before its repeal).
(159) Unlawful sale or possession of a transaction manipulation device (IC 35-43-5-4.6).
(160) Unlawful use of body armor (IC 35-47-5-13).
(161) Use of overpressure device (IC 35-47.5-5-9).
(162) Use of regulated explosive in violation of commission rule (IC 35-47.5-5-11).
(163) Vicarious sexual gratification; sexual conduct in presence of a minor (IC 35-42-4-5).
(164) Violation of civil rights (IC 35-46-2-1).
(165) Violation of IC 25-2.1-12 (unauthorized practice of accounting) under IC 25-2.1-13-3.
(166) Violation of IC 25-2.5 (unauthorized practice of acupuncture) under IC 25-2.5-3-4.
(167) Violation of IC 25-3.7 (unauthorized practice of an anesthesiologist assistant) under IC 25-3.7-2-2.
(168) Violation of IC 25-5.1-4-1 (unauthorized practice of athletic trainer) under IC 25-5.1-4-2.
(169) Violation of IC 25-6.1-7-1 (unauthorized practice of auctioneering) under IC 25-6.1-7-1.
(170) Violation of IC 25-6.1-7-2 (violation of auctioneering statute) under IC 25-6.1-7-2.
(171) Violation of IC 25-8-15.4 (unauthorized operation of a tanning facility) under IC 25-8-15.4-25.
(172) Violation of IC 25-10-1 (unauthorized practice of chiropractic) under IC 25-10-1-11.
(173) Violation of IC 25-11-1 (violation of the collection agency statute) under IC 25-11-1-12.
(174) Violation of IC 25-13-1 (unauthorized practice of a dental hygienist) under IC 25-13-1-3.
(175) Violation of IC 25-14-1 (unauthorized practice of dentistry) under IC 25-14-1-25.
(176) Violation of IC 25-14-4 (unlawful referral services for a dentist) under IC 25-14-4-6.
(177) Violation of IC 25-14.3 (violation of diabetes educator statute) under IC 25-14.3-5-1.
(178) Violation of IC 25-14.5 (unauthorized practice of a dietitian) under IC 25-14.5-7-2.
(179) Violation of IC 25-16-1 (violation of employment services statute) under IC 25-16-1-18.
(180) Violation of IC 25-17.3-5 (violation of genetic counselors statute) under IC 25-17.3-5-3.
(181) Violation of IC 25-17.6-8-2 (unauthorized practice of professional geologist) under IC 25-17.6-8-2.
(182) Violation of IC 25-20-1 (unauthorized practice of hearing aid dealer) under IC 25-20-1-21.
(183) Violation of IC 25-20.7-5-1 (unauthorized practice of interior designer) under IC 25-20.7-5-1.
(184) Violation of IC 25-21.5-5-10 (making false statements in an application to become a surveyor) under IC 25-21.5-5-10.
(185) Violation of IC 25-21.5-13-2 (unauthorized practice of surveying) under IC 25-21.5-13-2.
(186) Violation of IC 25-21.8 (unauthorized practice of massage therapy) under IC 25-21.8-7-1.
(187) Violation of IC 25-22.5 (unauthorized practice of medicine, midwifery, osteopathic medicine, or physician assistant) under IC 25-22.5-8-1 and IC 25-22.5-8-2.
(188) Violation of IC 25-22.5 (violation of temporary medical permit statute) under IC 25-22.5-8-3.
(189) Violation of IC 25-23-1 (unauthorized practice of nursing) under IC 25-23-1-27.
(190) Violation of IC 25-23.5-3 (unauthorized practice of occupational therapy) under IC 25-23.5-3-2.
(191) Violation of IC 25-23.6-3 (unauthorized practice of marriage and family therapy) under IC 25-23.6-3-3.
(192) Violation of IC 25-23.6-4 (unauthorized practice of social work) under IC 25-23.6-4-4.
(193) Violation of IC 25-23.6-4.5 (violation of mental health counselor statute) under IC 25-23.6-4.5-4.
(194) Violation of IC 25-23.6-10.1 (unauthorized practice of addiction counselor or therapist) under IC 25-23.6-10.1-6.
(195) Violation of IC 25-23.6-11-1 (unauthorized use of term psychotherapy or clinical psychology) under IC 25-23.6-11-1.
(196) Violation of IC 25-23.6 (unauthorized use of license issued by behavioral health and human services board) under IC 25-23.6-11-2.
(197) Violation of IC 25-23.6-11-3 (presenting false information to the behavioral health and human services board to obtain license) under IC 25-23.6-11-3.
(198) Violation of IC 25-23.7-7-5 (unauthorized practice of home installing) under IC 25-23.7-7-5.
(199) Violation of IC 25-23.4 (unauthorized practice of direct entry midwife) under IC 25-23.4-3-7.
(200) Violation of IC 25-24-1 (unauthorized practice of optometry) under IC 25-24-1-18.
(201) Violation of IC 25-26-13-29 (unauthorized practice of pharmacy or as a pharmacist) under IC 25-26-13-29.
(202) Violation of any state drug law related to wholesale legend drug distribution (IC 25-26-14).
(203) Violation of IC 25-26-19-9 (unauthorized practice of pharmacy technician) under IC 25-26-19-9.
(204) Violation of IC 25-26-21 (unauthorized provision of home medical equipment services) under IC 25-26-21-11.
(205) Violation of IC 25-27-1 (unauthorized practice of physical therapy) under IC 25-27-1-12.
(206) Violation of IC 25-27.5-7 (unauthorized practice of physician assistant) under IC 25-27.5-7-2.
(207) Violation of IC 25-28.5-1 (unauthorized practice of plumbing) under IC 25-28.5-1-31.
(208) Violation of IC 25-29 (unauthorized practice of podiatry) under IC 25-29-9-1.
(209) Violation of IC 25-30-1 (unauthorized practice of being a private investigator) under IC 25-30-1-21.
(210) Violation of IC 25-30-1.3 (unauthorized operation of a security agency) under IC 25-30-1.3-23.
(211) Violation of IC 25-31-1-13 (making a false statement in an application to become an engineer) under IC 25-31-1-13.

(212) Violation of IC 25-31-1 (unauthorized practice of engineering) under IC 25-31-1-27.
(213) Violation of IC 25-31.5-8-7 (unauthorized practice as a registered professional soil scientist) under IC 25-31.5-8-7.
(214) Violation of IC 25-33-1-14 (unlawful use of title psychologist) under IC 25-33-1-15.
(215) Violation of IC 25-34.5-3 (unauthorized practice of respiratory care) under IC 25-34.5-3-2.
(216) Violation of IC 25-35.6 (unauthorized practice of speech-language pathology and audiology) under IC 25-35.6-3-10.
(217) Violation of IC 25-36.1-2 (violation of certified surgical technology statute) under IC 25-36.1-2-3.
(218) Violation of IC 25-36.5-1-10 (unauthorized practice of timber buying or timber buying agent) under IC 25-36.5-1-10 and IC 25-36.5-1-15.
(219) Violation of IC 25-38.1 (unauthorized practice of veterinary medicine) under IC 25-38.1-4-10.
(220) Violation of IC 25-38.1 (unauthorized practice of veterinary technician) under IC 25-38.1-4-11.
(221) Violation of IC 25-39-5 (unlawful drilling and well installation) under IC 25-39-5 .
(222) Violation of IC 25-41-1-1 (unauthorized practice of behavior analyst) under IC 25-41-1-2.
(223) Violation of Indiana Legend Drug Act (IC 16-42-19).
(224) Violation of order by alleged perpetrator of child abuse or neglect (IC 31-34-2.3-8).
(225) Violations (IC 35-43-9-7).
(226) Voyeurism; public voyeurism; aerial voyeurism (IC 35-45-4-5).
(227) Welfare fraud (IC 35-43-5-7).
(228) Worker's compensation fraud (IC 35-43-5-21).
(State Board of Cosmetology and Barber Examiners; 820 IAC 9-1-4; filed Sep 10, 2020, 3:18 p.m.: 20201007-IR-820190433FRA)

820 IAC 9-1-5 Crimes in another jurisdiction
Authority: IC 25-1-1.1-6
Affected: IC 25-8
Sec. 5. A crime in any other jurisdiction for which the elements of the crime for which conviction was entered are substantially similar to the elements of a crime included on the list in section 4 of this rule shall also be a crime that will disqualify an individual from receiving a license and therefore included on the list. *(State Board of Cosmetology and Barber Examiners; 820 IAC 9-1-5; filed Sep 10, 2020, 3:18 p.m.: 20201007-IR-820190433FRA)*

820 IAC 9-1-6 Prelicensure determinations; fee
Authority: IC 25-1-1.1-6
Affected: IC 25-8
Sec. 6. The fee for a petition under IC 25-1-1.1-6(h) for a determination as to whether the individual's misdemeanor or felony conviction will disqualify the individual from receiving a license or certification shall be twenty-five dollars ($25). *(State Board of Cosmetology and Barber Examiners; 820 IAC 9-1-6; filed Sep 10, 2020, 3:18 p.m.: 20201007-IR-820190433FRA)*