

4731-1-01

Definition of terms.

- (A) "Board" means the state medical board of Ohio.
- (B) "Certificate of good standing" means a non-transferable certificate issued by the board to the person or persons signing the application on behalf of a limited branch school, which states that the school is in good standing with the board to offer a course of instruction in one limited branch of medicine, pursuant to section 4731.16 of the Revised Code and this chapter of the Administrative Code.
- (C) "Clock hour" means a period of sixty minutes with a minimum of fifty minutes of instruction at the limited branch school. One semester hour is equivalent to fifteen clock hours. One quarter hour is equivalent to ten clock hours.
- (D) "Course of instruction" means the complete body of prescribed subjects or studies to prepare students for admission to an examination for licensure in the limited branch of medicine.
- (E) "Limited branch school" means a facility wherein a course of instruction in massage therapy or cosmetic therapy is offered.
- (F) "Person" means an individual, corporation, partnership, association, or any other type of organization.
- (G) "Schedule of operations" means the hours in which classes are being conducted and the hours in which other educationally related activities are in process in a limited branch school.
- (H) "Similar course of instruction" means a course of instruction with the same general objective which involves the same or related instructional content, processes, tools, materials and clock hours of instruction previously approved by the board.
- (I) "Subject" means a unit of learning which is an integral part of the course of instruction being pursued.
- (J) "MBLEx" means the massage and bodywork licensing examination as prepared by the federation of state massage therapy boards.
- (K) "CCE examination" means the "Certified Clinical Electrologist Examination" prepared by "The Society for Clinical and Medical Hair Removal."**

Effective: 3/30/2020

Five Year Review (FYR) Dates: 7/5/2019 and 03/30/2025

CERTIFIED ELECTRONICALLY

Certification

09/12/2019

Date

Promulgated Under: 119.03
Statutory Authority: 4731.05, 4731.15, 4731.16
Rule Amplifies: 4731.15, 4731.16
Prior Effective Dates: 06/17/1991, 12/24/1992, 06/30/2001, 01/24/2012

TO BE RESCINDED

4731-1-11 **Application and examination for certificate to practice cosmetic therapy.**

- (A) No application shall be considered complete until the applicant has complied with the requirements of paragraph (A) of rule 4731-4-02 of the Administrative Code and the board has received the results of criminal records checks and any other forms required to be submitted pursuant to paragraph (A) of rule 4731-4-02 of the Administrative Code.
- (B) All applicants seeking a certificate to practice cosmetic therapy shall file a written application under oath on a form prescribed by the board, and provide such other facts and materials as the board requires. Applications shall be accompanied by an application fee of one hundred dollars.
- (C) Any person seeking a certificate to practice cosmetic therapy shall have limited branch portions of the examination authorized and administered by the board by an appropriate score as determined by the board. Test subjects include anatomy, physiology, chemistry, bacteriology, pathology, hygiene, treatment, ethics and law, as appropriate to the limited branch of medicine.

Effective: 3/30/2020

Five Year Review (FYR) Dates: 7/5/2019

CERTIFIED ELECTRONICALLY

Certification

09/12/2019

Date

Promulgated Under: 119.03
Statutory Authority: 4731.05, 4731.15, 4776.03
Rule Amplifies: 4731.15, 4731.16, 4731.19, 4776.02, 4776.03
Prior Effective Dates: 11/04/1975, 08/26/1985, 06/17/1991, 06/30/2001,
01/24/2012

4731-1-11**Application and examination for certificate to practice cosmetic therapy.**

- (A) No application for a certificate to practice cosmetic therapy shall be considered complete until the applicant has complied with the requirements of paragraph (A) of rule 4731-4-02 of the Administrative Code and the board has received the results of criminal records checks and any other forms required to be submitted pursuant to paragraph (A) of rule 4731-4-02 of the Administrative Code.
- (B) An applicant seeking a certificate to practice cosmetic therapy who meets the requirements of section 4731.19 of the Revised Code shall apply to the board in compliance with section 4731.19 of the Revised Code.
- (C) Any person seeking a certificate to practice cosmetic therapy shall have passed the CCE examination.
- (1) An applicant for the CCE examination shall apply directly to "The Society for Clinical & Medical Hair Removal." The website address is: <https://www.scmhr.org/>.
- (2) The passing performance for the CCE examination as reported by "The Society for Clinical & Medical Hair Removal" shall constitute successful completion of the examination.

Replaces: 4731-1-11
Effective: 3/30/2020
Five Year Review (FYR) Dates: 03/30/2025

CERTIFIED ELECTRONICALLY

Certification

09/12/2019

Date

Promulgated Under: 119.03
Statutory Authority: 4731.05, 4731.15, 4776.03
Rule Amplifies: 4731.15, 4731.16, 4731.19, 4776.02, 4776.03
Prior Effective Dates: 11/04/1975, 08/26/1985, 06/17/1991, 06/30/2001,
01/24/2012

TO BE RESCINDED

4731-1-13

Examination failure; additional training.

- (A) If an applicant fails all or part of the limited branch examination for cosmetic therapy three times, the applicant shall not be admitted to the examination again except upon presentation of a certificate of competency issued by a limited branch school holding a certificate of good standing for the portion or portions of the examination the applicant is applying to retake.
- (B) If an applicant retaking the cosmetic therapy examination or portion thereof pursuant to a certificate of competency fails the examination or portion, the applicant shall not be admitted to the examination again except upon presentation of a second certificate of competency issued by a limited branch school holding a certificate of good standing for the portion or portions of the examination the applicant is applying to retake.
- (C) If the applicant retaking the cosmetic therapy examination or portion thereof pursuant to a second certificate of competency fails the examination or portion two additional times, the applicant shall not be admitted to the examination again based upon either a certificate of competency or the diploma or certificate from a school in good standing that initially served as the basis for the applicant's admission to the examination.
- (D) Any limited branch school holding a certificate of good standing may offer the additional training for applicants who have failed all or part of the examination three times. The school shall:
- (1) Offer additional training in anatomy/physiology or in limited branch theory/practical or in both, as appropriate to the limited branch of cosmetic therapy, which additional training shall consist of at least thirty-five clock hours for the basic science portion of the examination, and forty clock hours for the limited branch portion of the examination;
 - (2) Fully inform the applicant about the nature of the additional training the applicant desires to take and about what that training can reasonably be expected to do for the applicant;
 - (3) Accurately inform the applicant about the nature of the obligations into which the applicant is entering and the applicant's responsibilities and rights under the contract the applicant signs;
 - (4) Assess the applicant's knowledge and skills in the limited branch and may refuse admission to an applicant who the school believes will not be able to successfully complete the additional training;

- (5) Obtain a certified copy of the applicant's transcript from the school from which the applicant holds a diploma or certificate, if the applicant is not a graduate of the school providing the additional training;
- (6) Maintain adequate records of each applicant's attendance, experience and performance; and,
- (7) Provide the applicant a certificate of competency upon successful completion of the additional training.

(E) Probationary status:

- (1) If an applicant is admitted to the cosmetic therapy examination based upon a certificate of competency issued by a school in good standing, that applicant's performance on the examination shall not be included in determining whether the graduates of that school demonstrate minimally adequate performance on the examination under rule 4731-1-19 of the Administrative Code.
- (2) If an applicant is admitted to the cosmetic therapy examination based upon a certificate of competency issued by a school on probation for any reason, that applicant's performance on the examination shall be included in determining whether the graduates of that school demonstrate minimally adequate performance on the examination under rule 4731-1-19 of the Administrative Code, except that the applicant's performance shall not count if the applicant had previously been admitted to the examination based on completion of a full course of study pursuant to rule 4731-1-09 of the Administrative Code at the same school that issued the certificate of competency.

Effective: 3/30/2020

Five Year Review (FYR) Dates: 7/5/2019

CERTIFIED ELECTRONICALLY

Certification

09/12/2019

Date

Promulgated Under: 119.03
Statutory Authority: 4731.05, 4731.15
Rule Amplifies: 4731.15, 4731.19
Prior Effective Dates: 06/30/2001, 02/28/2004, 01/24/2012

4731-1-18

Grounds for suspension, revocation or denial of certificate of good standing; hearing rights.

- (A) The board may refuse to issue or renew, suspend, place on probation, or permanently revoke a certificate of good standing for any one or any combination of the following causes:
- (1) Non-compliance with or failure to fulfill the provisions of this chapter of the Administrative Code or applicable provisions of Chapter 4731. of the Revised Code;
 - (2) Furnishing of false, misleading, or incomplete information requested by the board;
 - (3) The signing of an application or the holding of a certificate of good standing by a person who has pleaded guilty or has been found guilty of a felony or has pleaded guilty or been found guilty of a crime involving moral turpitude;
 - (4) The signing of an application or the holding of a certificate of good standing by a person who has been disciplined by the board pursuant to section 4731.22 of the Revised Code;
 - (5) Violation of any commitment made in an application for a certificate of good standing; or
 - (6) Discrimination in the acceptance and education of students upon the basis of race, color, religion, sex, or national origin;
 - (7) Failure of a school's graduates to demonstrate minimally adequate performance on the MBLEx or the ~~cosmetic therapy exam~~ CCE examination as determined under paragraph (A) of rule 4731-1-19 of the Administrative Code; or
 - (8) Failure to provide the notice required in paragraph (B) of rule 4731-1-15 of the Administrative Code.
- (B) If the board proposes to refuse to issue or renew, suspend, place on probation, or permanently revoke a certificate of good standing or provisional certificate of good standing, the applicant or the certificate holder shall be entitled to a hearing such proposal. Notice and hearing requirements will be in compliance with the provisions of Chapter 119. of the Revised Code and any rules adopted by the board.
- (C) In determining the effective date of any suspension or permanent revocation of a certificate, the board shall take into consideration those students currently enrolled in the course of instruction subject to the permanent revocation or suspension.

Effective: 3/30/2020
Five Year Review (FYR) Dates: 7/5/2019 and 03/30/2025

CERTIFIED ELECTRONICALLY

Certification

09/12/2019

Date

Promulgated Under: 119.03
Statutory Authority: 4731.05, 4731.15
Rule Amplifies: 4731.15, 4731.16
Prior Effective Dates: 06/17/1991, 06/30/2001, 01/24/2012

TO BE RESCINDED

4731-1-19 **Probationary status.**

(A) If the graduates of a course of instruction at any limited branch school holding a certificate of good standing fail to demonstrate minimally adequate performance as determined by the board on its limited branch examination for cosmetic therapy or the MBLEx for massage therapy, the board may place that school's certificate of good standing on probationary status.

(1) Graduates of a course of instruction in cosmetic therapy at a limited branch school shall be deemed to have failed to demonstrate minimally adequate performance on the limited branch examination if:

(a) The overall licensure pass rate for all first time applicants from that school on each of the immediately previous three examinations at which the school had applicants was below seventy-five per cent and such a finding is supported by other relevant factors as the board may deem appropriate; or

(b) That school ranked in the lower fifty per cent of licensure pass rates for all schools for the previous three examinations and such a finding is supported by other relevant factors as the board may deem appropriate.

(2) Graduates of a course of instruction in massage therapy at a limited branch school shall be deemed to have failed to demonstrate minimally adequate performance on the examination if:

(a) The average overall licensure score for all first time test takers from that school during the past calendar year was below the established passing score for the examination for that year; and

(b) Such a finding is supported by other relevant factors as the board may deem appropriate.

(B) If a certificate of good standing is placed on probationary status and graduates of that course of instruction fail to demonstrate improved performance as determined by the board during the succeeding twelve months, the board may refuse to renew, or revoke or suspend that certificate.

(1) In determining whether graduates of a course of instruction in cosmetic therapy at a limited branch school have demonstrated improved performance the board shall review all of the following:

- (a) Whether the overall licensure pass rate for all first time applicants from that school for each examination during the previous year is above seventy-five per cent; or
 - (b) Whether that school ranks in the upper fifty per cent of licensure pass rates for all schools during the previous year.
- (2) In determining whether graduates of a course of instruction in massage therapy at a limited branch school have demonstrated improved performance the board shall review the following:
- (a) Whether the average overall licensure score for all first time test takers from that school during the previous calendar year is above the established passing score for the examination; and
 - (b) Such other relevant factors as the board may deem appropriate.
- (C) If the board proposes to refuse to issue or renew, suspend, place on probation, or revoke a certificate of good standing, the certificate holder shall be entitled to a hearing on such proposal. Notice and hearing requirements will be in compliance with the provisions of Chapter 119. of the Revised Code and with any rules adopted by the board.
- (D) No partner, officer or stockholder of a school that is on probation shall be permitted to apply for a certificate of good standing for a new school.

Effective: 3/30/2020

Five Year Review (FYR) Dates: 7/5/2019

CERTIFIED ELECTRONICALLY

Certification

09/12/2019

Date

Promulgated Under: 119.03
Statutory Authority: 4731.05, 4731.15
Rule Amplifies: 4731.16
Prior Effective Dates: 02/28/2003, 01/24/2012

4731-1-19

Probationary status of a limited branch school.

(A) If the graduates of a course of instruction at any limited branch school holding a certificate of good standing collectively fail to demonstrate minimally adequate performance as determined by the board on the CCE examination for cosmetic therapy or the MBLEx for massage therapy, the board may place that school's certificate of good standing on probationary status.

(1) Graduates of a course of instruction in cosmetic therapy at a limited branch school shall be deemed to have failed to demonstrate minimally adequate performance on the CCE examination if:

(a) The average overall examination score for all first time test takers from that school during the past calendar year was below the established passing score for the examination for that year;and

(b) Such a finding is supported by other relevant factors as the board may deem appropriate.

(2) Graduates of a course of instruction in massage therapy at a limited branch school shall be deemed to have failed to demonstrate minimally adequate performance on the MBLEx if:

(a) The average overall examination score for all first time test takers from that school during the past calendar year was below the established passing score for the examination for that year; and

(b) Such a finding is supported by other relevant factors as the board may deem appropriate.

(B) If a certificate of good standing of a limited branch school is placed on probationary status and graduates of that course of instruction collectively fail to demonstrate improved performance as determined by the board during the succeeding twelve months, the board may refuse to renew, or revoke or suspend that certificate.

(1) In determining whether graduates of a course of instruction in cosmetic therapy at a limited branch school have demonstrated improved performance the board shall review the following:

(a) Whether the overall examination score for all first time test takers from that school during the previous calendar year is above the established passing score for the examination;and

(b) Such other relevant factors as the board may deem appropriate.

(2) In determining whether graduates of a course of instruction in massage therapy at a limited branch school have demonstrated improved performance the board shall review the following:

(a) Whether the average overall examination score for all first time test takers from that school during the previous calendar year is above the established passing score for the examination; and

(b) Such other relevant factors as the board may deem appropriate.

(C) If the board proposes to refuse to issue or renew, suspend, place on probation, or revoke a certificate of good standing, the certificate holder shall be entitled to a hearing on such proposal. Notice and hearing requirements will be in compliance with the provisions of Chapter 119. of the Revised Code and with any rules adopted by the board.

(D) No partner, officer or stockholder of a school that is on probation shall be permitted to apply for a certificate of good standing for a new school.

Replaces: 4731-1-19
Effective: 3/30/2020
Five Year Review (FYR) Dates: 03/30/2025

CERTIFIED ELECTRONICALLY

Certification

09/12/2019

Date

Promulgated Under: 119.03
Statutory Authority: 4731.05, 4731.15
Rule Amplifies: 4731.16
Prior Effective Dates: 02/28/2003, 01/24/2012

TO BE RESCINDED

4731-1-08 **Continuing cosmetic therapy education requirements for registration or reinstatement of a license to practice cosmetic therapy.**

- (A) "License registration" is the extension of a current license by fulfilling the requirements of division (C) of section 4731.15 and section 4731.155 of the Revised Code.
- (B) "License reinstatement" is the return of a license which has lapsed or been in a suspended or inactive status for two years or less for any reason including a failure to comply with division (C) of section 4731.15 and section 4731.155 of the Revised Code.
- (C) On or before the expiration dates established in table 1 of this rule, each applicant for license registration shall certify to the board that since the start of the applicant's registration period, the applicant has completed twenty-five hours of "Continuing Cosmetic Therapy Education" (hereinafter "CCTE") less any reduction in hours allowed by the board under paragraph (J) or (K) of this rule.

Table 1

First Initial of Last Name	License Expiration Date
A-B	July of odd numbered years
C-D	April of odd numbered years
E-G	January of odd numbered years
H-K	October of odd numbered years
L-M	July of even numbered years
N-R	April of even numbered years
S	January of even numbered years
T-Z	October of odd numbered years

- (D) All applicants who file for license reinstatement shall certify to the board that in the preceding two years, they have completed the twenty-five hour CCTE requirement less any reduction in hours allowed by the board under paragraph (J) or (K) of this rule.

- (E) If a person has not completed the requisite hours of CCTE, that person is not eligible for license registration or license reinstatement until such time as those hours have been completed. Any CCTE undertaken after the end of a registration period and utilized for purposes of registering or reinstating a suspended license cannot also be utilized to meet the CCTE requirement for the current registration period.
- (F) Persons who are residing or practicing outside Ohio, who are not working in the cosmetic therapy profession, or who are retired from practice, but who wish to register or reinstate their licenses to practice cosmetic therapy in Ohio, are not exempt from the CCTE requirements of section 4731.155 of the Revised Code and this chapter of the Administrative Code.
- (G) The certification required by paragraphs (C) and (D) of this rule shall be evidence of completion of the CCTE requirement as set forth in section 4731.155 of the Revised Code, provided that:
- (1) The board may randomly select applications for verification that all CCTE requirements have been met. Persons whose applications are selected shall submit additional documentation of compliance with CCTE requirements as the board may require.
 - (2) Applicants shall keep detailed records of CCTE hours taken. Records of all CCTE undertaken shall be retained by the applicant for one year after the end of the registration period.

At a minimum, the following information must be retained:
 - (a) Description of the CCTE activity;
 - (b) The location of the CCTE activity;
 - (c) The dates of attendance;
 - (d) The hours of each CCTE activity; and
 - (e) Any available documentation of the completion of the CCTE activity.

All records of CCTE activity shall be kept available for agents of the board for review.
- (H) Failure to maintain records rebuts the presumption established in paragraph (G) of this rule that the CCTE requirements have been completed.

- (I) Nothing in this rule shall limit the board's authority to investigate and take action under section 4731.22 of the Revised Code.
- (J) Reduction of hours can be granted on an individual basis to those who have been ill for more than six consecutive months or out of the United States for more than six consecutive months during the registration period . The applicant will have the burden of establishing that that person's illness or absence affected that person's reasonable opportunity to participate in CCTE activities. One hour will be subtracted from the CCTE requirement for each month which is approved for reduction of hours. Applications for reduction of hours are available upon written request to the state medical board. Applications should be completed by the applicant and submitted to the board at least sixty days prior to the end of the registration period.
- (K) The CCTE requirement for persons licensed after the start of a registration period or for whom the license has been restored shall be computed in the following manner:
- (1) If the license is initially issued prior to the first day of the second year of the registration period, the licensee shall be required to earn twelve and one-half total hours;
 - (2) If the license is issued on or after the first day of the second year of the registration period and prior to the first day of the eighteenth month of that period, the licensee shall be required to earn six total hours;
 - (3) If the license is issued on or after the first day of the eighteenth month of the registration period, the licensee shall not be required to earn any hours of CCTE credits for that period.
- (L) A person who files an application for registration within the time and in the manner provided by sections 4731.15 and 4731.155 of the Revised Code and rule 4731-1-11 of the Administrative Code shall not be required to discontinue practice merely because of the failure of the board to act on that person's application.
- (M) If the board proposes to refuse to register, reinstate, or restore a license for failure to meet the requirements of section 4731.155 of the Revised Code, or because of a failure to meet any of the requirements of rule 4731-1-11 of the Administrative Code, the applicant shall be entitled to a hearing on the issue of such proposed denial. Notice and hearing requirements incident to such proposed denial will be in compliance with the provisions of Chapter 119. of the Revised Code.
- (N) Board approval of courses
- (1) A course, seminar, or speaker session shall be deemed approved by the board if the board, in its discretion, determines it is:

- (a) Relevant to the clinical practice of cosmetic therapy; and
- (b) Offered by one of the following entities:
 - (i) A college or university approved by the state department of education;
 - (ii) A state or national professional cosmetic therapy or electrology association comprised of more than fifty persons licensed to practice cosmetic therapy or electrolysis;
 - (iii) A cosmetic therapy school approved by the board pursuant to this chapter of the Administrative Code; or
 - (iv) A health department or hospital which offers programs which had been previously approved for continuing medical education (CME) credits or for continuing nursing education credits (CNE).
- (2) Home study coursework which meets the criteria of paragraph (N)(1) of this rule and which requires the individual seeking credit to take a written examination over the subject matter may be used to fulfill up to ten hours of the required CCTE each biennial registration period. The individual seeking to fulfill a portion of the required CCTE through home study coursework must have received written notification from the sponsoring entity that that person has been awarded a specified amount of CCTE credit.
- (3) Request for board approval of CCTE course.
 - (a) If a course, seminar, or speaker session is not deemed approved pursuant to paragraph (N)(1) of this rule, a cosmetic therapist may request that the board approve the course by submitting in writing, at least three months in advance of the course registration date, the following information on an application form provided by the board:
 - (i) Title, location, and date of the course;
 - (ii) Sponsoring agency;
 - (iii) Course objective and content;
 - (iv) Hours of study;
 - (v) Name of each instructor; and
 - (vi) Educational background and experience of each instructor.

- (b) At least one month in advance of the course registration date, the board shall notify the cosmetic therapist by mail of the decision as to whether the board approved the course.
 - (c) A change in subject matter, length, or instructor of a course requires reapproval by the board.
 - (d) If a cosmetic therapist has not received prior approval for continuing education units , the board reserves the right to deny recognition of the credits earned.
 - (e) Home study coursework shall not be considered for approval by the board under this division.
- (4) Notwithstanding any other provision of this rule, courses, seminars, speaker sessions or home study coursework relating to office management, marketing, billing, or other similar topics are deemed not relevant to the clinical practice of cosmetic therapy.

Effective: 9/30/2019

Five Year Review (FYR) Dates: 7/5/2019

CERTIFIED ELECTRONICALLY

Certification

09/12/2019

Date

Promulgated Under: 119.03
Statutory Authority: 4731.05, 4731.15
Rule Amplifies: 4731.05, 4731.15
Prior Effective Dates: 08/15/1993, 06/30/2001, 12/31/2012

4731-1-08

Continuing cosmetic therapy education requirements for renewal, reinstatement, or restoration of a license to practice cosmetic therapy.

- (A) "License renewal" is the extension of a current license by fulfilling the requirements of division (C) of section 4731.15 of the Revised Code and the continuing education requirements of this rule.
- (B) "License reinstatement" is the reactivation of a license which has lapsed or been in a suspended or inactive status for two years or less for any reason including a failure to comply with division (C) of section 4731.15 of the Revised Code or the continuing education requirements of this rule.
- (C) "License restoration" is the reactivation of a license which has lapsed or been in a suspended or inactive status for more than two years for any reason including a failure to comply with division (C) of section 4731.15 of the Revised Code or the continuing education requirements of this rule.
- (D) On or before the expiration dates established in table 1 of this rule, each applicant for license renewal shall certify to the board that since the start of the applicant's registration period, the applicant has completed twelve hours of "Continuing Cosmetic Therapy Education" (hereinafter "CCTE") less any reduction in hours allowed by the board under paragraph (K) or (L) of this rule.

Table 1

<u>First Initial of Last Name</u>	<u>License Expiration Date</u>
<u>A-B</u>	<u>July of odd numbered years</u>
<u>C-D</u>	<u>April of odd numbered years</u>
<u>E-G</u>	<u>January of odd numbered years</u>
<u>H-K</u>	<u>October of even numbered years</u>
<u>L-M</u>	<u>July of even numbered years</u>
<u>N-R</u>	<u>April of even numbered years</u>
<u>S</u>	<u>January of even numbered years</u>
<u>T-Z</u>	<u>October of odd numbered years</u>

- (E) All applicants who apply for license reinstatement shall certify to the board that in the preceding registration period, they have completed the twelve hour CCTE requirement less any reduction in hours allowed by the board under paragraph (K) or (L) of this rule.
- (F) All applicants who apply for license restoration shall have completed twelve hours of CCTE within the preceding two years from the date of the application.
- (G) If a person has not completed the requisite hours of CCTE, that person is not eligible for license renewal, reinstatement, or restoration until such time as those hours have been completed. Any CCTE undertaken after the end of a registration period and utilized for purposes of reinstatement or restoration of a suspended license cannot also be utilized to meet the CCTE requirement for the current registration period.
- (H) Persons who are residing or practicing out of the state who wish to renew or reinstate their license to practice cosmetic therapy in Ohio must complete the required CCTE within the registration period even though not currently residing or practicing in Ohio.
- (I) The certification required by paragraphs (D) and (E) of this rule shall be evidence of completion of the CCTE requirement as set forth in this rule, provided that:
- (1) The board may randomly select applications for verification that all CCTE requirements have been met. Persons whose applications are selected shall submit additional documentation of compliance with CCTE requirements as the board may require.
 - (2) Records of all CCTE undertaken shall be retained for after the end of the registration period. Failure to maintain evidence of completion and supporting documentation as required by paragraph (N) of this rule rebuts the presumption established in paragraph (I) of this rule that the CCTE requirements have been completed.
- (J) Nothing in this rule shall limit the board's authority to investigate and take action under section 4731.22 of the Revised Code.
- (K) Reduction of hours can be granted on an individual basis to those who have been ill for more than six consecutive months or out of the United States for more than six consecutive months during the registration period. The applicant will have the burden of establishing that that person's illness or absence affected that person's reasonable opportunity to participate in CCTE activities. One half hour will be subtracted from the CCTE requirement for each month which is approved for reduction of hours. Requests for reduction of hours must be made in writing to the state medical board and submitted to the board at least sixty days prior to the end of the registration period.

(L) The CCTE requirement for persons licensed after the start of a registration period or for whom the license has been restored shall be computed in the following manner:

(1) If the license is initially issued prior to the first day of the second year of the registration period, the licensee shall be required to earn six total hours;

(2) If the license is issued on or after the first day of the second year of the registration period and prior to the first day of the eighteenth month of that period, the licensee shall be required to earn three total hours;

(3) If the license is issued on or after the first day of the eighteenth month of the registration period, the licensee shall not be required to earn any hours of CCTE credits for that period.

(M) If the board proposes to refuse to renew, reinstate, or restore a license for failure to meet the CCTE requirements of this rule, the applicant shall be entitled to a hearing on the issue of such proposed denial. Notice and hearing requirements incident to such proposed denial will be in compliance with the provisions of Chapter 119. of the Revised Code.

(N) CCTE course requirements:

(1) All hours of CCTE shall be:

(a) In one or more of the following subject matter areas

(i) Laser hair removal;

(ii) Electrolysis/ETB/hair removal;

(iii) Sterilization and hygiene;

(iv) Professional ethics;

(v) Blood borne pathogens;

(vi) Endocrinology;

(vii) Anatomy and physiology as it relates to the dermis;

(viii) Diseases of the skin;

(ix) Cosmetic therapy law;

(x) Massage of the face, neck, scalp, or shoulders.

(b) Offered by one of the following entities:

- (i) A college or university approved by the state department of education;
- (ii) A state or national professional cosmetic therapy or electrology association;
- (iii) A cosmetic therapy school approved by the board pursuant to this chapter of the Administrative Code;
- (iv) A health department or hospital which offers program which had been previously approved for continuing medical education (CME) credits or for continuing nursing education credits (CNE); or
- (v) A provider accredited by the international association for continuing education and training.

(2) CCTE courses may be completed via in-person, webinar, or on-line.

(3) A cosmetic therapist shall obtain evidence of completion (i.e., a certificate) from the provider of the CCTE for all CCTE hours that are successfully completed. In the event that evidence of completion includes hours of education in a subject not included in paragraph (N)(1) of this rule, the cosmetic therapist shall only claim the hours that meet the requirements of this rule. Cosmetic therapists shall also retain supporting documentation of all of the following:

- (a) Description of the CCTE activity;
- (b) The location of the CCTE activity;
- (c) The date of attendance;
- (d) The hours of each CCTE activity.

(4) Evidence of completion and supporting documentation shall be retained by the applicant for renewal for one year after the end of the registration period.

(O) An expired license to practice as a cosmetic therapist shall be renewed upon payment of the biennial renewal fee provided in section 4731.15 of the Revised Code and without a late fee or re-examination if the holder meets all of the following requirements:

- (1) The licensee is not otherwise disqualified from renewal because of mental or physical disability.

(2) The licensee meets the requirements for renewal under section 4731.15 of the Revised Code.

(3) Either of the following situations applies:

(a) The license was not renewed because of the licensee's service in the armed forces, or

(b) The license was not renewed because the licensee's spouse served in the armed forces, and the service resulted in the licensee's absence from this state.

(4) The licensee or the licensee's spouse, whichever applicable, has presented satisfactory evidence of the service member's discharge under honorable conditions or release under honorable conditions from active duty or national guard duty within six months after the discharge or release.

(P) Extension of the continuing education period based on active duty status:

(1) The holder of a cosmetic therapy license may apply for an extension of the current continuing education reporting period in the manner provided in section 5903.12 of the Revised Code.

(2) The board shall consider relevant education, training, or service completed by the licensee as a member of the armed forces in determining whether a licensee has met the continuing education requirements to renew the license.

(3) Upon receiving the application and proper documentation, the board shall act in accordance with section 5903.12 of the Revised Code.

(Q) For purposes of this paragraphs (O) and (P) of this rule, "armed forces" has the same meaning as in section 5903.01 of the Revised Code and "reporting period" has the same meaning as in section 5903.12 of the Revised Code.

Replaces: 4731-1-08
Effective: 9/30/2019
Five Year Review (FYR) Dates: 09/30/2024

CERTIFIED ELECTRONICALLY

Certification

09/12/2019

Date

Promulgated Under: 119.03
Statutory Authority: 4731.05, 4731.15, 4731.155
Rule Amplifies: 4731.15, 4731.155
Prior Effective Dates: 08/15/1993, 06/30/2001, 12/31/2012