

TO BE RESCINDED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:

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

Certification

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

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