

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-EIGHTH LEGISLATURE**

**S.F. No. 770**

(SENATE AUTHORS: JOHNSON, Pappas, Wiklund, Metzen and Ruud)

DATE	D-PG	OFFICIAL STATUS
02/25/2013	392	Introduction and first reading Referred to State and Local Government
03/13/2013	871a	Comm report: To pass as amended and re-refer to Finance See HF902

A bill for an act

1.1 relating to cosmetologists; establishing continuing education requirements;  
 1.2 establishing a good cause exemption to rulemaking; amending Minnesota  
 1.3 Statutes 2012, section 155A.27, subdivision 7; proposing coding for new law  
 1.4 in Minnesota Statutes, chapter 155A.  
 1.5

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2012, section 155A.27, subdivision 7, is amended to read:

1.8 Subd. 7. **Renewals.** Renewal of license shall be for a period of three years  
 1.9 under conditions and process established by rule and subject to continuing education  
 1.10 requirements of section 155A.271.

1.11 Sec. 2. **[155A.271] CONTINUING EDUCATION REQUIREMENTS.**

1.12 Subdivision 1. **Continuing education requirements.** Effective August 1, 2014,  
 1.13 to qualify for license renewal under this chapter as an individual cosmetologist, nail  
 1.14 technician, esthetician, or salon manager, the applicant must attest to the completion of  
 1.15 four hours of continuing education credits from an accredited school or a professional  
 1.16 association of cosmetology during the three years prior to the applicant's renewal  
 1.17 date. One credit hour of the requirement must include instruction pertaining to state  
 1.18 laws and rules governing the practice of cosmetology. Three credit hours must include  
 1.19 instruction pertaining to health, safety, and sanitation matters consistent with the United  
 1.20 States Department of Labor's Occupational Safety and Health Administration standards  
 1.21 applicable to the practice of cosmetology, or other applicable federal health, sanitation,  
 1.22 and safety standards, and must be regularly updated so as to incorporate newly developed  
 1.23 standards and accepted professional best practices. Credit hours earned are valid for three

2.1 years and may be applied simultaneously to all individual licenses held by a licensee under  
2.2 this chapter. This subdivision does not apply to instructors or inactive licenses.

2.3 Subd. 2. **Schools and professional association.** Only a board-licensed school of  
2.4 cosmetology, a postsecondary institution as defined in section 136A.103, paragraph (a), or  
2.5 a board-recognized professional association may offer continuing education curriculum  
2.6 for credit under this section. The school or professional association may offer online  
2.7 and independent study options to achieve maximum involvement of licensees and is  
2.8 encouraged to offer classes available in foreign language formats.

2.9 Subd. 3. **Proof of credits.** The school or professional association shall provide  
2.10 to licensees who attend a class a receipt to prove completion of the class. Licensees  
2.11 shall retain proof of their continuing education credits for one year beyond the credit's  
2.12 expiration. The school or professional association shall retain documentation of all  
2.13 licensees successfully completing a class and the licensee's credit hours for five years.

2.14 Subd. 4. **Audit.** The board shall conduct random audits of active licensees  
2.15 periodically to ensure compliance with continuing education requirements. To initiate  
2.16 an audit, the board shall notify an active licensee of the audit and request proof of  
2.17 credits earned during a specified period. The licensee must provide the requested proof  
2.18 to the board within 30 days of an audit notice. The board may request that a school or  
2.19 professional association verify a licensee's credits. The school or professional association  
2.20 must furnish verification, or a written statement that the credits are not verified, within  
2.21 15 days of the board's request for verification. If the board determines that a licensee has  
2.22 failed to provide proof of necessary credits earned during the specified time, the board  
2.23 may revoke the individual's license and may deem the individual a lapsed practitioner  
2.24 subject to penalty under section 155A.25 or 155A.36.

2.25 Sec. 3. **GOOD CAUSE EXEMPTION.**

2.26 The Board of Cosmetology may amend Minnesota Rules so that they conform with  
2.27 the amendments to Minnesota Statutes in this act. The Board of Cosmetology may use the  
2.28 good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause  
2.29 (3), in adopting the amendment, and Minnesota Statutes, section 14.386, does not apply,  
2.30 except as it relates to Minnesota Statutes, section 14.388.

2.31 Sec. 4. **REVISOR'S INSTRUCTION.**

2.32 The revisor of statutes shall replace the term "manicurist" with the term "nail  
2.33 technician" wherever it appears in Minnesota Statutes and Minnesota Rules.