

CHAPTER 154

BARBERS

154.04 Persons exempt from registration.
154.065 Barber schools and colleges.

154.161 Registration: issuance, revocation,
suspension, denial.

154.04 PERSONS EXEMPT FROM REGISTRATION.

The following persons are exempt from the provisions of this chapter while in the proper discharge of their professional duties:

- (1) persons authorized by the law of this state to practice medicine, surgery, osteopathy, and chiropractic;
- (2) commissioned medical or surgical officers of the United States armed services;
- (3) registered nurses, licensed practical nurses, and nursing aides performing services under the direction and supervision of a registered nurse, provided, however, that no additional compensation shall be paid for such service and patients who are so attended shall not be charged for barbering;
- (4) persons practicing beauty culture, provided, however, that persons practicing beauty culture shall not hold themselves out as barbers or, except in the case of manicurists, practice their occupation in a barber shop; and
- (5) persons who perform barbering services for charitable purposes in nursing homes, shelters, missions, or other similar facilities, provided, however, that no direct or indirect compensation is received for the services, and that persons who receive barbering services are not charged for the services.

History: 1995 c 59 s 1

154.065 BARBER SCHOOLS AND COLLEGES.

Subd. 2. **Qualifications.** A person is qualified to receive a certificate of registration as an instructor of barbering who:

- (1) is a graduate from an approved high school, or its equivalent, as determined by examination by the department of children, families, and learning;
- (2) has qualified for a teacher's or instructor's vocational certificate;
- (3) has at least three years experience as a registered barber in this state, or its equivalent as determined by the board; and
- (4) has passed an examination conducted by the board to determine fitness to instruct in barbering.

A certificate of registration under this section is provisional until a teacher's or instructor's vocational certificate has been issued by the department of children, families, and learning. A provisional certificate of registration is valid for 30 days and is not renewable.

[For text of subd 4, see M.S.1994]

History: 1Sp1995 c 3 art 16 s 13

154.161 REGISTRATION; ISSUANCE, REVOCATION, SUSPENSION, DENIAL.

[For text of subds 1 and 2, see M.S.1994]

Subd. 3. **Cease and desist orders.** (a) The board, or complaint committee if authorized by the board, may issue and have served upon an unlicensed person, or a holder of a certificate of registration or a shop registration card, an order requiring the person to cease and desist from an act or practice that constitutes a violation of a statute, rule, or order that the board has adopted or issued or is empowered to enforce. The order must (1) give reasonable notice of the rights of the person named in the order to request a hearing, and (2) state the reasons for the entry of the order. No order may be issued under this subdivision until an investigation of the facts has been conducted under section 214.10.

(b) Service of the order under this subdivision is effective when the order is personally served on the person or counsel of record, or served by certified mail to the most recent address provided to the board for the person or counsel of record.

(c) The board must hold a hearing under this subdivision not later than 30 days after the board receives the request for the hearing, unless otherwise agreed between the board, or complaint committee if authorized by the board, and the person requesting the hearing.

(d) Notwithstanding any rule to the contrary, the administrative law judge must issue a report within 30 days of the close of the contested case hearing. Within 30 days after receiving the report and subsequent exceptions and argument, the board shall issue a further order vacating, modifying, or making permanent the cease and desist order. If no hearing is requested within 30 days of service of the order, the order becomes final and remains in effect until modified or vacated by the board.

[For text of subs 4 to 7, see M.S.1994]

History: 1995 c 186 s 45