

**BOARDS AND COMMISSIONS**  
**Board of Cosmetology**  
**(New Administrative Regulation)**

**201 KAR 12:290. Permits.**

RELATES TO: KRS 317A.020, 317A.050, 317A.060

STATUTORY AUTHORITY: KRS 317A.060

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317A.060 requires the board to promulgate administrative regulations governing permits in threading, makeup artistry, eyelash artistry, homebound care, and event services. This administrative regulation establishes procedures for permits.

Section 1. Fees. Permit fees are set forth in 201 KAR 12:260.

Section 2. Changes. All changes to account information required for licensure shall be submitted to the board within thirty (30) days of occurrence including:

- (1) Legal name change;
- (2) Change of address;
- (3) Change of facility or employer;
- (4) Change of phone number;
- (5) Change of email address; and
- (6) Any other information as required by KRS 317A or 201 KAR Chapter 12 for licensure.

Section 3. Prior Felony Convictions. An applicant for any permit issued or conducted by the board convicted of a prior felony shall include with his or her application:

- (1) A signed letter of explanation from the applicant;
- (2) A certified copy of the judgment and sentence from the issuing court; and
- (3) A letter of good standing from the applicant's probation or parole officer, if currently on probation or parole.

Section 4. All incorporated forms may be replicated in a digital format for online completion.

Section 5. Threading and Makeup Artistry Permits.

- (1) Any person who engages in the practice of threading or makeup artistry shall first obtain a permit from the board by submitting a completed Permit Application and paying the fee established in 201 KAR 12:260.
- (2) The applicant shall include with the Permit Application:
  - (a) A copy of the applicant's government-issued photo identification;
  - (b) A two (2) by two (2) inch passport photo of the applicant taken within the past six (6) months;
  - (c) Proof of completion of a board approved sanitation course within the six (6) month period preceding the application.

Section 6. Eyelash Artistry Permits.

- (1) Any person who engages in the practice of eyelash artistry shall first obtain a permit from the board by submitting a completed Permit Application and paying the fee established in 201 KAR 12:260.
- (2) The applicant shall include with the Permit Application:
  - (a) A copy of the applicant's government-issued photo identification;
  - (b) A two (2) by two (2) inch passport photo of the applicant taken within the past six (6) months;

- (c) Proof of completion of a board approved sanitation course within the past six (6) month period preceding the application; and
- (d) Proof of completion of a board approved eyelash certificate training program taught by a licensed instructor within the preceding six (6) months.

#### Section 7. Homebound Care Permit.

- (1) Any person engaging in the cosmetic care of a homebound or medically infirm individual shall first obtain a permit from the board by submitting a completed application and paying the fee established in 201 KAR 12:260.
- (2) The applicant shall include with the Permit Application:
  - (a) A copy of the applicant's government-issued photo identification;
  - (b) A two (2) by two (2) inch passport photo of the applicant taken within the past six (6) months;
  - (c) Proof of ownership, employment, or booth rental agreement with a Kentucky board licensed salon;
  - (d) Medical release document for the homebound or infirm individual from a physician, licensed by the Kentucky Board of Medical Licensure, defining which services can or cannot be safely provided.
  - (e) The address of the location services will be provided.

#### Section 8. Event Services Permit.

- (1) Any person engaged in providing on-site services outside of a board licensed facility for events shall first obtain a permit from the board by submitting a completed application and paying the fee established in 201 KAR 12:260.
- (2) The applicant shall include with the Permit Application:
  - (a) A copy of the applicant's government-issued photo identification;
  - (b) A two (2) by two (2) inch passport photo of the applicant taken within the past six (6) months;
  - (c) Proof of ownership, employment, or booth rental agreement with a Kentucky board licensed salon;
  - (d) The address of the location services shall be provided to the board two (2) weeks in advance of each event along with the time frame services will be provided.

Section 9. Practice before Permit Issuance Prohibited. Any individual found engaging in the practice of threading, makeup artistry, eyelash artistry, or providing homebound care or event services prior to the permit issuance shall be ineligible to receive a permit from the board for a period of one (1) year from the date of the unauthorized practice and be responsible for the payment of any fines ordered by the board.

#### Section 10. Duplicate Permit, Renewal, and Restoration.

- (1) If a permit is lost, destroyed, or stolen after issuance, a duplicate permit may be issued. The permit holder shall submit a statement verifying the loss of the permit using the Duplicate License Application that includes a copy of a government-issued photo identification and pay the duplicate permit fee listed in 201 KAR 12:260. Each duplicate license shall be marked "duplicate".
- (2) The annual license renewal period is July 1 through July 31. All permits shall:
  - (a) Be renewed using the board's online portal;
  - (b) Include the required copy of a government-issued photo identification;
  - (c) Include payment of the fee set forth 201 KAR 12:260;
  - (d) Include payment of any outstanding fines associated with a prior disciplinary action as described in KRS 317A.145;
  - (e) Disclose to the board the current name and license number of the facility where the permit holder is working; and
  - (f) Upload a current passport style headshot photo.

(3) To restore an expired permit, a Restoration Application shall be digitally submitted to the board with payment of the restoration fee as set forth in 201 KAR 12:260 for each year the permit has been expired, the total of which shall not exceed \$300 per permit restored, along with a copy of a government-issued photo identification.

#### Section 11. Eyelash Artistry Training Programs.

- (1) An eyelash training program may be approved by the board upon submission of:
  - (a) A written request for consideration;
  - (b) A copy of the applicant's government-issued photo identification;
  - (c) A two (2) by two (2) inch passport photo of the applicant taken within the past six (6) months;
  - (d) A copy of the Kentucky cosmetology or esthetics instructor license verifying the credentials to teach the course; and
  - (e) A completed training manual with detailed instructions on safety, infection control, eye diseases, contraindications, application and removal procedures, and product knowledge. Manual shall also contain current Kentucky Statutes and Regulations on scope of practices, requirements for facility and personal licensure, and infection control standards.
  - (f) A copy of a training contract that outlines the responsibility of the training company, cost for classes, and completion requirements.
- (2) Failure to seek approval as required by subsection (1) of this section shall invalidate all certifications issued to trainees and submitted by permit applicant.
- (3) An apprentice instructor shall be under the immediate supervision and instruction of a licensed instructor while providing any instruction for students. "Immediate supervision" in this instance means a licensed instructor is physically present in the same room and overseeing the activities of the apprentice instructor at all times.
- (4) A licensed cosmetology or esthetics school may seek course approval by submitting a curriculum packet for review and providing proof instructor has appropriate credentials to train in eyelash artistry.

#### Section 12. Eyelash Training Course Administration.

- (1) Upon board approval as an eyelash artistry training program the instructor or program director shall ten (10) business days prior:
  - (a) Submit to the board the date and time of the training course;
  - (b) Submit a class roster of anticipated attendees;
  - (c) Provide a copy of the completed contract for each attendee; and
  - (d) Upon completion of the reported course a signed and dated roster of attendees shall be submitted.
- (2) Any student not listed with a signature on the class roster may be considered absent and may not be considered for a permit to practice from the board.

Section 13. Demonstration Permits. Professional services performed outside a licensed facility including charity events and hair shows may have approval of the board and display the proper permit. Permits may be obtained by completing the Demonstration Permit Application and paying the applicable fee set forth in 201 KAR 12:260.

#### Section 14. Incorporation by Reference.

- (1) The following material is incorporated by reference:
  - (a) "Permit Application", July 2022; and
  - (b) "Demonstration Permit Application", July 2022
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Cosmetology, 1049 US Hwy 127 S, Annex #2, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

*Margaret Meredith, Chair, Board of Cosmetology*

APPROVED BY AGENCY: July 12, 2022

FILED WITH LRC: July 12, 2022 at 3:04 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on September 21, 2022, at 11:30am, at the Kentucky Board of Cosmetology office. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through September 30, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Julie M. Campbell, Executive Director, 1049 US Hwy 127 S. Annex #2, Frankfort, Kentucky 40601, (502) 564-4262, [julie.campbell@ky.gov](mailto:julie.campbell@ky.gov).