

| | | | |
|---|--|---|--|
| Regulatory Analysis Form | | This space for use by IRRC Rec'd July 12, 1999 145 Harbison IRRC Number: 2044 | |
| (1) Agency Bureau of Professional and Occupational Affairs, State Board of Cosmetology | | | |
| (2) I.D. Number (Governor's Office Use) No. 16A-457 | | | |
| (3) Short Title Examination Fees | | | |
| (4) PA Code Cite 49 Pa. Code §7.2 | | (5) Agency Contacts & Telephone Numbers Primary Contact: Deborah B. Eskin, Counsel 783-7200 Secondary Contact: Joyce McKeever, Deputy Chief Counsel - 783-7200 | |
| (6) Type of Rulemaking (check one) <input type="checkbox"/> Proposed Rulemaking <input type="checkbox"/> Final Order Adopting Regulation <input checked="" type="checkbox"/> Final Order, Proposed Rulemaking Omitted | | (7) Is a 120-Day Emergency Certification Attached? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes: By the Attorney General <input type="checkbox"/> Yes: By the Governor | |
| (8) Briefly explain the regulation in clear and nontechnical language. The regulation establishes new fees for the cosmetologist, manicurist, cosmetician, cosmetology teacher and shop manager examinations. The current professional testing contractor has given notice of termination of its contract. The new fees reflect a contract with a new testing contractor. The new fees reflect the actual per candidate cost. | | | |
| (9) State the statutory authority for the regulation and any relevant state or federal court decisions. Section 812(b) and (e) of The Administrative Code of 1929 (71 P.S. §279.3a) and Sections 13(b) and 16(a) of the Cosmetology Law (63 P.S. §§519(b) and 522(a)). | | | |

Regulatory Analysis Form

(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

Yes. Section 16(a) of the Cosmetology Law, 63 P.S. §522(a), requires the Board to fix examination fees by regulation.

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

The regulation is required by Sections 13(b) and 16(a) of the Cosmetology Law, 63 P.S. §§519(b) and 522(a).

(12) State the public health, safety, environmental or general welfare risks associated with nonregulation.

The regulation is required by the Cosmetology Law cited above.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

The regulation will benefit persons who must qualify for state licensure by examination. The Board estimates 9,000 persons will apply for the written examination and 8,100 persons apply for the performance (practical) examination each year. The new fees will be effective for the one-year term of the contract, commencing September 1, 1999.

Regulatory Analysis Form

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

There is no identifiable adverse effect to this regulation. Moreover, the statute requires the Board to employ a contractor who is a testing agency to provide the examination.

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

All persons who wish licenses as a cosmetologist, cosmetician, manicurist, cosmetology teacher or manager who must pass an examination will be required to pay the examination fee to take the examinations given after September 1999.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

The fees established by this regulation are the result of the execution of a new contract with a professional testing organization. The contract was awarded in the competitive bidding process through the issuance of a request for proposals.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

Assuming an average of 8,000 persons take a complete examination in FY 1999-2000, the estimated total cost to the regulated community would be \$96,000 in FY 1999-2000.

Regulatory Analysis Form

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

There are no costs/savings to local governments.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

The implementation of these amendments will not result in additional costs or savings to state government.

Regulatory Analysis Form

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

| | Current FY 1997-98 Year | FY +1 Year | FY +2 Year | FY +3 Year | FY +4 Year | FY +5 Year |
|-----------------------------|-------------------------------|---------------|---------------|---------------|---------------|---------------|
| SAVINGS: | NA | | | | | \$ |
| Regulated | | | | | | |
| Local Government | | | | | | |
| State Government | | | | | | |
| Total Savings | | | | | | |
| COSTS: | | | | | | |
| Regulated | | | | | | |
| Local Government | | | | | | |
| State Government | | | | | | |
| Total Costs | | | | | | |
| REVENUE LOSSES: | | | | | | |
| Regulated | | | | | | |
| Local Government | | | | | | |
| State Government | | | | | | |
| Total Revenue Losses | 0 | | | | | |

(20a) Explain how the cost estimates listed above were derived.

See Item 17 above. This is an interim one-year contract to cover an interruption in contracted services resulting from a contractor termination. Therefore, there is no projected 5-year cost.

Regulatory Analysis Form

(20b) Provide the past three year expenditure history for programs affected by the regulation.

| Program | FY -3 | FY -2 | FY -1 | Current FY |
|---------|-------|-------|-------|------------|
| N/A | | | | |
| | | | | |
| | | | | |
| | | | | |

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

Examination costs are derived on a fee for service basis by a professional testing service. Candidates apply with and pay an examination fee directly to the professional testing organization. Therefore, there are no program costs.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

None. The Cosmetology Law requires examination fees to be established by regulation.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

None. See No. 22 above.

Regulatory Analysis Form

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

No.

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

The cost of examinations are comparable. There is no competitive disadvantage for cosmetologists or beauty shops in Pennsylvania competing with other states.

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

No.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

No public hearings have been scheduled.

Regulatory Analysis Form

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

No.

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

The Board has identified no subset of candidates with particular needs. The Board and testing contractor make accommodations for individuals covered by the Americans with Disabilities Act.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

The regulation should be effective when the contract becomes effective, i.e., September, 1999.

(31) Provide the schedule for continual review of the regulation.

The Board monitors compliance with contractual provisions of its agreement with its test administrator on a continual basis. The test administrator examines candidates four times a year.

FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU

Rec'd July 12, 1999
145

(Pursuant to Commonwealth Documents Law)

2044

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality. Attorney General

Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:

Copy below is approved as to form and legality. Executive or Independent Agencies

BY: _____
(DEPUTY ATTORNEY GENERAL)

State Board of Cosmetology
(AGENCY)

Mary E Dunlop

DOCUMENT/FISCAL NOTE NO. 16a-457

DATE OF APPROVAL

DATE OF ADOPTION: _____

6/1/99
DATE OF APPROVAL

BY: Carol T. Micciche

Carol T Micciche

(Deputy General Counsel
(Chief Counsel,
Independent Agency
(Strike inapplicable
title)

TITLE: Chairperson
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

[] Check if applicable
Copy not approved.
Objections attached.

[] Check if applicable. No Attorney
General approval or
objection within 30 day
after submission.

NOTICE OF FINAL/PROPOSED OMITTED RULEMAKING
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF COSMETOLOGY
49 Pa. Code, Chapter 7
Examination Fees

By this Order, the State Board of Cosmetology (Board) amends 49 Pa. Code §7.2 (relating to fees) pertaining to examination fees for licensure for cosmetologists, cosmeticians, manicurists, teachers and cosmetology shop managers as set forth in the following annex.

Under Section 812.1 of the Administrative Code of 1929, Act of April 9, 1929, P.L. 177, added by the Act of October 8, 1980, P.L. 785, as amended, 71 P.S. §279.3a, and Sections 13(b) and 16(a) of the Cosmetology Law, Act of May 3, 1933, P.L. 242, as amended, 63 P.S. §§519(b) and 522(a), examinations for licensure must be prepared and administered by a professional testing organization under contract to the appropriate board. These amendments will change fees for examinations to candidates for licensure to reflect actual contract costs for examination services as the result of a new contract with a professional testing organization.

Public notice of intention to amend the regulations pursuant to the procedures specified in Sections 201 and 202 of the Act of July 31, 1968, P.L. 769, 45 P.S. §§1201-1202 (commonly referred to as the "Commonwealth Documents Law"), has been omitted as authorized pursuant to Section 204(3) of the Commonwealth Documents Law, 45 P.S. §1204(3), because the Board finds that these procedures are, under the circumstances, unnecessary. Public comment is unnecessary because Section 812.1 of the Administrative Code requires that candidate fees cover the cost of the examination. All persons affected by the amendments, however, have been or will be given actual notice of the Board's intention to amend the regulations in advance of final rulemaking pursuant to Section 204(2) of the Commonwealth Documents Law, 45 P.S. §1204(2).

The following chart summarizes the change in fees for each license category.

FEE STRUCTURE

| | CURRENT | NEW |
|------------------------------|--|--|
| Cosmetologist and Manicurist | \$59.00 Complete \$31.00 Written (theory) \$28.00 Performance exam. \$59.00 Total if taken separately | \$71.00 \$41.00 \$30.00 \$71.00 |
| Cosmetician and Teacher | \$59.00 Complete \$31.00 Written (theory) \$28.00 Performance exam. \$59.00 Total if taken separately | \$71.00 \$41.00 \$30.00 \$71.00 |
| Manager | \$31.00 | \$41.00 |

COMPLIANCE WITH EXECUTIVE ORDER 1996-1

The Board reviewed this rulemaking and considered its purpose and likely impact upon the public and the regulated population under the directives of Executive Order 1996-1, Regulatory Review and Promulgation. The final/proposed omitted regulation addresses a compelling public interest as described in this Preamble and otherwise complies with Executive Order 1996-1.

STATUTORY AUTHORITY

These amendments are proposed under Section 812.1 of the Administrative Code of 1929, Act of April 9, 1929, P.L. 177, as amended, 71 P.S. §279.3a, and Section 16 of the Cosmetology Law (63 P.S. §522).

FISCAL IMPACT AND PAPERWORK REQUIREMENTS

The proposed amendments will have no fiscal impact on the Commonwealth or its political subdivisions. Candidates for licensure by examination will be required to pay the actual costs of the examination.

REGULATORY REVIEW

Under Section 5.1(c) of the Regulatory Review Act, the Act of June 30, 1989 (P.L. 73, No. 19) (71 P.S. §§745.1-745.15), the agency submitted a copy of the regulation with proposed rulemaking omitted on 7-12-79 (date) to the Independent Regulatory Review Commission and the Chairmen of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee. On the same date, the regulation was submitted to the Attorney General for review and approval pursuant to the Commonwealth Attorneys Act. In accordance with Section 5(e) of the Act, the regulation was (deemed) approved by the House Committee on 8-1-79 (date) and (deemed) approved by the Senate Committee on 8-1-79. IRRC met on _____ (date) and (deemed) approved the regulation.

ADDITIONAL INFORMATION

Individuals who desire information are invited to submit inquiries to Sara Sulpizio, Board Administrator, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649. The telephone number of the Board is (717) 783-7130.

The State Board of Cosmetology finds:

1. That public notice of intention to amend the regulations as adopted by this Order pursuant to the procedures specified in Sections 201 and 202 of the Commonwealth Documents Law, 45 P.S. §§1201 and 1202, has been omitted pursuant to the authority contained in Section 204(3) of the Commonwealth Documents Law, 45 P.S. §1204(3), because the Board has, for good cause, found that the procedure specified in Sections 201 and 202 of the Commonwealth Documents Law, 45 P.S. §§1201 and 1202, is in this circumstance, unnecessary, because Section 812.1 of the Administrative Code requires that candidate fees cover the cost of the examination.

2. That all persons affected by the regulation as adopted by this Order have been or will be given actual notice of the Board's intention to amend the regulations in advance of final rulemaking pursuant to Section 204(2) of the Commonwealth Documents Law, 45 P.S. §1204(2).

3. That the amendment of the regulations of the Board in the manner provided in this Order is necessary and appropriate for the administration of its authorizing statute.

The State Board of Cosmetology, acting under its authorizing statute, orders:

A. Regulations of the State Board of Cosmetology are hereby amended by amending Section 7.2, as set forth in Annex A attached hereto.

B. The Chairperson of the State Board of Cosmetology shall submit this Order and attached Annex A to the Office of General Counsel and the Office of Attorney General for approval as to legality as required by law.

C. The Chairperson of the State Board of Cosmetology shall certify this Order and attached Annex A and deposit the same with the Legislative Reference Bureau as required by law.

D. This Order shall become effective immediately upon publication in the Pennsylvania Bulletin, and shall apply to examinations administered on and after September 1, 1999.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS
PART I. DEPARTMENT OF STATE
Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS
CHAPTER 7. STATE BOARD OF COSMETOLOGY

GENERAL PROVISIONS

§7.2. Fees.

(a) The fee for the cosmetologist, cosmetician, manicurist or teacher examination is \$59.00. The fee for the manager theory examination is \$31.00. The fee for each portion of an examination is:

Theory examination.....\$31.00
Performance examination (not applicable to managers)..\$28.00

Effective September 1, 1999, the fee for the complete cosmetologist, cosmetician, manicurist or teacher examination is [~~\$59.00~~] \$71.00. The fee for the manager theory examination is \$31.00. The fee for each portion of an examination is:

Theory examination.....[~~\$31.00~~] \$41.00
Performance examination (not applicable to
managers).....[~~\$28.00~~] \$30.00

* * * *

FEE REPORT FORM

Agency: State - BPOA

Date 04/07/99

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Effective September, 1999:

Cosmetology Complete Examination: \$71.00

(Manicurist or Cosmetician or Cosmetologist or Cosmetology Teacher)

Estimated Biennial Revenue: 0 (fees paid directly to professional testing agency)

Fee Description:

The fee will be charged to every person who applies to take the complete Cosmetology examination for licensure.

Fee Objective:

The fee offsets the contract cost to provide the complete Cosmetology examination for licensure.

Fee-Related Activities and Costs:

Contract with professional testing agency to provide the:

Performance Examination: \$30.00

Theory Examination: \$41.00

Total Cost: \$71.00

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$71.00 be established for the complete Cosmetology licensure examination.

FEE REPORT FORM

Agency: State - BPOA

Date 04/07/99

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Effective September, 1999:

Cosmetology Performance Examination: \$30.00

(Manicurist or Cosmetician or Cosmetologist or Cosmetology Teacher)

Estimated Biennial Revenue: 0 (fees paid directly to professional testing agency)

Fee Description:

The fee will be charged to every person who applies to take the performance portion of the examination for licensure.

Fee Objective:

The fee offsets the contract cost to provide the Cosmetology performance examination.

Fee-Related Activities and Costs:

Contract with professional testing agency to provide the performance examination: \$30.00

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$30.00 be established for Cosmetology performance examination.

FEE REPORT FORM

Agency: State - BPOA

Date 04/07/99

Contact: C. Michael Weaver

Phone No. 783-7194

Fee Title, Rate and Estimated Collections:

Effective September, 1999:

Cosmetology Theory Examination: \$41.00

(Manicurist or Cosmetician or Cosmetologist or Cosmetology Teacher or Cosmetology Manager)

Estimated Biennial Revenue: 0 (fees paid directly to professional testing agency)

Fee Description:

The fee will be charged to every person who applies to take the theory portion of the examination for licensure.

Fee Objective:

The fee offsets the contract cost to provide the Cosmetology theory examination.

Fee-Related Activities and Costs:

Contract with professional testing agency to provide the theory examination: \$41.00

Analysis, Comment, and Recommendation:

It is recommended that a fee of \$41.00 be established for the Cosmetology theory examination.



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF COSMETOLOGY

Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649
(717) 783-7130

July 12, 1999

The Honorable John R. McGinley, Jr., Chairman
INDEPENDENT REGULATORY REVIEW COMMISSION
14th Floor, Harrisstown 2
333 Market Street
Harrisburg, Pennsylvania 17101

Re: Final Order, Proposed Rulemaking Omitted for the State Board of Cosmetology
Examination Fees: 16A-457

Dear Chairman McGinley:

Enclosed is a copy of a Final Order, Proposed Rulemaking Omitted package of the State Board of Cosmetology pertaining to examination fees.

The Board will be pleased to provide whatever information the Commission may require during the course of its review of the rulemaking.

Sincerely,

A handwritten signature in black ink that reads "Carol T. Micciche".

Carol T. Micciche, Chairperson
State Board of Cosmetology

CTM/DBE:hmb

Enclosure

c: Kim Pizzingrilli, Secretary of the Commonwealth
Department of State
C. Michael Weaver, Deputy Secretary for Regulatory Programs
Department of State
Steven V. Turner, Chief Counsel
Department of State
Dorothy Childress, Commissioner
Bureau of Professional and Occupational Affairs
Joyce McKeever, Deputy Chief Counsel
Department of State
Ruth D. Dunnewold, Senior Counsel in Charge
Bureau of Professional and Occupational Affairs
Deborah B. Eskin, Counsel
State Board of Cosmetology
State Board of Cosmetology



RECEIVED

COMMONWEALTH OF PENNSYLVANIA 99 JUL 12 PM 4:00
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
HARRISBURG, PENNSYLVANIA 17105-2649

LEGAL OFFICE, COUNSEL DIVISION

Telephone: (717) 783-7200
FAX No: (717) 787-0251

FAX COVER SHEET

DATE: July 12, 1999
TO: Tina Eckert
FROM: Emily Ogden
FAX: 3-602-2664
NO. OF PAGES (Including Cover): 2

(Note: The information contained in this fax is intended only for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of telecopied information is strictly prohibited and that the documents should be returned to the Department of State immediately. In this regard, if you have received this fax in error or have any questions concerning this communication, please call (717) 783-7200. Thank you.)

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT**

I.D. NUMBER: 16A-457

SUBJECT: Examination Fees

AGENCY: Department of State - State Board of Cosmetology

TYPE OF REGULATION

RECEIVED
 99 JUL 12 AM 9:45
 DEPARTMENT OF STATE

Proposed Regulation

Final Regulation

X Final Regulation with Notice of Proposed Rulemaking Omitted

120-day Emergency Certification of the Attorney General

120-day Emergency Certification of the Governor

Delivery of Tolled Regulation

a. With Revisions

b. Without Revisions

FILING OF REGULATION

| DATE | SIGNATURE | DESIGNATION |
|---------|--------------------------|--|
| 7-12-99 | <u>Lori A. Clark</u> | HOUSE COMMITTEE ON PROFESSIONAL LICENSURE |
| 7/12/99 | <u>Charlotte C. Koor</u> | |
| 7/21/99 | <u>Janet E. Zully</u> | SENATE COMMITTEE ON CONSUMER PROTECTION & PROFESSIONAL LICENSURE |
| 7/21/99 | <u>Stephanie Smith</u> | |
| 7/12/99 | <u>Wendy Eckert</u> | INDEPENDENT REGULATORY REVIEW COMMISSION |
| 7-12-99 | <u>Mary Mummert</u> | ATTORNEY GENERAL |
| _____ | _____ | LEGISLATIVE REFERENCE BUREAU |

June 1, 1999



2044

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF COSMETOLOGY
Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649
(717) 783-7130

RECEIVED
90 JUL 29 AM 10:49
REVIEWED

July 29, 1999

Robert E. Nyce, Director
INDEPENDENT REGULATORY REVIEW COMMISSION
14th Floor, Harrisstown 2
333 Market Street
Harrisburg, Pennsylvania 17101

Re: Final Order, Proposed Rulemaking Omitted for the State Board of Cosmetology
Examination Fees: 16A-457

Dear Mr. Nyce:

Pursuant to section 5a(g) of the Regulatory Review Act (71 P.S. §745.5a(g)), the State Board of Cosmetology is hereby requesting that regulation number 16A-457, Examination Fees, be tolled at this time.

Tom Golden of Representative Civera's staff has pointed out a technical error in the Annex of the above regulation package in the fee for the manager examination. At this time, the Board is resubmitting the attached corrected Annex, which corrects the technical error by clarifying at 49 Pa. Code §7.2 that the new fee for the manager theory examination is \$41.00.

Our apologies for any inconvenience this may have caused. Please call me at 783-1088 if you have any questions or concerns.

Sincerely,

Joyce McKeever, Deputy Chief Counsel
Department of State

JM:DBE:eco
Enclosure

- c: Kim Pizzingrilli, Secretary of the Commonwealth
Department of State
- C. Michael Weaver, Deputy Secretary for Regulatory Programs
Department of State
- Steven V. Turner, Chief Counsel
Department of State
- Dorothy Childress, Commissioner
Bureau of Professional and Occupational Affairs
- Lee Ann Labecki, Deputy Director
Governor's Policy Office
- Lois Hein, Director
Bureau of Legislative and Regulatory Analysis
- Gregory Dunlap, Deputy General Counsel
Office of General Counsel
- Ruth D. Dunnewold, Senior Counsel in Charge
Bureau of Professional and Occupational Affairs
- Deborah B. Eskin, Counsel
State Board of Cosmetology
State Board of Cosmetology



**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF COSMETOLOGY**

**Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649
(717) 783-7130
July 29, 1999**

The Honorable Clarence D. Bell, Majority Chairman
Consumer Protection and Professional Licensure Committee
SENATE OF PENNSYLVANIA
20 Main Capitol, East Wing
Harrisburg, Pennsylvania 17120

Re: Final Order, Proposed Rulemaking Omitted for the State Board of Cosmetology
Examination Fees: 16A-457

Dear Senator Bell:

Pursuant to section 5a(g) of the Regulatory Review Act (71 P.S. §745.5a(g)), the State Board of Cosmetology is hereby requesting that regulation number 16A-457, Examination Fees, be tolled at this time.

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Sincerely,

Joyce McKeever, Deputy Chief Counsel
Department of State

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Deborah B. Eskin, Counsel
State Board of Cosmetology
State Board of Cosmetology



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF COSMETOLOGY
Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649
(717) 783-7130
July 29, 1999

The Honorable William W. Rieger, Democratic Chairman
Professional Licensure Committee
PENNSYLVANIA HOUSE OF REPRESENTATIVES
327-C Main Capitol
Harrisburg, Pennsylvania 17120

Re: Final Order, Proposed Rulemaking Omitted for the State Board of Cosmetology
Examination Fees: 16A-457

Dear Representative Rieger:

Pursuant to section 5a(g) of the Regulatory Review Act (71 P.S. §745.5a(g)), the State Board of Cosmetology is hereby requesting that regulation number 16A-457, Examination Fees, be tolled at this time.

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Sincerely,


Joyce McKeever, Deputy Chief Counsel
Department of State

JM:DBE:eco
Enclosure

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF COSMETOLOGY
Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649
(717) 783-7130
July 29, 1999

The Honorable Lisa M. Boscola, Minority Chairman
Consumer Protection and Professional Licensure Committee
SENATE OF PENNSYLVANIA
183 Main Capitol
Harrisburg, Pennsylvania 17120

Re: Final Order, Proposed Rulemaking Omitted for the State Board of Cosmetology
Examination Fees: 16A-457

Dear Senator Boscola:

Pursuant to section 5a(g) of the Regulatory Review Act (71 P.S. §745.5a(g)), the State Board of Cosmetology is hereby requesting that regulation number 16A-457, Examination Fees, be tolled at this time.

Tom Golden of Representative Civera's staff has pointed out a technical error in the Annex of the above regulation package in the fee for the manager examination. At this time, the Board is resubmitting the attached corrected Annex, which corrects the technical error by clarifying at 49 Pa. Code §7.2 that the new fee for the manager theory examination is \$41.00.

Our apologies for any inconvenience this may have caused. Please call me at 783-1088 if you have any questions or concerns.

Sincerely,

Joyce M. Leever, Deputy Chief Counsel
Department of State

JM:DBE:eco
Enclosure

c: Kim Pizzingrilli, Secretary of the Commonwealth
Department of State
C. Michael Weaver, Deputy Secretary for Regulatory Programs
Department of State
Steven V. Turner, Chief Counsel
Department of State
Dorothy Childress, Commissioner
Bureau of Professional and Occupational Affairs
Lee Ann Labecki, Deputy Director
Governor's Policy Office
Lois Hein, Director
Bureau of Legislative and Regulatory Analysis
Gregory Dunlap, Deputy General Counsel
Office of General Counsel
Ruth D. Dunnwold, Senior Counsel in Charge
Bureau of Professional and Occupational Affairs
Deborah B. Eskin, Counsel
State Board of Cosmetology
State Board of Cosmetology



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF COSMETOLOGY
Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649
(717) 783-7130
July 29, 1999

The Honorable Mario J. Civera, Jr., Chairperson
Professional Licensure Committee
PENNSYLVANIA HOUSE OF REPRESENTATIVES
315-D Main Capitol
Harrisburg, Pennsylvania 17120

Re: Final Order, Proposed Rulemaking Omitted for the State Board of Cosmetology
Examination Fees: 16A-457

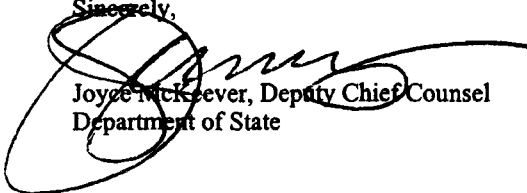
Dear Representative Civera:

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Deborah B. Eskin, Counsel
State Board of Cosmetology
State Board of Cosmetology

99 JUL 29 11:50

16A-457
Cosmo.fee.anx
May 5, 1999

Corrected July 20, 1999

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS
PART I. DEPARTMENT OF STATE
Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS
CHAPTER 7. STATE BOARD OF COSMETOLOGY

GENERAL PROVISIONS

§7.2. Fees.

(a) The fee for the cosmetologist, cosmetician, manicurist or teacher examination is \$59.00. The fee for the manager theory examination is \$31.00. The fee for each portion of an examination is:

| | |
|---|---------|
| Theory examination..... | \$31.00 |
| Performance examination (not applicable to managers)..... | \$28.00 |

Effective September 1, 1999, the fee for the complete cosmetologist, cosmetician, manicurist or teacher examination is [~~\$59.00~~] \$71.00. The fee for the manager theory examination is [~~\$31.00~~] \$41.00. The fee for each portion of an examination is:

| | |
|---|---------------------------------------|
| Theory examination..... | [\$31.00] <u>\$41.00</u> |
| Performance examination (not applicable to managers)..... | [\$28.00] <u>\$30.00</u> |

* * * *

TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE REGULATORY REVIEW ACT

I.D. NUMBER: *16A-457*

SUBJECT: *Examination Fees*

AGENCY: *Dept. of State*

TYPE OF REGULATION

Proposed Regulation

Final Regulation

Final Regulation with Notice of Proposed Rulemaking Omitted

120-day Emergency Certification of the Attorney General

120-day Emergency Certification of the Governor

Delivery of Tolled Regulation

- a. With Revisions *open*
- b. Without Revisions

99 JUL 29 11:10:50
REGULATORY REVIEW ACT

FILING OF REGULATION

| DATE | SIGNATURE | DESIGNATION |
|--------------------|--------------------|--|
| <i>7-29-99</i> | <i>[Signature]</i> | HOUSE COMMITTEE ON |
| <i>JUL 29 1999</i> | <i>[Signature]</i> | SENATE COMMITTEE ON |
| <i>7/29/99</i> | <i>[Signature]</i> | INDEPENDENT REGULATORY REVIEW COMMISSION |
| <i>7-29-99</i> | <i>[Signature]</i> | ATTORNEY GENERAL |
| | | LEGISLATIVE REFERENCE BUREAU |

July 28, 1999