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**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

July 26, 2001

Richard Sciorillo, Chairperson  
State Board of Barber Examiners  
116 Pine Street  
Harrisburg, PA 17105

Re: Regulation #16A-424 (IRRC #2199)  
State Board of Barber Examiners  
Standards for Disinfection and Sanitation

Dear Chairperson Sciorillo:

Enclosed are our Comments. They will soon be available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

Our Comments list objections and suggestions for consideration when you prepare the final version of this regulation. We have also specified the regulatory criteria which have not been met. These Comments are not a formal approval or disapproval of the proposed version of this regulation.

If you would like to discuss these Comments, please contact my office at 783-5417.

Sincerely,

Robert E. Nyce  
Executive Director

evp

Enclosure

cc: Honorable Mario J. Civera, Jr., Majority Chairman, House Professional Licensure Committee  
Honorable William W. Rieger, Democratic Chairman, House Professional Licensure Committee  
Honorable Clarence D. Bell, Chairman, Senate Consumer Protection & Professional Licensure  
Committee  
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection & Professional Licensure  
Committee  
Honorable Kim Pizzingrilli, Secretary, Department of State

# Comments of the Independent Regulatory Review Commission

on

## State Board of Barber Examiners Regulation No. 16A-424

### Standards for Disinfection and Sanitation

July 26, 2001

We submit for your consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P.S. § 745.5a(h) and (i)) which have not been met. The State Board of Barber Examiners (Board) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by June 25, 2003, the regulation will be deemed withdrawn.

#### **1. Section 3.55. Maintenance and sanitation. - Clarity.**

Subsection (f) appears to be inconsistent with the change made to Section 3.54(8) in which the Board eliminated the requirement for soiled towels to be placed in a "covered" receptacle. Subsection (f), still requires used towels to be "discarded in a closed receptacle...." The Board should remedy this inconsistency in the final-form regulation.

#### **2. Section 3.61. Out-of-shop services. - Clarity.**

Paragraph (4) of this section requires out-of-shop services be held to the same sanitary requirements as services rendered inside the shop. This paragraph is being deleted. The licensed barber is using the same equipment for out-of-shop services that has to meet certain sanitation requirements under Section 3.55(c). What is the Board's reasoning for the deletion of Paragraph (4)? If the Board deletes Paragraph (4), should it be replaced with a cross-reference to Section 3.55(c)?

#### **3. Section 3.71. Curriculum. - Clarity.**

For clarity, the subject listings should be consistently plural or singular.

#### **4. Section 3.86. Maintenance and sterilization. - Clarity.**

To be consistent with the changes proposed by the Board to the title of Section 3.55 relating to "Maintenance and sanitation," the Board should amend the title of this section by replacing the word "sterilization" with the word "sanitation."

#### **5. Consistency with statute. - Clarity.**

The House Professional Licensure Committee has recommended that the regulatory language be consistent with the statutory language when referring to the licensure categories of "barber-teacher" and "manager-barber." We agree. For example, Sections 3.12 and 3.72(b) refer to "teacher" instead of the statutory language of "barber-teacher." Also, Sections 3.22, 3.41 and 3.72(b) refer to "barber-manager" rather than the statutory language of "manager-barber."