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**INDEPENDENT REGULATORY REVIEW COMMISSION
COMMONWEALTH OF PENNSYLVANIA
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March 3, 2003

Franklin K. Schoeneman, Chairman
State Board of Cosmetology
124 Pine Street
Harrisburg, PA 17101

Re: Regulation #16A-454 (IRRC #2306)
State Board of Cosmetology
Sanitation/Disinfection

Dear Chairman Schoeneman:

Enclosed are the Commission's Comments which list objections and suggestions for consideration when you prepare the final version of this regulation. These Comments are not a formal approval or disapproval; however, they specify the regulatory criteria which have not been met.

The Comments will soon be available on our website at www.irrc.state.pa.us. If you would like to discuss them, 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 Robert M. Tomlinson, Chairman, Senate Consumer Protection and Professional Licensure Committee
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection and Professional Licensure Committee
Honorable Benjamin Ramos, Acting Secretary, Department of State

Comments of the Independent Regulatory Review Commission

on

State Board of Cosmetology Regulation No. 16A-454

Sanitation/Disinfection

March 3, 2003

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 Cosmetology (Board) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered within two years of the close of the public comment period, the regulation will be deemed withdrawn.

- 1. Section 7.71. Equipment and supplies for a cosmetology shop; Section 7.71a. Equipment and supplies for a cosmetician shop; and Section 7.71b. Equipment and supplies for a manicuring shop. - Clarity.**

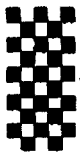
The House Professional Licensure Committee requested an explanation as to what is meant by "sufficient" equipment for each additional licensee in a shop. We agree that Subsections (b) of these sections are vague. It is not clear how to comply with the requirement for "sufficient" supplies and equipment for additional cosmetologists, cosmeticians and manicurists. The regulation should provide more specific guidance.

- 2. Section 7.92. Sanitation and disinfection of equipment and implements. - Need and Clarity.**

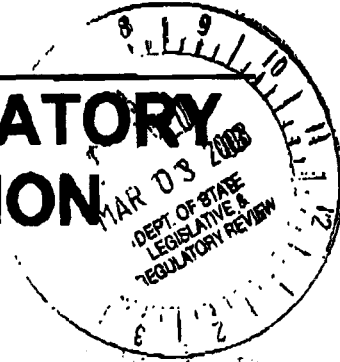
Paragraph (a)(3) requires cleansed and disinfected objects to be rinsed with clean water and "dried with a clean towel." Is it acceptable to allow objects to air dry, or is it necessary to wipe the objects after they are cleansed and disinfected?

- 3. Section 7.114. School equipment and supplies. - Need.**

As amended, Paragraphs (a)(12) and (13) of the regulation would require schools to have a bulletin board and a chalkboard. Could other equipment accomplish the same objective, such as white boards and overhead projectors? If so, the Board should consider broader requirements that would allow similar equipment.



INDEPENDENT REGULATORY REVIEW COMMISSION



To: Suzanne Hoy
Agency: Department of State
Licensing Boards and Commissions
Phone: 7-2628
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From: Kristine M. Shomper
Administrative Officer
Company: Independent Regulatory Review
Commission
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Fax: (717) 783-2664

Date: March 3, 2003
of Pages: 3

Comments: We are submitting the Independent Regulatory Review Commission's comments on the State Board of Cosmetology regulation #16A-454 (#2306). Upon receipt, please sign below and return to me immediately at our fax number 783-2664. We have sent the original through interdepartmental mail. You should expect delivery in a few days. Thank you.

Accepted by: *J. Shomper* Date: 3/03/03