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

June 22, 2005

Susan E. Rineer, Chairperson
State Board of Cosmetology
2601 North 3rd Street
Harrisburg, PA 17110

Re: Regulation #16A-4512 (IRRC #2475)
State Board of Cosmetology
Biennial Renewal Fee Increase

Dear Chairperson Rineer:

Enclosed are the Commission's comments for consideration when you prepare the final version of this regulation. These comments are not a formal approval or disapproval of the regulation. However, they specify the regulation review criteria that have not been met.

The comments will be available on our website at www.irrc.state.pa.us. If you would like to discuss them, please contact me.

Sincerely,

Kim Kaufman
Executive Director

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Enclosure

cc: 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 Thomas P. Gannon, Majority Chairman, House Professional Licensure Committee
Honorable William W. Rieger, Democratic Chairman, House Professional Licensure Committee
Honorable Pedro A. Cortes, Secretary, Department of State

Comments of the Independent Regulatory Review Commission
on
State Board of Cosmetology Regulation #16A-4512 (IRRC #2475)
Biennial Renewal Fee Increase

We submit for your consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The State Board of Cosmetology (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on May 23, 2005. 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regulation is not delivered within two years of the close of the public comment period, the regulation will be deemed withdrawn.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. General. – Consistency with statute; Reasonableness; Clarity.

Section 4.4 of Act 98 of 2002 deleted the requirement that a cosmetology shop manager be licensed. Accordingly, in Section 7.2 of this regulation, the Board deleted the fee for a cosmetology shop manager license. However, elsewhere in 49 Pa. Code Chapter 7, references to the licensure of a cosmetology shop manager remain.

To be consistent with existing statute and the deletion of the fee requirement for a cosmetology shop manager's license, the Board should delete all references to a cosmetology shop manager's license from 49 Pa. Code Chapter 7 when it submits the final-form regulation.

Facsimile Cover Sheet

Kristine M. Shomper
Administrative Officer



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

To: Suzanne Hoy
Agency: Department of State
Licensing Boards and Commissions
Phone: 7-2628
Fax: 7-0251
Date: June 22, 2005
Pages: 2

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INDEPENDENT REGULATORY REVIEW COMMISSION

Comments: We are submitting the Independent Regulatory Review Commission's comments on the State Board of Cosmetology regulation #16A-4512 (IRRC #2475). 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: Suzanne Hoy **Date:** 6/22/05