

Subchapter 2 — Cosmetology Technical Advisory Committee

17-26-201. Creation — Members.

- (a) There is created the Cosmetology Technical Advisory Committee.
- (b) (1) The committee shall consist of seven (7) members appointed by the State Board of Health to two-year terms.
(2) A member may be removed from the committee by the board for cause.
(3) A member shall not serve more than ten (10) years on the committee.
- (c) The committee shall be composed of the following representatives from within the cosmetology industry who are of good moral character and who are at least twenty-five (25) years of age:
 - (1) One (1) member shall be a licensed cosmetologist actively engaged in practicing the art of cosmetology for at least five (5) years at the time of appointment;
 - (2) One (1) member shall be a licensed nail technician;
 - (3) One (1) member shall be an owner of a licensed school of cosmetology or shall be a director of cosmetology at a state-supported school;
 - (4) One (1) member shall be a licensed aesthetician; and
 - (5) Three (3) members shall represent the cosmetology industry at large or a related field.
- (d) (1) A member of the committee shall not be directly or indirectly connected with the wholesale business of the manufacture, rental, sale, or distribution of cosmetological appliances or supplies.
(2) A member of the committee shall not have a contract or a pending bid for a contract with the Department of Health concerning cosmetology.
- (e) Only two (2) members of the committee may be appointed from any one (1) congressional district.
- (f) Vacancies occurring during a term shall be filled for the unexpired term.
- (g) Before entering upon the discharge of his or her duties, each member shall make and file with the Secretary of State the oath of office prescribed by Arkansas Constitution, Article 19, § 20.
- (h) Each member of the committee may receive expense reimbursement and stipends in

accordance with § 25-16-901 et seq.

(i) The State Board of Health shall promulgate by rule the duties and powers of the committee.

(1.3) Investigations, Hearings, or Inspections

(A) The Department of Health shall conduct investigations and inspections as promulgated by rule.

Initial, routine and complaint inspections are conducted to ensure compliance with the licensing law and

rules. Any inspector shall have the authority to enter into and inspect any cosmetological establishment at

any time during business hours. An inspector is a person with five (5) years of experience in the licensed

practice of cosmetology. Cosmetological establishments are routinely inspected between 2-4 times a year to

ensure compliance with the licensing law and rules promulgated by the Board unless complaints are received

by the Department. The inspectors examine licenses; inspect buildings and equipment; check accumulated

hours and number of students in cosmetology schools; report violations of the law or rules; investigate

complaints; rate inspections; and perform yearly initial inspections of new cosmetological establishments.

(B) After final Department action is taken, in the event a licensee should wish to appeal final

Department action to the Cosmetology Technical Advisory Committee, this appeal must be made in writing

to the Department, and must be made within thirty (30) days of receipt of final Department action.

(1) Hearings conducted by the Cosmetology Technical Advisory Committee may be held bimonthly

for review of cases for which disciplinary action may be required.

(2) Except as provided in subdivision B.2.a. of this rule, a hearing attended by two (2) or more members of the committee is a meeting.

(a) A final order shall not be imposed by fewer than three (3) members.

(b) A final order imposed by the committee may be appealed to the state Board of Health

within thirty (30) days of its receipt