



**WEST VIRGINIA
SECRETARY OF STATE**

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

5/12/2017 2:25:33 PM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

**FORM 6 -- NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY **Barbers And Cosmetologists**

RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **3-14**

RULE NAME **Waxing Specialist**

CITE AUTHORITY **§30-27**

HOUSE OR SENATE BILL NUMBER
2219

SECTION
3

PASSED ON
04/25/2017

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE
FOLLOWING DATE

Friday, May 12, 2017

THIS RULE SHALL TERMINATE AND HAVE NO FURTHER FORCE OF EFFECT FROM THE
FOLLOWING DATE

Wednesday, May 12, 2027

Charles E Persinger -- By my signature, I certify that I am the person authorized to file legislative rules, in
accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 3-14



Rule Id: 10169



Document: 49351

TITLE 3
LEGISLATIVE RULE
BOARD OF BARBERS AND COSMETOLOGISTS

SERIES 14

WAXING SPECIALIST

§ 3-14-1. General.

- 1.1 Scope. -- This legislative rule establishes the minimum requirements for waxing specialist.
- 1.2 Authority. -- W. Va. Code § 30-27-8b; W. Va. Code § 30-27-6;
- 1.3 Filing Date. -- May 12, 2017.
- 1.4 Effective Date -- May 12, 2017
- 1.5 Sunset Date. -- This rule shall terminate and no further force or effect on May 12, 2027.

§ 3-14-2. Definitions.

2.1 "Waxing Specialist" is a certified individual who engages in the practicing of waxing and tweezing of hair on another person's body.

§ 3-14-3. Qualifications for Waxing Specialist.

- 3.1. Is at least eighteen years of age;
- 3.2. Is of good moral character;
- 3.3. Is in high school or has a high school diploma, a GED, or has passed the "ability to benefit test" approved by the United State Department of Education;
- 3.4. Has paid the applicable fee;
- 3.5. Has a certificate of health from a licensed physician;
- 3.6. Is a citizen of the United States or is eligible for employment in the United States;
- 3.7. Has completed a 100 hour class that consists of: professional requirements, safety and health, skin structure, disorders and diseases, removal of superfluous hair and 25 hours on the clinic floor, supervised, for a total of 125 hours;
- 3.8. Has passed the appropriate examinations (National Written, Practical, and WV State Law);
- 3.9. Has submitted an application verifying the requirements within this section; and
- 3.10 Possesses a United States or state government issued photograph identification card and shall exhibit to the board or its authorized representative.

§ 3-14-4. Authorized Services by Waxing Specialist.

4.1. Waxing specialists shall only perform services within the definition of waxing specialist in this rule.

4.2. It is unlawful for any person to wax or tweeze or offer to wax or tweeze without a license or certification from the Board.

§ 3-14-5. Display of Certificate.

5.1. Every waxing specialist shall display his or her certificate or certificate renewal at the station the individual is currently working and shall exhibit the certificate to the board or its authorized representative.

§ 3-14-6. Renewal.

6.1. Certifications are valid for one (1) year and must be renewed annually on or before January 1st of each year.

§ 3-14-7. Duties of Shop Owners.

7.1. Shop owners and/or managers are responsible for ensuring that waxing specialists follow all provisions under the jurisdiction of the board.

§ 3-14-8. Revocation of Permit.

8.1. The certification of a waxing specialist may be revoked or suspended by the Board for any reason specified herein or otherwise set forth in W. Va. Code § 30-27-1 et seq.

§ 3-14-9. Administrative Due Process.

6.1. Those persons adversely affected by the enforcement of this rule have the right to request a hearing in a manner pursuant to the provisions of W. Va. Code § 30-27-1 et seq.