



NORTH CAROLINA BOARD OF BARBER AND ELECTROLYSIS EXAMINERS

Memo

TO: Board members and anticipated board appointees

FROM: Dennis Seavers

DATE: February 21, 2023

SUBJECT: Rulemaking—online submission of temporary permits

Under G.S. § 86B-27, the Board can issue temporary permits for barber-related applications in various circumstances, including the following:

- An individual has graduated from barber school and wishes to work while attempting to pass the exams. There are some limits on these permits, such as how long they're effective or how many can be issued.
- An individual formerly held a barber license (what used to be called a "registered barber license"), but the license expired more than five years ago. These individuals must apply to restore their licenses but can get a temporary permit while they attempt to pass the exams.
- An individual holds a barber license in another state and is trying to get a North Carolina license, but doesn't qualify for reciprocity. These individuals can get a temporary permit while they attempt to pass the exams.

In 2022, the Board unveiled an online system for requesting and issuing temporary permits. Under this system:

- Individuals can use an easy-to-use online form, which is optimized for mobile devices, to submit a request.
- Individuals can decide whether they want to receive their temporary permits by mail or email.
- The staff has an online workflow for tracking requests and making determinations about whether to approve or deny them.
- An automated process notifies requestors that the requests have been received and, after the determination is made, what the outcome is. If an individual asks to receive the temporary permit by email, the automated approval email will attach a PDF copy of the temporary permit, which the individual can print out.
- There's a tracking system that allows staff members, including inspectors in the field, to determine whether temporary permits have been altered or counterfeited.

The rollout of the system was very successful, and the system has worked well. However, we currently receive some requests online and others by paper. The attached rule would require online submissions and mostly prohibit paper requests. The rule also has a provision to allow individuals to submit a paper form if they have legitimate reasons not to submit online, such as a disability.

There are several advantages to having all requests received online, including:

- Improved tracking by the office staff, allowing them to look up requests and permits more easily;
- Having all requests and permits in a single repository;
- More efficient handling of requests;
- Faster response time; and
- Easier access to information by field inspectors.

Board action

If the board agrees with the policy represented in this amendment, below is what would happen:

1. The board would pass a motion to propose the rule at the February 28, 2023 meeting.
2. I would file the rule with the Office of Administrative Hearing under the permanent rulemaking process.
3. The rule would be published in the North Carolina Register.
4. There would be a 60-day comment period and a public hearing.
5. Following the comment period, the board would consider the rule and any public comments submitted.
6. If the board decided to continue with the rule after considering public comments, it would pass a motion to adopt it.
7. I would file the rule with the Rules Review Commission for approval.
8. The rule would go into effect on the date decided by the board, in accordance with the time frames in the Administrative Procedure Act.

1 21 NCAC 06N .0116 is proposed for adoption as follows:

2

3 **21 NCAC 06N .0116 REQUEST FOR TEMPORARY PERMIT**

4 (a) An individual who wishes to request a temporary permit shall submit the following information using the form
5 available at the website listed in 21 NCAC 06A .0102:

6 (1) the requester’s name, mailing address, phone number, and email address;

7 (2) if the requester attended a North Carolina barber school, the name of the school;

8 (3) the type of license application the requester has submitted; and

9 (4) the name, permit number, and physical address of the barbershop where the requester would like to
10 work.

11 (b) Except as set forth in Paragraph (c) of this Rule, the Board shall not accept requests for temporary permits
12 submitted in paper form.

13 (c) If an individual wishes to submit a request for a temporary permit in paper form because he or she cannot submit
14 the request online, the individual shall submit a paper form to the address listed in 21 NCAC 06A .0102, along with
15 an explanation for why the request cannot be submitted online. The Board shall determine whether good cause exists
16 for the individual not to submit a request online. For the purpose of this Rule, “good cause” means that the applicant
17 could not have submitted the request online as set forth in Paragraph (a) of this Rule due to circumstances such as
18 disability or lack of access to a computer or mobile device.

19

20 *Authority G.S. 86B-2; 86B-27*