



# Oregon

Theodore R. Kulongoski, Governor

## *Health Licensing Agency*

700 Summer St. NE, Suite 320

Salem, Oregon 97301-1287

Telephone (503) 378-8667

FAX (503) 585-9114

TTY (503) 373-2114

E-Mail: [ohla.info@state.or.us](mailto:ohla.info@state.or.us)

Web Site: [www.Oregon.gov/OHLA](http://www.Oregon.gov/OHLA)

**DATE:** March 16, 2010

**TO:** Career School Owners & Directors

**FROM:** Randy Everitt, Director

**SUBJECT: OHLA No Longer Offers Fitness-to-Practice Preauthorization**

Due to regulatory limitations clarified upon legal review, the Oregon Health Licensing Agency (OHLA) no longer offers fitness-to-practice preauthorization for individuals prior to their graduation from an Oregon cosmetology college.

Under Oregon Administrative Rule 331-030-0000 and OAR 331-030-0004, the agency may run criminal background checks and make fitness-to-practice determinations on **applicants** only.

Individuals who have yet to graduate from cosmetology college are not technically applicants for certification because they have yet to obtain the required, prerequisite qualifications for cosmetology certification.

Initially in the interest of providing excellent customer service, OHLA offered these individuals fitness-to-practice preauthorization so that they could know prior to enrolling or completing their cosmetology education if a prior criminal conviction would preclude them from becoming certified.

The goal was to assist these individuals in avoiding the time and expense of obtaining an education if their prior criminal history would preclude them from obtaining cosmetology certification.

We recommend that individuals consult with their parole or probation officer to determine whether or not the criminal conviction(s) would restrict their ability to perform cosmetology services on the public. OHLA relies on the recommendations of parole and probation officers to determine the fitness-to-practice of applicants.

If the courts or parole or probation officers do not place restrictions on an individual, OHLA would not place restrictions to practice on that individual.

If you have any questions, please contact the agency at your convenience.