

OFFICE OF THE SECRETARY OF STATE

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ARCHIVES DIVISION

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**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 331  
OREGON HEALTH AUTHORITY  
HEALTH LICENSING OFFICE

**FILED**

12/30/2022 11:43 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Complete rule review including approved education, training, and examination.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 01/28/2023 12:00 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

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Filed By:  
Samantha Patnode  
Rules Coordinator

HEARING(S)

*Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.*

DATE: 01/18/2023

TIME: 9:00 AM - 11:00 AM

OFFICER: Samie Patnode

HEARING LOCATION

ADDRESS: Health Licensing Office, 1430 Tandem Ave. NE, Suite 180, Salem, OR 97301

SPECIAL INSTRUCTIONS:

Telephone Conference Instructions:

Call-in number: 503-934-3605

Participant code: 791607

NEED FOR THE RULE(S)

In early 2022 stakeholders from the electrology profession and consumers of electrology services including persons seeking gender reassignment surgery and organizations such as Basic Rights Oregon reached out to the Health Licensing Office (HLO) asking for ways to reduce barriers to electrology licensure. Currently there are approximately 78 licensed electrologists in Oregon and no Electrology schools currently taking new students, which limits the number of individuals who can get licensed.

The rule amendments update the electrology curriculum and training to align with current industry and national licensing standards. The proposed rule recommends a 600-hour program: 200 hours of theory instruction and 400 practical procedures. The rule amendments. In an effort to increase the number of licensed electrologists in Oregon the rules propose a new "Electrology Training Program" which would require the same 600-hours: 200-hours of theory instruction and 400 practical procedures. The training program would require that an individual obtain a temporary trainee license and work under the supervision of an approved supervisor in a licensed body art facility.

The rule also allows HLO to determine if an examination is substantially equivalent to Oregon's electrology examinations. Individuals licensed in other states will be able to obtain licensure sooner if they do not have to take additional examinations. In Oregon practical examinations are given at the school level and currently there are no licensed electrology career schools. The rule proposes to allow practical examinations be given at licensed electrology career schools and through the Electrology Training Program under the supervision of an approved supervisor.

HLO has proposed to broaden the ability to obtain a license in Oregon by adding a pathway for individuals who have previous education, training and experience in electrology but never received a license (in-state or out-of-state). This pathway allows the individual to go to an electrology career school or a supervisor and have their education, training and experience reviewed. Once equivalent requirements are met the individual qualifies to take the specific examinations and then have the ability to obtain licensure.

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#### DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Oregon Revised Statutes and Oregon Administrative Rules related to electrology technology and the HLO. Qualification committee information including recommended education and training which provides theory hours and practical procedures. Examples of the body piercing training program forms, curriculum including theory and practical hours and examination blueprint. Other state education and examination blueprints.

All documents are available at the HLO, 1430 Tandem Ave Suite 180, Salem, OR 97301-1287. To obtain information or copies of information please contact Samie Patnode, Policy Analyst, at 503-373-1917 or by email at samie.patnode@dhsosha.state.or.us, during normal business hours Monday through Friday between 7 am to 2:30 pm

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#### STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

Persons subject to the rule are individuals seeking to obtain electrology licensure in Oregon. All persons no matter what their race, gender or ethnic background will be required to meet the requirements of the new rules. Currently licensed electrologists, persons seeking gender reassignment surgery, and persons wanting to become licensed in electrology will be affected by the rule changes. HLO has worked with several organizations during the rulemaking process including Oregon Health Sciences University (OHSU), Department of Corrections (DOC), Basic Rights Oregon, Oregon Electrology Association, Brave Space LLC, Oregon Trans Health Coalition to ensure that a wide range of stakeholders could provide input on the proposed rules.

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#### FISCAL AND ECONOMIC IMPACT:

The fiscal and economic impact will largely affect currently licensed electrologists and individual seeking to become licensed as an electrologist in Oregon. There will also be an impact on persons seeking gender reassignment surgery since often times there is a one to two-year waiting period to have permanent hair removal done prior to surgery.

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#### COST OF COMPLIANCE:

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

OHSU is a state agency (public university). OHSU Cosmetic & Plastic Services intends to have an electrology training program. There will be cost for keeping records, creating the training program including forms. OHSU will be required to obtain a body art facility license in order to begin their training program. Cost for a body art facility license is \$250 and \$125 to renew annually.

The DOC has recently begun offering electrolysis services to Adults In Custody (AIC) who want gender reassignment surgery. This may cost the DOC to create a treatment room, scheduling systems and patient aftercare. It is unknown if the AIC will be getting gender reassignment surgery while incarcerated but if they do there will likely be costs for AIC's recovery from surgery, follow-up physician appointments and continued medication and healthcare maintenance. Costs for electrolysis and gender reassignment surgery while individuals are incarcerated is covered by the Oregon Health Plan. OHSU will be required to obtain a body art facility license in order to begin their training program. Cost for a body art facility license is \$250 and \$125 to renew annually.

If more electrolysis practitioners become licensed, then the number of persons seeking gender reassignment surgery may increase. If there is an increase in electrolysis practitioners, there may be an increased cost to the Oregon Health Plan if more payments for permanent hair removal services are required. For those payments to be approved review of medical and behavioral health records and documentation for patients may be necessary.

HLO will be required to review and create templates of the training program to be used by supervisors. This includes tracking forms, content areas and logging practical procedures. HLO will also create a laws and rules examination which includes data entry and maintenance. HLO's proprietary database will need to be aligned to track trainees, supervisors, revenue codes and forms.

If the DOC has begun offering electrolysis services to AICs who want gender reassignment surgery, it is possible local and county jails may offer the same services to AICs. If so, the same cost factors listed in question three regarding AICs would apply. AICs in local and county jails are incarcerated for up to 365 days.

If the rule changes lead to an increase in electrolysis practitioners in Oregon, persons seeking electrolysis services will be affected. More electrolysis practitioners means more procedures that can be performed. Persons seeking electrolysis services will incur the cost of the services including co-payments related to private insurance benefits. In some cases, those services may be covered by private insurance which could be considered the public. If private insurance companies are considered the public, there may be an increase in pay-outs to electrolysis practitioners performing permanent hair removal services. If a person seeking to become a licensed electrolysis practitioner enrolls in a school or training program there may be costs affiliated with the education and training, including costs for temporary licensing, books and electrolysis devices. Once their education or training is completed there will be costs for application, license, and examination.

The annual salary for an electrolysis practitioner varies from \$50,000 to \$100,000. The salary of an electrolysis practitioner can vary widely depending on the city and many other important factors, including education, certifications, additional skills, the number of years you have spent in your profession. If OHSU, DOC and local and county jails are required to hire an electrolysis practitioner to provide services to clients or administer the training program they may pay at least \$50,000. This would likely not include benefits and leave accrual which may be an additional cost.

In the public is a person seeking education and training may see tuition and training costs up to \$10,000. There is little information on actual costs for electrolysis schools and "training programs" which operate similar to an apprenticeship. In comparison enrollment in a tattoo school in Oregon cost between \$8500 to \$12,000 and advanced esthetics school's cost approximately \$20,000.

An Oregon Health Plan Fee-for-Service (<https://www.oregon.gov/oha/HSD/OHP/DataReportsDocs/fee-schedule0722.pdf>) schedule dated July 11, 2022, showed that payment for electrolysis services is from \$65 to \$212.99.

There are 82 licensed electrolysis practitioners that could potentially become supervisors. Most electrolysis practitioners own their own body art facility which is considered a small business. Currently there are no electrolysis schools in Oregon, if one were to

become licensed it would likely be considered a small business. Small businesses could also include medi-spas however it is unknown how many medi-spas operate in Oregon. Other businesses and industries that may be affected by the rule changes are plastic surgery, permanent hair removal and health insurance.

If an electrologist decides to have a training program, they will have to keep trainee records including theory and practical training. There may be initial costs to obtain educational materials such as books, equipment and computer-based training systems. Schools may also have to update forms such as official transcripts and applications for licensure.

There may be accounting costs or costs for hiring electrologists who are considered subject matter experts to provide specialized training within a training program or career school. There would likely be equipment costs for persons obtaining education and training this equipment may include hair removal devices and client service area equipment.

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DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Several small business owners were on the Rules Advisory Committee and Qualification Committee.

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WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:

331-910-0000, 331-910-0005, 331-910-0007, 331-910-0010, 331-910-0015, 331-910-0020, 331-910-0021, 331-910-0022, 331-910-0023, 331-910-0024, 331-910-0025, 331-910-0030, 331-910-0035, 331-910-0040, 331-910-0045, 331-910-0050, 331-910-0055, 331-910-0060, 331-910-0065, 331-910-0070, 331-910-0075, 331-910-0080, 331-910-0085

AMEND: 331-910-0000

RULE SUMMARY: Definitions for the electrology field of practice.

CHANGES TO RULE:

331-910-0000

Definitions ¶

The following definitions apply to OAR chapter 331, division 910:¶

(1) "Affidavit of Licensure" has the meaning set forth in OAR 331-030-0040.¶

(2) "Direct supervision" means ~~the~~ a supervisor or instructor is present in the facility and actively involved in direct oversight and training of students. is onsite and immediately accessible and in view of the practical procedure to provide guidance and instruction to the temporary trainee. ¶

(3) "EPA" means United States Environmental Protection Agency.¶

(4) "FDA" means United States Food and Drug Administration.¶

(5) "Field of practice" has the definition set forth in ORS 690.350.¶

(6) "~~High-level disinfectant~~" means ~~a chemical agent, registered with the EPA, which has demonstrated tuberculocidal activity.~~¶

~~(7) "ECC OCS" means Higher Education Coordinating Commission Oregon Career School licensed under ORS 345 to teach electrolysis.~~¶

(7) "High-level disinfectant" means a chemical agent, registered with the EPA, which has demonstrated tuberculocidal activity.¶

(8) "Indirect supervision" means a supervisor is onsite and immediately accessible and available to provide guidance and instruction to the temporary trainee. A supervisor is not required to be in view of the procedure when providing indirect supervision.¶

(9) "Instruments" means equipment used during electrology services. Types of instruments include but are not limited to needles (filaments) and tweezers.¶

(810) "Office" means Health Licensing Office.¶

~~(911) "Official transcript" means: An original a document authorized by the appropriate office in the Higher Education Coordinating Commission (HECC) and certified by a career school licensed under ORS 345 indicating applicant identity information, and certified by a HECC OCS indicating the following information for an applicant: information clearly identifying the applicant including first and last name, the field of practice(s) enrolled under, specific hour requirements for each field of practice if applicable, enrollment information date the applicant enrolled and completed the program, specific hours the applicant obtained in a field of practice including theory and practical hours, final practical examination scores for the field of practice, and a signature by from an authorized representative on file with the Office. Original documents must be submitted directly to the Office from the educational institution HECC OCS by United States Postal Service mail or other recognized mail service providers in a sealed envelope or by other means approved by the Office., email, or fax. ¶~~

~~(102) "Practitioner" means a person licensed to perform services included within a field of practice. ¶~~

~~(13) "Temporary Trainee License Holder" means an individual licensed under OAR 331-910-0021.~~

~~Statutory/Other Authority: ORS 345, 676.607, 676.608, 676.612, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690.405, 690.410, 690.407, 690.410, 690.415~~

~~Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 ¶ 22, 350, 690.405~~

AMEND: 331-910-0005

RULE SUMMARY: Approved electrology curriculum - 600 hours total: 200 hours of theory instruction and 400 practical procedures.

CHANGES TO RULE:

331-910-0005

~~Approved Course of Study for Electrology~~ Electrology Curriculum - HECC OCS

~~To be approved by the Office, a~~ (1) A HECC OCS's electrology curriculum must include 600 hours of study must include, at least 600 hours of training instruction theory instruction and practical experience and meet learning objectives listed in the January 1, 2023, Electrology Curriculum referenced in subsection (9) of this rule. The curriculum must include at least 235 minimum of 200 hours of theory and at least 365 instruction, and 400 hours of practical experience in the following areas:

~~(1) Oregon Laws and rules: 15 hours of training in theory.~~

~~(2) Bacteriology: The 400 hours of practical experience must include a minimum of 400 practical procedures.~~

~~(2) Curriculum must include 200 hours of training in theory.~~

~~(3) Infection control, safety and sterilization: 20 hours of training in theory and 15 hours of practical training.~~ theory instruction required in subsection (1) of this rule in the following areas:

~~(a) Business operations: 15 hours;~~

~~(b) Oregon laws and rules: 20 hours;~~

~~(4c) Anatomy and physiology: 260 hours of training in theory;~~

~~(d) Microbiology: 5 hours;~~

~~(5e) Endocrinology Safety, safe usage of devices ad federal regulations and standards: 210 hours of training in theory;~~

~~(f) Electrology services: 30 hours;~~

~~(6g) Structure, dynamics and diseases of skin and hair~~ Electrical devices, as follows:

~~(A) Electrolysis (galvanic): 320 hours of training in theory;~~

~~(B) Thermolysis (manual and flash): 20 hours;~~

~~(7C) Circulatory combination of electrolysis and nervous system: 20 hours of training in theory.~~

~~(8) Electricity: 15 hours of training in theory.~~

~~(9) Electrolysis (galvanic): 2 thermolysis (blend): 20 hours;~~

~~(3) As part of the approved curriculum, a student must complete all hours of theory instruction prior to the student performing practical procedures.~~

~~(4) The 400 hours of tpraining in theory and 115 hours of practical training.~~

~~(10) Thermolysis: 20 hours of training in theory and 115 hours of practical training.~~

~~(11) ctical experience required in subsection (1) of this rule must include 400 practical procedures listed below:~~

~~(a) Electrolysis (galvanic): 20 procedures;~~

~~(b) Thermolysis Manual: 46 procedures;~~

~~(c) Thermolysis Flash: 46 procedures;~~

~~(d) Combinations of electrolysis and thermolysis (blend): 20 hours of training in theory and 110 ho which must include 46 procedures;~~

~~(e) Procedures of practical training.~~

~~(12) Draping and positioning: 5 hours of training in theory and 5 hours of pchoice listed in (a) through (d) of this rule must include 230 procedures.~~

~~(5) The student must observe the teacher demonstrectical training.~~

~~(13) Professional ethics and business practices: 10 hours of training in theg three of each procedure listed in subsection (4)(a) through (d) of this rule fory and 5 hours of practical training.~~

~~(14) As part of the ap total of 15 procedures. For example, a student may not perform provced course of study, all hours of theory must be completed prior to practical work being performed on the general public.~~

~~(15) Training must be conductedures listed under subsection (4)(a) of this rule (electrolysis (galvanic)) until the temporary trainee has observed the teacher demonstrating three procedures listed under subsection (4)(a) of this rule (electrolysis (galvanic)).~~

~~(6) Curriculum must be taught by an Oregon licensed electrologist who is registered as a teacher bythrough the Higher Education Coordinating Commission.~~

~~(16) A registered teacher must provide direct supervision of practical training on a 7) If an individual does not hold an electrology license in Oregon but has expertise in certain procedures, the individual must obtain a temporary license listed under OAR 331-910-0010 and OAR 331-910-0015 and meet all the requirements of the HECC OCS prior to performing electrolysis, including demonstrating practical procedures or providing hands-one-to-~~

~~on training.~~

~~(8) The student/ to teacher ratio for students while performing practical training while the student is working on the general public procedures is four students to one teacher at one time.~~

~~(9) The Office has approved the January 1, 2023, Electrology Curriculum which can be obtained from the Office upon request.~~

~~(170) For the purpose of this rule direct supervision means that in accordance with ORS 690.410(2) a HECC OCS must obtain approval of their curriculum from the Office before teaching can commence.~~

~~(11) The teacher is present and actively involved in direct oversight and training of students theory portion of the curriculum listed in subsection (2) of this rule may be taught through distance learning.~~

~~Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 4090.350, ORS 345, 690.365, 690.4075, 690.410, 690.415~~

~~Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 22, 35 690.350, 690.365, 690.405, 690.410~~

ADOPT: 331-910-0007

RULE SUMMARY: Approved Electrology Training Program for Temporary Trainees - 600 hours total: 200 hours of theory instruction and 400 practical procedures.

CHANGES TO RULE:

331-910-0007

Approved Electrology Training Program for Temporary Trainees

(1) An electrology training program must include 600 hours of theory instruction and practical experience and meet learning objectives listed in the January 1, 2023, Electrology Temporary Trainee Training Program referenced in subsection (14) of this rule. The training must include a minimum of 200 hours of theory instruction and 400 hours of practical experience. The 400 hours of practical experience must include a minimum of 400 practical procedures.

(2) Training must include 200 hours of theory in the following areas:

(a) Business operations: 15 hours;

(b) Oregon laws and rules: 20 hours;

(c) Anatomy and physiology: 60 hours;

(d) Microbiology: 5 hours;

(e) Safety, safe usage of devices, and federal regulations and standards: 10 hours;

(f) Electrology services: 30 hours;

(g) Electrical devices: 5

(A) Electrolysis (galvanic): 20 hours;

(B) Thermolysis (manual and flash): 20 hours;

(C) Combination of electrolysis and thermolysis (blend): 20 hours.

(3) As part of the approved training, a temporary trainee must complete all hours of theory instruction prior to the temporary trainee performing practical procedures.

(4) The 400 hours of practical experience required in subsection (1) of this rule must include the 400 practical procedures listed below:

(a) Electrolysis (galvanic): 20 procedures;

(b) Thermolysis Manual: 46 procedures;

(c) Thermolysis Flash: 46 procedures;

(d) Combination of electrolysis and thermolysis (blend): 46 procedures;

(e) Procedures of choice listed in subsection (a) through (d) of this rule: 230 procedures.

(5) The temporary trainee must observe the supervisor demonstrating three of each procedure listed in subsection (4)(a) through (d) of this rule for a total of 15 procedures. For example, a temporary trainee may not perform procedures listed under (4)(a) of this rule (electrolysis (galvanic)) until the temporary trainee has observed the supervisor demonstrating three procedures listed in subsection (4)(a) of this rule (electrolysis (galvanic)).

(6) Training must be provided by an Office-approved supervisor pursuant to OAR 331-910-0050.

(7) Procedures listed under subsection (4)(a) through (d) of this rule must be performed under direct supervision as defined under OAR 331-910-0000.

(8) Procedures listed under subsection (4)(e) of this rule may be performed under indirect supervision as defined under OAR 331-910-0000.

(9) The temporary trainee must complete all the direct supervision procedures listed in subsection (4)(a) through (d) of this rule prior to performing procedures listed in subsection (4)(e) of this rule under indirect supervision.

(10) The temporary trainee-to-supervisor ratio while performing practical procedures is four temporary trainees to one supervisor at one time.

(11) A temporary trainee may have one or more supervisors during the electrology training program.

(12) If a temporary trainee has more than one supervisor, one supervisor must be designated as the primary supervisor. The primary supervisor is responsible for maintaining the records of training for the temporary trainee, including but not limited to, trainee tracking forms, certification of training and examination scores.

(13) If an individual does not hold an electrology license in Oregon but has expertise in certain procedures, the individual must obtain a temporary license listed under OAR 331-910-0010 and OAR 331-910-0015 and meet all the supervisor requirements listed under OAR 331-010-0023 and OAR 331-010-0024 prior to performing electrolysis, including demonstrating practical procedures or providing hands-on-training.

(14) The Office has approved the January 1, 2023, Electrology Temporary Trainee Training Program which can be obtained from the Office upon request.

(15) The theory portion of the training listed in subsection (2) of this rule may be taught through distance learning. Statutory/Other Authority: 676.568, 676.615, 690.350, 690.365, 690.405, 690.410



Statutes/Other Implemented: 690.350, 690.365, 690.405, 690.410

AMEND: 331-910-0010

RULE SUMMARY: Electrology temporary license which is issued on a limited basis generally for "events" and "guest spots" at body art facilities.

CHANGES TO RULE:

331-910-0010

Electrology Temporary License-- Limited Basis ¶

(1) An electrology temporary license under this rule and pursuant, to ORS 690.365, is a temporary license to perform electrology services on a limited basis, not to exceed 30 consecutive calendar days. An electrology temporary license holder; ¶

(a) May renew the license up to two times, in a 12-month period from the date the Office receives the initial application. License renewals can be done consecutively with no lapse in active license dates; ¶

(b) Must submit all requests to renew a license on a form prescribed by the Office ~~and received 20 days before electrology services are provided. The completed form must be accompanied by payment of the required renewal fee. Requests to renew a license must be received at least 20 days before electrology services are provided, unless the requested renewal period is consecutive to the previously authorized period with no lapse in active license;~~ ¶

(c) Must submit notification of a change in work location on a form prescribed by the Office at least 24 hours before services are performed ~~on a form prescribed by the Office;~~ and ¶

(d) Must work in a licensed facility. ¶

(2) An electrology temporary license holder must adhere to standards within OAR 331-910-0065, 331-910-0070, 331-910-0075, 331-910-0080, 331-910-0085 and all applicable rules listed in OAR 331, divisions 20 and 925.

Statutory/Other Authority: ~~ORS 345, 676.607, 690.568, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690.405, 690.407, 690.410, 690.415, 676.615, 690.350, 690.405~~

Statutes/Other Implemented: ~~ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22, 3690.350, 690.405~~

AMEND: 331-910-0015

RULE SUMMARY: Application requirements for individuals seeking temporary licensing on a limited basis generally for "events" or "guest spots" at body art facilities.

CHANGES TO RULE:

331-910-0015

Application Requirements for Electrology Temporary License-- Limited Basis

An individual applying for a ~~En~~ electrology ~~Temporary L~~ license for a limited basis must:<sup>¶</sup>

(1) Meet the requirements of OAR 331, division 30;<sup>¶</sup>

(a) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000, including one form of government issued identification which must be photographic and show proof of being 18 years of age. The completed application must be accompanied by payment of the required application and license fees and must be received at least 20 days before electrology services are provided to clients;<sup>¶</sup>

(b) Submit proof of current training in blood-borne pathogens; and<sup>¶</sup>

(c) Attest to six months of training or experience, within the last two years, pertaining to performing electrology on a form prescribed by the Office;~~or~~.<sup>¶</sup>

(2) For the purpose of this rule training or experience includes attendance or participation at an instructional program presented, recognized, or under the sponsorship of any permanently organized institution, agency, or professional organization or association recognized by the Office.<sup>¶</sup>

(3) All applications received after the required 20th day deadline will not be accepted by the Office unless otherwise approved.

Statutory/Other Authority: ~~ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690.405, 690.407, 690.410, 690.419, 690.350, 690.405~~

Statutes/Other Implemented: ~~ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22, 3690.350, 690.405~~

AMEND: 331-910-0020

RULE SUMMARY: No text change to this rule only updated statutory provisions.

CHANGES TO RULE:

331-910-0020

Electrology License ¶

(1) An electrologist, licensed under ORS 690.365, may perform electrology services.¶

(2) An electrologist license is good for one year and becomes inactive on the last day of the month one year from the date of issuance.¶

(3) An electrology license holder must adhere to standards within OAR 331-910-0065, 331-910-0070, 331-910-0075, 331-910-0080, 331-910-0085 and all applicable rules listed in OAR 331 division 925.

Statutory/Other Authority: ~~ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690.405, 690.407, 690.413, 690.415~~

Statutes/Other Implemented: ~~ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 690.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22, 35, 676.572, 676.576, 690.350, 690.365, 690.405, 690.370~~

ADOPT: 331-910-0021

RULE SUMMARY: Temporary trainee license issued while an individual is receiving education and training in electrolysis under an approved supervisor.

CHANGES TO RULE:

331-910-0021

Electrology Temporary Trainee License

(1) A temporary trainee license is valid for one year and may be renewed two times. ¶

(2) An individual holding a temporary trainee license under this rule may provide electrology services under the supervision of an Office-approved supervisor pursuant to OAR 331-910-0023 and 331-910-0024. ¶

(3) An individual holding a temporary trainee license under this rule may not provide electrology services unless the services are being performed under the appropriate direct or indirect supervision as defined in OAR 331-910-0000. ¶

(4) Before providing electrology services, a temporary trainee must document and notify client that the individual is providing electrology services under supervision as a temporary trainee. ¶

(5) A temporary trainee must work in a licensed facility in accordance with ORS 690.365 and OAR 331, division 925. ¶

(6) A temporary trainee must notify the Office prior to changing supervisors listed under OAR 331-010-0040. ¶

(7) A temporary trainee must adhere to all standards within OAR 331-910-0065, 331-910-0070, 331-910-0075, 331-910-0080, 331-910-0085, and all applicable rules listed in OAR 331 divisions 20 and 925. ¶

(8) A temporary trainee is required to disclose to each customer that they are in training, and they do not currently hold a permanent electrology license in Oregon.

Statutory/Other Authority: 676.568, 676.615, 676.572, 690.350, 690.405, 690.390

Statutes/Other Implemented: 676.572, 690.350

ADOPT: 331-910-0022

RULE SUMMARY: Temporary trainee license application requirements for an individual seeking education and training by an approved supervisor.

CHANGES TO RULE:

331-910-0022

Application Requirements for Electrology Temporary Trainee License

An individual applying for an electrology temporary trainee license must:

(1) Meet the requirements of OAR 331, division 30;

(2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application fees;

(3) Submit proof of being at least 18 years of age; acceptable forms of identification listed under OAR 331-030-0000;

(4) Submit proof of having a high school diploma or equivalent education; and

(5) Pay applicable licensing fees.

Statutory/Other Authority: 676.568, 676.572, 676.576, 676.615, 690.350, 690.405

Statutes/Other Implemented: 690.350, 690.405

RULE SUMMARY: Standard and requirements for supervisors providing education and training to temporary trainees.

CHANGES TO RULE:

331-910-0023

Electrology Supervisor

(1) While practical procedures are being performed under direct supervision by a temporary trainee, the supervisor-to-trainee ratio is one supervisor to four temporary trainees at one time. ¶

(2) A supervisor may have more than four temporary trainees while practical procedures are being performed under indirect supervision. ¶

(3) A supervisor must provide direct supervision, as defined under OAR 331-910-0000, to a temporary trainee when electrology services listed under OAR 331-910-0007(4)(a) through (d) are being performed. ¶

(4) A supervisor must provide indirect supervision, as defined under OAR 331-910-0000, to a temporary trainee when electrology services listed under OAR 331-910-0007(4)(e) are being performed. ¶

(5) If a temporary trainee has more than one supervisor, one supervisor must be designated as the primary supervisor to that temporary trainee. The primary supervisor is responsible for maintaining the records of training for the temporary trainee, including but not limited to, trainee tracking forms, certification of training and examination scores. ¶

(6) A supervisor who has been designated as the primary supervisor must ensure all training forms for a temporary trainee are maintained including training provided by other supervisors. ¶

(7) A supervisor must exercise management, guidance, and control over the electrology services of the temporary trainee and must exercise professional judgment when providing training, direct supervision, and indirect supervision to the temporary trainee. A supervisor is responsible for all matters relative to a temporary trainee's electrology services. ¶

(8) A supervisor must document work done by the temporary trainee on a form prescribed by the Office and maintain records of training for the temporary trainee including but not limited to trainee tracking forms, certification of training and examination scores for a minimum of two years following completion of training. ¶

(9) A supervisor must provide the temporary trainee with their records of training including but not limited to trainee tracking forms, certification of training and examination scores regardless of whether the temporary trainee completes the training program. ¶

(10) A supervisor must ensure that before a temporary trainee provides electrology services, the temporary trainee notifies clients that the individual is providing services under supervision as a temporary trainee. ¶

(11) A supervisor must notify the Office in writing within 10 calendar days if the supervisor is no longer supervising a temporary trainee and must provide to the Office the number of hours of training the temporary trainee completed on a form prescribed by the Office. ¶

(12) Notwithstanding any other disciplinary actions, the Office may withdraw a licensee's supervisor status for providing incomplete or inadequate training or falsifying documentation.

Statutory/Other Authority: 676.568(1)(e), (i), (q), and (t), 676.615, 690.350, 690.360(1)(f), 690.390, 690.405(1)(a), (b), (c), (e), and (j), 690.407, 690.410(1)

Statutes/Other Implemented: 690.350, 690.360(1)(f), 690.390, 690.405(1)(a), (b), (c), (e), and (j), 690.407

ADOPT: 331-910-0024

RULE SUMMARY: Application requirements for an approved supervisor training a temporary trainee.

CHANGES TO RULE:

331-910-0024

Requirements for Electrology Supervisor

An individual holding an electrology license under ORS 331-910-0025 may apply to become a supervisor for purposes of the electrology Temporary Trainee Training Program.

(1) To obtain Office approval as a supervisor for a temporary trainee, an individual must:

(a) Submit a completed form prescribed by the Office, which must contain the information listed in OAR 331-030-0000;

(b) Hold an active Oregon electrology license with no current or pending disciplinary action; and

(c) Submit proof of having been actively practicing electrology for at least two-years before the date of application.

(2) A licensee may not provide direct or indirect supervision to a temporary trainee until the Office has issued notification that the licensee is approved to be a supervisor.

Statutory/Other Authority: 675.568, 676.615, 676.572, 690.350, 690.390, 690.405

Statutes/Other Implemented: 690.350, 690.390, 690.405



AMEND: 331-910-0025

RULE SUMMARY: Application requirements for electrology permanent licensing including individuals educated and trained in Oregon and individuals who hold an electrology license in another state.

CHANGES TO RULE:

331-910-0025

Application Requirements for Electrology License ¶

- (1) An individual applying for licensure to practice electrology must: ¶
- (a) Meet the requirements of OAR 331, division 30; ¶
  - (b) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application fees; ¶
  - (c) Submit documentation showing proof of being 18 years of age. ~~Documentation includes, acceptable forms of identification are~~ listed under OAR 331-030-0000; ¶
  - (d) Submit proof of having a high school diploma or equivalent education; and ¶
  - (e) Provide documentation of completing a qualifying pathway listed below. ¶
- (2) License Pathway 1 - Graduate from an ~~Oregon Licensed Career School for Electrology~~ HECC OCS. An individual who graduated from a HECC OCS in the electrolysis field of practice must: ¶
- (a) Submit official transcript from a ~~licensed electrology school under ORS 345~~ HECC OCS showing proof of completion of the required electrology curriculum as determined by the Office established under OAR 331-910-0005; ¶
  - (b) Pay examination fees; ¶
  - (c) Submit on a form prescribed by the Office a passing score of an Office-approved written examination in accordance with OAR 331-910-0030(1) within two years from the date of application; ¶
  - (d) Submit on a form prescribed by the Office a passing score of an Office-approved practical examination in accordance with OAR 331-910-0030(2) within two years from the date of application; and ¶
  - ~~(e) Upon~~ ¶  
(e) Submit on a form prescribed by the Office a passing score of an Office-approved and administered laws and rules examination related to safety and infection control requirements in accordance with OAR 331-910-0030(3) within two years from the date of application; and ¶
  - ~~(f) After~~ passage of all required examinations and before issuance of license, applicant must pay all license fees. ¶
  - ~~(fg)~~ An applicant is not required to provide proof of official transcripts in a field of practice if the applicant was previously licensed as an electrologist in Oregon. ¶
- (3) License Pathway 2 - ~~Temporary Trainee Training Program~~. An ~~individual~~ Qualifying for Licensure Through R who completed a temporary trainee training program must: ¶
- (a) Submit documentation on a form prescribed by the Office showing proof of having completed training listed under OAR 331-910-0007, verified by a supervisor approved under OAR 331-910-0024, within two years from the date of application; ¶
  - (b) Pay examination fees; ¶
  - (c) Submit on a form prescribed by the Office a passing score of an Office-approved written examination in accordance with OAR 331-910-0030(1) within two years from the date of application; ¶
  - (d) Submit on a form prescribed by the Office a passing score of an Office-approved practical examination in accordance with OAR 331-910-0030(2) within two years from the date of application; ¶
  - (e) Submit on a form prescribed by the Office a passing score of the Office-approved and administered laws and rules examination related to safety and infection control requirements in accordance with OAR 331-910-0030(3) within two years from the date of application; and ¶
  - (f) After passage of all required examinations and before issuance of license, applicant must pay all license fees. ¶
- (4) License Pathway 3 - An individual seeking licensure through reciprocity must: ¶
- (a) Submit an affidavit of licensure pursuant to OAR 331-030-0040 demonstrating proof of holding a current electrology license, which is active with no current or pending disciplinary ~~ye~~. The other jurisdiction's licensing requirements pertaining to education and training must be substantially equivalent to Oregon licensing requirements pursuant to ~~ORS 690.365~~ or if not substantially equivalent the applicant must demonstrate to the satisfaction of the Office that the applicant has been employed or working as an electrologist full time for three of the last five years; ¶
  - (b) Pay examination fees; ¶
  - ~~(e) Submit~~ Submit on a form prescribed by the Office a passing score of an the Office-approved written examination and administered laws and rules examination related to safety and infection control requirements in accordance with OAR 331-910-0030(1) or (3) within two years from the date of application; ¶

~~(d) Submit passing score of on a form prescribed by the Office; and¶~~  
~~(c) After passage of all required examinations and before issuance of license, applicant must pay all license fees.¶~~  
(5) License Pathway 4 - Equivalent Education, Training, and Experience. Individuals who have obtained education, training and experience but have not obtained licensure in Oregon or in another state or country must:¶  
(a) Submit to the satisfaction of the Office either:¶  
(A) Documentation demonstrating completion of education, training, and experience equivalent to Oregon's required education, training, and experience; or¶  
(B) If the Office determines that the education, training, and experience under (a)(i) of this rule is not equivalent, then submit documentation from an HECC OCS or an Office--approved practical supervisor confirming the applicant is qualified to take the Board approved examinations; and¶  
(b) Pay examination fees;¶  
(c) Submit on a form prescribed by the Office a passing score of an Office- approved written examination in accordance with OAR 331-910-0030(2) or (31) within two years from the date of application; and¶  
~~(ed) Upon passage of all required examinations and before issuance of license, applicant must pay all license fees.¶~~  
~~(4) An applicant is not required to provide proof of official transcripts in a field of practice, required under (2)(a) of this rule, if the applicant was previously~~Submit on a form prescribed by the Office a passing score of an Office- approved practical examination in accordance with OAR 331-910-0030(2) within two years from the date of application;¶  
(e) Submit on a form prescribed by the Office a passing score of the Office approved and administered laws and rules examination related to safety and infection control requirements in accordance with OAR 331-910-0030(3) within two years from the date of application; and¶  
(f) After passage of all required examinations and before issuance of licensed, as an electrologist in Oregon applicant must pay all license fees.  
Statutory/Other Authority:~~ORS 676.615, ORS 690.365, ORS 690.370, ORS 690.405, 676.568, 676.572, 676.576~~  
Statutes/Other Implemented:~~ORS 690.365, ORS 690.370, ORS 690.405~~

AMEND: 331-910-0030

RULE SUMMARY: Approved electrology examinations.

CHANGES TO RULE:

331-910-0030

Approved Examination for Electrology ¶¶

(1) Written examination: The Office-approved written examination for electrology.¶¶

(2) Practical examination: The Office recognizes and ~~sanctions the~~ approves the January 1, 2023, Practical Examination conducted by a private career school defined under ORS 345.¶¶

~~(3) Pursuant to ORS 690.405 the Office may waive the~~ Objectives and Scoring Criteria as the approved practical examination. ¶¶

~~(3) The Oregon Laws and Rules examination related to safety and infection control requirements for electrology administered by the Office.~~ ¶¶

~~(4) The practical examinations listed in subsection (1) and (2) of this rule which are required under OAR 331-910-0025(3)(c) and (d) if the examinations are substan~~ must be administered at a HECC OCS authorized to teach the Electrology Approved Curriculum, January 1, 2023, listed in OAR 331-910-0005 or by a supervisor who is authorized to teach the Electrology Temporary Trainee Training Program, January 1, 2023, listed in OAR 331-910-0007.¶¶

~~(5) The Office may review any approved or administered examination, including written objectives and practically equivalent to determine the qualifications, fitness, and ability of examination assessments, upon request.~~¶¶

~~(6) Pursuant to ORS 690.405, the Office may waive an examination if the examination the applicant took practice electrology~~ ior to applying for Oregon licensure is substantially equivalent to the examinations listed in this rule.

Statutory/Other Authority: ~~ORS 676.615, ORS 690.365, ORS 690.370, ORS 690.405,~~ 676.568

Statutes/Other Implemented: 690.365, 690.370, 690.405

AMEND: 331-910-0035

RULE SUMMARY: General examination standards and requirements.

CHANGES TO RULE:

331-910-0035

General Examination Information ¶¶

- (1) To be eligible for an examination administered by the Office, an applicant must meet identification requirements listed under OAR 331-030-0000.¶¶
- (2) ~~The examination is administered in English only, unless an Office approved testing contractor or vendor provides the examination in languages other than English.¶¶~~
- (3) Examination candidates may be electronically monitored during the course of testing an examination.¶¶
- (4) Examination candidates must adhere to the maximum time allowance for each section of the examination, as established by the Office.¶¶
- (5) Examination candidates are prohibited from taking items and devices into examination areas ~~which~~, including but are not limited to notes, textbooks, notebooks, electronic equipment communication devices or any other items or devices the Office deems inappropriate.¶¶
- (6) Candidate conduct that interferes with the examination may result in the candidate's disqualification during or after the examination, the candidate's examination being deemed invalid, and forfeiture of the candidate's examination fees. Such conduct includes but is not limited to:¶¶
  - (a) Directly or indirectly giving, receiving, soliciting, and attempting to give, receive or solicit aid during the examination process;¶¶
  - (b) Violations ~~of subsections (5)~~ of this rule;¶¶
  - (c) Removing or attempting to remove any examination-related information, notes or materials from the examination site;¶¶
  - (d) Failing to follow directions relative to the conduct of the examination; and¶¶
  - (e) Exhibiting behavior that impedes the normal progress of the examination.¶¶
- (7) If the candidate is disqualified from taking the examination or the candidate's examination is deemed invalid for reasons under ~~subsection (6)~~ of this rule, the candidate may be required to reapply, submit additional examination fees, and request in writing to schedule a new examination date, before being considered for another examination opportunity.

Statutory/Other Authority: ~~ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690, 4090.350, 690.365, 690.407, 690.413, 690.4105~~

Statutes/Other Implemented: ~~ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 ¶ 22, 3405~~

REPEAL: 331-910-0040

RULE SUMMARY: Repeal rule regarding written examination.

CHANGES TO RULE:

**331-910-0040**

**Written Examination Retake Requirements**

~~(1) Failed sections of a written or examination may be retaken as follows:¶¶~~

~~(a) After first failed attempt – applicant may not retake for seven calendar days;¶¶~~

~~(b) After second failed attempt – applicant may not retake for seven calendar days;¶¶~~

~~(c) After third failed attempt – applicant may not retake for 30 calendar days, must pay all additional fees and must submit an official transcript certifying completion of an additional 100 hours of instruction in theory, focused on the approved curriculum outlined in OAR 331-910-0005 from a career school licensed under ORS 345 on a form prescribed by the Office;¶¶~~

~~(d) After fourth failed attempt – applicant may not retake for seven calendar days;¶¶~~

~~(e) After fifth failed attempt – applicant may not retake for seven calendar days;¶¶~~

~~(f) After sixth failed attempt – applicant may not retake for 30 calendar days, must pay all additional fees and must submit an official transcript certifying completion of an additional 100 hours of instruction in theory, focused on the approved curriculum outlined in OAR 331-910-0005 from a career school licensed under ORS 345 on a form prescribed by the Office;¶¶~~

~~(g) After seventh failed attempt – ability to retake, requirements for retake, or both will be determined by the Office on a case-by-case basis.¶¶~~

~~(2) Applicants retaking the examination must meet the requirements under OAR 331-030-0000.~~

~~Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690.405, 690.407, 690.410, 690.415~~

~~Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 ¶ 22, 35~~

AMEND: 331-910-0045

RULE SUMMARY: Practical examination retake information.

CHANGES TO RULE:

331-910-0045

Practical Examination Retake Requirements ¶¶

~~(1) Failed practical examinations may be retaken at a date and time determined by the Office. Applicants retaking a failed practical must notify the Office within 30 days before the next scheduled examination date and pay all examination fees.¶¶~~

~~(2) Applicants who fail to pass the practical examination for electrology after three attempts (initial examination plus two retakes):¶¶~~

~~(a) Must wait 30 calendar days to retake the practical examination;¶¶~~

~~(b) Must pay all additional fees;¶¶~~

~~(c) Must submit an official transcript certifying completion of an additional 100 hours of instruction in theory, focused on the aA student or temporary trainee may retake a practical examination through a HECC OCS authorized to teach the Electrology Approved eCurriculum outlined in listed under OAR 331-910-0005 from a career school licensed under ORS 345 on a form prescriber by a supervisor who is authorized by the Office;¶¶~~

~~(3) After third failed attempt - ability to retake, requirements for retake, or both will be determined by the Office on a case-by-case basis to teach the Electrology Temporary Trainee Training Program listed in OAR 331-910-0007.~~

~~Statutory/Other Authority: ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690.405, 690.407, 690.410, 690.417, 690.405~~

~~Statutes/Other Implemented: ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22, 3405~~

AMEND: 331-910-0050

RULE SUMMARY: Renewal requirements for a licensed electrologist.

CHANGES TO RULE:

331-910-0050

Renewal of Electrology License-Issued Under OAR 331-910-0025 ¶

(1) A licensee holding an electrology license is subject to the provisions of OAR chapter 331, division 30 regarding the renewal of a license and provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate license.¶

(2) Electrology license renewal under this rule is valid for one year.¶

(3) LICENSE RENEWAL: To avoid delinquency penalties, an electrology license renewal must be made prior to the license entering inactive status. The licensee must submit the following:¶

(a) Renewal application form;¶

(b) Payment of required renewal fee pursuant to OAR 331-940-0000; and¶

(c) Attestation of having obtained required annual continuing education under OAR 331-910-0055, on a form prescribed by the Office. ~~€In order to renew, continuing education is required whether the license is current or inactive;~~ inactive, or suspended:¶

(d) Attestation of having read the safety and infection control laws and rules. ¶

(4) INACTIVE LICENSE RENEWAL: An electrology license may be inactive for up to three years. A licensee who is inactive is not authorized to practice. When renewing after entering inactive status, the license holder must submit the following:¶

(a) Renewal application form;¶

(b) Payment of delinquency and license fees pursuant to OAR 331-940-0000; and¶

(c) Attestation of having obtained required annual continuing education under OAR 331-910-0055, on a form prescribed by the Office. ~~€In order to renew, continuing education is required whether the license is current or inactive;~~ inactive, or suspended:¶

(d) Attestation of having read the safety and infection control laws and rules. ¶

(5) EXPIRED LICENSE: An electrology license that has been inactive for more than three years is expired and the license holder must reapply and meet the requirements listed in OAR 331-910-0025.

Statutory/Other Authority: ~~ORS 345, 676.607, 676.615, 676.625, 690.365, 690.375, 690.385, 690.390, 690.405, 690.407, 690.410, 690.414, 690.415~~

Statutes/Other Implemented: ~~ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 690.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22, 367, 676.572, 676.576, 690.350, 690.385, 690.405~~

AMEND: 331-910-0055

RULE SUMMARY: Continuing education requirements.

CHANGES TO RULE:

331-910-0055

Continuing Education for Electrology License ¶

(1) To maintain ~~licensure~~ an electrology license issued under OAR 331-910-0025, a licensed electrologist must complete a minimum of eight hours of satisfactory continuing education every year. ¶

(2) A licensee must document compliance with the continuing education requirement through attestation on the license renewal application. Licensees ~~will be~~ are subject to the provisions of OAR 331-910-0060 pertaining to periodic audit of continuing education. ¶

(3) ~~Satisfactory continuing education must be obtained as follows and meet the subject matter requirements listed in (4) of this rule. ¶~~

~~(a) Four hours must be obtained by participation in or attendance at a course provided by~~ Notwithstanding subsection (4) of this rule continuing education must be related to topics listed under OAR 331-910-0005 and may be in the following subjects listed below: ¶

~~(Aa) Institutions or programs accredited by a federally recognized accrediting agency~~ Business operations ¶

~~(b) Oregon laws and rules; ¶~~

~~(Bc) Institutions or programs approved by an agency within the Oregon Higher Education Coordinating Commission~~ Anatomy and physiology; ¶

~~(d) Microbiology; ¶~~

~~(Ce) An organization offering continuing medical education opportunities, including Accreditation Council for Continuing Medical Education, American Medical Association, Oregon Association of Licensed Electrologists and Am~~ Safety, safe usage of devices ad federal regulations and standards; ¶

~~(f) Electrology servicanes; ¶~~

~~(g) Electrology Association~~ ysis (galvanic); ¶

~~(Dh) Any additional board approved professional organiz~~ Thermolysis (manual and flash); or ¶

~~(i) Combination, or association, hospital, or health care clinic offering continuing education. ¶~~

~~(b) Four hours may be self-study including online courses, where subject matter meets the requirements under~~ electrolysis and thermolysis (blend). ¶

~~(4) Continuing education relating to subject matter listed in subsection (45) of this rule, which may include the following may also be obtained through self-study. Self-study may include: ¶~~

~~(Aa) Correspondence courses including online courses through completion and certification by an approved national home study organization; ¶~~

~~(Bb) Review of publications, textbooks, printed material, or audio cassette(s); ¶~~

~~(Cc) Viewing of films, videos, or slides; ¶~~

~~(45) The subject matter of the continuing education must be related to electrology and as outlined in the approved course of study under OAR 331-910-0005 (1) through (13). Continuing education may include the laws and rules regulating licensed electrologists, infection control and sterilization, and professional ethics and business practices. ¶~~

~~(56) In order to renew, continuing education requirements must be met every year, even if the license is inactive or suspended. ¶~~

~~(67) Obtaining and maintaining proof of participation in required continuing education is the responsibility of the licensee. The licensee must ensure that adequate proof of attainment of required continuing education is available for audit or investigation or when otherwise requested by the Office. Adequate proof of participation is listed under OAR 331-910-0060(3). ¶~~

~~(78) Documentation of participation in continuing education requirements must be maintained for a period of five~~ our years following renewal, and must be available to the Office upon request. ¶

~~(8) A licensee may carry up to 8 hours of excess continuing education hours forward to the next renewal cycle. ¶~~

(9) For the purpose of this rule continuing education hours mean actual academic, classroom, or course work time, including but not limited to workshops, symposiums, or seminars. Continuing education hours do not include travel time to or from the training site, registration or check-in periods, breaks or lunch periods.

Statutory/Other Authority: ~~ORS 345, 676.607, 676.615, 676.625, 690.365, 690.375, 690.385, 690.390, 690.405, 690.407, 690.410, 690.414, 690.41405~~

Statutes/Other Implemented: ~~ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 ¶ 22, 3690.350, 690.385, 690.405~~





AMEND: 331-910-0060

RULE SUMMARY: No changes to text of rule. Updated statutory provisions only.

CHANGES TO RULE:

331-910-0060

Continuing Education: Audit, Required Documentation and Sanctions ¶¶

- (1) The Office will audit a select percentage of licenses to verify compliance with continuing education requirements.¶¶
- (2) Licensees notified of selection for audit of continuing education attestation must submit to the Office, within 30 calendar days from the date of the issuance of the notification, satisfactory evidence of participation in required continuing education in accordance with OAR 331-910-0055.¶¶
- (3) Evidence of successful completion of the required continuing education must include the following:¶¶
  - (a) Name of continuing education sponsor/provider;¶¶
  - (b) Course agenda - including the date of the training and breakdown of hours for each agenda item, lunch and breaks;¶¶
  - (c) Course outline - including a detailed summary of each topic discussed and the learning objective or training goal of each agenda item; The content of the course must have a direct relationship between the course training and subject matter related to electrology as set forth in OAR 331-910-0055(4);¶¶
  - (d) Background resume of speakers or instructors; and¶¶
  - (e) Documentation of attendance or successful course completion. Examples include a certificate, transcript, sponsor statement or affidavit attesting to attendance, diploma.¶¶
- (4) Documentation substantiating completion of continuing education through self-study, must show a direct relation to electrology as set forth in OAR 331-910-0055(4), be submitted on forms provided by the Office and include the following:¶¶
  - (a) Name of sponsor or source, type of study, description of content, date of completion and duration in clock hours;¶¶
  - (b) Name of approved correspondence courses or national home study issues;¶¶
  - (c) Name of publications, textbooks, printed material or audio-recorded material, including date of publication, publisher, and ISBN Identifier; and¶¶
  - (d) Name of films, videos, or slides, including date of production, name of sponsor or producer and catalog number.¶¶
- (5) If documentation of continuing education is invalid or incomplete, the licensee has 30 calendar days from the date of the deficiency notice to correct the deficiency and submit further documentation of completion of the required continuing education.¶¶
- (6) Misrepresentations of continuing education or failure to complete continuing education requirements may result in disciplinary action, which may include, but is not limited to assessment of a civil penalty and suspension or revocation of the license.

Statutory/Other Authority: ~~ORS 345, 676.607, 676.615, 676.625, 690.365, 690.370, 690.385, 690.390, 690.405, 690.407, 690.410, 690.415, 690.390, 690.405~~

Statutes/Other Implemented: ~~ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 690.385, 690.390, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 § 22, 3676.618, 690.350, 690.390, 690.405~~

AMEND: 331-910-0065

RULE SUMMARY: No changes to text of rule. Updated statutory provisions.

CHANGES TO RULE:

331-910-0065

Electrology Practice Standards and Prohibitions ¶¶

- (1) Electrologist Licensees are prohibited from performing services on treatment areas with high propensity towards bacterial colonization, such as nostrils and ear canals.¶¶
- (2) Electrologist Licensees must first obtain written authorization from a physician licensed under ORS 677 when any of the following exists:¶¶
  - (a) Request for hair removal from moles;¶¶
  - (b) Removal of eyelashes; or¶¶
  - (c) The client has a pacemaker, implantable active neuromodulators or other implantable electronic devices;¶¶
- (4) An electrologist licensee may use towels and linens when providing electrology services. When using towels and linens the following standards must be met:¶¶
  - (a) Clean linens must be used for each client;¶¶
  - (b) Use of a common towel is prohibited;¶¶
  - (c) Clean towels and linens must be enclosed in a clean storage area or in a closed container until needed;¶¶
  - (d) Used linens must be disposed of or stored in a closed or covered container until laundered; and¶¶
  - (e) Used linens must be laundered either by a regular commercial laundering or by a noncommercial laundering process which includes use of commercial laundry detergent manufactured for the specific purpose of cleaning clothes, linens or other washable fabric, and immersion in hot water during the wash cycle.¶¶
- (4) Licensees must read the safety and infection control laws and rules on an annual basis.

Statutory/Other Authority: ~~ORS 345, 676.607, 676.615, 676.625, 18, 690.365, 690.370, 690.385, 690.390, 690.405, 690.365, 690.407, 690.410, 690.415~~ 390

Statutes/Other Implemented: ~~ORS 676.607, 676.608, 676.612, 676.615, 676.625, 690.350, 690.360, 690.365, 690.370, 690.380, 390.385~~ 676.618, 690.395, 690.405, 690.407, 690.410, 690.415, 2011 OL Ch. 346 ¶ 22, 35390

AMEND: 331-910-0070

RULE SUMMARY: No changes to text of rule. Updated statutory provisions only.

CHANGES TO RULE:

331-910-0070

Standards for Client Services for Electrology ¶¶

(1) An electrologist must observe and adhere to the following hand washing and disposable glove standards when servicing clients:¶¶

(a) HAND WASHING: Hands must be washed before and after treatment of each client, and before putting on disposable gloves and immediately after disposable gloves are removed. Antibacterial hand sanitizer may be used between the first and last hand washing; and¶¶

(b) Hand washing must include thoroughly washing the hands in warm, running water with liquid soap using friction on all surfaces of the hands and wrists for at least 20 seconds, then rinsing hands and drying hands with a clean, disposable paper towel, or by using an antibacterial hand sanitizer by using friction on all surfaces of the hands and wrists. Use of bar soap is prohibited.¶¶

(2) An electrologist must observe and adhere to the following protective disposable glove standards when servicing clients:¶¶

(a) PROTECTIVE DISPOSABLE GLOVES: A new pair of disposable gloves must be worn during the treatment of each client;¶¶

(b) Hands must be washed in accordance with hand washing instructions listed in Subsection (1) of this rule before putting on disposable gloves and immediately after disposable gloves are removed;¶¶

(c) When a licensee leaves the electrology procedure area in the middle of an electrology procedure, gloves must be removed before leaving the procedure area, hand washing instructions listed in Subsection (1) of this rule must be followed and a new pair of gloves put on when returning to the procedure area;¶¶

(d) Disposable gloves must be removed before leaving the area where electrology services are performed;¶¶

(e) Torn or perforated gloves must be removed immediately, and hand washing instructions listed in Subsection (1) of this rule must be followed and gloves changed following hand washing; and¶¶

(f) The use of disposable gloves does not preclude or substitute for hand washing instructions listed in subsection (1) of this rule.¶¶

(3) Disposable gloves must be worn during pre-cleaning, cleaning, rinsing, sterilizing and drying of equipment and instruments and disinfecting of surfaces;¶¶

(4) A client's skin must be thoroughly cleaned with an antiseptic or astringent.¶¶

(5) A licensee is prohibited from wearing jewelry under gloves.

Statutory/Other Authority: ~~ORS 676.606, 676.607, 690.350, 690.390, 690.405, 676.615, 676.568, 676.6158~~

Statutes/Other Implemented: ~~ORS 676.606, 676.607, 690.350, 690.365, 690.350, 690.390, 690.405~~

RULE SUMMARY: No changes to text of rule. Updated statutory provisions only.

CHANGES TO RULE:

331-910-0075

Sterilization Standards for Electrology ¶

- (1) Needles (filaments) must be single use, used on one client, then properly disposed of in an approved sharps container defined under OAR 331-910-0000.¶
- (2) All non-sterilized instruments or reusable instruments that come in blood or potentially infectious materials must be cleaned, disinfected and sterilized before use on a client or re-use on another client.¶
- (3) New gloves must be worn during any sterilization procedure.¶
- (4) The cleaning, disinfection and sterilization process listed in Subsection (5) of this rule is not required if single-use prepackaged sterilized instruments, obtained from suppliers or manufacturers are used.¶
- (5) Approved cleaning, disinfection and sterilization process for non-sterilized instruments or reusable instruments includes the following ordered method after each use:¶
  - (a) Clean non-sterilized instruments or reusable instruments by manually brushing or swabbing visible foreign matter and rinsing the instruments with warm water and an appropriate detergent solution to remove blood or potentially infectious materials.¶
  - (b) Clean non-sterilized instruments or reusable instruments must be rinsed and placed in either:¶
    - (A) An ultrasonic unit that operates at 40 to 60 hertz which is filled with an appropriate ultrasonic solution including but not limited to an enzymatic cleaner. The ultrasonic cleaner must remain covered when in use; Self-contained equipment used to decontaminate instruments prior to sterilization may be used in place of an ultrasonic cleaner and used according to manufacturer instructions. OR¶
    - (B) Rinsed, patted dry and submerged and soaked in a protein dissolving detergent or enzyme cleaner, followed by a thorough rinse.¶
  - (c) Disinfect non-sterilized instruments or reusable instruments by immersing instruments in a high level disinfectant. Instruments must be fully submerged to ensure contact with all surfaces for an amount of time specified in the manufacturer's instructions. If the electrologist is using an autoclave listed in subsection (e) of this rule the electrologist is not required to immerse instruments in a high level disinfectant.¶
  - (d) Remove non-sterilized instruments or reusable instruments from the ultrasonic unit or self-contained instrument washer or high level disinfectant. All instruments must be rinsed, air dried, and individually packaged in sterilization pouches that include use of a chemical indicator strip to assure sufficient temperature during each sterilization cycle or other method is used to determine sterilization has been reached. The date the sterilization was performed must be applied to the sterilization pouch;¶
  - (e) Individually packaged non-sterilized instruments or reusable instruments must be sterilized by using autoclave sterilizer (steam or chemical), or dry heat sterilizer registered and listed with the FDA;¶
  - (f) After sterilization, the sterilized instruments must be stored in a dry, disinfected, closed cabinet or other tightly-covered container reserved for the storage of such instruments.¶
- (6) Use of a biological monitoring system ("spore tests") must be done at least once a month, verified through an independent laboratory, to assure all microorganisms have been destroyed and sterilization achieved.¶
- (7) All sterilization pouches listed in Subsection (5)(d) of this rule must contain a color indicator strip which measures temperature control and general functioning of the equipment.¶
- (8) The ultrasonic unit or other self-contained equipment listed in subsection (5)(c) of this rule must be used, cleaned, and maintained in accordance with manufacturer's instructions and a copy of the manufacturer's recommended procedures for the operation of the ultrasonic unit must be kept on file at the body art facility.¶
- (9) The autoclave sterilizer (steam or chemical), or dry heat sterilizer listed in Subsection (5)(e) of this rule must be used, cleaned, and maintained in accordance with manufacturer's instructions and a copy of the manufacturer's recommended procedures for the operation of the autoclave sterilizer (steam or chemical), or dry heat sterilizer must be kept on file at the facility.¶
- (10) Biological spore test results listed in subsection (6) of this rule must be immediately available at all times for inspection by the Office and kept at facility premises for a minimum of two years. Biological spore test results must be on laboratory letterhead and must contain the test date, and the name, model and serial number (if applicable) of the sterilizer tested.¶
- (11) The expiration date for sterilized instruments is one year from the date of sterilization unless the integrity of the package is compromised.¶
- (12) Sterilized instruments may not be used if the package integrity has been breached is wet or stained, or the expiration date has exceeded without first meeting the requirements listed in Subsection (5) of this rule.¶

(13) All sterilized instruments used during electrology services must remain stored in sterile packages and in a dry, disinfected, closed cabinet or other tightly covered container reserved for the storage of such instruments until just prior to the performance of an electrology procedure.¶

(14) If a biological spore test listed in subsection (6) of this rule, result is positive, a licensee must discontinue the use of that autoclave sterilizer (steam or chemical), or dry heat sterilizer until it has been serviced and a negative spore test has been recorded before putting that sterilizer back into service. Until a negative spore test has been received, the licensee must:¶

(a) Use an alternative autoclave sterilizer (steam or chemical), or dry heat sterilizer;¶

(b) Use only sterilized instruments that have a sterilization date before the date the last negative spore test was recorded; or¶

(c) Use only single use instruments.¶

(15) Following a positive biological spore test reusable instruments which were sterilized following the receipt of the positive spore test must be repackaged and sterilized pursuant to Subsection (5) of this rule, before use.¶

(17) Following a positive spore test the licensee or facility must contact all clients in writing who may have received services prior to receiving the negative spore test results.

Statutory/Other Authority: ~~ORS 676.607, 676.615~~ 15, 690.350, 690.390, 690.405, 676.618, 676.568

Statutes/Other Implemented: ~~ORS 676.606, 676.607, 690.350, 690.365~~ 690.350, 690.390, 690.405

AMEND: 331-910-0080

RULE SUMMARY: No changes to text of rule. Updated statutory provisions only.

CHANGES TO RULE:

331-910-0080

General Standards ¶¶

- (1) The cleanliness of any common in a facility is the responsibility of each license holder. All license holders may be cited for violations found in the common area.¶¶
- (2) An electrologist licensed to perform services or a licensed facility owner must:¶¶
- (a) Use and maintain appropriate equipment and instruments for providing services in a field of practice at the place of business;¶¶
  - (b) Use equipment and instruments in a manner described in the manufacturer's instructions which is consistent with the manufacturer's intended use of the device by the FDA;¶¶
  - (c) Use equipment and instruments that are not prohibited for use in a field of practice by the Office or the FDA;¶¶
  - (d) Ensure a high-level disinfectant is used in accordance with manufacturer's instructions to disinfect surfaces where services are performed;¶¶
  - (e) Ensure chemicals are stored in labeled, closed containers;¶¶
  - (f) Ensure that single-use disposable paper products, single-use needles (filaments) and protective gloves are used for each client;¶¶
  - (g) Ensure lavatories located within the facility are kept clean and in good working order at all times. Air blowers within lavatories can be substituted for disposable hand towels;¶¶
  - (h) Ensure all waste material related to a service in a field of practice be deposited in a covered container following service for each client;¶¶
  - (i) Ensure pets or other animals not be permitted in the business facility. This prohibition does not apply to service animals recognized by the American with Disabilities Act or to fish in aquariums or nonpoisonous reptiles in terrariums;¶¶
  - (j) Ensure all disinfecting solutions or agents be kept at adequate strengths to maintain effectiveness, be free of foreign material and be available for immediate use at all times the facility is open for business;¶¶
  - (k) Ensure all waste or garbage is disposed of in a covered container with a garbage liner;¶¶
  - (l) Ensure all waste which contains blood or other potentially infectious materials be enclosed and secured in a glove or bag then disposed of in a covered container with a garbage liner immediately following the service;¶¶
  - (m) Ensure disposable sharp objects that come in contact with blood or other potentially infectious materials must be disposed of in a sharps container;¶¶
  - (n) Ensure biohazard labels or red biohazard bags are available on the facility premises;¶¶
  - (o) Adhere to all Centers for Disease Control and Prevention Standards;¶¶
  - (p) Have unrestricted access or availability to a sink with hot and cold running water, as part of surrounding premises or adjacent to the facility. If the sink is located within a restroom the licensee must ensure that the sink is disinfected with a high level disinfectant upon completion of a electrology procedure or following the sterilization of equipment; All body art facilities licensed after June 1, 2017 must have unrestricted access or availability to a sink with hot and cold running water, as part of the surrounding premises or adjacent to the facility but separate from a restroom. Body art facilities licensed as of May 31, 2017 are allowed to have sinks located within a restrooms if electrology is the only practice being performed; and¶¶
  - (q) Ensure that all instruments that come in direct contact with client's skin are handled using gloves.¶¶
- (3) An electrologist licensee must wear eye goggles, shields or a mask if spattering is possible while providing services.¶¶
- (4) Cross contaminating from touch or air particulates in any procedure area which comes in direct contact with client is prohibited.

Statutory/Other Authority: ~~ORS 676.568, 676.60715, 676.6158, 690.350, 690.405, 690.390~~

Statutes/Other Implemented: ~~ORS 676.606, 676.60718, 690.350, 690.36405, 690.390, 690.405~~

AMEND: 331-910-0085

RULE SUMMARY: No changes to text of rule. Updated statutory provisions.

CHANGES TO RULE:

331-910-0085

Client Records ¶

(1) A licensee is responsible for maintaining and keeping copies of all client records. If client records are maintained by the facility the facility owner must provide the licensee with copies of those client records upon request. The record must include the following for each client:¶

(a) Name, address, telephone number and date of birth of client;¶

(b) Date of each service, procedure location on the body;¶

(c) Name and license number of the licensee providing service. If more than one licensee is providing services on one client the licensee must initial the date of each service performed;¶

(d) Special instructions or notations relating to the client's medical or skin conditions including but not limited to diabetes, cold sores and fever blisters, psoriasis or eczema, pregnancy or breast-feeding/nursing;¶

(e) Complete list of the client's sensitivities to medicines or topical solutions;¶

(f) History of the client's bleeding disorders;¶

(g) Description of complications during procedure(s); and¶

(h) Signature from the client that they have received the following information in writing and verbally:¶

(A) All information related to the electrology service including possible reactions, side effects and potential complications of the service and consent to obtaining the electrology service; and¶

(B) After care instructions including care following service, possible side effects and complications and restrictions.¶

(2) A licensee may obtain advice from a physician regarding medical information needed to safeguard client and licensee. Advice from the physician must be documented in the client record.¶

(3) For the purpose of (1) and (2) of this rule records must be maintained at facility premises for a minimum of three years and must be made immediately available to the Office upon request.¶

(4) Client records must be typed or printed in a legible format or be electronically stored. Client records, which are not legible to the Office, will be treated as incomplete.

Statutory/Other Authority: ~~ORS 676.607, 15, 690.350, 690.390, 690.405, 676.568, 676.615~~8

Statutes/Other Implemented: ~~ORS 676.606, 676.607, 690.350, 690.365~~690.350, 690.390, 690.405