



North Dakota STATE BOARD OF COSMETOLOGY

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FULL NOTICE OF INTENT TO ADOPT, AMEND, AND REPEAL ADMINISTRATIVE RULES

TAKE NOTICE that the North Dakota State Board of Cosmetology will hold a public hearing to address proposed new sections, chapter and article, and amendments to and repeal of sections to N.D. Admin. Code Title 32 at 1:00 pm on August 26, 2025, at 4719 Shelburne St. Ste 1, Bismarck ND 58503. The purpose of the proposed rule changes are to implement statute changes, update and modernize verbiage throughout, add clarity to existing rules and create new rules to provide clarity on current practices.

The proposed rule changes address affects ALL existing sections and adds 34 new sections, one new article, one new chapter and repeals 11 sections as follows:

- Changes the term salon to establishment, added apprentice and advanced esthetician where necessary, and change shall to must throughout Title 32.
- Updated 32-01-01-01. Modernize the function of the Board and update the number of Board members to 7 from N.D.C.C. 43-11-03 change.
- Updated 32-01-02-01. Added several definitions consistent with the creation of advanced esthetician license, establishment and independent licensee. NDCC
- ARTICLE 32-06. Apprenticeships.
- Chapter 32-06-01. Apprenticeships.
- Updated 32-02-01-02. to be easier to read and add classroom requirements.
- Updated 32-02-01-03. Ventilation -modernized verbiage.
- Updated 32-02-01-05. Added rules for disposing of sharps and wastewater.
- Updated 32-02-01-06. Clarified hand washing procedure.
- Updated 32-02-01-09. Clarified laundering of capes and proper washing and drying.
- Updated 32-02-01-11. Modernize and simplify sanitation rules. Removed redundant terms and procedures, clarify prohibited items & procedures.
- Updated 32-02-01-13. Enhanced verbiage regarding service animals and notice to the Board.
- Updated 32-02-01-15. Includes verbiage about reinspection and fee implemented in N.D.C.C. 43-11-28. statute change.
- Updated 32-03-01-01. Made it easier to read.
- Updated 32-03-01-03.1. Procedures for establishment ownership transfer.

- Updated 32-03-01-04. Require supervising health care provider license be displayed when applicable.
- Updated 32-03-01-07. Removed requirement for master license, N.D.C.C. 43-11-15. Clarity about those licensed by another licensing agency.
- Updated 32-03-01-10. Clarity and easier to read.
- Updated 32-03-01-14. Added requirement of an establishment or independent licensee license for practice outside of the establishment.
- Updated 32-04-01-01. Enhanced the new school application process but creating a two-phase process to guide potential new school owners on all that is required for operating a school in ND.
- Updated 32-04-01-02. Clarity on ventilation on floor plan.
- Updated 32-04-01-06. Clarity.
- Updated 32-04-01-07. Modernized verbiage.
- Updated 32-04-01-10. Requires a teach-out plan for any school discontinuance.
- Updated 32-04-01-12. Clarity.
- Updated 32-04-01-13. Modernized, removed excess requirements.
- Updated 32-04-01-15. Modernized verbiage for clarity.
- Updated 32-04-01-18. Modernized and added new terminology and distance learning option.
- Updated 32-04-01-20. Modernized.
- Updated 32-04-01-21. Added advanced esthetics instruction rules
- Updated 32-04-01-22. Modernized.
- Updated 32-04-01-24. Modernized.
- Updated 32-04-01-25. Clarity.
- Updated 32-04-01-26.1. Clarify curriculum requirements.
- Updated 32-04-01-27. Clarify curriculum requirements.
- Updated 32-04-01-28. Clarify curriculum requirements.
- Updated 32-05-01-01. Simplified and consolidated redundant sections.
- Added ARTICLE 32-06. Apprenticeships.
- Added Chapter 32-06-01. Apprenticeships.
- Add the following new sections:
 - 2-01-03-06. Board Member Compensations.
 - 32-01-03-07. Variances.
 - 32-01-03-08. Prohibition of Unsafe Procedures, Techniques, or Devices.
 - 32-01-03-09. Approval of Procedures, Techniques, or Devices.
 - 32-01-03-10. Identity and United States Residency Verification.
 - 32-01-03-11. Complaints and Investigations.
 - 32-02-01-07.1 Blood exposure procedure.

- 32-03-01-09.1. Advertising requirements.
- 32-03-01-10.1. Establishment Spaces- lease of space to certain persons. Clarity about renting to those licensed by other regulatory agencies.
- 32-03-01-10.2. Establishments and independent licensees providing advanced esthetic procedures. Clarity for requirements around advanced esthetic procedures.
- 32-03-01-15. Licensee performing services in exempt facilities. New section (20) of N.D.C.C. 43-11.
- 32-04-01-27.1. Advanced esthetician program curriculum.
- 32-04-01-31. Instructor curriculum two hundred forty hours.
- 32-04-01-32. Instructor curriculum four hundred eighty hours.
- 32-04-01-01.1. School Operations and Compliance – organizes common sections into one new section.
- 32-04-01-01.2. School Compliance Committee
- 32-04-01-01.3. Duties of the School Compliance Committee
- 32-04-01-01.4. Authority and Reporting.
- 32-05-01-08. Advanced Esthetician. Clarity for scope of practice.
- 32-05-01-08.1. Nonablative Laser Certification Requirements
- 32-05-01-08.2. Microneedling certification requirements.
- 32-05-01-08.3. Advanced chemical peel certification requirement.
- 32-05-01-09. Legacy license status.
- 32-05-01-10. Advanced Esthetician Grandfather Clause Application Process.
- 32-06-01-01. Apprenticeship.
- 32-06-01-02. Program sponsor.
- 32-06-01-03. Approved apprenticeship establishment.
- 32-06-01-04. Approved apprentice trainer.
- 32-06-01-05. Apprentice.
- 32-06-01-06. Training standards.
- 32-06-01-07. Financial requirements.
- 32-06-01-08. Record keeping and reporting.
- 32-06-01-09. Compliance.
- 32-06-01-10. Out of state applicants.
- Repealed the following sections due to redundancy:
 - 32-03-01-05.
 - 32-04-01-04.
 - 32-04-01-05.
 - 32-04-01-09.
 - 32-04-01-11.

- 32-05-01-01.1.
- 32-05-01-02.
- 32-05-01-06.
- 32-05-01-06.1.
- 32-05-01-07.
- 32-05-01-07.1.

The proposed rule changes are not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rulemaking implements bill number HB 1126 enacted during the most recent legislative session, concerning a comprehensive review of statutes and added apprenticeship, advanced esthetic license type, legacy license status, nursing home & basic care and assisted living facility exemptions.

The effective date of January 1, 2026.

The proposed rules may be reviewed at the office of North Dakota State Board of Cosmetology. A copy of the proposed rules is available on the board website: www.ndcosmetology.com and may be requested by writing the above address, e-mailing bocinfo@nd.gov or calling 701-224-9800. Written or oral comments on the proposed rules sent to the above address or email and received by September 7, 2025, will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the North Dakota State Board of Cosmetology at the above e-mail address, telephone number or address at least one day prior to the public hearing.

Dated this 22 day of July, 2025

Holly Blomquist
Executive Director
ND State Board of Cosmetology