



NORTH CAROLINA BOARD OF BARBER AND ELECTROLYSIS EXAMINERS

Memo

TO: Board members

FROM: Dennis Seavers

DATE: June 12, 2026

SUBJECT: Rulemaking—temporary permits for electrology services

The board previously proposed an amendment to its rule on temporary permits for electrology services. The proposed changes would generally make it easier for individuals to get a temporary permit while attempting to pass the exams.

The originally proposed amendment would:

- Eliminate some administrative requirements that the board deemed unnecessary;
- Remove some of the complex time calculations for the permits and instead extend the validity period of the license to “either six months from issuance or one month past the practical exam date, whichever is sooner”;
- Allow applicants to get an additional temporary permit if they fail the first practical exam;
- Allow applicants who fail to appear for their first scheduled practical exam to get an additional temporary permit only if their failure to appear was due to “causes beyond their control.”

I made modifications to Paragraph (d), as shown in the highlighted text on lines 28-29 of page 1. The purpose of the modifications were to clarify that the practical exam in question was the first one, not a later exam. This change would avoid a situation where an individual failed the first practical exam, failed to appear without good cause for the second practical exam, and then was entitled to a temporary permit after the failure to appear.

During a public hearing on the rule, the board received a comment from High Point University School of Law. The comment focused on the degree of supervision required in Paragraph (e). The purpose of the rule appeared to require an electrologist to be present in the facility but not necessary when the services were being provided; the rule required services to be ordered, controlled, and approved by the electrologist (rather

than oversight after the fact). Given that understanding, I made some changes to the rule to clarify, as shown in highlighting on lines 6 and 7 on page 2.

If the board approves the attached rule as written, it will go before the Rules Review Commission for its July meeting. If approved, it would go into effect August 1, 2026. If the board wishes to make additional changes, the timeline may be affected, depending on the nature of those changes.

21 NCAC 06U .0105 is amended with changes as published in 40:15 NCAC 1250-1251 as follows:

21 NCAC 06U .0105 TEMPORARY LICENSE FOR ELECTROLOGY APPLICANTS

(a) An applicant for an electrologist license who is required to take the Board's examination and has complied with Rule .0102 of this Section may request a temporary license. ~~The request may be made with the initial application for an electrologist license or at any time thereafter. The applicant shall submit with the request a written statement by a licensed electrologist or electrology instructor that the applicant will be practicing in this individual's office and that this individual has agreed to supervise the applicant's practice. On receiving a request for a temporary license that complies with this Paragraph, the Board will issue the applicant a temporary license subject to the time limits in Paragraph (b) of this Rule.~~

~~(b) A temporary license is valid only during the dates stated in the license. Consistent with G.S. 88A-10.1, a temporary license cannot be valid for more than six months. The Board shall begin issuing temporary licenses no sooner than five months before the date of the next scheduled examination. The Board shall stop issuing temporary licenses 30 days before that examination. All temporary licenses shall expire one month after the date of that examination.~~

~~(c) Except as provided in Paragraph (d) of this Rule, a temporary license may not be renewed.~~

(b) The applicant shall submit the request for a temporary license to the address set forth in 21 NCAC 06A .0102. The request shall include the following:

- (1) The applicant's name, email address, mailing address, and phone number;
- (2) The name of the electrology facility where the applicant plans to work under the temporary permit;
- (3) The name and license number of the electrologist who will supervise the applicant; and
- (4) A written statement by a North Carolina licensed electrologist indicating that the applicant will work under the electrologist's direct supervision.

(c) A temporary permit shall be effective for either six months from issuance or one month past the practical exam date, whichever date is sooner.

(d) Applicants who fail the first practical exam may request one additional temporary permit if they pay the exam retake fee set forth in 21 NCAC 06U .0101(e)(1). Applicants shall submit the request as set forth in Paragraph (b) of this Rule.

(d) Notwithstanding Paragraph (d) of this Rule, applicants who fail to appear for their first practical [exams] exam may request an additional temporary permit as set forth in Paragraph (b) of this Rule only if they ~~The holder of a temporary license who did not take the examination for which the holder was scheduled may apply to have the temporary license renewed. The applicant shall:~~

- ~~(1) apply to retake the examination on the next occasion it is offered;~~
- ~~(2) provide a written recommendation from the applicant's supervisor that the Board renew the applicant's temporary license;~~
- ~~(3) show to the satisfaction of the Board that the applicant was they were unable to appear and take the examination for which the applicant was previously they were scheduled due to causes beyond the applicant's their control.~~

1 ~~If the Board determines that the applicant has met the requirements of this Paragraph, the Board shall renew the~~
2 ~~applicant's temporary license. The renewed temporary license shall expire six months after the date it is renewed or~~
3 ~~30 days after the date of the next scheduled examination, whichever is shorter, and it may not be renewed again.~~

4 (e) The holder of a temporary license shall practice only under the supervision of ~~another~~ a licensed electrologist ~~or~~
5 ~~electrology instructor.~~ electrologist. As used in this Rule, "~~supervision of another~~" "supervision" means that ~~the other~~
6 licensed electrologist is physically present in the same establishment, though not necessarily in the same
7 room, as the holder of the temporary license when electrology services occur and that the acts done by the holder of
8 the temporary license are done pursuant to the ~~other's~~ licensed electrologist's order, control, and approval. ~~The holder~~
9 ~~of a temporary license shall notify the Board within five business days of any change of supervisor and shall submit~~
10 ~~to the Board within 10 business days a written statement by the new supervisor that the holder of the temporary license~~
11 ~~will be practicing in the new supervisor's establishment and that the new supervisor has agreed to supervise his or her~~
12 ~~practice.~~

13 (f) Notwithstanding any other provision of this Rule, the Board shall not issue a temporary license to anyone who has
14 failed the examination for licensure as an electrologist, to anyone who has previously been issued a temporary license,
15 or to anyone whose temporary license was revoked pursuant to G.S. 88A-21.

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17 *History Note: Authority G.S. 88A-6; 88A-10.1; 86B-54;*

18 *Eff. December 1, 1995;*

19 *Recodified from 21 NCAC 19 .0204 Eff. September 1, 2010;*

20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1,*
21 *2018;*

22 *Recodified from 21 NCAC 19 .0205 Eff. January 1, ~~2023.~~ 2023;*

23 *Amended Eff. August 1, 2026.*