

August 8, 2023

VIA EFILING ONLY

Gina Fast, Executive Director
Jenna Bohl, Rule Requestor
Tami Thein, Rule Requestor
Minnesota Board of Cosmetologist
Examiners
1000 University Ave W Ste 100
Saint Paul, MN 55104
gina.fast@state.mn.us;
jenna.bohl@state.mn.us;
tami.thein@state.mn.us

Re: *In the Matter of the Proposed Proposed Rules of the Board of Cosmetologist Examiners Relating to Education, Licensing, and Practice of Cosmetology, Minnesota Rules Chapter 2110 OAH 65-9013-36457; Revisor R-4456*

Dear Ms. Fast, Ms. Bohl, and Ms. Thein:

Enclosed herewith and served upon you please find the **FINAL ORDER ON REVIEW OF RESUBMITTED RULES UNDER MINN. STAT. § 14.16, SUBD. 2 AND MINN. R. 1400.2240, SUBP. 4** in the above-entitled matter. The Office of Administrative Hearings has closed this file and is returning the rule record so that the Board can maintain the official rulemaking record in this matter as required by Minn. Stat. § 14.365. With the Board's filing of its signed Order Adopting Rules, the Office of Administrative Hearings will now request copies of the finalized rules from the Revisor's office. The Office of Administrative Hearings will file the adopted rules with the Secretary of State, who will forward one copy to the Revisor of Statutes, one copy to the Governor, and one to the Board for its rulemaking record.

The Board's next step is to arrange for publication of the Notice of Adoption in the *State Register*. Two copies of the Notice of Adoption provided by the Revisor's office should be submitted to the *State Register* for publication. A permanent rule does not become effective until five working days after Notice of Adoption is published in the *State Register* in accordance with Minn. Stat. § 14.18.

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If you have any questions regarding this matter, please contact William Moore at (651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,

A handwritten signature in black ink that reads "Dara Xiong". The signature is written in a cursive style with a large, looping "D" and "X".

DARA XIONG
Legal Assistant

Enclosure

cc: Legislative Coordinating Commission
Ryan Inman
Representative Ginny Klevorn
Senator Erin P. Murphy

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Rules of
the Board of Cosmetologist Examiners
Relating to Education, Licensing, and
Practice of Cosmetology, Minnesota
Rules Chapter 2110

**FINAL ORDER ON REVIEW OF
RESUBMITTED RULES UNDER
MINN. STAT. § 14.16, SUBD. 2
AND MINN. R. 1400.2240, SUBP. 4**

This matter came on for review by Chief Administrative Law Judge Jenny Starr pursuant to Minn. Stat. § 14.16, subd. 2 (2022) and Minn. R. 1400.2240, subp. 4 (2023). The proposed rules concern the Board of Cosmetologist Examiners' (Board) rules relating to education, licensing, and practice of cosmetologists and other licensed professionals in the beauty industry.

By Order dated July 31, 2023, the Chief Administrative Law Judge approved the Board's proposed rules as to legality but ordered the Board to amend its proposed Order Adopting Rules to comply with Minn. R. 1400.2090 (2021).¹

On August 7, 2023, the Board resubmitted its proposed Order Adopting Rules. The Board identified in its Order Adopting Rules the changes made to the proposed rules and indicated when the Board adopted the current version of the proposed rules as required by Minn. R. 1400.2090.

The Chief Administrative Law Judge finds that all defects and procedural errors identified in the prior orders have now been corrected. Therefore, based upon a review of the Board's submissions and the rulemaking record,

IT IS HEREBY ORDERED THAT:

The Board may proceed with publishing the notice of rule adoption in the *State Register* pursuant to Minn. Stat. § 14.18 (2022) and Minn. R. 1400.2240, subp. 10 (2023).

Dated: August 8, 2023



JENNY STARR
Chief Administrative Law Judge

¹ Order on Review of Resubmitted Rules (July 31, 2023).