

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 34 BARBERS AND COSMETOLOGISTS
PART 9 CONTINUING EDUCATION

16.34.9.1 ISSUING AGENCY: Regulation and Licensing Department, Board of Barbers and Cosmetologists
[16.34.9.1 NMAC - Rp 16 NMAC 34.9.1, 06-16-01]

16.34.9.2 SCOPE: All barbers, cosmetologists, estheticians, manicurist/pedicurists, manicurist/estheticians, instructors, electrologists, and providers.
[16.34.9.2 NMAC - Rp 16 NMAC 34.9.2, 06-16-01]

16.34.9.3 STATUTORY AUTHORITY: Section 61-17A-7 - Board Powers and Duties - This authorizes the board to establish continuing education requirements for licensure renewal.
[16.34.9.3 NMAC - Rp 16 NMAC 34.9.3, 06-16-01]

16.34.9.4 DURATION: Permanent
[16.34.9.4 NMAC - Rp 16 NMAC 34.9.4, 06-16-01]

16.34.9.5 EFFECTIVE DATE: June 16, 2001 unless a different date is cited in the history note at the end of a section.
[16.34.9.5 NMAC - Rp 16 NMAC 34.9.5, 06-16-01]

16.34.9.6 OBJECTIVE: Pursuant to the Barbers and Cosmetologists Act this part establishes continuing education requirements for licensees licensed to engage or teach any course authorized under this act and to set guidelines for continuing education providers.
[16.34.9.6 NMAC - Rp 16 NMAC 34.9.6, 06-16-01]

16.34.9.7 DEFINITIONS: Refer to Part 1
[16.34.9.7 NMAC - Rp 16 NMAC 34.9.7, 06-16-01]

16.34.9.8 CONTINUING EDUCATION REQUIREMENTS:

A. Instructors licensed to teach any course authorized under this act shall provide proof of attendance at a seminar of twelve contact hours or more per year for professional development or improvement of professional proficiency. Instructor licenses are renewed every March thirty first. Therefore, each instructor must obtain twelve contact hours of continuing education between April first and March thirty first of the following year in order to renew the license. Continuing education hours do not carry over and must be completed each year. For initial instructor licenses, the continuing education requirement will not apply until after the first full year of licensure.

B. Entities that are automatically recognized as providers of continuing education are listed below. These entities do not have to obtain formal provider approval in order to offer recognized continuing education for instructors. These entities do not have to meet the approval, recordkeeping, and certificate of attendance requirements. However, the licensee must provide proof of attendance with license renewal. Educational programs provided for the purpose of continuing or advanced education must be specific to the field of licensure.

(1) cosmetology educators of America (CEA) seminars and workshops conducted in any state;

(2) adult continuing education association programs in professional development, education, counseling, instructing or related programs;

(3) continuing education units (CEU's) recognized by four year institutions in any state in professional development, education, counseling, teaching or related programs;

(4) all schools licensed by the New Mexico state board of barbers and cosmetologists;

(5) credits recognized for teacher certification in any state according to the following conversion table:

(a) theory (cognitive/lecture): 1 credit hour = 30 clock hours;

(b) practice/demonstration: 1 credit hour = 45 clock hours.

(6) attendance at accreditation and team training workshops and instructor continuing education programs offered by nationally recognized accrediting agencies;

(7) certification of completion of Dale Carnegie professional development and business courses;

(8) the pivot point instructor symposium classes;

(9) educational classes or conferences sponsored by the Aveda institute;

(10) conferences sponsored by the American aesthetics education association;

(11) classes sponsored by Milady/Thomson learning's career institute;

(12) classes sponsored by Vidal Sassoon; or

(13) local, state, regional, or national industry trade shows with credit not to exceed fifty percent of the annual requirement for continuing education, or six hours; in addition, no more than fifty percent of the hours scheduled at such a trade show can contribute to the six hour maximum; the licensee must provide verifiable proof of attendance including an agenda of the event, a receipt for payment of attendance, or other such reasonable evidence of attendance;

(14) online faculty and professional development programs.

C. Licensee may also submit, subsequent to their attendance, copies of other programs and seminars that are not automatically approved. The board will consider such programs at the next regularly scheduled meeting and determine if credit is approved or denied. Detailed documentation of the program length and content must be submitted for the board to make a determination. Notification of approval or denial will be sent to the licensee within thirty days after the board meeting.

[16.34.9.8 NMAC - Rp 16 NMAC 34.9.8, 06-16-01; A, 10-04-07; A, 12-17-15]

16.34.9.9 CONTINUING EDUCATION PROVIDERS:

A. Continuing education provider standards

(1) In order for a continuing education provider to be considered for approval by the board, the provider must demonstrate his/her/its qualifications to conduct such programs on an application provided by the board. Educational programs provided for the purpose of continuing or advanced education must be specific to the field of licensure

(2) Continuing education programs may be conducted in segments of not less than two contact hours.

B. Provider approval for conducting continuing education programs

(1) All continuing education programs shall be directed and supervised by approved providers. If the provider is an institution or corporation, the entity must designate an individual to supervise all sponsored events and must notify the board of that designee. To obtain approval, the applicant must complete an application furnished by the board and pay the required provider fee. The application must provide evidence of expertise, competency, and qualifications of the provider to present continuing education programs. Qualifications can be demonstrated by means of a resume, education and work history or other appropriate documentation. The applicant must also provide a **SAMPLE DETAILED OUTLINE OF ONE TWELVE-HOUR PROGRAM** for the board's consideration and provide evidence that the organization has access to appropriate facilities and resources to implement the required programs.

(2) The board, at a regular scheduled meeting, shall verify that the application complies with these rules and determine whether approval is granted.

(3) Provider approval shall be granted for a period of two years and must be renewed in order to continue providing continuing education programs. Provider approval is subject to periodic review and may be withdrawn if the board determines that adherence to the standards of the board is not maintained, or if information submitted to the board by the provider is found to be material misrepresentation of fact. Disapproval does not prohibit resubmission of the application with evidence the deficiencies have been corrected. Approval is granted for a period of two years.

(4) A list of approved providers is available from the board office upon request and receipt of an administrative fee.

(5) Applicants receiving approval will be assigned a provider number by the board. The number will be used on all the programs and correspondence to the board.

(6) The provider will be notified within fifteen days after the next regularly scheduled meeting as to the status of application. Approval, if granted, is for a period of two years.

(7) All provider licenses will be renewed on March thirty first every two years. Requests for renewal must be submitted every two years and may be renewed administratively.

(8) Timely renewal of license(s) is the full and complete responsibility of the LICENSEE. Failure to renew the license by the expiration date will result in late fees as set forth in the act.

- (9) If the provider application is not approved after the evaluation by the board, the application will be returned with an itemized list of deficiencies within fifteen days of the board's evaluation.
- (10) An incomplete application will be returned to the applicant by the board office within thirty days, with an explanation for the return.
- C. Record keeping
- (1) Records of approved provider shall be maintained by the board office.
 - (2) Records shall include provider qualifications and hours and rosters of participants receiving certificates of attendance.
 - (3) Records will be maintained by the board office for a period of two years.
 - (4) The provider shall send a roster of all participants to the board within thirty days of completion of the program to be entered as an official part of the participant's files for the purpose of license renewal.
- D. The program provider shall develop a certificate of attendance that includes the following data:
- (1) provider name, number and program name;
 - (2) name of participant;
 - (3) date program began and ended and number of hours offered; and
 - (4) number of contact hours to be credited to the participant.
- E. The program provider shall develop a participant roster that includes the following data:
- (1) provider name and number;
 - (2) program name and brief outline of contents;
 - (3) location of offering;
 - (4) name and license number of each participant receiving a certificate of attendance and how many hours were earned; and
 - (5) date program began and ended and number contact hours offered.
- [16.34.9.9 NMAC - Rp 16 NMAC 34.9.9, 06-16-01; A, 12-17-15]

16.34.9.10 ADVANCED TRAINING: Educational programs provided for the purpose of continuing or advanced education in a specific field of licensure that are more than one hundred fifty hours in length must be conducted in a licensed school and supervised by a licensed instructor whether or not the program leads to licensure. Programs for advanced or continuing education of one hundred fifty hours or less will be considered seminars or workshops. They may or may not be conducted in a licensed establishment but must be supervised by a New Mexico licensee or approved provider for continuing education. Advanced training must be specific to the field of licensure.

[16.34.9.10 NMAC - Rp 16 NMAC 34.9.10, 06-16-01; A, 07-16-04; A, 12-17-15]

HISTORY OF 16.34.9 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with State Records Center and Archives under:

- Article VIII, Continuing Education, 12-22-81
- Article VIII, Continuing Education, 3-24-89
- Rule 8, Continuing Education, 3-8-90
- Rule 8, Continuing Education, 3-9-92
- Rule 8, Continuing Education, 10-19-93
- Rule 8, Continuing Education, 5-13-94
- Rule 8, continuing Education, 5-23-95
- BBE Rule 86-1, Board of Barber Examiners, Rules and Regulations - 1986, 6-27-86
- BBE Rule 87-1, NM Board of Barber Examiners, Rules and Regulations - 1987, 11-4-87
- BBE Rule 88-1, NM Board of Barber Examiners, Rules and Regulations - 1988, 10-4-88

History of Repealed Material:

- 16 NMAC 34.9, Continuing Education - Repealed, 6-16-01