

Chapter 690

2009 EDITION

Cosmetic Professionals

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OCCUPATIONS AND PROFESSIONS

**BARBERING; HAIR DESIGN;
ESTHETICS; NAIL TECHNOLOGY
(Generally)**

690.005 Definitions for ORS 690.005 to 690.235. As used in ORS 690.005 to 690.235:

(1) "Barbering" means any of the following practices, when done upon the human body for cosmetic purposes and not for medical diagnosis or treatment of disease or physical or mental ailments:

(a) Shampooing, styling, cutting, singeing and conditioning of the hair of an individual.

(b) Applying hair tonics, dressings and rinses.

(c) Massaging of the scalp, face and neck and applying facial and scalp treatments with creams, lotions, oils and other cosmetic preparations, either by hand or mechanical appliances, but such appliances shall not be galvanic or faradic.

(d) Shaving, trimming or cutting of the beard or mustache.

(2) "Board" means the Board of Cosmetology, created within the Oregon Health Licensing Agency.

(3) "Certificate" means a written authorization for the holder to perform in one or more fields of practice.

(4) "Cosmetology" means the art or science of beautifying and improving the skin, nails and hair and the study of cosmetics and their application.

(5) "Demonstration permit" means a written authorization for a person to practice, demonstrate and teach one or more fields of practice on a temporary basis.

(6) "Esthetics" means any of the following skin care practices performed on the human body for the purpose of keeping the skin healthy and attractive and not for medical diagnosis or treatment of disease or physical or mental ailments:

(a) The use of the hands or mechanical or electrical apparatuses or appliances for cleansing, stimulating, manipulating, exfoliating or applying lotions or creams.

(b) Temporary removal of hair.

(c) Makeup artistry.

(d) Facial and body wrapping.

(e) Facial and body waxing.

(7) "Facility" means an establishment operated on a regular or irregular basis for the purpose of providing services in one or more fields of practice.

(8) "Field of practice" means the following cosmetology disciplines:

(a) Barbering.

(b) Esthetics.

(c) Hair design.

(d) Nail technology.

(9) "Freelance authorization" means a written authorization that allows a practitioner to practice outside or away from a licensed facility.

(10) "Hair design" means any of the following practices, when done upon the human body for cosmetic purposes and not for medical diagnosis or treatment of disease or physical or mental ailments:

(a) Shaving, trimming or cutting of the beard or mustache.

(b) Styling, permanent waving, relaxing, cutting, singeing, bleaching, coloring, shampooing, conditioning, applying hair products or similar work upon the hair of an individual.

(c) Massaging the scalp and neck when performed in conjunction with activities in paragraph (a) or (b) of this subsection.

(11) "Independent contractor" means a practitioner who qualifies as an independent contractor under ORS 670.600 and who is not under the control and direction of a facility license holder.

(12) "License" means a written authorization issued under ORS 690.055 to a person to operate a facility for providing services related to one or more fields of practice to the public.

(13) "Nail technology" means any of the following manicuring or pedicuring practices performed for cosmetic purposes and not for medical diagnosis or treatment of disease or physical or mental ailments:

(a) Cutting, trimming, polishing, coloring, tinting, cleansing or otherwise treating the nails of the hands or feet.

(b) Massaging, cleansing, treating or beautifying the hands, arms below the elbow, feet or legs below the knee.

(c) Applying, sculpturing or removing artificial nails of the hands or feet.

(14) "Practitioner" means a person certified to perform services included within a field of practice.

(15) "Registration" means a written authorization issued to an independent contractor to hold forth to the public as a business entity providing services in a field of practice.

(16) "School" means an educational establishment that has a license issued by the Department of Education and is operated for the purpose of teaching one or more fields of practice.

(17) "Temporary facility permit" means a written authorization issued under ORS

690.055 to provide services on a temporary basis in one or more fields of practice. [1977 c.886 §1; 1983 c.151 §1; 1987 c.31 §2; 1989 c.171 §81; 1993 c.45 §296; 1993 c.267 §1; 1995 c.343 §61; 1999 c.425 §1; 2003 c.547 §38; 2005 c.117 §1; 2005 c.648 §50; 2009 c.701 §30]

690.010 [Amended by 1969 c.687 §1; 1977 c.270 §1; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.015 Prohibited acts. (1) This section establishes prohibitions relating to the practice of hair design, barbering, esthetics and nail technology. The prohibitions under this section are subject to the exemptions under ORS 690.025. A person who commits an act prohibited under this section is subject to the penalties under ORS 690.992 in addition to any administrative action taken by or any civil penalty imposed by the Oregon Health Licensing Agency under ORS 676.612.

(2) A person may not:

(a) Perform or attempt to perform services in a field of practice without a certificate, demonstration permit, registration or freelance authorization.

(b) Operate a facility without a license or temporary facility permit.

(c) Perform or attempt to perform services in a field of practice in a facility that does not have a license or temporary facility permit.

(d) Practice hair design, barbering, esthetics or nail technology as an independent contractor without a registration.

(e) Display a sign or in any way advertise or purport to offer services in a field of practice without first obtaining a permit, certificate, independent contractor registration or facility license.

(f) Knowingly make a false statement on an application to obtain or renew a certificate, registration, license or permit or to obtain a freelance authorization.

(g) Allow an individual in the employ or under the supervision or control of the person to perform in a field of practice without a certificate or permit.

(h) Sell, barter or offer to sell or barter a document evidencing a certificate, registration, license, permit or freelance authorization.

(i) Purchase or procure by barter a document evidencing a certificate with intent to use it as evidence of the person's qualification as a practitioner.

(j) Materially alter with fraudulent intent a document evidencing a certificate, registration, license, permit or freelance authorization.

(k) Use or attempt to use as valid a fraudulently obtained, counterfeited or materially altered document evidencing a certificate, registration, license, permit or

freelance authorization. [1977 c.886 §3; 1981 c.141 §1; 1983 c.151 §2; 1987 c.31 §3; 1993 c.267 §2; 1995 c.343 §62; 1999 c.425 §2; 2003 c.547 §39; 2005 c.117 §2; 2005 c.648 §51; 2009 c.701 §31]

690.020 [Amended by 1961 c.300 §3; 1969 c.687 §2; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.025 Exemptions; rules. ORS 690.005 to 690.235 do not apply to:

(1) Persons who perform service without compensation in case of emergency or in domestic administration.

(2) Persons licensed by a health professional regulatory board listed in ORS 676.160 who are acting within the scope of their professional license.

(3) Persons identified by the Oregon Health Licensing Agency or Board of Cosmetology by rule who are acting under the authority of a hospital or long term care facility licensed under ORS 441.025 or a residential facility licensed under ORS 443.415.

(4) Persons engaged in rendering emergency medical assistance as defined in ORS 30.800.

(5) Persons licensed by the State Board of Pharmacy, merchants or other individuals when demonstrating apparatus or supplies for purposes of sale.

(6) Commissioned medical and surgical officers and personnel of the United States Armed Services while operating on a military base and personnel of correctional institutions while operating on the premises of a correctional facility.

(7) Persons applying temporary makeup, combing hair or applying hair spray, without compensation specifically for the application or combing, for the sole purpose of preparing any individual for a professional photograph or theatrical performance.

(8) A student while engaged in training at the direction of and under the direct supervision of the faculty of a school licensed under ORS 345.010 to 345.450 to teach a field of practice.

(9) The agency may exempt practitioners providing services at charitable or fund raising events. In establishing an exemption, the agency shall consider and evaluate each written request on an individual basis. [1977 c.886 §2; 1983 c.151 §3; 1987 c.31 §4; 1993 c.45 §297; 1993 c.267 §3; 1995 c.343 §63; 1999 c.425 §3; 2005 c.117 §3; 2009 c.701 §32]

690.030 [Repealed by 1977 c.842 §26 and 1977 c.886 §42]

(Certificates, Licenses, Permits and Registrations)

690.035 Application for certificate or permit. A person desiring to obtain a certificate or demonstration permit shall apply in writing to the Oregon Health Licensing

Agency on a form approved by the agency. Each application shall contain an affirmation by the applicant that the information contained therein is accurate. The application must also include evidence establishing to the satisfaction of the agency that the applicant possesses the necessary qualifications. [1977 c.886 §4; 1999 c.425 §4; 2005 c.648 §52]

690.040 [Repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.045 [1977 c.886 §5; 1979 c.855 §3; 1983 c.151 §4; 1987 c.31 §5; 1993 c.45 §298; 1993 c.267 §4; 1995 c.343 §64; repealed by 1999 c.425 §5 (690.046 enacted in lieu of 690.045)]

690.046 Practitioner certification requirements; rules. To qualify for certification as a practitioner of hair design, barbering, esthetics or nail technology, an applicant shall:

(1) Successfully complete all courses required by rule of the State Board of Education for graduation from a school teaching one or more fields of practice.

(2) Successfully pass the certification examination approved, administered or recognized by the Board of Cosmetology for the field of practice in which certification is sought.

(3) Pay all appropriate fees.

(4) Meet any additional requirements the Board of Cosmetology may impose by rule for certification in a particular field of practice. [1999 c.425 §6 (enacted in lieu of 690.045); 2005 c.117 §4]

690.047 Waiver of educational requirement. (1) The Board of Cosmetology may choose to waive all or part of the educational requirement for an applicant in a field of practice and allow the applicant to take the certification examination, provided that:

(a) The applicant's education or training is determined by the board to be substantially equivalent to Oregon certification requirements;

(b) The applicant is otherwise qualified to take the examination; and

(c) The applicant's certification in another state is in good standing.

(2) The Oregon Health Licensing Agency may issue a specialty certificate in a field of practice to a practitioner who has:

(a) Completed post-graduate education approved by the agency that is separate from the education or training required for entry-level certification;

(b) Passed an examination approved or recognized by the board;

(c) Paid the required fees; and

(d) Completed prescribed continuing education credits as determined by agency rule. [1999 c.425 §8; 2009 c.701 §33]

690.048 Certificate prima facie evidence of right to practice; rules. (1) The Oregon Health Licensing Agency shall issue a certificate to each applicant who qualifies under ORS 690.046 or 690.047. The certificate is prima facie evidence of the right of the holder to practice in a field of practice for which the holder has qualified and purports to be a practitioner.

(2) A certificate must show the practitioner's name, address, certificate number, expiration date and field of practice for which the practitioner is qualified to perform services.

(3) A practitioner's certificate shall indicate any specialty certification, obtained under ORS 690.047, for which the practitioner is qualified to provide advanced services in a field of practice. Advanced services shall be defined by rules adopted by the agency. [1983 c.151 §6; 1993 c.267 §5; 1995 c.343 §65; 1999 c.425 §9; 2003 c.547 §40; 2005 c.648 §53; 2009 c.701 §34]

690.050 [Amended by 1959 c.630 §1; 1961 c.436 §1; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.055 Facility license and temporary facility permit requirements. (1) To be issued a license to operate a facility, each applicant shall:

(a) Be 18 years of age or older, if the applicant is a natural person.

(b) Comply with the rules of the Board of Cosmetology concerning health, safety and infection control.

(c) Comply with the applicable health and safety laws and rules of the Oregon Health Authority and any other state agencies.

(d) Pay the required fees.

(e) If the applicant is an entity other than a natural person, be formed and operated in accordance with Oregon law.

(2) To be issued a temporary facility permit, each applicant must:

(a) Operate the facility on a temporary basis for a period not to exceed 30 consecutive calendar days and in accordance with rules of the board.

(b) Be 18 years of age or older, if the applicant is a natural person.

(c) Apply on forms prescribed by the Oregon Health Licensing Agency prior to opening for business.

(d) Comply with the rules of the board concerning health, safety and infection control.

(e) Comply with the applicable health and safety laws and rules of the Oregon Health Authority and any other state agencies.

(f) Pay the appropriate application and permit fees.

(g) If the applicant is an entity other than a natural person, be formed and operated in accordance with Oregon law.

(3) The agency may issue a single facility license to an applicant pursuant to ORS 676.617.

(4) A license issued under this section shall confer on a facility owner the right to operate the facility and to advertise the services for which the facility is licensed. [1977 c.886 §6; 1981 c.141 §2; 1983 c.151 §7; 1993 c.267 §6; 1999 c.425 §10; 2003 c.547 §41; 2005 c.648 §54; 2009 c.595 §1105; 2009 c.701 §35]

690.057 Independent contractor registration requirements. (1) To be issued a registration to operate as an independent contractor, each applicant shall:

(a) Be 18 years of age or older.

(b) Comply with the rules of the Board of Cosmetology concerning health, safety and infection control.

(c) Comply with the applicable health and safety laws and rules of the Oregon Health Authority and any other state agencies.

(d) Pay the required fees.

(e) Hold an active certificate in good standing.

(2) A registration shall confer the right to an independent contractor to advertise and directly offer practitioner services to the public in a licensed facility or a facility operating under a temporary facility permit. [1999 c.425 §11; 2003 c.547 §42; 2005 c.648 §55; 2009 c.595 §1106; 2009 c.701 §36]

690.060 [Amended by 1959 c.630 §2; 1961 c.436 §2; 1969 c.687 §3; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.065 Examinations. (1) Examinations shall be given at such times and places as the Board of Cosmetology may determine, but in no instance less often than once every month.

(2) The board shall give each qualified applicant notice of the time and place of the examination.

(3) The board shall determine the subjects, scope and form of and the passing score for examinations and qualifications for retaking failed examinations. [1977 c.886 §7; 1993 c.267 §7; 1999 c.425 §12]

690.070 [Repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.075 [1977 c.886 §8; 1983 c.151 §8; 1987 c.31 §6; 1993 c.267 §8; 1995 c.343 §66; 1999 c.425 §13; 2005 c.117 §5; repealed by 2005 c.648 §§121,121a]

690.080 [Repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.085 Renewal of certificates, registrations and licenses. (1) Except as provided in subsection (3) of this section, a certificate issued by the Oregon Health Licensing Agency expires on the last day of the

month, two years from the date of issuance. A certificate may be renewed prior to the expiration date by payment of the required renewal fee and compliance with other requirements as established by the Board of Cosmetology.

(2) Except as provided in subsection (3) of this section, a registration and a license issued by the agency expires on the last day of the month, one year from the date of issuance. A registration or license may be renewed prior to the expiration date by payment of the required renewal fee and compliance with other requirements as established by the board.

(3) The agency may vary the date of certificate, registration and license renewal by giving to the applicant written notice of the renewal date being assigned and by making prorated adjustments to the renewal fee.

(4) The agency shall adopt by rule requirements for late renewal and reactivation of an expired certificate, license or registration.

(5) A certificate that has not been renewed for a period of three years after date of expiration may be reinstated if the applicant:

(a) Submits an application for certification;

(b) Satisfactorily passes the examination as specified by board rule;

(c) Submits payment of required fees; and

(d) Meets other requirements as determined by board rule. [1977 c.886 §9; 1983 c.151 §9; 1987 c.31 §7; 1993 c.267 §9; 1999 c.425 §14; 2005 c.648 §56; 2009 c.701 §37]

690.087 [1979 c.855 §2; 1981 c.897 §100; renumbered 345.470]

690.090 [Repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.095 Display of certificate, registration, license, permit or freelance authorization. Every holder of a certificate, registration, license, permit or freelance authorization must display the document in public view where services are being rendered. [1977 c.886 §10; 1979 c.663 §1; 1993 c.267 §10; 1999 c.425 §15; 2009 c.701 §38]

690.100 [Amended by 1961 c.300 §4; 1969 c.687 §4; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.105 Demonstration permit requirements. (1) A person not certified under ORS 690.048 who wishes to practice, demonstrate and teach a field of practice, or perform a field of practice, temporarily and primarily for educational purposes and who is otherwise qualified as determined by the Board of Cosmetology shall first obtain a demonstration permit from the Oregon Health Licensing Agency.

(2) The permit shall specify:

(a) The purpose for which it is granted.

(b) The period during which the person is permitted to practice, demonstrate and teach, which period shall not exceed 30 days.

(c) The time and place of exercising the privilege granted by the permit.

(3) A person may be granted a permit if the person:

(a) Makes application to the agency for the permit.

(b) Is currently licensed or certified to practice or teach a field of practice in another state and presents satisfactory evidence of that fact to the agency, or is otherwise qualified as determined by the board.

(c) Describes the purpose for which the permit is sought.

(d) Pays the required application and permit fees. [1977 c.886 §11; 1983 c.151 §11; 1987 c.31 §8; 1993 c.267 §11; 1995 c.343 §67; 1999 c.425 §16; 2005 c.648 §57]

690.110 [Repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.115 [1977 c.886 §12; repealed by 1981 c.141 §4]

690.120 [Amended by 1961 c.300 §5; 1973 c.832 §38; 1977 c.873 §8; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.123 Freelance authorization; fees.

(1) The Oregon Health Licensing Agency may issue a practitioner a freelance authorization to practice outside of or away from a licensed facility.

(2) The Board of Cosmetology shall determine requirements and the agency shall establish fees for issuance of a freelance authorization.

(3) Practitioners performing services outside of a licensed facility under the provisions of a freelance authorization shall comply with the safety and infection control requirements under ORS 690.165 and 690.205 and rules adopted by the agency under those statutes. [1977 c.886 §13; 1983 c.151 §12; 1993 c.267 §12; 1999 c.425 §29; 2003 c.547 §45; 2005 c.648 §58; 2009 c.701 §39]

690.125 [1961 c.300 §2; 1969 c.687 §6; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.130 [Amended by 1959 c.630 §3; 1961 c.300 §6; 1961 c.436 §3; 1969 c.687 §7; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.140 [Amended by 1965 c.274 §1; 1973 c.832 §39; 1977 c.873 §9; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.150 [Amended by 1961 c.300 §7; 1965 c.274 §2; 1969 c.687 §11; 1971 c.86 §1; 1973 c.832 §40; repealed by 1977 c.842 §26 and 1977 c.886 §42]

(Board of Cosmetology and Oregon Health Licensing Agency)

690.155 Board of Cosmetology. (1) There is established within the Oregon Health Licensing Agency the Board of Cosmetology consisting of seven members appointed by the Governor. At all times the membership of the board shall be so constituted that:

(a) Six members of the board shall be practitioners with valid certificates.

(b) One member shall be a public member who is not a practitioner.

(2) The term of office of each member of the board is four years, but a member serves at the pleasure of the Governor. Vacancies shall be filled by the Governor by appointment for the unexpired term. A member shall hold the member's office until the appointment and qualification of a successor. A member is eligible for reappointment. If a person serves two consecutive full terms, a period of at least four years must elapse before the person is again eligible for appointment to serve on the board.

(3) The Director of the Oregon Health Licensing Agency, or a designated representative, shall serve as an ex officio member of the board but without the right to vote. [1977 c.886 §14; 1983 c.151 §13; 1987 c.414 §84; 1999 c.425 §17; 1999 c.885 §20; 2005 c.648 §59; 2009 c.701 §40]

690.160 [1969 c.687 §9; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.165 Powers of board; rules. In addition to the powers otherwise granted by ORS 345.430 and 690.005 to 690.235, the Board of Cosmetology shall have the power to:

(1) Determine whether applicants are qualified to take certification examinations.

(2) Administer, approve or recognize certification examinations and designate the time, place and administrators of certification examinations.

(3) Contract for the administration of examinations as part of regional or national examinations and contract with independent testing services for examination administration.

(4) Pursuant to ORS 676.607, direct the Oregon Health Licensing Agency to issue certificates, registrations, licenses, permits and freelance authorizations to individuals determined by the board to be qualified.

(5) Except as otherwise provided in ORS 690.205 (2) or other provision of law, adopt rules establishing and enforcing standards for safety, infection control, professional conduct and any other matters relating to fields of practice, facilities or locations used

by persons providing services regulated by ORS 690.005 to 690.235.

(6) Pursuant to ORS 676.612 and 690.167, direct the agency to suspend, revoke, limit or refuse to issue or renew certificates, registrations, licenses or permits or impose a period of probationary activity on the holder thereof.

(7) Do any act necessary or proper to effect and carry out the duties required of the board by ORS 690.005 to 690.235.

(8) Adopt rules prescribing standards of professional conduct for persons practicing hair design, barbering, esthetics or nail technology.

(9) Consult with the agency about the issuance and renewal of a single facility license under ORS 676.617 authorizing a facility to provide barbering, esthetics, hair design or nail technology services. [1977 c.886 §21; 1983 c.151 §14; 1987 c.31 §9; 1993 c.267 §13; 1995 c.343 §68; 1999 c.425 §18; 2003 c.547 §46; 2005 c.117 §6; 2005 c.648 §60; 2009 c.701 §41]

690.167 Disciplinary authority of Oregon Health Licensing Agency. In the manner prescribed in ORS chapter 183 for contested cases and at the direction of the Board of Cosmetology, the Oregon Health Licensing Agency may impose a form of discipline listed in ORS 676.612 against any person practicing barbering, hair design, esthetics or nail technology for any of the grounds listed in ORS 676.612 and for any violation of the provisions of ORS 690.005 to 690.235, or the rules adopted thereunder. [2003 c.547 §43; 2005 c.117 §7; 2005 c.648 §61; 2009 c.701 §42]

690.170 [1969 c.687 §10; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.175 Chairperson; rules; meetings; quorum; compensation and expenses. (1) The Board of Cosmetology shall elect a chairperson. The board shall prescribe rules to govern the proceedings of the board. The board shall hold meetings at such times and places as it determines, but shall meet at least once each year. A majority of the voting members of the board shall constitute a quorum.

(2) Each member of the board is entitled to compensation and expenses as provided in ORS 292.495. [1977 c.886 §§16,17; 1999 c.425 §19]

690.185 [1977 c.886 §18; 1983 c.151 §15; 1987 c.414 §85; 1999 c.425 §30; repealed by 2003 c.547 §118]

690.195 Records of Oregon Health Licensing Agency. (1) The Oregon Health Licensing Agency shall keep a record of its proceedings relating to the issuance, refusal, suspension and revocation of certificates, registrations, licenses and permits and to the imposition of probation. This record shall also contain the name, place of business and

the date of each certificate, registration, license and permit issued by the agency.

(2) The agency shall keep a record of all complaints received, including the date of receipt, name and place of business of each practitioner involved, the name and address of each complainant and the nature of the complaint.

(3) The records of the agency shall at all reasonable times be open to inspection by the public. [1977 c.886 §19; 1987 c.31 §10; 1993 c.267 §14; 1999 c.425 §20; 2003 c.547 §47; 2005 c.648 §62]

690.200 [Repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.205 Rules; approval of Oregon Health Authority; when domestic use of facility permitted. (1) The Board of Cosmetology may adopt rules for the administration of ORS 345.440 and 690.005 to 690.235 and for prescribing safety and infection control requirements for facilities. Infection control requirements for facilities shall be subject to the approval of the Oregon Health Authority. A copy of the rules adopted by the board shall be furnished by the board to the owner or manager of each facility.

(2) Notwithstanding subsection (1) of this section, the board may not prohibit the use of the facility for domestic purposes if the part devoted to domestic purposes is in a completely separate room not used by customers, with walls extending from floor to ceiling and with any connecting doors kept closed while the facility is in actual operation.

(3) Rules adopted by the board prescribing safety and infection control requirements for facilities shall be adopted in accordance with the procedures set forth in ORS chapter 183. [1977 c.886 §§20,22(2); 1983 c.151 §16; 1993 c.267 §15; 1999 c.425 §21; 2003 c.547 §48; 2005 c.648 §63; 2009 c.595 §1107]

690.210 [Repealed by 1977 c.270 §3; 1977 c.842 §26 and 1977 c.886 §42]

690.215 [1977 c.886 §22(1); 1999 c.425 §22; repealed by 2003 c.547 §118]

690.220 [Amended by 1969 c.687 §12; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.225 Inspections. (1) In addition to any other duties prescribed by law, the Oregon Health Licensing Agency shall provide for the inspection of facilities and schools licensed to teach practitioner skills under ORS 345.010 to 345.450.

(2) Inspections conducted under this section shall determine whether the facilities comply with the health, safety, infection control and licensing rules of the Board of Cosmetology and whether the schools comply with the health, safety and infection control requirements under ORS 345.010 to 345.450 and rules of the agency. A report of the re-

sults of the inspection shall be submitted to the Department of Education. [1977 c.886 §26; 1983 c.151 §17; 1987 c.31 §11; 1987 c.414 §86; 1989 c.491 §68; 1993 c.45 §299; 1993 c.267 §16; 1995 c.343 §69; 1999 c.425 §23; 1999 c.885 §21a; 2003 c.547 §49; 2005 c.648 §64]

690.227 [1999 c.425 §24; repealed by 2003 c.547 §118]

690.228 [1983 c.151 §16b; 1999 c.425 §31; repealed by 2003 c.547 §118]

690.230 [Amended by 1961 c.436 §4; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.235 Fees; rules; disposition of receipts. (1) The Oregon Health Licensing Agency shall establish by rule and collect fees and charges for the following related to barbering, esthetics, hair design and nail technology:

- (a) Application.
- (b) Original certificate.
- (c) Certificate renewal.
- (d) Examination.
- (e) Demonstration permit.
- (f) Original license.
- (g) License renewal.
- (h) Temporary facility permit.
- (i) Original registration.
- (j) Registration renewal.
- (k) Replacement or duplicate certificate, license or permit.
- (L) Delinquent renewal.
- (m) Reciprocity.
- (n) Freelance authorization.
- (o) Reactivation.
- (p) Providing copies of official documentation or records and for recovering administrative costs associated with compiling, photocopying or preparing and delivering the records.

(2) All moneys received by the agency under this section shall be paid into the General Fund of the State Treasury and credited to the Oregon Health Licensing Agency Account, and are appropriated continuously to and shall be used by the agency as authorized by ORS 676.625. [1977 c.886 §23; 1981 c.141 §3; 1983 c.151 §18; 1987 c.414 §87; 1989 c.675 §1; 1993 c.267 §17; 1999 c.425 §25; 1999 c.885 §22; 2003 c.547 §50; 2005 c.648 §65; 2009 c.701 §44]

690.240 [Amended by 1969 c.377 §2; repealed by 1971 c.734 §21]

690.243 [1977 c.886 §24; repealed by 1979 c.31 §1]

690.245 [1971 c.734 §146; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.250 [Amended by 1969 c.377 §3; repealed by 1971 c.734 §21]

690.260 [Repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.270 [Repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.275 [1977 c.886 §38a; 1979 c.855 §1; 1983 c.151 §20; renumbered 345.460]

690.280 [Amended by 1965 c.373 §1; 1971 c.753 §31; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.290 [Amended by 1969 c.377 §1; 1973 c.832 §40a; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.300 [Amended by 1965 c.274 §3; 1969 c.314 §91; 1969 c.377 §4; 1973 c.832 §40b; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.310 [Amended by 1969 c.377 §5; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.320 [Amended by 1973 c.832 §41; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.330 [Amended by 1961 c.436 §5; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.340 [Amended by 1967 c.637 §34; repealed by 1977 c.842 §26 and 1977 c.886 §42]

ELECTROLOGISTS; PERMANENT COLOR TECHNICIANS AND TATTOO ARTISTS (Generally)

690.350 Definitions for ORS 690.350 to 690.430. As used in ORS 690.350 to 690.430, unless the context requires otherwise:

(1) "Council" means the Advisory Council for Electrologists and Permanent Color Technicians and Tattoo Artists, created in the Oregon Health Licensing Agency.

(2) "Electrologist" means a person who practices electrolysis pursuant to the provisions of ORS 690.350 to 690.430.

(3) "Electrology facility" means any room or space or any part thereof where electrolysis is practiced or where the business of electrology is conducted.

(4) "Electrolysis" means the process by which hair, with a series of treatments, is permanently removed from the skin by inserting a needle-conductor into the hair follicle and directing electrical energy toward the hair cell. The word "electrolysis" is used in generic form in ORS 690.350 to 690.430 and refers to modalities of galvanic electrolysis, thermolysis and combinations thereof.

(5) "Licensed electrologist" means a person licensed under the provisions of ORS 690.350 to 690.430 to practice electrolysis.

(6) "Licensed permanent color technician and tattoo artist" means a person licensed under the provisions of ORS 690.350 to 690.430 to practice tattooing.

(7) "Permanent color technician and tattoo artist" means a person who practices tattooing pursuant to the provisions of ORS 690.350 to 690.430.

(8) "Physician" means a person licensed to practice the healing arts by this state pursuant to ORS chapter 677, 684 or 685.

(9) "Schools of electrolysis" means career schools licensed by the Department of Education under ORS 345.010 to 345.450 where electrolysis and related subjects are taught.

(10) "Schools of permanent coloring or tattooing" means career schools licensed by the Department of Education under ORS 345.010 to 345.450 in which permanent coloring or tattooing and related subjects are taught.

(11) "Tattoo" means the indelible mark, figure or decorative design introduced by insertion of nontoxic dyes or pigments into or under the dermal portion of the skin upon the body of a live human being.

(12) "Tattooing" means the process by which the skin is marked or colored by insertion of nontoxic dyes or pigments into or under the dermal portion of the skin so as to form indelible marks for cosmetic, medical or figurative purposes.

(13) "Tattoo facility" means any room or space or any part thereof where tattooing is practiced or where the business of tattooing is conducted.

(14) "Teacher" means a person who is registered by the Department of Education to teach in a school of electrolysis or school of permanent coloring or tattooing pursuant to the provisions of ORS 345.010 to 345.450 and 690.350 to 690.430. [1987 c.698 §1; 1993 c.30 §1; 1993 c.45 §300; 1999 c.885 §37; 2003 c.547 §51; 2005 c.648 §66]

690.355 License required to perform electrolysis or tattooing; exceptions. No person, including an electrologist or a permanent color technician and tattoo artist, shall perform electrolysis or tattooing, display a sign or in any other way advertise or purport to be an electrologist or permanent color technician and tattoo artist unless that person holds a valid license issued by the Oregon Health Licensing Agency. However, ORS 690.350 to 690.430 do not prevent or affect the use of electrolysis or tattooing by a physician, a person under the control and supervision of a physician or any other person specifically permitted to use electrolysis or tattooing by law. [1987 c.698 §2; 1989 c.171 §82; 1993 c.30 §2; 1999 c.885 §38; 2005 c.648 §67]

690.360 Prohibited acts. No person shall:

(1) Sell, barter or offer to sell or barter a license;

(2) Purchase or procure by barter a license with intent to use it as evidence of the person's qualification to practice electrolysis or tattooing;

(3) Alter materially a license with fraudulent intent;

(4) Use or attempt to use as a valid license a license which has been purchased, fraudulently obtained, counterfeited or materially altered;

(5) Willfully make a false, material statement in an application for licensure or for renewal of a license; or

(6) Operate an electrology facility or tattoo facility without obtaining an electrology facility license or tattoo facility license. [1987 c.698 §13; 1993 c.30 §3; 2003 c.547 §52]

(Licensing)

690.365 License fee; general qualifications; initial license; expiration; demonstration and temporary permits. (1) An applicant for licensure shall pay a fee established by the Oregon Health Licensing Agency under ORS 690.350 to 690.430 and shall show to the satisfaction of the agency that the applicant:

(a) Has complied with the provisions of ORS 690.350 to 690.430 and the applicable rules of the agency;

(b) Is not less than 18 years of age;

(c) Has a high school diploma or equivalent education;

(d) Has submitted evidence of completion of education and training prescribed and approved by the agency under ORS 690.410; and

(e) Has passed an examination approved, administered or recognized by the agency.

(2) Subject to the provisions of ORS 676.612, the agency shall issue a license to each applicant who provides evidence satisfactory to the agency of completion of all requirements for licensure. An initial license shall be issued for one year unless otherwise specified by rule, and expires unless renewed on or before the expiration date by payment of required fees and demonstration of completion of continuing education requirements specified by rule.

(3) Notwithstanding ORS 690.355 and subsections (1) and (2) of this section, the agency may issue demonstration and temporary permits to perform tattooing services as prescribed by agency rule. [1987 c.698 §3; 1993 c.30 §4; 2001 c.104 §264; 2003 c.547 §53; 2005 c.648 §68; 2009 c.701 §46]

690.370 Examinations. (1) An applicant for licensure who is notified by the Oregon Health Licensing Agency that the applicant has fulfilled the requirements of ORS 690.365 (1)(a) to (d) shall appear at a time, place and before such persons as the agency may designate, for an examination.

(2) The agency shall offer an examination at least twice a year. The applicant who fails any part of the examination may apply to retake the failed section or sections twice without being required to obtain additional training. [1987 c.698 §4; 2001 c.104 §265; 2003 c.547 §54; 2005 c.648 §69]

690.380 Display of license required; notice to Oregon Health Licensing Agency of place of business; notice to licensees; license to operate tattoo facility.

(1) A person who holds a license under ORS 690.350 to 690.430 shall notify the Oregon Health Licensing Agency in writing of the regular address of the place or places where the person performs or intends to perform electrolysis or tattooing and shall keep the license conspicuously posted in the place of business at all times.

(2) The agency shall keep a record of the place or places of business of each person who holds a license.

(3) Any notice required to be given by the agency to a person who holds a license may be given by mailing the notice to the address of the last place of business of which the person has notified the agency.

(4) The agency shall issue to each qualified applicant a license to operate an electrology facility and to advertise electrolysis services for which the facility is licensed.

(5) The agency shall issue to each qualified applicant a license to operate a tattoo facility and to advertise permanent coloring or tattooing services for which the facility is licensed.

(6) The agency may issue a single facility license to an applicant pursuant to ORS 676.617. [1987 c.698 §8; 1993 c.30 §5; 2001 c.104 §266; 2003 c.547 §55; 2005 c.648 §70]

690.385 License renewal, reactivation and reinstatement fees; continuing education; rules. (1) Except as provided in subsection (2) of this section, a license issued under ORS 690.365 expires one year from the date of issuance. The licensee is responsible for filing a license renewal application form. The licensee must submit to the Oregon Health Licensing Agency a completed renewal application, required renewal fee and satisfactory evidence of having completed any required continuing education credits on or before the expiration date of the license as specified by agency rule.

(2) The agency may vary the date of license renewal by giving the applicant written notice of the renewal date being assigned and by making prorated adjustments to the renewal fee.

(3) The agency shall adopt by rule requirements for late renewal of a license, reactivation of an expired license or reinstatement of a license that has been expired for more than three consecutive years.

(4) All electrologists and permanent color technicians and tattoo artists must participate in continuing education, with guidelines and effective date to be established by

rule of the agency. [1987 c.698 §9; 1993 c.30 §6; 2001 c.104 §267; 2003 c.547 §56; 2005 c.648 §71; 2009 c.701 §47]

690.390 Required standards for licensees; rules. Licensed practicing electrologists and permanent color technicians and tattoo artists shall meet the following standards and any others the Oregon Health Licensing Agency may adopt by rule:

(1) Electrolysis and tattooing instruments shall be sterilized in accordance with methods approved by the rules of the agency;

(2) Practicing electrologists and permanent color technicians and tattoo artists shall be equipped with appropriate sterilizing equipment, with availability of hot and cold running water and a covered waste receptacle; and

(3) Case history cards shall be kept for each client. [1987 c.698 §11; 1993 c.30 §7; 2005 c.648 §72]

690.395 [1987 c.698 §10; 1993 c.30 §8; 2001 c.104 §268; repealed by 2003 c.547 §118]

690.400 [1987 c.698 §12; repealed by 2003 c.547 §118]

(Administration)

690.405 Powers and duties of Oregon Health Licensing Agency relating to practice of electrolysis, permanent coloring or tattooing; rules. The powers and duties of the Oregon Health Licensing Agency as related to ORS 690.350 to 690.430 are as follows:

(1) To authorize all disbursements necessary to carry out the provisions of ORS 690.350 to 690.430;

(2) To determine training and experience requirements for taking the examination and to supervise and administer examinations to test the knowledge of applicants for licensure;

(3) To license persons who apply to the agency and who have qualified to practice electrolysis, permanent coloring or tattooing;

(4) To rent facilities when necessary to carry out the examination of applicants for licensure;

(5) To renew, reactivate or reinstate licenses;

(6) To suspend or revoke licenses or place licensees on probation in the manner provided by ORS 690.350 to 690.430;

(7) To appoint representatives to conduct or supervise the examination of applicants for licensure;

(8) To designate the time and place for examining applicants for licensure;

(9) Subject to the provisions of ORS chapter 183, to adopt rules that are necessary to carry out the provisions of ORS 690.350 to 690.430;

(10) To carry out the periodic inspection of facilities of persons who practice electrolysis or tattooing;

(11) To issue a tattoo facility license or a temporary tattoo facility permit to qualified applicants upon compliance with ORS 690.350 to 690.430;

(12) To issue an electrology facility license or a temporary electrology facility permit to qualified applicants upon compliance with ORS 690.350 to 690.430;

(13) Notwithstanding ORS 690.355, to issue demonstration and temporary permits to perform services as prescribed by agency rule; and

(14) To issue a single facility license to an applicant pursuant to ORS 676.617. [1987 c.698 §15; 1993 c.30 §9; 1999 c.885 §39; 2003 c.547 §59; 2005 c.648 §73; 2009 c.701 §48]

690.407 Disciplinary authority of Oregon Health Licensing Agency. In the manner prescribed in ORS chapter 183 for contested cases, the Oregon Health Licensing Agency may impose a form of discipline listed in ORS 676.612 against any person practicing electrolysis or permanent coloring or tattooing for any of the grounds listed in ORS 676.612, and for any violation of the provisions of ORS 690.350 to 690.430, or the rules adopted thereunder. [2003 c.547 §57; 2005 c.648 §74]

690.410 Minimum standards of education and training; rules; schools. (1) The Oregon Health Licensing Agency, in accordance with ORS chapter 183 and in consultation with the Advisory Council for Electrologists and Permanent Color Technicians and Tattoo Artists, shall adopt by rule minimum standards of education and training requirements for the practice of electrolysis, permanent coloring and tattooing.

(2) The agency shall approve electrolysis, permanent coloring and tattooing courses of study. An outline of instruction shall be filed with the agency and with the Department of Education. The outline must include the approved courses, total hours of instruction, hours of lectures in theory and the hours of instruction in application of practical skills.

(3) Schools of electrolysis and schools of permanent coloring or tattooing must comply with the agency's safety and infection control rules and are subject to inspection at the discretion of the agency and the Department of Education. A report of the results of each inspection shall be submitted to the department.

(4) An owner of a facility that is also licensed by the Department of Education as a school of electrolysis or a school of permanent coloring or tattooing under ORS 345.010 to 345.450 may employ an individual licensed

under ORS 690.350 to 690.430 and registered as a teacher by the Department of Education to perform electrolysis, permanent coloring or tattooing for instructional purposes. [1987 c.698 §6; 1989 c.475 §1; 1989 c.491 §69; 1993 c.30 §10; 1993 c.45 §301; 1999 c.885 §40; 2001 c.104 §269; 2003 c.547 §60; 2005 c.648 §75]

690.415 Fees; rules; disposition of receipts. (1) The Oregon Health Licensing Agency shall establish by rule and collect fees and charges for the following related to electrologists and permanent color technicians and tattoo artists:

- (a) Application.
- (b) Examination.
- (c) Reciprocity.
- (d) Original license.
- (e) License renewal.
- (f) Delinquent renewal.
- (g) License reactivation.
- (h) Replacement or duplicate license.
- (i) Demonstration and temporary permits.
- (j) Facility license.
- (k) Providing copies of official documents or records and for recovering administrative costs associated with compiling, photocopying or preparing and delivering the records.

(2) All moneys received by the agency under this section shall be paid into the General Fund of the State Treasury and credited to the Oregon Health Licensing Agency Account, and are appropriated continuously to and shall be used by the agency as authorized by ORS 676.625. [1987 c.698 §5; 1991 c.703 §33; 1993 c.30 §11; 2001 c.104 §270; 2003 c.547 §61; 2005 c.648 §76; 2009 c.701 §49]

690.420 [1987 c.698 §§23,27; 1991 c.734 §104; 1999 c.885 §41; repealed by 2003 c.547 §118]

(Advisory Council)

690.425 Advisory council; membership; terms; compensation. (1) There is established within the Oregon Health Licensing Agency the Advisory Council for Electrologists and Permanent Color Technicians and Tattoo Artists consisting of five members appointed by the Governor.

(2) Members of the council must be residents of this state. Membership of the council shall consist of:

(a) Three members who are licensed under ORS 690.350 to 690.430 and who have a minimum of two years of experience performing electrolysis or tattooing;

(b) One member who is licensed under ORS chapter 677, 678 or 685 as an Oregon health care provider; and

(c) One member of the public who does not possess the professional qualifications of other members.

(3) The term of office of each member of the council is four years, but a member serves at the pleasure of the Governor. Vacancies shall be filled by the Governor by appointment for the unexpired term. A member shall hold the member's office until the appointment and qualification of a successor. A member is eligible for reappointment. If a person serves two consecutive full terms, a period of at least four years must elapse before the person is again eligible for appointment to serve on the council.

(4) The council shall meet at least once a year.

(5) Members of the council are entitled to compensation and expenses as provided in ORS 292.495. [1987 c.698 §24; 1993 c.30 §12; 1999 c.885 §42; 2003 c.547 §62; 2005 c.648 §77; 2009 c.701 §50]

690.430 Duties of advisory council. (1) The Advisory Council for Electrologists and Permanent Color Technicians and Tattoo Artists shall have the responsibility and duty of advising the Oregon Health Licensing Agency in all matters relating to ORS 690.350 to 690.430, shall prepare or adopt the examinations required by ORS 690.350 to 690.430 subject to the approval of the agency and shall assist the agency in carrying out the provisions of ORS 690.350 to 690.430.

(2) The agency shall consider and be guided by the recommendations of the council in all matters relating to ORS 690.350 to 690.430. [1987 c.698 §26; 2001 c.104 §271; 2003 c.547 §63; 2005 c.648 §78]

BODY PIERCING TECHNICIANS

690.500 Definitions for ORS 690.500 to 690.550. As used in ORS 690.500 to 690.550:

(1) "Body piercing" means the puncturing of a part of the body of a live human being so as to create a permanent hole for cosmetic purposes.

(2) "Body piercing facility" means any room, space, location, place, area, structure or business, or any part thereof, where body piercing is practiced or where the business of body piercing is conducted.

(3) "Body piercing technician" means a person who practices body piercing pursuant to the provisions of ORS 690.500 to 690.570. [1995 c.562 §1; 1999 c.885 §51; 2003 c.547 §66; 2005 c.648 §79]

Note: 690.500 to 690.570 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 690 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

690.507 Registration of body piercing technicians; licensure of body piercing facility; exceptions. (1) A person may not:

(a) Provide body piercing services without a body piercing technician registration

issued by the Oregon Health Licensing Agency.

(b) Operate a body piercing facility without a body piercing facility license issued by the agency.

(2) This section does not prevent or affect the use of body piercing by:

(a) A physician or a person under the control and supervision of a physician;

(b) Any other person specifically permitted by law to engage in body piercing; or

(c) Self-administration. [2003 c.547 §64; 2005 c.648 §80; 2009 c.701 §51]

Note: See note under 690.500.

690.510 Registration program; requirements for issuance; expiration, renewal, reactivation and reinstatement; rules. (1) There is established within the Oregon Health Licensing Agency a registration program to provide for the registering of body piercing technicians.

(2) Subject to the provisions of ORS 676.612, the agency shall issue a body piercing technician registration to any person who:

(a) Files an application in the form and manner prescribed by the agency;

(b) Pays the application and registration fees prescribed by the agency;

(c) Affirms by written signature on a form prescribed by the agency receipt of:

(A) An information packet regarding safety, infection control and sterilization requirements adopted by the agency by rule;

(B) A copy of the written notification for clients advising of the risks and possible consequences of body piercing services; and

(C) A disclosure statement to be posted in public view within the licensed body piercing facility; and

(d) Complies with all other requirements established by the agency.

(3) The body piercing technician registration must be posted in a conspicuous place on the premises of a licensed body piercing facility.

(4) Except as provided in subsection (7) of this section, a registration issued under this section expires on the last day of the month, one year from the date of issuance, and may be renewed upon application to the agency, payment of the renewal fee established pursuant to ORS 690.550 and compliance with ORS 690.500 to 690.550 and rules adopted by the agency pursuant to ORS 690.500 to 690.550. The agency shall establish a procedure for the renewal of registrations.

(5) The agency shall adopt by rule requirements for late renewal of a registration,

reactivation of an expired registration or reinstatement of a registration that has been expired for more than three consecutive years.

(6) Notwithstanding ORS 690.507 and subsections (2) and (4) of this section, the agency may issue demonstration and temporary permits to perform body piercing services as prescribed by agency rule.

(7) The agency may vary the date of registration renewal by giving the applicant written notice of the renewal date being assigned and by making prorated adjustments to the renewal fee. [1995 c.562 §2; 1999 c.885 §52; 2003 c.547 §67; 2005 c.648 §81; 2009 c.701 §52]

Note: See note under 690.500.

690.515 Disciplinary authority of Oregon Health Licensing Agency. In the manner prescribed in ORS chapter 183 for contested cases, the Oregon Health Licensing Agency may impose a form of discipline listed in ORS 676.612 against any person practicing body piercing for any of the grounds listed in ORS 676.612, and for any violation of the provisions of ORS 690.500 to 690.550 or the rules adopted thereunder. [2003 c.547 §72; 2005 c.648 §82]

Note: See note under 690.500.

690.520 Licensing of body piercing facilities; inspections; requirements for issuance; expiration, renewal and reactivation; rules. (1) There is established within the Oregon Health Licensing Agency a licensing program to provide for the licensing of body piercing facilities.

(2) Pursuant to ORS 676.618, the agency shall conduct periodic inspections of body piercing facilities to determine compliance with safety, infection control and sterilization requirements.

(3) Subject to the provisions of ORS 676.612, the agency shall issue a body piercing facility license to any person who:

(a) Files an application in the form and manner prescribed by the agency;

(b) Pays the application and license fees prescribed by the agency;

(c) Demonstrates compliance with all safety, infection control and sterilization requirements adopted by the agency by rule; and

(d) Complies with all other requirements established by the agency.

(4) Except as provided in subsection (9) of this section, a license issued under this section expires on the last day of the month, one year from the date of issuance, and may be renewed upon application to the agency, payment of the renewal fee established pursuant to ORS 690.550 and compliance with

ORS 690.500 to 690.550 and rules adopted by the agency pursuant to ORS 690.500 to 690.550. The agency shall establish a procedure for the renewal of licenses.

(5) The agency shall adopt by rule requirements for late renewal of a license and reactivation of an expired license.

(6) The body piercing facility license must be posted in a conspicuous place on the premises of the facility.

(7) The agency may issue a single facility license to an applicant pursuant to ORS 676.617.

(8) Notwithstanding ORS 690.507 and subsections (3) and (4) of this section, the agency may issue a temporary permit to operate a body piercing facility as prescribed by rules adopted by the agency.

(9) The agency may vary the date of license renewal by giving the applicant written notice of the renewal date being assigned and by making prorated adjustments to the renewal fee. [1995 c.562 §3; 1999 c.885 §53; 2003 c.547 §68; 2005 c.648 §83; 2009 c.701 §53]

Note: See note under 690.500.

690.530 Body piercing facility requirements; rules. Any person operating a body piercing facility licensed under ORS 690.520 shall:

(1) Provide to all customers a written statement approved by the Oregon Health Licensing Agency that advises the customer of risks or dangers involved in the procedure and all complications that may occur;

(2) Post in public view in the body piercing facility a disclosure statement established by the agency by rule; and

(3) Post in public view in the body piercing facility a notice containing the address of the agency and the procedure for filing a complaint as established by the agency by rule. [1995 c.562 §4; 2001 c.104 §272; 2005 c.648 §84]

Note: See note under 690.500.

690.540 [1995 c.562 §5; 1999 c.885 §54; repealed by 2003 c.547 §118]

690.550 Fees; rules; disposition of receipts. (1) The Oregon Health Licensing Agency shall establish by rule and collect fees and charges for the following related to body piercing:

(a) Application.

(b) Original body piercing facility license.

(c) Renewal of body piercing facility license.

(d) Original body piercing technician registration.

(e) Renewal of body piercing technician registration.

(f) Replacement or duplicate license or registration.

(g) Delinquent renewal.

(h) Permits.

(i) Reactivation of license or registration.

(j) Providing copies of official documents or records and for recovering administrative costs associated with compiling, photocopying or preparing and delivering the records.

(2) All moneys received by the agency under this section shall be paid into the General Fund in the State Treasury and credited to the Oregon Health Licensing Agency Account, and such moneys are appropriated continuously to and shall be used by the agency as authorized by ORS 676.625. [1995 c.562 §6; 1999 c.885 §55; 2003 c.547 §69; 2005 c.648 §85; 2009 c.701 §54]

Note: See note under 690.500.

690.560 [1995 c.562 §7; repealed by 2003 c.547 §118]

690.570 Rules. In accordance with ORS chapter 183, the Oregon Health Licensing Agency shall adopt rules necessary to implement and enforce ORS 690.500 to 690.550. [1995 c.562 §9; 2003 c.547 §71; 2005 c.648 §86]

Note: See note under 690.500.

PENALTIES

690.990 [Amended by 1977 c.270 §2; repealed by 1977 c.842 §26 and 1977 c.886 §42]

690.992 Criminal penalties. (1) Violation of ORS 690.015 is a Class B misdemeanor.

(2) Violation of ORS 690.355 or 690.360 is a Class A misdemeanor.

(3) Violation of ORS 690.507 is a Class A misdemeanor. [1977 c.886 §25; subsection (2) enacted as 1987 c.698 §14; 2003 c.547 §74]

Note: 690.992 (2) was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 690 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

690.995 [1983 c.151 §22; 1991 c.734 §80; 1999 c.425 §26; repealed by 2003 c.547 §118]

690.996 [1987 c.698 §§16,18,19,20; 2001 c.104 §273; repealed by 2003 c.547 §118]

690.997 [1987 c.698 §17; 1991 c.734 §81; repealed by 2003 c.547 §118]

690.998 [1987 c.698 §§21,22; repealed by 1991 c.734 §122]

690.999 [1995 c.562 §8; 1999 c.885 §56; repealed by 2003 c.547 §118]

OCCUPATIONS AND PROFESSIONS
