

***Compliance Division Staff Report***  
***Orthotics and Prosthetics Advisory Board Meeting***  
*November 16, 2015*

**Public Outreach**

- The Compliance Division is open to any opportunities for public outreach (conventions, conferences, association meetings, etc.) related to the Orthotics and Prosthetics Program; we are available to speak at these types of events. We invite the board and others in the industry to please let us know when an opportunity arises. Please send an email to [Yvonne.Lopez@tdlr.texas.gov](mailto:Yvonne.Lopez@tdlr.texas.gov).

**Staff Updates**

- The Compliance Division is anxiously awaiting the green light to post for the six positions that will comprise the Health Professions division within Compliance.

**Projects**

- Compliance Division staff is currently involved in the review and reorganization of the rules for the Orthotics and Prosthetics Program.
- Going forward, designated program staff will provide information on any current and upcoming projects, such as law and rules clarifications and interpretations, types of calls we are receiving, and any coordination on projects with other divisions and with Advisory Board workgroups.

**Statistics**

- While Compliance does not have any statistical information for the Orthotics and Prosthetics Program at this time, we will include any such information relating to this program in future reports.

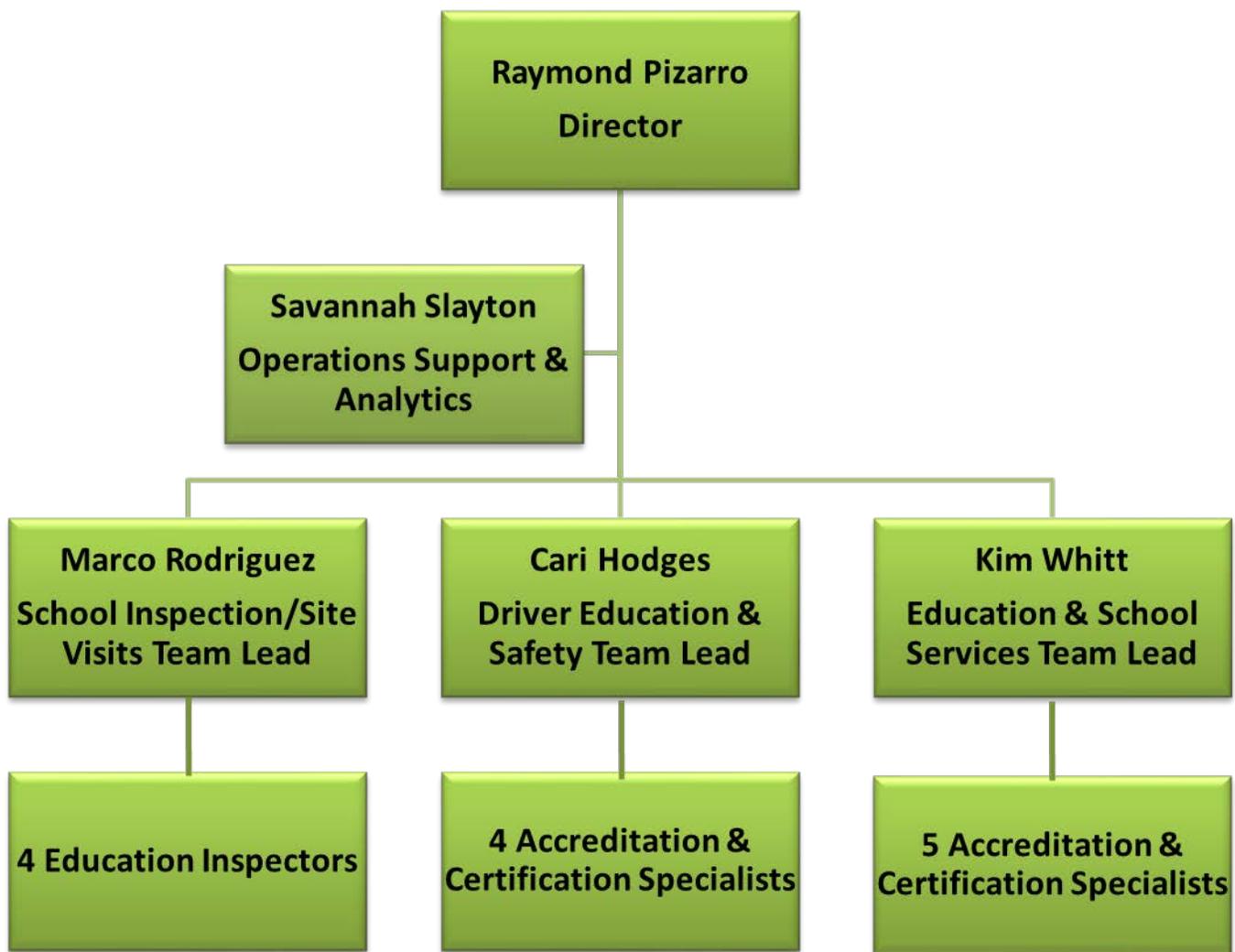


## Orthotists and Prosthetists Advisory Board November 16, 2015



- The Education and Examination Division develops continuing education and pre-license education requirements for the department regulated programs. These requirements ensure licensees have the necessary knowledge and skills to practice their chosen profession. We will have available statistical information regarding measures as well as examination and continuing education statistical reports. Currently we have a total of 396 continuing education providers.
- Alice Bradford is the newest member to the Education and Examination Division. She joined our team on October 19<sup>th</sup> and will be an Accreditation & Certification Specialist. Alice brings to us 10 years of increasingly responsible experience from the Department of State Health Services (DSHS) as a team lead for the Professional Licensing & Certification Examinations. She oversaw the examination administration and development for 23 licensing programs. Alice's fundamental knowledge with the various DSHS licensing programs will position TDLR to adequately implement those programs under TDLR's umbrella.
- The Education and Examination Division has begun utilizing Zeacom for emails. Zeacom allows us to track what has been completed and the time it has taken to answer emails. Currently, E&E receives more than 1,000 emails a month. The goal is to be able to report work staff has accomplished. As we continue to grow as a model agency our workload and performance numbers will increase. The use of Zeacom is a step to utilizing the effectiveness of innovation.

# Education and Examination Division



# **Orthotists and Prosthetists Advisory Board**

*November 16, 2015*

## **Enforcement Division Staff Report**

### **Introduction to the Enforcement Division**

The Enforcement Division is responsible for investigating and resolving complaints against licensees and other regulated populations in all programs regulated by Texas Department of Licensing and Regulation (“TDLR” or “the Department”). The Enforcement Division consists primarily of investigators, attorneys and legal assistants. These employees are organized into three sections that reflect the life cycle of a complaint as it moves through the enforcement process.

- **Intake**: The Intake section substantiates the agency’s jurisdiction and performs initial research on each complaint filed, ultimately making the decision whether an investigation should be opened.
- **Investigations**: In each case opened for investigation, the assigned investigator develops a detailed account of the facts through witness interviews, collection of documents, and on-site inspections when necessary, and prepares a written report of the investigation.
- **Prosecution**: The Prosecution section ensures the proper disposition of each case. When the evidence reflects violations, the prosecutor may pursue administrative penalties or license sanctions, or may resolve the case informally if warranted by the circumstances. When the evidence does not indicate violations the prosecutor will close the case. When an enforcement action leads to a hearing, the prosecutor presents the Department’s case to the State Office of Administrative Hearings and the Commission of Licensing and Regulation.

Within the general structure described above, the Enforcement Division utilizes specialized procedures for handling various types of complaints. Those procedures vary primarily depending upon the source of the complaint. Generally, complaints may be characterized as arising from three sources: consumers, the department, and applicants’ criminal histories.

- **Consumer**: complaints from sources outside the agency, including consumers, industry, and municipal officials. *If opened for investigation by Intake, these cases undergo full investigation and are then resolved by the Prosecution section.*
- **Department**: complaints arising from periodic inspections of regulated entities conducted by the Field Operations Division, and from proactive efforts of Enforcement field investigators. *Intake usually forwards these cases directly to a prosecutor for resolution, because the evidence has already been developed by the inspector or field investigator.*

- Criminal History: complaints arising from criminal background checks on license applicants. The criminal history of each license applicant is initially screened by the Licensing Division. If the history includes crimes that may be a basis for denying a license, the application is referred to the Enforcement Division. *Criminal histories are initially screened by a prosecutor. If the prosecutor does not immediately clear the applicant for licensing, the prosecutor will request an investigation of the applicant's criminal history, and will then decide whether to deny or revoke the applicant's license.*

Consistency in the investigation and resolution of complaints is an essential element of effective enforcement. Enforcement works to ensure consistency by following three guidance documents that are regularly updated.

- The Complaint Resolution Procedures Manual provides detailed, standard procedures applicable to all division staff in handling complaints, from intake to investigation to final resolution.
- The Enforcement Plan describes the ranges of penalties and license sanctions that are applicable to specific alleged violations of the statutes and rules enforced by the agency.
- The Criminal Conviction Guidelines set out, for each license type regulated by TDLR, the specific criminal convictions that may render an applicant an unsuitable candidate for the license, along with reasons why those particular crimes are considered to relate to the license.

# Orthotists and Prosthetists Advisory Board

November 16, 2015

## Enforcement Division Staff Report

### Key Statistics

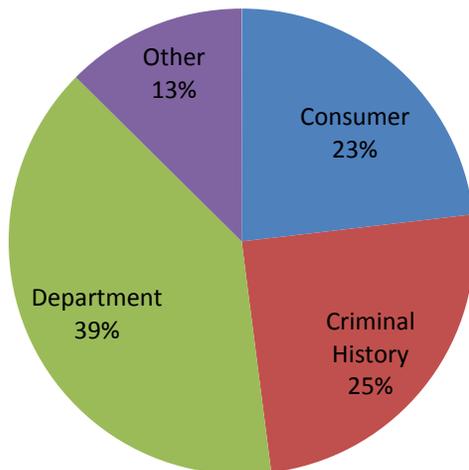
#### Performance Measures

Cases opened	10,511
Cases closed	13,155
Average time to close (days)	217
% of complaints resolved within 6 months	60.00%
% of complaints resulting in disciplinary action	26.50%

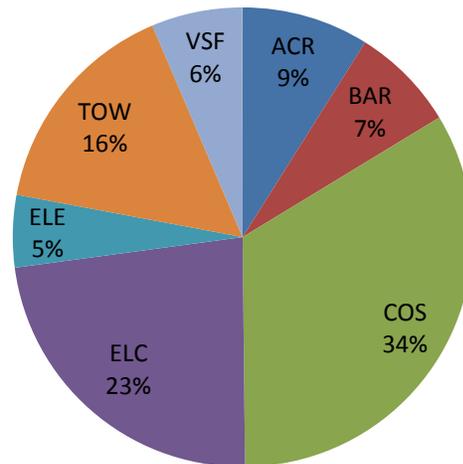
#### Fiscal Year 2015

10,511
13,155
217
60.00%
26.50%

#### Sources of Complaints



#### Complaints by Program



#### Case Outcomes

Commission Orders	48
Agreed Orders	2,270
Default Orders	912
Penalties Assessed	\$4,525,675
Penalties Collected	\$2,362,706
Licenses Revoked (Disciplinary)	161
Licenses Suspended	4
Licenses Denied/Revoked (Criminal History)	528
Cease & Desist Orders	621

#### Fiscal Year 2015

48
2,270
912
\$4,525,675
\$2,362,706
161
4
528
621

## Licensing Division

The Licensing division reviews applications and issues licenses to qualified individuals and businesses. Licensing staff have extensive knowledge of licensing requirements and procedures for processing applications and issuing licenses.

The agency's 25 programs include 148 unique license types for over 650,000 licensees. During fiscal year 2015, the average time to issue a license is 5 days, faster than the Legislature established target of 10 days.

The Licensing division evaluates applicants':

- Criminal history;
- Required education and credentials;
- Experience and employment history; and
- Insurance, bonding, and net worth requirements.

The Licensing division is organized into six teams to optimize cross-training and efficiency. The teams are grouped by similarity of program and licensing requirements. For example, the barber and cosmetology programs are on one team; the air conditioning and electrician programs are on another team; the boiler and elevator programs are on a third team; and the towing, vehicle storage facility and used auto parts recyclers are all on a fourth team. A new team for the health professions license types will be created when those programs transfer to TDLR. Each person is trained on how to process every license type issued by their team.

Licensing employees are also cross-trained to assist with seasonal workload spikes. During peak times, the entire division sets aside a portion of each day to process the extra high volume of applications. Licensing staff is empowered through teamwork, open and free communication and innovation to provide the best customer service from start to finish.

The Licensing and Customer Service divisions have a symbiotic relationship. To foster that relationship, we have Embedded Customer Service Representatives (ESRs) who are Customer Service division employees that have been trained on how to process license applications and research license issues. They take care of the complicated Customer Service problems and allow the License and Permit Specialists to focus on processing license applications.



# TEXAS DEPARTMENT OF LICENSING AND REGULATION

## Licensing Division



**Dede McEachern**  
Director of Licensing

<u>Laura Hernandez</u>	<u>Lisa Houdek</u>	<u>Joyce Hennington</u>	<u>Chloe Whalon</u>	<u>Tarsha Redd</u>	<u>Program Supv V</u>	<u>Mitzzy Jimenez</u>
<b>Cynthia Arevalo</b> Terri Cooke Yvette Flores Laura Harris Tammy Johnson Lynne Lemmons Brenda Rosales  Debra Luna (ESR)	<b>Liz Moreno</b> <b>Jim Odom</b> Lisa Agarwal James Barela Liz Denson Bob Goins Grace Ukpong  Mu-Lan Jin (ESR)	<b>Erica Rodriguez</b> <b>Bruce Tran</b> Brenda Beck Donna Frid Cindy Katzman Carolyn Ruiz Emily Shen  Griselda Ruiz (ESR)	Diana Guerrero Pam McCall Jackie Rollins Irma Villarreal  Josie Reyna (ESR)	<b>Adriana Gonzalez</b> <b>Gloria Rodriguez</b> Myla Greene Lesley Helm An-Ninh Huynh Jim Jorgensen Vicki LaPresto Veronica Robertson Sam Torres Steve Vacek  Linda Lewis (ESR) Cecilia Mojica (ESR)	<b>LPS III</b> <b>LPS II</b> <b>LPS II</b> <b>LPS II</b>	<b>Bruce Ballentine</b> Simone Boutin Sharon Bradford Sue Hernandez Jackie Morales- Steffes Sarah Muckelroy Sandi Sisbarro Giao Truong Beverly Williamson Admin Asst IV
<b>License Types</b> 1. Towing & Booting 2. Vehicle Storage Facilities 3. Used Auto Parts Recyclers 4. Service Contract Providers 5. Vehicle Protection Products 6. Professional Employer Organizations	<b>License Types</b> 1. Air Conditioning 2. Auctioneers 3. Electricians 4. Polygraph Examiners 5. Water Well Drillers	<b>License Types</b> 1. Barbers 2. Cosmetology 3. Property Tax Consultants 4. Property Tax Professionals	<b>License Types</b> 1. Legal Service Contracts 2. Architectural Barriers 3. Combative Sports 4. Industrialized Housing & Buildings 5. Temporary Common Workers 6. Driver Education and Safety	<b>License Types</b> 1. Boilers 2. Elevators 3. Licensed Breeders	<b>License Types</b> 1. Athletic Trainers 2. Dietitians 3. Dyslexia Therapists & Practitioners 4. Midwives 5. Hearing Instrument Fitters and 6. Dispensers 7. Speech-Language Pathologists & 8. Audiologists 9. Orthotists & Prosthetists	<b>Duties</b> 1. Licenses & Notices 2. Supplies 3. DPS Criminal History Checks 4. Mail 5. Imaging 6. PTDE Packets 7. DES Certificates 8. Forms 9. Procedures 10. Web Content 11. Plain Language 12. Performance Measures

# TDLR PROGRAMS AND LICENSE TYPES

The 25 programs are in bold font and the corresponding license types are listed below.

## **Air Conditioning & Refrigeration Contractors**

1. Air Conditioning Contractor
2. Registered AC Technician
3. Certified AC Technician

## **Architectural Barriers**

4. Registered Accessibility Specialist
5. Project Registration

## **Auctioneers**

6. Auctioneer
7. Associate Auctioneer

## **Barbers**

8. Class A Barber Certificate
9. Manicurist License
10. Barber Technician License
11. Barber Technician/Manicurist
12. Barber Technician/Hair Weaving
13. Class A Barber Instructor
14. Barber Manicure Instructor
15. Barber Technician Instructor
16. Barber Hair Weaving Instructor
17. Technician/Manicure Instructor
18. Technician/Hair Weaving Instructor
19. Barber Student
20. Hair Weaving Specialist
21. Barber Shop
22. Manicurist Shop Specialty Shop
23. Dual Shop
24. Mini Barbershop
25. Mini Dual Shop
26. Mobile Salon
27. Hair Weaving Specialty Shop
28. Barber School Permit

## **Boilers**

29. Boiler Inspector
30. Boiler Equipment
31. Authorized Inspection Agency

## **Combative Sports**

32. Contestant
33. Judge
34. Manager
35. Matchmaker
36. Promoter
37. Referee
38. Second
39. Amateur Combative Sports Association
40. Event Coordinator

## **Cosmetology**

41. Operator
42. Manicurist Specialist
43. Esthetician Specialist
44. Manicure/Esthetician Specialist
45. Hair Weaver Specialist
46. Eyelash Extension Specialist
47. Wig Specialist Certificate
48. Operator Instructor
49. Manicure Instructor
50. Esthetician Instructor
51. Wig Instructor
52. Eyelash Extension Instructor
53. Manicure/Esthetician Instructor
54. Cosmetology Student
55. Private Beauty Culture School
56. Vocational College Beauty School
57. Junior College Beauty School
58. Beauty Salon
59. Manicuring Salon
60. Esthetician Specialty Salon
61. Esthetician/Manicure Salon
62. Hair Weaving Specialty Salon
63. Wig Specialty Salon
64. Eyelash Extension Specialty Salon
65. Mobile Salon
66. Dual Salon
67. Mini Salon
68. Mini Dual Salon

## **Driver Education and Safety**

69. Driver Education Teacher
70. Supervising Teacher
71. Teaching Assistant Full
72. Teaching Assistant
73. Supervising Teaching Assistant - Full
74. Rehabilitative Driver Education In-Car Instructor
75. Driving Safety Instructor
76. Driving Safety Instructor Trainer
77. Instructor Development Course Driving Safety Instructor Trainer
78. Specialized Driving Safety Instructor
79. Specialized Driving Safety Instructor Trainer
80. Instructor Development Course Specialized Driving Safety Instructor Trainer
81. Drug and Alcohol Driving Awareness Program Instructor
82. Driver Education School
83. Driving Safety School
84. Specialized Driving Safety School

85. Drug and Alcohol Driving Awareness Program School

## **Electricians**

86. Master Electrician
87. Master Sign Electrician
88. Journeyman Electrician
89. Journeyman Sign Electrician
90. Journeyman Lineman
91. Residential Wireman
92. Maintenance Electrician
93. Electrical Apprentice
94. Electrical Sign Apprentice
95. Residential Appliance Installer
96. Electrical Contractor
97. Electrical Sign Contractor
98. Residential Appliance Contractor

## **Elevators, Escalators & Related Equipment**

99. Elevator Inspector
100. Elevator Equipment
101. Elevator Contractor

## **Industrialized Housing and Buildings**

102. Manufacturer
103. Builder
104. 3rd Party Inspector
105. Authorized Inspection Agency
106. Design Review Agency
107. Permit

## **Legal Service Contracts**

108. Legal Service Contract Companies
109. Legal Service Contract Salespersons
110. Legal Service Contract Administrators

## **Licensed Breeders**

111. Licensed Breeder

## **Polygraph Examiners**

112. Polygraph Examiner
113. Polygraph Examiner Trainee

## **Professional Employer Organizations**

114. Professional Employer Organization
115. PEO Limited License

## **Property Tax Consultants**

116. Sr. Property Tax Consultant
117. Property Tax Consultant
118. PTC-Real Property Only

## **Property Tax Professionals**

119. Assessor/Collector
120. Appraiser
121. Collector

## **Service Contract Providers**

122. Service Contract Provider
123. Service Contract Administrator

## **Temporary Common Workers**

124. Temporary Common Worker Employer

## **Tow Trucks**

125. Tow Truck Company
126. Incident Management Tow Truck
127. Consent Tow Truck
128. Private Property Tow Truck
129. Incident Management Tow Truck Operator
130. Consent Tow Truck Operator
131. Private Property Tow Truck Operator
132. Dual IM Tow Operator/VSF Employee
133. Dual CT Tow Operator/VSF Employee
134. Dual PP Tow Operator/VSF Employee
135. Training License
136. Vehicle Booting Company
137. Vehicle Booting Operator

## **Used Automotive Parts Recyclers**

138. Used Automotive Parts Recycler
139. Used Automotive Parts Employee

## **Vehicle Protection Product Warrantors**

140. Vehicle Protection Products

## **Vehicle Storage Facilities**

141. Vehicle Storage Facilities
142. Vehicle Storage Facility Employees

## **Water Well Drillers and Pump Installers**

143. Water Well Driller
144. Pump Installer
145. Water Well Driller Apprentice
146. Pump Installer Apprentice

## **Weather Modification Law**

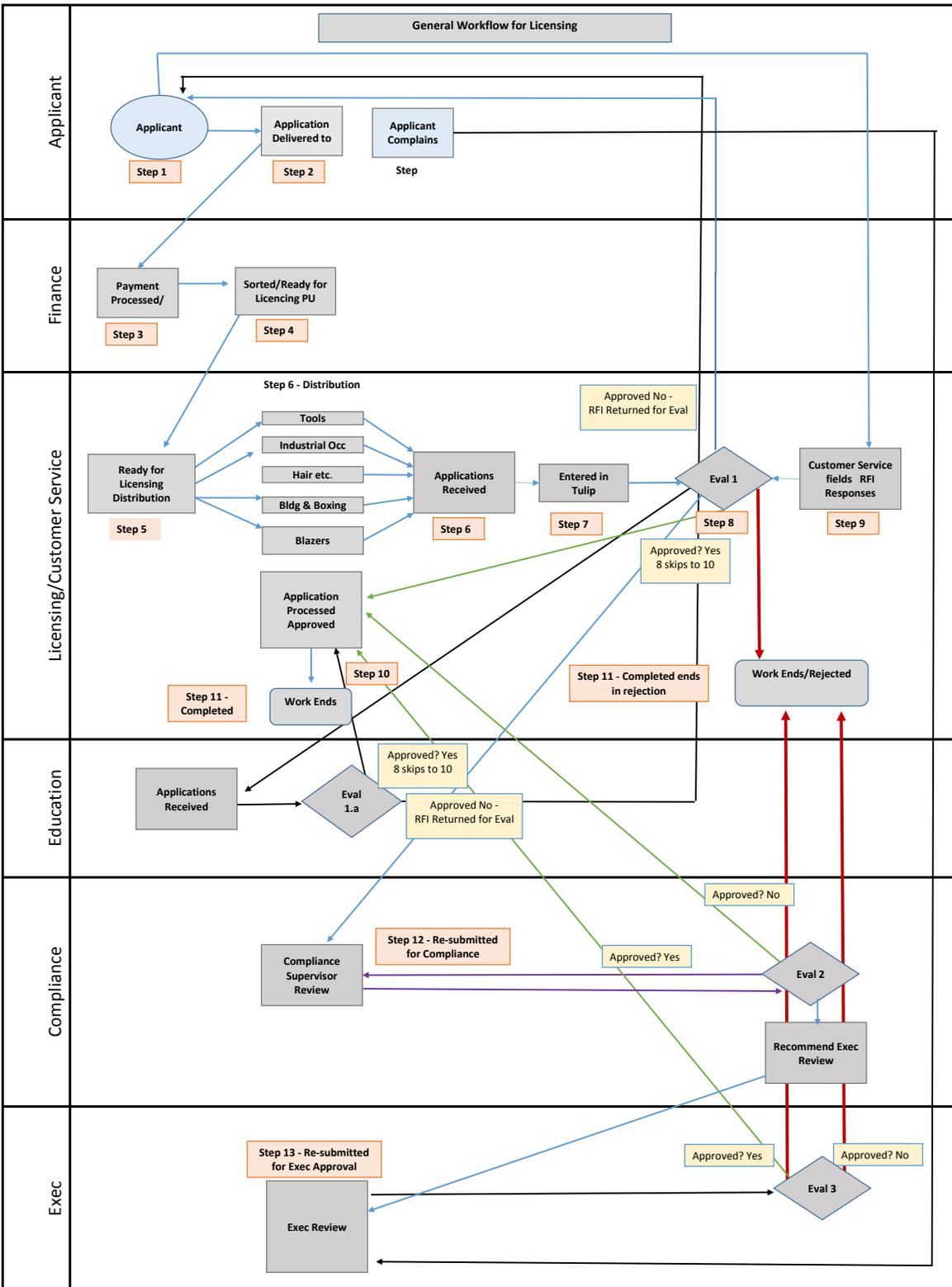
147. Weather Modification License
148. Weather Modification Permit

# Licensing Performance Measures

	FY 12	FY 13	FY 14	FY 15
<b>Percent of New Individual Licenses Issued in 10 Days</b>	96.8%	96.5%	95.6%	95.3%
<b>Percent of Individual Licenses Renewed in 7 Days</b>	99.1%	99.1%	99.2%	99.4%
<b>Percent of New Individual Licenses Issued Online</b>	69.7%	73.9%	86.6%	86.5%
<b>Percent of Individuals Licensees Renewed Online</b>	92.2%	92.8%	96.2%	95.9%
<b>Number of New Licenses Issued to Individuals</b>	114,997	111,324	103,500	107,989
<b>Number of Renewed Licenses Issued to Individuals</b>	215,822	219,272	224,437	233,935
<b>Number of New Licenses Issued to Facilities</b>	49,079	49,703	43,373	49,064
<b>Number of Renewed Licenses Issued to Facilities</b>	128,078	133,287	124,695	116,940
<b>Total Number of Licensed Individuals</b>	433,154	441,612	446,790	455,076
<b>Total Number of Licensed Facilities</b>	234,352	241,839	182,973	197,312
<b>Total Licensed Population</b>	667,506	683,451	629,763	652,388

# Licensee Population by Program

	<b>FY 12</b>	<b>FY 13</b>	<b>FY 14</b>	<b>FY 15</b>
Air Conditioning and Refrigeration	50,398	37,851	38,579	39,685
Architectural Barriers (AB projects registered are cumulative each year)	19,728	20,460	22,475	23,441
Auctioneers	2,530	2,360	2,421	2,426
Automotive Parts Recyclers	3,437	3,261	3,297	3,237
Barbers (braiders & booth rentals no longer included in population)	26,811	27,606	23,315	25,831
Boilers	54,531	54,263	54,340	53,969
Combative Sports	3,053	3,196	3,093	3,552
Continuing Education Providers and Courses	2,019	2,169	2,181	2,105
Cosmetology (braiders & booth rentals no longer included in population)	301,832	323,544	265,483	272,219
Electricians	111,354	118,304	121,645	129,185
Elevators	35,793	37,456	39,642	40,324
Industrialized Housing and Buildings	567	628	653	703
Licensed Breeders (License required as of 9/1/2012)	18	159	172	172
Licensed Court Interpreters	544	538	509	N/A
Legal Service Contracts	9,668	9,312	9,076	9,433
Polygraph Examiners	257	263	272	276
Professional Employer Organization	363	354	362	368
Property Tax Consultants	1,533	1,559	1,562	1,601
Property Tax Professionals	3,977	3,377	3,423	3,443
Service Contract Providers	302	305	318	332
Temporary Common Worker Employers	108	106	95	91
Towing	30,937	29,951	31,294	33,095
Vehicle Protection Products	45	48	52	58
Vehicle Storage Facilities	5,786	5,554	5,127	5,058
Water Well Drillers & Pump Installers (without apprentices)	1,672	1,685	1,729	1,768
Weather Modification Services	18	18	18	16
<b>TOTAL LICENSEE POPULATION</b>	<b>667,506</b>	<b>683,451</b>	<b>629,746</b>	<b>652,388</b>



Applications received online, mailed, or email request

Eval 1 - Licensing determines qualifications

Eval 2 - Compliance determines qualifications

Eval 3 - Exec determines qualifications

Step 8 Can repeat until RFI satisfied or rejected

Step 9 - Customer Srv- Once RFI is returned to applicant - can reply by fax, email or mail. Then returned to Licensing.

Step 12 - If qualifications need escalation, Licensing returns app to Compliance for review

Some applications have to be reviewed by Education - Eval 1

# Orthotics and Prosthetics Advisory Board Meeting

## Field Operations Staff Report



The Face of TDLR  
November 16, 2015

### Most Common Violations Founding During Inspections

After we begin inspections we will provide the most common violations found during inspection for the preceding quarter. Below, as an example, are the top ten violations found during cosmetology inspections for the last quarter.

- 1. Establishment, furniture, equipment, and/or fixtures are unclean or are not in good repair** - 16 Tex. Admin. Code Ch. 83.114(a). Establishments shall keep the floors, walls, ceilings, shelves, furniture, furnishings, and fixtures clean and in good repair. Any cracks, holes, or other similar disrepair not readily accessible for cleaning shall be repaired or filled in to create a smooth, washable surface.
- 2. Failure to have rest room on or near premises without stored chemicals** - 16 Tex. Admin. Code Ch. 83.114(e). Every establishment shall provide at least one restroom located on or near the premises of the establishment. For public safety, chemical supplies shall not be stored in the restroom.
- 3. Salon failed to post a sign directing complaints to the department** -- Tex. Occupations Code. Section 1603.151(2). Salons must notify consumers and service recipients of the name, mailing address, and telephone number of the department for the purpose of directing complaints to the department regarding barbering and cosmetology on a sign prominently displayed in the place of business.
- 4. Failure to maintain and make available a list of current employee and independent contractors.** - 16 Tex. Admin. Code Ch. 83.71(c). Beauty salons, specialty salons, and dual shops may lease space to an independent contractor who holds a booth rental (independent contractor) license. The lessor to an independent contractor must maintain a list of all renters that includes the name of renter and the cosmetology license number of the renter. The lessor must supply the department representative with a list of renters upon request.
- 5. Failure to attach current photograph to the front of license, certificate, or permit** - 16 Tex. Admin. Code 83.70(f). A current photograph of the licensee approximately 1 1/2 inches by 1 1/2 inches shall be attached to the front of the license, certificate or permit.
- 6. Failed to post individual licenses and booth rental (independent contractor) licenses at the licensee's workstation or in a notebook** – 16 Tex. Admin. Code 83.70(e). Individual licenses and booth rental (independent contractor) licenses may be posted at the licensee's workstation in the public view or be made available in a notebook at the salon reception desk.
- 7. Failure to prepare fresh disinfectant daily or more often if solution becomes diluted or soiled** – 16 Tex. Admin. Code Ch. 83.101(a)(3). Disinfectants in which implements are to be immersed shall be prepared fresh daily or more often if solution becomes diluted or soiled.
- 8. Salon failed to post the most recent inspection report issued by the department in a conspicuous place clearly visible to the public** - 16 Tex. Admin Code – Ch. 83.71(m). Cosmetology establishments shall display in the establishment, in a conspicuous place clearly visible to the public, a copy of the establishment's most recent inspection report issued by the department.

**9. Failure to keep a record of the date and time of each daily or bi-weekly cleaning** - 16 Tex. Admin. Code Ch. 83.108(e). For whirlpool foot spas, a record shall be made on a department-approved form of the date and time of each cleaning and disinfecting indicating whether the cleaning was a daily or bi-weekly cleaning. This record shall be made at or near the time of cleaning and disinfecting and shall indicate if a spa was not used during any individual workday.

**10. Failure to store clean implements in a clean, dry, debris-free environment or failure to separate clean implements from soiled implements or non-cosmetology supplies** - 16 Tex. Admin Code Ch. 83.102(f). All clean and disinfected implements and materials when not in use shall be stored in a clean, dry, debris-free environment including but not limited to drawers, cases, tool belts, rolling trays, or hung from hooks. They must be stored separate from soiled implements and materials. Ultraviolet electrical sanitizers are permissible for use as a dry storage container. Non-cosmetology related supplies must be stored in separate drawers or locations.

## **Division Projects**

### New Technology – Mobi Route Optimization

- Review of the Mobi Route Optimization System
- Liaisons will meet with each region to go over items that have been resolved, problems are under review and go over any questions.

### New Technology – E-Inspection

TDLR will meet with Canvas to review how the transfer of inspection results from Canvas to our licensing data base could work.

### State of Texas Human Trafficking Prevention Task Force

Jennifer Harless, South Region Manager, attended as the TDLR Representative and then coordinated with Michael Kelly, Tony Couvillion, Terry Westrum and Sharesa Alexander on TDLR's plan for the Human-Trafficking Initiative. She organized training for field operations on how to identify signs of human trafficking and where and how to report it.

### Field Ops training schedule

11-16-15: East Region, Houston Office

11-30-15: South Region, Austin N. Campus

12-7-15: North Region, Fort Worth Office

### Development of Orthotics and Prosthetics Inspection Checklist

We are creating a draft inspection checklist by gathering a list of the possible violations of the law and rules that can be identified during on-site inspections. The checklist is based on the requirements of the law and rules. It can only be finalized after you make your recommendations to the Commission and the Commission adopts changes to the rules. Below, as an example, is an abridge copy of the Cosmetology Checklist.

Sample of abridged Cosmetology Checklist

STATUTE	RULES	REQUIREMENTS	DTEs
<b>Licenses, Permits &amp; Required Postings</b>			
1602.401		A person holding a license or certificate issued under this chapter shall display the license or certificate in the person's place of business or employment.	
<b>1602.251(a)</b>		<b><i>A person may not perform or attempt to perform any act of Barbering/Cosmo unless the person holds an appropriate certificate, license, or permit.</i></b>	<b>DTE</b>
1601.451 1602.401	83.70(e)	Failure to have license post at station or in a notebook at the salon reception desk.	
<b>Responsibilities of Individuals</b>			
<b>83.70</b>			
<b>1602.406(a)</b>		<b><i>Working while knowingly having a communicable skin disease or venereal disease or an infectious/contagious disease.</i></b>	<b>DTE</b>
	<b>83.70(b)</b>	<b><i>A licensee shall be restricted to working in a licensed facility</i></b>	<b>DTE</b>
	83.70(g)	Licensees shall notify the department in writing of any name change within 30 days of the change.	
<b>Responsibilities of Beauty Salons, Mini-Salons, Specialty Salons, Dual Shops, Mini-Dual Shops and Booth Rentals</b>			
<b>83.71/1602/1603</b>			
	<b>51.351(b)(2) 83.50(d)</b>	<b><i>A barber or cosmetology establishment owner, manager, or their representative must cooperate with an inspector in the performance of the inspection, including allowing an inspector to examine and copy records.</i></b>	<b>DTE</b>
	83.71 (h)(4)	Each Salon shall have one wet disinfectant soaking container	
	83.71(i)(1)(A-C)	Failure of a <del>beauty-Beauty salon-Salon</del> to have for each Licensee present & providing Services: (1) one working station; (2) one styling chair; (3) sufficient amount of shampoo bowls.	
<b>1602.403(c)</b>		<b><i>Employed a person as an operator or specialist who has not first obtained a license or certificate</i></b>	<b>DTE</b>
<b>1603.352(b)</b>	<b>83.71(h)(7)</b>	<b><i>A salon owner is responsible for providing an autoclave, a dry heat sterilizer, or an ultraviolet sanitizer for the shop/salon. <del>This section needs to reflect that it is only required for manicure or pedicure services. It is also required for waxing and esthetician implements under 83.105(f)</del></i></b>	<b>DTE</b>
<b>Health and Safety Standards</b>			
<b>Department –Approved Disinfectants</b>			
<b>83.101</b>			
	<b>83.101(a)(1)</b>	<b><i>Implements and surfaces shall first be thoroughly cleaned of all visible debris prior to disinfection.</i></b>	<b>DTE</b>
	83.101(a)(3)	Failure to prepare fresh disinfectant solution daily or more often as needed, for immersion of implements.	
<b>Health and Safety Standards</b>			
<b>General Requirements</b>			
<b>83.102</b>			
	<b>83.102 (a)(c)</b>	<b><i>Failure to clean &amp; disinfect tools &amp; implements before servicing each client. Also refer to - 83. 103(b)(c) Hair; 83.104(b)(d) Esthetician; 83.105(f) Removal; 83.106 (c)(d) Mani/Pedi; 83.109(b)(c) Wig; 83.110(b)(d) Weaving; 83.115(b)(d) Eyelash.</i></b>	<b>DTE</b>
	83.102(b)	Performing services on a client believed to have a contagious condition such as head lice, nits, ringworm, conjunctivitis; or inflamed, infected, broken, raised or swollen skin or nail tissue; or an open wound or sore.	

STATUTE	RULES	REQUIREMENTS	DTE\$
	83.102(d) 83.100(7)	<i>Failure to dispose of single use supplies after each use. Also refer to - 83.104(e) Esthetician; 83.106(e) Mani/Pedi; 83.110(e) Weaving/Braid; 83.115(f) Eyelash; 83.111 (a) Blood.</i>	DTE

## Staff Updates

### Relocations

- Field Operations' Austin staff has moved to the North Campus, Suite 105E on 10-16-15.
- Quy Tran transferred from the East Region working out of the Houston office to the South Region working out of the Austin Office effective 11-2-15.

### New Employees

Two field inspectors started with TDLR on 10/19/15. Sam Hernandez will work in the Waco area. Mike Hanna will work in El Paso and surrounding counties.

### Posted Positions

We're hiring inspectors in Central & East Houston, Southwest Houston, & Northern Dallas-Ft. Worth. We are accepting applications through 5pm on 11-4-15.

### Inspection Statistics

After we begin inspections we will track the number of inspections completed. Below, as an example, are the inspection statistics for the Cosmetology program.

#### Inspection Statistics Cosmetology Ending FY 2015

	Cosmetology Salons		Dual Establishments		Cosmetology Schools		Cosmetology Mini-Salons		Dual Mini-Shops		Cosmetology Program Totals	
	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014	FY 2015	FY 2014
SEPT	1142	1138	140	135	55	81	0	0	0	0	1337	1354
OCT	1114	1291	163	128	68	89	0	0	0	0	1345	1508
NOV	732	660	111	86	100	104	0	0	0	0	943	850
QTR 1	2988	3089	414	349	223	274	0	0	0	0	3625	3712
DEC	859	649	93	88	86	96	0	0	0	0	1038	833
JAN	1522	929	184	103	71	25	0	0	0	0	1777	1057
FEB	1106	1049	122	109	54	43	0	0	0	0	1282	1201
QTR 2	3487	2627	399	300	211	164	0	0	0	0	4097	3091
MAR	1253	1090	133	120	63	57	0	0	0	0	1449	1267
APR	1473	1082	170	156	80	77	0	0	0	0	1723	1315
MAY	1086	846	135	111	100	169	0	0	0	0	1321	1126
QTR 3	3812	3018	438	387	243	303	0	0	0	0	4493	3708
JUNE	1239	766	165	78	33	64	68	0	2	0	1507	908
JUL	1402	1081	167	105	42	31	0	0	0	0	1611	1217
AUG	826	1004	98	114	27	54	0	0	0	0	951	1172
QTR 4	3467	2851	430	297	102	149	68	0	2	0	4069	3297
Year to Date/ Year End	13,754	11,585	1,681	1,333	779	890	68	4,071	2	853	16,284	13,808

#### Inspection Statistics Cosmetology September FY 2016

	Cosmetology Salons		Dual Establishments		Cosmetology Schools		Cosmetology Mini-Salons		Dual Mini-Shops		Cosmetology Program Totals	
	FY 2016	FY 2015	FY 2016	FY 2015	FY 2016	FY 2015	FY 2016	FY 2015	FY 2016	FY 2015	FY 2016	FY 2015
SEPT	930	1142	120	140	74	55	0	0	0	0	1124	1337
Year to Date/ Year End	930	1,142	120	140	74	55	-	-	-	-	1,124	1,337