

Narrative Information for Biennial Agencies – DA 400

Division of the Budget
State of Kansas

Agency: KANSAS BOARD OF BARBERING
Program: Regulation

September 11, 2023

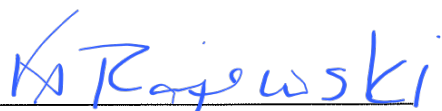
Mr. Adam Proffitt, Director
Division of the Budget
900 S. Jackson, Suite 504-N
Landon State Office Building
Topeka, Kansas 66612-1575

Dear Mr. Proffitt:

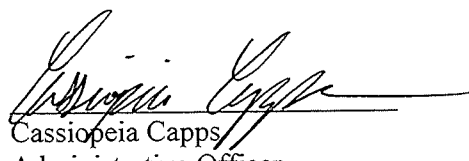
As the Chairman and Administrative Officer of the Kansas Board of Barbering, we hereby submit for your consideration the revised Fiscal Year 2024 and Fiscal Year 2025 budget document amendments for the Board. To the best of our knowledge and belief, the information and explanations contained in this document are correct and complete.

As always, we are available to provide any additional information which you or your budget analyst may require.

Sincerely,



Victoria Rajewski
Chairman of the Board



Cassiopeia Capps
Administrative Officer

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AGENCY MISSION

The mission of the Kansas Board of Barbering is to protect the health and welfare of the consuming public through the enforcement of existing barber statutes and sanitary regulations established for the barbering profession; to ensure that only qualified and well-trained barbers and barber instructors are licensed; and to ensure that all shops and barber colleges are properly licensed for operation. In addition, the mission of this agency includes employing expanded electronic record-keeping and maintaining the Kansas Board of Barbering website. This includes utilizing recommended software, improving data comparison, and adopting the mandated electronic instant license verification process.

AGENCY PHILOSOPHY

Throughout its long history the Kansas Board of Barbering has and will continue to act in accordance with the highest standards of ethics, accountability, efficiency, and openness. Members of the Board and staff continue to affirm their interests in the barbering profession. They approach their activities with a sense of purpose and responsibility to the general public and the regulated community. Through this approach barbers, barber instructors, barber shops, barber colleges and their students, may be assured of a fair, balanced, and sensible approach to regulation.

OPERATIONS PROGRAMS ESTABLISHED TO ASSIST WITH AGENCY MISSION

The operation of the Kansas Board of Barbering includes two processes:

1. Licensing a.) examine all barber college graduates and those applicants striving to become barber instructors, to ascertain skill level before licensing; b.) review all license applications of barbers from reciprocating states to ensure they are compliant with statutory qualifications; c.) issue new renewed, or restored licenses for barbers, instructors, barber shops/establishments, barber colleges and their students; d.) review documents submitted by prospective barber colleges.
2. Inspection. Enforcement of existing barber statutes and sanitary regulations through inspection of barber establishments and barber colleges.

OPERATIONS OF THE KANSAS BOARD OF BARBERING

The administrative office of the Kansas Board of Barbering is located in Topeka, Kansas. Oversight is conducted by a five-member board appointed by the Governor for three-year terms. Statute requires four members be licensed barbers practicing in the State of Kansas, the fifth member represents the general public. Upon expiration of appointment, Members may be reappointed or replaced by the Governor. Members of the Board are paid a per-diem and subsistence for their participation in board activities. As a part of their statutory duties and functions, the Board and staff conduct the barber and barber instructor licensure examinations as established in statute and administrative regulation. Current Board Members are Victoria Rajewski-Chair, Members Troy Franklin, Heather Earlington, Nicole Hughes and Dillon Heter.

The members of the Board are granted by statute the power to supervise and regulate the barbering industry; investigate all matters pertaining to proper supervision and control of barber shops and the practice of barbering; subpoena barbershop owners and/or operators, managers or employees, their books and accounts, and other persons from whom such information may be desired; and, act as mediator or arbitrator in any controversy or issue that may arise among or between barbers as individuals or that may arise between them as groups.

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AGENCY FEE STRUCTURE

The Kansas Board of Barbering is funded solely by licensure fees paid by those professionals who have chosen to practice barbering within the state of Kansas. This Agency receives no funding from the State General Fund (SGF), however, it does contribute 10% of all fees collected to the SGF.

Considerable fiscal conservation by agency staff has allowed operations to continue despite having not raised licensure fees since 2007. Currently, HB2305 which passed out of General Government Budget Committee in February 2023 is awaiting introduction on the House floor. This Bill would allow for increased statutory limits of examination fees. NOTE: HB2184, signed by the Governor May 2023, included a proviso allowing an examination fee increase from \$100 to \$150 restricted to FY24 and FY25.

Below is the current fee structure for the various licenses issued by the Board. With one exception, these are the statutory limits allowed to the Board.

Current license fees for the Kansas Board of Barbering:

FY24 & FY25 Proviso (For examination of applicant to practice barbering--not more than \$150.00)

For examination of applicant to practice barbering--not more than (see above)	\$100.00
For issuance of license to practice barbering--not more than	\$80.00
For renewal of license to practice barbering--not more than	\$80.00
For restoration of expired license to practice barbering, if expiration period is under three years, the lapsed fees plus a restoration of	\$80.00
After three years, applicant shall be reexamined upon payment of the regular examination fee of (see above)	\$100.00
For instructor license or annual renewal thereof	\$40.00
For restoration of expired instructor license, if expiration period is under three years, the lapsed fees plus a restoration fee of	\$40.00
After three years the instructor shall be reexamined upon payment of the regular examination fee of	\$170.00
For a license to operate a barber school or barber college, annual fee	\$500.00
For shop inspection, and annual license fee	\$40.00
For restoration of expired shop license, if expiration period is under three years, the lapsed fees plus a restoration fee of not more than	\$80.00
For a new shop, relocation or change of ownership	\$80.00
For issuance of a seminar permit	\$80.00
For issuance of student learning license	\$55.00
Duplicate license	\$5.00

The fee for reciprocity is determined by Kansas Administrative Regulation 61-6-2

Reciprocity fee	\$180.00
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STATUTORY HISTORY

Kansas statutes governing the barbering industry and board authority can be found at 65-1801 et seq. and those governing the creation of the board at 74-1801 et seq.

The Kansas Board of Barbering as it is known today, was created by the Legislature on February 27, 1913. The original board consisted of three members which has since been increased to five members. In 1939, Kansas Statute Annotated (K. S. A.) 74-1805 set forth the Board's authority to adopt sanitary rules and regulations as deemed necessary to prevent the spreading of infectious or contagious diseases by means of infection control enforcement and education.

The most recent legislation impacting the Board occurred in 2016. Those statutory changes were in summary as follows:

K. S. A. 65-1810(a)(1) changed the required hours for barbering curriculum to be not less than 1,200 hours and not more than 1,500 hours.

K. S. A. 65-1810(a)(3) changed the requirement for a barber to take the barber instructor exam by removing the previously required three years of experience.

K. S. A. 65-1810(e) changed the prohibition on post graduate courses to allow courses as prescribed by the board.

K. S. A. 65-1812 (a)(3) changed to allow courses for military and Kansas-licensed cosmetologists to take specialized course in a Kansas-licensed barber school or college and qualify to take the Kansas barber license examinations.

HB2305 as mentioned previously, would allow for increased statutory limits of examination fees, as well as lowered written theory examination passing score, and implementing a "senior status" license.

OVERVIEW OF AGENCY-WIDE ACTION PLAN AND GOALS

Licensing

In Fiscal Year 2023 the board issued 1,364 barber licenses, 545 barber establishment licenses, and 215 barbering student licenses for a total of 2,124 licenses in the fiscal year. In addition, the board licensed eight barber colleges; three in Wichita; one in Topeka; one in Kansas City; one in Manhattan; and two at the Military Correctional Complex in Fort Leavenworth. The Board has also approved the floor plan for a barbering program at Hutchinson Community College which plans to open in FY24.

Kansas Administrative Regulation 61-4-2 establishes the annual renewal period for each licensee to occur during one of the four quarters of the year on an alphabetical basis. Barber schools or colleges renew on or before December 31st of each year.

The board has accomplished an internal objective for turnaround of licensure requests at two business days from receipt of the complete application and fees. Student applications and records of student attendance; barber licenses; barber shops; and barber colleges are maintained and monitored in the administrative office.

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Since FY18, we have continued to see the enrollment numbers of new barber students remain consistent. In FY22 we issued 202 student licenses. In FY23, 215 student licenses were issued. Our agency has seen an increase in the barbering industry from the number of students, new barber establishments, interest in opening new barber schools, and inquiries on requirements to become a barber instructor.

Our revenue increased from \$191K in FY22 to \$206K in FY23. Our expenditures for FY23 were \$207K.

By statute, the board is mandated to examine individuals graduating from a barber college prior to issuing a barber license. Examinations currently alternate between Topeka, Wichita and Kansas City, Kansas and are conducted by the board on-site at selected barber colleges. It is the Board's plan in FY24 and FY25 to continue the practical examinations schedule of at least once per quarter, and to include the newly licensed barber school in Manhattan as a testing site.

Licensure mobility has been mandated and enacted which requires State licensing agencies to provide immediate verification of a professional license. Achievement of this capability must be developed to ensure efficiency and compliance within the agency. The financial obligation for our agency has not been determined by the vendor at this time.

Inspections-

The Kansas Board of Barbering inspects each barber establishment on at least an annual basis. Any establishments cited with violations may be re-inspected on a more frequent basis.

The Board continues to address violations and investigate complaints against licensees in a manner consistent with the statutory authority granted to the Board. Most violations discovered during shop inspections involve expired licenses. The remainder involve various sanitary violations usually dealing with overall shop cleanliness. The Board Inspector continues to educate and promote infection control to individuals and establishments during each inspection. If a formal complaint is filed against a licensee, the complaint is sent to an investigator and results from that investigation are made available to the Administrator. The Board then addresses those matters accordingly.

The issuance of orders is the avenue most often employed by the Board in those cases that are not corrected through education by the Board Inspector, or a warning issued by the Board.

Goals - Board of Barbering Program

1. Protect public health and safety by ensuring barbers, shop owners, barber colleges and barber students follow sanitation standards established by the Kansas Department of Health and Environment. 2. Continue striving to maintain the number of licensees renewing on-time above 80% per year. 3. Implement computer-based-testing (CBT) with new contracted provider. 4. Conduct updated practical examinations quarterly for candidates having successfully passed CBT examination and 5. Raise awareness of Legislative changes which may benefit our profession in numerous aspects.

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OBJECTIVE #1: Continue to determine and investigate complaints, address violations found during inspections, and reduce number of expired licensees.

Strategies for Objective #1:

1. Inspect all barber establishments on an annual basis and follow-up on violations as deemed necessary.
2. Encourage those violations involving expired licenses to utilize the agency’s online renewal portal immediately to renew/restore all necessary licenses, if applicable.

PERFORMANCE MEASURES

OUTCOME MEASURES

	Actual FY 2023	Estimated FY 2024	Estimated FY 2025
Percent of establishments with violations	6%	5%	5%
Percent of validated complaints resulting in disciplinary action being taken	100%	100%	100%

OUTPUT MEASURES

	Actual FY 2023	Estimated FY 2024	Estimated FY 2025
Number of Licensed Barber Establishments	553	635	706
Inspections of licensed establishments	455	575	635
Violations in barber establishments	33	32	35
Number of formal complaints	1	1	1

OUTCOME MEASURES

	Actual FY 2023	Estimated FY 2024	Estimated FY 2025
Percent of licenses renewed on time (barbers & shops)	73%	77%	78%
Percent renewed/restored online	27%	35%	39%
Percent renewed/restored by mail or walk-in	73%	65%	61%

OUTPUT MEASURES

	Actual FY 2023	Estimated FY 2024	Estimated FY 2025
Total licenses renewed on time	1,261	1,418	1,488
Total licenses restored in FY	456	429	423

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Total licenses (online)	476	639	748
Total licenses (mail or walk-in)	1,241	1,208	1,163
Total licenses renewed/restored in FY	1,717	1,847	1,911

OBJECTIVE #2: Implement the mandated licensing mobility platform for verification of licensure.

Strategies for Objective 2:

1. Begin the implementation and determine level of necessity for mandated electronic online licensing mobility platform software
2. Determine potential for collecting useful data from platform to improve agency operations.

PERFORMANCE MEASURES

OUTCOME MEASURES

	Actual FY 2023	Estimated FY 2024	Estimated FY 2025
Mobility Platform implementation and Maintenance	N/A	\$12.500	\$12.500

OBJECTIVE #3: Improve number of participating candidates passing the barber written theory computer-based testing (CBT) examination, allowing them to undergo the practical examination and become licensed barbers. Monitor the potential impact of lower passing score for the written examination to 75%.

Strategies for Objective #3:

1. Impress to barber schools and instructors the importance of entire curriculum
2. Continue collecting data from testing vendor to determine number of examinees scoring between 75% (fail) and 80% (pass)

PERFORMANCE MEASURES

OUTCOME MEASURES

	Actual FY 2023	Estimated FY 2024	Estimated FY 2025
% of examinees successfully completing CBT	41%	58%	61%
% of candidates licensed in the FY	89%	89%	89%
% of individuals who scored between 75-79%	15%	17%	17%

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OUTPUT MEASURES

	Actual FY 2023	Estimated FY 2024	Estimated FY 2025
Number of examinees taking CBT	180	200	205
Number of candidates for practical examination	74	116	125
Number of candidates taking practical in FY	66	93	111
Number of examinees who scored between 75-79%	28	33	34

FY 2023 EXPENDITURE JUSTIFICATION

The Board understands its responsibilities to our licensees to be good stewards of the fees which fund the agency. We continue to closely monitor expenditures in our effort to carry out the board’s statutory duties to protect public health and safety by inspecting all barber establishments, investigate all complaints, issue licenses and conduct licensing examinations. Board members are each paid \$35 for each examination and per diem.

Object Code 100 – Salaries and Wages

In FY23 this agency reduced its staff from 2.37 FTE to 1.88 FTE. Currently, there is one Administrative Officer, (.88 FTE position), and one Safety and Health Inspector/Office Specialist,(1 FTE position).

Salaries and Wages

Fiscal Year 2023 Actual	Fiscal Year 2023 Approved
\$121,905	\$132,298

The Safety and Health Inspector/Office Specialist blended the previous .87 and .7 positions to ensure office staffing and oversight. The savings in Salaries and Wages by this consolidation was nearly 10% below the approved amount for FY23.

Account Codes 520 to 529 - Contractual Services

The actual expenditures for FY23 were \$60,451 for the category of Contractual Services. These include State agency contracts (i.e., Attorney General, multiple services through Office of Information Technology Services, printing, etc.) travel for examinations, CBT vendor payments, office space, etc.

Contractual Services

Fiscal Year 2023 Actual	Fiscal Year 2023 Approved
\$60,451	\$57,550

FY23 had a higher cost of CBT due in part to higher number of exams taken than anticipated.

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Account Codes 534 to 539 - Commodities

The two major expenses in this category are for fuel, needed to meet our statutory obligation to inspect licensed facilities, and general office supplies.

Commodities

Fiscal Year 2023 Actual
\$3,231

Fiscal Year 2023 Approved
\$3,500

FY23 saw an increase in Commodities expenditures compared to the prior fiscal year, yet remained less than what was estimated due to the loss of the agency vehicle and the delay in obtaining a replacement.

OVERVIEW OF AGENCY BUDGET AT EACH REQUEST LEVEL FOR FY FY2024 and FY2025

Object Code 100 - Salaries and Wages

For FY24, and FY25 this agency will have one Administrative Officer (.88 FTE, unclassified) and one Inspector/Office Specialist (1.00 FTE, unclassified). The Administrative Officer is a 35-hour/week position at \$23.65 per hour. The Inspector/Office Specialist is a 40-hour/week position at \$26.25 per hour. Both employees receive insurance benefits. The Administrative Officer will be receiving part-time benefits and the Inspector/Office Specialist will be receiving full-time benefits.

Salaries and Wages

FY 2024 Approved
\$142,652

FY 2024 Projected
\$142,792

FY 2025 Projected
\$142,893

Projected increases are due to cost of wage increases approved for FY24 and FY25 and are not at the agency's discretion.

Account Codes 520 to 529 - Contractual Services

1. Attorney General's Office for legal representation.
2. Vendors providing computer-based testing examinations to candidates for licensure.
3. Office space utilized by our agency is contracted as is an additional escalator fee.
4. Licensure mobility service has been newly mandated for state licensure agencies effective FY24.
5. Costs associated with licensing examinations for Board members and staff for testing in multiple cities.
6. Out-of-state travel, meals and lodging costs associated with national association conference attendance.
7. Services provided by Office of Information Technology Services for domain access, phone, data, computer leases, software subscriptions, email services, repair, maintenance, etc.
8. Printing of licenses, forms, etc.

Contractual Services

FY 2024 Approved
\$59,969

FY 2024 Projected
\$81,294

FY 2025 Projected
\$86,734

This Agency and the Attorney General's office contracted legal representation for the unchanged amount of \$7,500.00.

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As a result of the increases in number of CBT examinations, as well as cost per test increase from \$76 to \$88, the amounts paid to these vendors have been adjusted.

Our agency's contract for office space was renewed for five years during FY23. The price increased to \$12.00 per square-foot from the previous rate of \$11.65 per square-foot. In addition, the escalator fee increased to \$750 annually from the previous amount of \$600 annually.

There was an unforeseen cost associated with implementing the mandated license mobility platform to allow cohesion and compliance with SB66. We have estimated this cost at \$12,500 per year after speaking with similar -sized agencies who already have been given a cost by the vendor.

There are rising budget cost indices statewide, costs of meals, lodging, and per diem for Board members and staff while travelling to selected cities multiple times per year for practical examinations.

To facilitate professional collaboration with other state licensing agencies we have included out-of-state travel, meals, and lodging costs associated with national association conference attendance.

These necessary items and services have resulted in an increased need for funding, many of which are outside of this Agency's ability to limit or mitigate.

Request for Supplemental Funds: Contractual Services

A newly allowed \$150 examination fee incorporates the cost of both the written portion and practical portion of the barber examinations; \$88 of this is the cost paid to the testing company for the written examination, while the remaining \$62 is applied to travel, per diem, and lodging for the Board to administer the practical examination.

Practical examinations cost the Board an average of \$2,347. For the FY24 and FY25 we are estimating a revenue from examinations to be \$33,750. Total estimated costs for examinations for each fiscal year is estimated to be \$36,100. The estimations show that the increase provided by the Proviso, will still leave the agency owing \$2,350 each year.

Barber examinees undergo computer-based testing (CBT), which determines candidates have fundamental knowledge of the curriculum prior to practical skills demonstration for licensure.

The increased number of computer-based testing (CBT) examinations, and the resulting contractual services amount to this vendor is anticipated to be higher than previously projected. Therefore, our agency is requesting supplemental funding for FY24 and FY25 in the amount of \$5,000 for contractual services to cover the cost paid to the testing companies.

Further, the significant cost of license mobility software development and application was not anticipated. As a result, the entire presumptive amount of \$12,500 has been added to the adjusted change in the agency funding request.

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Without the approval of this supplemental funding, the agency would have to limit the number of written examinations given each fiscal year. In turn, that limitation would slow not only the licensing process for barbers in the State of Kansas, but also hinder the growth of the barbering profession.

The agency would also be forced to manage whatever costs are associated with mandatory compliance software from its existing budget approval amount.

To facilitate professional collaboration with other state licensing agencies we have included out-of-state travel, meals, and lodging costs associated with national association conference attendance in our supplemental request of \$3,500.

The total Contractual Services supplemental request for FY2024 is \$21,325; and supplemental request for FY2025 is \$23,025.

Account Codes 534 – 539 Commodities

- 1. Fuel for Safety and Health Inspector vehicle
- 2. General office supplies

Commodities

FY 2024 Approved	FY 2024 Projected	FY 2025 Projected
\$4,250	\$4,250	\$4,750

Request for Supplemental Funds: Commodities

For FY24 and FY25, our agency is not requesting any supplemental funds for Commodities.

Our agency has been quite frugal in using office supplies and materials and now needs to restore these items for daily use.

The Kansas Board of Barbering is requesting an overall expenditure approval for FY24 of \$228,196, and FY25 of \$234,377.

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Kansas Board of Barbering Fee Fund

Statutory History: The Kansas Board of Barbering Fee Fund was created in 1990 and has continued in existence and charging fees pursuant to K.S.A. 65-1817. The board has spent funds as allocated by the legislature pursuant to K.S.A. 65-1817a.

Our agency is trying to ensure that the cash fund is sufficient to cover unexpected expenses for the agency such as were experienced in FY23.

The board anticipates revenue for FY24 and FY25 to the Fee Fund to be:

	Projected FY 2023	Actual FY 2023	Projected FY24	Projected FY25
Barber Establishment Licenses	\$44,800	\$43,560	\$42,775	\$44,685
Barber, Student, Instructor, Exam. Fees/Licenses	\$170,307	\$186,099	\$212,295	\$216,215
Total Fees Collected	\$215,107	\$229,659	\$255,070	\$260,900
Less 10% to SGF	\$21,511	\$23,183	\$25,507	\$26,090
Net Revenue to Barber Fee Fund:	\$193,596	\$206,474	\$229,563	\$234,810