



Notice of Intent to Adopt Rules

A copy of the proposed rules may be obtained at <https://rules.wyo.gov>

Revised August 2023

1. General Information

a. Agency/Board Name*		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address		
h. Date of Public Notice	i. Comment Period End Date	
j. Public Comment URL or Email Address:		
k. Program		
Amended Program Name (if applicable):		
* ☐ By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.		

2. Legislative Enactment For purposes of this Section 2, "new" only applies to regular non-emergency rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these non-emergency regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

☐ No. ☐ Yes. If the rules are new, please provide the Legislative Chapter Number and Year Enacted:	Chapter:	Year:
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3. Rule Type and Information For purposes of this Section 3, "New" means an emergency or regular rule that has never been previously created.

a. Provide the Chapter Number, Title and Proposed Action for Each Chapter. Please use the "Additional Rule Information" form to identify additional rule chapters.

Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
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Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		

4. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. ☐ No. ☐ Yes. Please complete the boxes below.

Date:	Time:	City:	Location:

b. What is the manner in which interested persons may present their views on the rulemaking action?

☐ By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: _____

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:

☐ To the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: _____

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Agency Liaison listed in Section 1 above.

5. Federal Law Requirements

a. These rules are created/amended/repealed to comply with federal law or regulatory requirements. ☐ No. ☐ Yes. Please complete the boxes below.

Applicable Federal Law or Regulation Citation:	
Indicate one (1):	☐ The proposed rules meet, but do not exceed, minimum federal requirements. ☐ The proposed rules exceed minimum federal requirements.
Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:	☐ To the Agency at the physical and/or email address listed in Section 1 above. ☐ At the following URL: _____

6. State Statutory Requirements

a. Indicate one (1):

☐ The proposed rule change *MEETS* minimum substantive statutory requirements.

☐ The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. ☐ The Agency has completed a takings assessment as required by W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:

☐ By contacting the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: _____

7. Additional APA Provisions

a. Complete all that apply in regards to uniform rules:

☐ These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

☐ The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):

(Provide chapter numbers)

☐ These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Principal Reasons).

(Provide chapter numbers)

b. Checklist

☐ The Statement of Principal Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

☐ If applicable: In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Chapter 3, *Types of Rules Filings*, Section 1, Proposed Rules, of the Rules on Rules).

8. Authorization

a. I certify that the foregoing information is correct.

Printed Name of Authorized Individual

Title of Authorized Individual

Date of Authorization



BOARD OF COSMETOLOGY

2515 Warren Avenue
Suite 302
Cheyenne, WY 82002
307-777-3534

Statement of Principal Reasons

For Adoption of Rules

The Wyoming Board of Cosmetology is proposing general rule updates to remove language that is not statutorily backed, update requirements for exams and endorsement, establish a lash extension add-on license, better clarify minimum equipment for salons and add discretionary hours and adjust distant learning requirements for schools.

First, the board is removing the hour requirement for a cosmetology cross-over license for barbers as it was found cosmetology statutes do not allow for this cross-over license.

The board is also proposing the implementation of a board approved list of translation companies to be used when required documents are not in English. As determining the legitimacy of translation companies has become difficult, having an approved list will better aid the board in determining if an applicant meets the qualifications for licensure.

In addition, the board is proposing a lash extension add-on license for hairstylist and nail technicians. This will widen the scope of practice for these two license types, and aid in protection of the public through further training.

For salons, moving a plumbed water requirement from chapter 10 to chapter 7 for better clarification when opening a new salon.

Lastly, the board is proposing to add a small amount of discretionary learning to required curriculum hours, and adjust distant learning requirements for schools. The discretionary hours assist schools and students, by allowing alternate learning opportunities, and the change to distant learning is a cleanup of rules implemented in 2020.

Chapter 1

General Provisions

Section 1. Authority. These rules are adopted by the Wyoming State Board of Cosmetology, under the authority granted by W.S. 33-12-123 and -134.

Section 2. Disposition of Fees. Under no circumstances will fees be refunded.

Section 3. Correspondence Courses and Apprenticeship Training. Correspondence courses are not recognized by the Board. Apprenticeship training is only recognized if it is a certified program through a state regulatory agency. The applicant must submit certification of record from the licensing or state regulatory agency.

Section 4. Display of License, Rules, and Notices. All licensees, including schools and salons shall conspicuously display the appropriate license(s), most recent inspection report, and infection control standards in an unobstructed location accessible and visible to the consumer. Notices of closure due to disciplinary action will be affixed to the front entrance of the facility during mandatory closure.

Section 5. Required Photo for Licensure. All licensees are required to provide the board office with a current passport-type (headshot only) photo.

Section 6. Scope of Practice. The following describes the allowable scope of practice for each cosmetology category.

(a) Hairstyling.

(i) Cutting, clipping, or trimming hair;

(ii) Massaging, cleansing, stimulating, manipulating, beautifying, applying oils, lotions, or other preparations, styling, arranging, dressing, braiding, curling, waving, chemical waving, straightening, singeing, bleaching, tinting, coloring, or similar functions upon the scalp, hair, wigs, or hairpiece of any person; and

(iii) Applying extensions to a person's hair by bonding, sewing, braiding, or any other means.

(b) Nail Technology.

(i) Cutting, trimming, polishing, coloring, cleansing, or otherwise treating nails;

(ii) Applying artificial nails; and

(iii) Massaging, cleansing, stimulating, manipulating, beautifying, or applying oils, lotions, or other preparations to a person's hands and arms to the elbows or feet and ankles to the knees by any means.

(c) Esthetics.

(i) Massaging, cleansing, exfoliating, stimulating, manipulating, beautifying, or applying makeup, oils, lotions, or other preparations to the skin using hands, chemicals, mechanical or electrical apparatuses, or appliances;

(ii) Removal of superfluous hair by means other than electrolysis and laser;

(iii) Arching or tinting eyebrows, tinting, chemical waving, or applying extensions to eyelashes; and

(iv) Performing extractions of the face using hands, mechanical or electrical apparatuses, or appliances.

(v) Procedures which pierce the epidermal or dermal layer of the skin are considered invasive and are prohibited.

(vi) Using the term or title of "Medical Esthetician" is not allowed.

(d) Cosmetology.

(i) Encompasses hairstylist, nail technician and esthetics as defined in this chapter, section 6 (a), (b), and (c).

(e) Hairstylist/Wax Technician or Nail/Wax Technician. A licensed hairstylist or nail technician that has completed the additional training and has passed the required examination as required by Chapter 6, Section 5 to acquire the skills to safely remove superfluous hair.

Section 7. Independent Contractor. An individual holding a current cosmetology, hairstylist, nail technician, or esthetician license who is self-employed working within a licensed salon.

Section 8. Unprofessional or Dishonest Conduct. Unprofessional or dishonest conduct under W.S. 33-12-135(iii) includes, but is not limited to, the following:

(a) Working with an expired or lapsed license is considered non-licensed practice. Any grace period associated with a license is to delay late fee, and does not continue the license.

(b) Any act which constitutes the practice of medicine, unless the cosmetologist is also licensed or certified to perform the act in question by another licensing board.

(c) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice or instruction of cosmetology, nail technology, esthetics, or hairstyling.

(d) Misrepresentation or concealment of a material fact in obtaining or renewing a license.

(e) Advertising which is false, fraudulent, or misleading.

(f) Incompetence, negligence, or any practice which results in injury to a patron or which creates unreasonable risk of harm to a patron.

(g) Suspension, revocation, or restriction of a license by a competent authority in another jurisdiction due to conduct that also violates Wyoming law.

(h) Unlawful possession, use, or delivery of a controlled substance.

(i) Failure to cooperate with the Board or its agents by:

(i) Not furnishing papers, documents, records, or other items requested;

(ii) Not furnishing a full and complete written explanation in response to any complaint filed with the Board;

(iii) Not responding to a subpoena issued by the Board; or

(iv) Interfering with or refusing access to any Board member, agent, or assistant seeking to perform an inspection.

(j) Failure to comply with any order issued by the Board.

(k) Aiding or abetting the practice of cosmetology, nail technology, esthetics, or hairstyling by an unlicensed person.

(l) Practicing beyond the scope of practice authorized by the person's license.

(m) Practicing while suffering from a contagious or infectious disease involving serious risk to patrons.

(n) Promotion for personal gain of any inefficacious product, treatment, or service.

(o) Interference with an investigation or disciplinary proceeding by willfully misrepresenting facts, using threats or harassment against any witness to prevent them from providing evidence in a disciplinary proceeding or other legal action, or using financial inducements to any witness to prevent or attempt to prevent the witness from providing evidence in a disciplinary proceeding or other legal action.

(p) Abuse of a patron or nonconsensual sexual conduct with a patron.

Section 9. Publications. All proposed rule changes will be available on the Board's website, cosmetology.wyo.gov and at the Wyoming Secretary of State website, rules.wyo.gov. To obtain a Wyoming law book send a self-addressed, stamped, #10 envelope to the board office at 2515 Warren Avenue, Suite 302, Cheyenne, WY 82002.

Section 10. Credit Hours vs. Clock Hours. The Board will recognize a conversion ratio of thirty (30) clock hours to one (1) credit hour for students transferring to Wyoming to complete their training in cosmetology and related fields. The transferring credit hours must be in the field of cosmetology and have been completed within the five (5) years immediately preceding application.

Section 11. Refresher course and examinations.

(a) Any person whose license has been lapsed for five (5) years or more, and who does not qualify for licensure by endorsement is required to complete a refresher course, of at least one hundred (100) hours at a licensed school, based on curriculum in Chapter 6 of these rules, with emphasis on health, safety and infection control before applying for examinations.

(b) Applicant must pass both a theory and practical exam to obtain licensure.

Section 12. Change of Name, Address or Telephone Number. Each applicant, and licensee shall notify the Board of any change to their legal name, home address, business address, email address or telephone number within thirty (30) days of the change.

Chapter 2

Personal Licensing Requirements and Procedures

Section 1. Licensing by Examination.

(a) An applicant who graduated from a cosmetology school with equal or greater hour requirements, as required under Chapter 6 may apply for licensure by taking a theory and practical examination approved by the board.

(b) Applicants shall provide the Board with all documentation relating to their training. If the documents are not in English, they must be translated by a board approved translation company.

(c) Applications for examination shall be submitted to the Board office on the prescribed form accompanied by the required documentation, current passport-type (headshot only) photo, and license fee.

(i) Exam fees for board or board staff administered hands-on practical exam will accompany the exam application.

(ii) Computer-based theory and practical exam fees will be paid directly to the exam administration company.

(d) An applicant who fails the examination must retake any phase of the examination failed. Applicants must register and pay the appropriate fee to the board office or test administration company before retaking the examination.

(e) Any applicant who has failed any phase of an examination and does not pass all phases within one year of failing must retake the entire examination.

Section 2. Licensing by Endorsement.

(a) An applicant from another state or country who meets the requirements of W.S. 33-12-132 may obtain a Wyoming license by endorsement.

(b) Applicants shall provide the Board with all documentation relating to their training and licensing. If documents are not in English, they must be translated by a board approved translation company.

(c) Applications for endorsement shall be submitted to the Board office on the prescribed forms and accompanied by the required documentation, current passport-type (headshot only) photo, and appropriate fees.

Chapter 4

Instructor Licensing and Requirements

Section 1. Instructor License.

- (a) Licensing by examination requires that:
 - (i) An applicant shall meet all requirements set forth in chapter 5, section 3 (a) through (d);
 - (ii) Applicants shall provide the Board with all documentation relating to their training. If the documents are not in English, they must be translated by a board approved translation company;
 - (iii) Application for examination shall be submitted to the Board office on the prescribed form accompanied by the required documentation, and license fee.
 - (A) Exam fees for a board or board staff administered hands-on practical exam will accompany the exam application.
 - (B) Computer-based theory and practical exam fees will be paid directly to the exam administration company.
 - (iv) An applicant who fails the examination must retake any phase of the examination failed. Applicant must register and pay the appropriate fees to the board office or test administration company before retaking the examination.
 - (v) Satisfy one of the following:
 - (A) Have graduated from an instructor program with equal or greater hour requirements as set forth in chapter 6, section 6; or
 - (B) Have equal or greater study in teaching from outside a cosmetology school; or
 - (C) A combination of training and work history that is equal or greater to the requirements set forth in chapter 6, section 6.

Section 2. Licensing by Endorsement.

(a) An applicant from another state or country who meets the requirements of W.S. 33-12-132 may obtain a Wyoming Instructor license by endorsement.

(b) Applicants shall provide the Board with all documentation relating to their training and licensing. If documents are not in English, they must be translated by a board approved translation company.

(c) Applications for endorsement shall be submitted to the Board office on the prescribed forms and accompanied by the required documentation, and appropriate fees.

Section 3. Practice by Instructor.

(a) No person actively engaged as an instructor of cosmetology shall practice cosmetology in the school at which the person is employed except as necessary for instructional purposes. Practice in a salon outside the school is not prohibited.

(b) Instructors may only instruct in the field of their professional license.

Chapter 6

Course of Study

Section 1. Course of Study for Cosmetology Students. The cosmetology program for all schools shall consist of no less than eight (8) months of education in the study of hair, skin, and nails and meet the state requirement of no less than sixteen hundred (1600) hours of theory and practical instruction to include the following:

(a) Eight hundred fifty (850) hours in the science of hair, general hairstyling and chemical services to include:

rules;

- (i) Health, safety, and infection control as outlined in Chapter 10 of these

- (ii) Anatomy, physiology and histology of the hair and scalp;

- (iii) Scalp and hair analysis;

- (iv) Scalp disorders and diseases;

- (v) Hair care products (chemistry, ingredients, and selection);

- (vi) Basics of chemistry;

- (vii) Basics of electricity;

- (viii) State laws and regulations;

- (ix) Professional development;

- (x) Pre-and post-service procedures;

- (xi) Scalp care, shampooing, and conditioning;

- (xii) Haircutting;

- (xiii) Hairstyling;

- (xiv) Braiding and extensions;

- (xv) Wigs and hair additions;

- (xvi) Chemical texture services; and

(xvii) Hair color and lightening.

(b) Four hundred fifty (450) hours in the science of esthetics and general esthetics to include:

rules;

(i) Health, safety, and infection control as outlined in Chapter 10 of these

(ii) Anatomy, physiology, and histology of the skin;

(iii) Skin analysis;

(iv) Skin disorders and diseases;

(v) Skin care products (chemistry, ingredients, and selection);

(vi) Basics of chemistry;

(vii) Basics of electricity;

(viii) State laws and regulations;

(ix) Professional development;

(x) Pre-and post-service procedures;

(xi) The treatment room;

(xii) Basic facials;

(xiii) Facial massage;

(xiv) Hair removal;

(xv) Advanced topics and treatments; and

(xvi) Makeup.

(c) Three hundred (300) hours in the science of nail technology and general nail technology to include:

- rules;
- (i) Health, safety, and infection control as outlined in Chapter 10 of these
 - (ii) Anatomy, physiology, and histology of the skin and nails;
 - (iii) Skin and nail analysis;
 - (iv) Nail diseases and disorders;
 - (v) Nail and skin care products (chemistry, ingredients, and selection);
 - (vi) Basics of chemistry;
 - (vii) Basics of electricity;
 - (viii) State laws and regulations;
 - (ix) Professional development;
 - (x) Pre-and post-service procedures;
 - (xi) Basic and advanced manicures and pedicures;
 - (xii) Polishing and design;
 - (xiii) Hand, arm, foot, and leg massage;
 - (xiv) Hand and feet treatments;
 - (xv) Nail tips and wraps;
 - (xvi) Nail enhancements;
 - (xvii) Electric filing; and
 - (xviii) Creative design.

Section 2. Course of study for Hairstyling Students. The hairstyling program for all schools shall consist of no less than five (5) months of education in the study of hair and meet the state requirement of no less than one thousand (1000) hours of theory and practical instruction to include the following:

(a) One thousand (1000) hours in the science of hair, general hairstyling and chemical services to include;

rules;

- (i) Health, safety, and infection control as outlined in Chapter 10 of these

- (ii) Anatomy, physiology, and histology of the hair and scalp;

- (iii) Scalp and hair analysis;

- (iv) Scalp disorders and diseases;

- (v) Hair care products (chemistry, ingredients, and selection);

- (vi) Basics of chemistry;

- (vii) Basics of electricity;

- (viii) State laws and regulations;

- (ix) Professional development;

- (x) Pre-and post-service procedures;

- (xi) Scalp care, shampooing, and conditioning;

- (xii) Haircutting;

- (xiii) Hairstyling;

- (xiv) Braiding and extensions;

- (xv) Wigs and hair additions;

- (xvi) Chemical texture services; and

- (xvii) Hair color and lightening.

Section 3. Course of Study for Nail Technology Students. The nail technology program for all schools shall consist of no less than two (2) months of education in the study of nails and meet the state requirement of no less than four hundred (400) hours of theory and practical instruction to include the following:

(a) Four hundred (400) hours in the science of nail technology, and general nail technology to include;

rules;

- (i) Health, safety, and infection control as outlined in Chapter 10 of these
- (ii) Anatomy, physiology and histology of the skin and nails;
- (iii) Skin and nail analysis;
- (iv) Nail diseases and disorders;
- (v) Nail and skin care products (chemistry, ingredients, and selection);
- (vi) Basics chemistry;
- (vii) Basics of electricity;
- (viii) State laws and regulations;
- (ix) Professional development;
- (x) Pre-and post-service procedures;
- (xi) Basic and advanced manicures and pedicures;
- (xii) Polishing and design;
- (xiii) Hand, arm, foot, and leg massage;
- (xiv) Hand and feet treatments;
- (xv) Nail tips and wraps;
- (xvi) Nail enhancements;
- (xvii) Electric filing; and
- (xviii) Creative design.

Section 4. Course of Study for Esthetician Students. The esthetician program for all schools shall consist of no less than three (3) months of education in the study of skin and meet

the state requirement of no less than six hundred (600) hours of theory and practical instruction to include the following:

- (a) Six hundred (600) hours in the science of esthetics and general esthetics to include;
 - (i) Health, safety, and infection control as outlined in Chapter 10 of these rules;
 - (ii) Anatomy, physiology and histology of the skin;
 - (iii) Skin analysis;
 - (iv) Skin disorders and diseases;
 - (v) Skin care products (chemistry, ingredients, and selection);
 - (vi) Basics of chemistry;
 - (vii) Basics of electricity;
 - (viii) State laws and regulations;
 - (ix) Professional development;
 - (x) Pre-and post-service procedures;
 - (xi) The treatment room;
 - (xii) Basic facials;
 - (xiii) Facial massage;
 - (xiv) Hair removal;
 - (xv) Advanced topics and treatments; and
 - (xvi) Makeup.

Section 5. Course of Study for Add-On Hair Removal License. This course of study is for licensed hairstylists and nail technicians to acquire education in the removal of superfluous hair. The hair removal program shall meet the state requirements of no less than

one hundred twenty-five (125) hours of theory and practical instruction to include the following:

- (a) One hundred twenty-five (125) hours in hair removal to include;
 - (i) Health, safety, and infection control as outlined in Chapter 10 of these rules.
 - (ii) Anatomy of the skin;
 - (iii) Skin analysis;
 - (iv) Pre-and post-service procedures; and
 - (v) Hair Removal.

Section 6. Course of Study for Add-On Lash Extensions License. This course of study is for licensed hairstylists and nail technicians to acquire education pertaining to lash extensions. The lash extension program shall meet the state requirements of no less than one hundred twenty-five (125) hours of theory and practical instruction to include the following:

- (a) One hundred twenty-five (125) hours in lash extensions to include;
 - (i) Health, safety, and infection control as outlined in Chapter 10 of these rules;
 - (ii) Health and safety in relation to working around the eye area;
 - (iii) Chemical safety;
 - (iv) Lash types, curl, thickness, and length;
 - (v) Pre-and post-service procedures; and
 - (vi) Applying extensions to the eyelashes.

Section 7. Course of Study for Student Instructors. The instructor program for all schools shall consist of no less than two and one-half (2 ½) months of education in the study of teaching and meet the state requirement of no less than five hundred (500) hours of theory and practical instruction to include the following:

- (a) Five hundred (500) hours in the science of teaching and general education to include:

- rules;
- (i) Health, safety, and infection control as outlined in Chapter 10 of these
 - (ii) Introduction to teaching;
 - (iii) Ethics;
 - (iv) State laws and regulations;
 - (v) Hours and record keeping;
 - (vi) Lesson plans;
 - (vii) Use of audio and visual teaching aids and tools;
 - (viii) Test construction and analysis;
 - (ix) Theory class lectures;
 - (x) Class demonstrations; and
 - (xi) Student supervision (no more than 100 hours).

Section 8. Discretionary Hours.

- (a) A student of a cosmetology, hairstyling, esthetics, or nail technology program, may earn discretionary hours outside of the school's premises.
- (b) Discretionary hours may not exceed 2% of the total program hours.
- (c) Discretionary hours must be earned under the direct supervision of an instructor affiliated with the student's school.

Section 9. Hours Earned Remotely.

- (a) A student may earn any non-clinical floor hours by synchronous remote education.
- (b) If a student earns any portion of their hours remotely, the student's final course record shall reflect which hours the student earned remotely.

Section 10. Client protection. Proper infection control standards should be taught and utilized throughout all educational courses in accordance with Wyoming law and the manufacturer's directions.

Section 11. Credits Allowed When Transferring from One Course to Another. A student registered for a hairstyling, nail technician, or esthetician course, or a licensed hairstylist, nail technician, or esthetician may transfer to or enroll in a full cosmetologist course with full credit of the applicable hours. A student enrolled as a cosmetology student may transfer only course specific hours to hairstyling, nail technology, or esthetics courses and the transfer hours shall be approved by the Board.

Chapter 7

Salon and Independent Contractors

Section 1. Salon Applications and License. No person, association, partnership, or corporation may operate a salon without first securing a license from the Board. Applications shall be received a minimum of fifteen (15) days prior to opening date, submitted on the prescribed forms and be accompanied by the following:

- (a) Fees;
- (b) Completed inspection sheet;
- (c) A detailed floor plan of the salon showing work space, the location of restrooms, entrances, and exits, carpeted areas of floor and the location of all other equipment required; and
- (d) Equipment waiver (if applicable).

Section 2. Salon Minimum Equipment. As a minimum requirement each salon shall provide and maintain the following:

- (a) One shampoo bowl with hot and cold running water; and
- (b) One work station.
- (c) If a restroom is shared with any other business, a hand washing sink or shampoo bowl is required within the salon area.
- (d) All water supplies for sinks and shampoo bowls shall be plumbed, potable hot and cold water under pressure.

Section 3. Salon Equipment Waiver. Salons offering limited services (nail services and/or esthetic services) may apply in writing for a waiver of the shampoo bowl requirement.

Section 4. Services Not Regulated by The Board of Cosmetology. Services allowed in a salon that are not regulated by the board of cosmetology:

- (a) Tattooing (Permanent Makeup);
- (b) Massage Therapy;

(c) Piercing;

(d) Tanning; and

(e) Medical.

(i) All medical services and treatments must be offered in a separate room from cosmetology services; and

(ii) Only licensed medical staff may perform medical services or treatments in a salon.

Section 5. Inspections.

(a) All areas licensed and regulated by the Board shall be open to inspection by authorized representatives of the Board anytime during normal business hours.

(b) All areas not regulated by the Board must be clearly designated as “not regulated or licensed by the Board of Cosmetology” and posted in clear view of the public.

Section 6. Salon Premises.

(a) Commercial building or space:

(i) The use of a salon as living or sleeping quarters is prohibited. Mattresses are not allowed on the premises.

(ii) Salons shall provide and maintain toilet and hand washing facilities that are clean and in good repair for employees and patrons.

(iii) Salons shall be adequately heated, lighted, and ventilated.

(iv) Walls and ceilings shall be kept clean and in good repair. Floors shall be of such construction as to be easily cleaned and kept in good repair. Acceptable flooring is tile, vinyl, or other smooth non-porous material. Carpeting or rugs shall be permitted in reception area only.

(b) In-home Salons:

(i) In-home salons, in compliance with city ordinances, must have a separate clearly marked salon entrance. Entrance way into the salon area shall not pass through any living quarters of the residence.

(ii) In-home salons shall provide and maintain toilet and hand washing facilities that are designated for salon use only and be kept clean and in good repair. Restrooms shall not require passage through living quarters of the residence.

(iii) In-home salons shall be adequately heated, lighted, and ventilated.

(iv) Walls and ceilings in the salon area shall be kept clean and in good repair. Floors in the salon area shall be of such construction as to be easily cleaned and kept in good repair. Acceptable flooring is tile, vinyl, or other smooth non-porous material. Carpeting shall be permitted in reception area only.

Section 7. Mobile Salon.

(a) Mobile salon means a self-contained, enclosed mobile unit licensed for the practice of cosmetology and related fields.

(b) No person shall establish or operate a mobile salon until such person has obtained a mobile salon license from the Board. Applications shall be received a minimum of fifteen (15) days prior to opening date and shall be made on the prescribed forms and accompanied by the following;

(i) Fees;

(ii) A detailed floor plan of the mobile salon work space, location of restrooms, entrances, and exits, and all other equipment required; and

(iii) Salon waiver (if applicable).

(c) Mobile salon must pass Board inspection, or receive verbal approval from the Board prior to opening.

(d) All salon requirements, rules and infection control standards apply to mobile salons.

(e) All equipment shall be securely anchored to the mobile unit.

(f) Fire extinguisher shall be mounted in full view.

- (g) No services shall be performed while unit is in motion.
- (h) Sleeping provisions shall not be placed or maintained in mobile unit.
- (i) Each mobile unit shall, at a minimum, be equipped with each of the following functioning systems:
 - (i) A self-contained, potable water supply, and waste water collection tanks of adequate capacity;
 - (ii) Continuous, on-demand hot water tank.
 - (iii) A self-contained, flushing toilet, with holding tanks;
 - (iv) A cooling and heating system sufficient to maintain a comfortable room temperature in the mobile salon during all hours of operation; and
 - (v) Adequate power source to maintain all required functions of mobile salon.
- (j) Mobile salons shall provide an itinerary showing dates, locations and operating hours if requested by the board.

Section 8. Salon Sale, Relocation, or Closing of Salon.

- (a) Salon and mobile salon licenses may not be transferred upon sale of salon. The new owners shall apply for a salon or mobile salon license pursuant to section 1 (a) through (d) of this chapter.
- (b) Prior to relocation of a salon, the information required in Section 1 (a) through (d) of this chapter shall be filed with the Board. Relocation only applies if the salon remains in the same city and ownership is unchanged. Application and fees must be received 15 days prior to anticipated opening date.
- (c) The salon or mobile salon owner shall notify the Board office if the salon is permanently closed.

Section 9. Add or Remove Owner on Facility License. For currently licensed salons that are changing ownership with at least one original owner remaining:

- (a) Submit change of ownership application and fee to the board office.

(b) A new salon license will be issued with change of ownership information reflected.

Section 10. Barbering in Salons/Cosmetology in a Barber Shop.

(a) Barbers may practice in a salon or mobile salon if the salon holds a current barber shop or mobile barber shop license.

(b) Cosmetologist may practice in a barber shop or mobile barber shop if the barber shop holds a current salon or mobile salon license.

(c) Combined salons and barber shops shall adhere to the requirements of both Boards. In any case of conflicting requirements, the more exacting standard shall be applied.

Section 11. Salon and Mobile Salon License Renewal. All salon licenses expire on December 31st of each year. Failure to renew the license on or before the expiration date shall result in late fees. A license that has been expired less than ninety (90) days may be renewed. A license that has been expired for more than ninety (90) days must apply for a new license and meet the current requirements and submit current fees.

Section 12. Temporary Location and License. A temporary location is a place where cosmetology and related fields may be practiced for no longer than fourteen (14) consecutive days. No area of a residence which does not qualify for a salon license may be used as a temporary location. No persons, association, partnership, corporation or other form of business may operate in a temporary location without first securing a license from the Board. Applications shall be made on the prescribed form, accompanied by licensing fees and be received at the board office ten (10) days prior to the event. All licensees performing services must have a current Wyoming license. All licenses and infection control standards must be posted at the temporary location in clear view of the public. All applicable infection control standards must be adhered to.

Section 13. Permitted Locations. Licensed cosmetologist, hairstylist, nail technicians, and estheticians may practice in the following unlicensed locations, all applicable infection control standards must be adhered to:

- (a) The personal residence of a patron;
- (b) The hospital, health care facility, nursing, or convalescent home in which the patron is presently living or staying; and
- (c) The hotel, motel, or boarding facility in which the patron is presently residing.

Section 14. Permitted Events and Services.

(a) Licensees may provide services within the scope of practice of their license at special events such as, but not limited to, weddings and photography sessions.

(b) Permitted services shall consist of make-up, polish application, and hairstyling only.

(c) All infection control procedures shall be followed.

Section 15. Independent Contractor Application and License. No person may operate as an independent contractor within a licensed salon without first securing an independent contractor license from the Board. Application shall be made on the prescribed form and be accompanied by the appropriate fee.

Section 16. Independent Contractor Minimum Equipment and Common Areas. As a minimum requirement, each independent contractor will provide and maintain the basic equipment to perform services related to the scope of their individual license.

(a) Shared equipment such as, but not limited to shampoo bowls and pedi spas will be considered as a common area and will be the responsibility of the salon owner to maintain for inspection purposes.

(b) The salon owner is responsible for all common areas.

Section 17. Independent Contractor Change of Status. The Board office shall be notified by the independent contractor if services are discontinued or if the independent contractor relocates to a new location.

Section 18. Independent Contractor Inspection Requirements. The independent contractor is responsible for maintaining their individual work area to meet all health and infection control standards set forth by the board Rules and Regulations, Chapter 10.

(a) The work area must be accessible for inspection during salon business hours.

(b) The independent contractor's license and most recent inspection shall be posted at the work station.

Section 19. Independent Contractor License Renewal. All independent contractor licenses expire on August 31st of each year. Failure to renew the license on or before the expiration date shall result in a late fee.

Chapter 10

Infection Control

Section 1. Definitions.

(a) Clean: Removal of surface and/or visible debris by using soap, detergent or chemical “cleaner”, followed by a clean water rinse. Prepares non-porous items for disinfection by removing debris, product residues, organic matter and oils that may interfere with disinfection chemicals. Reduces the number and slows the growth of pathogens on both porous and non-porous surfaces. Cleaning does not make multi-use items safe for use.

(b) Disinfect: The process of making a non-porous item safe for use requires the use of a chemical intended to kill or denature a bacteria, virus or fungus. Items to be disinfected must be cleaned prior to disinfection. Proper disinfection requires adherence to manufacturer's label with regard to concentration and contact time. UV light is not acceptable for disinfection.

(c) Disinfectant: EPA registered bactericidal, virucidal and fungicidal disinfectant that is approved for use in a salon, or spa setting. Instruction label must be followed for dilution ratio and contact time. Disinfectant used when there is contact with blood or body fluids must be labeled as effective against HIV-1 and human Hepatitis B virus.

(d) Contact Time: The amount of wet contact time required for a disinfectant to be effective against the pathogens on the label. Clean items or surfaces must remain completely immersed or visible wet (spray or wipes) for full contact time to be effective.

(e) Non-porous: Material that has no pores and does not allow for liquids to be absorbed or pass through. Common non-porous materials include glass, metal and plastic.

(f) Porous: Material that has minute spaces or holes through which liquid or air may pass. (Permeable, penetrable, cellular)

Section 2. Wet Disinfection and Storage Standards.

(a) Prior to use on any client, all non-porous tools and implements or multi-use items must be cleaned and disinfected. Items must be cleaned with soap and water or a chemical cleaner. Items must then be disinfected by complete immersion in a properly diluted, EPA registered, bactericidal, virucidal, fungicidal disinfectant that is mixed and used according to the manufacturer's directions. EPA registered bactericidal, virucidal, and fungicidal wipes and sprays may be used where designated in these rules.

(b) Items must stay immersed or visibly wet with disinfectant for the entire contact time listed on the manufacturer's label to be effective.

(c) All disinfectant must be prepared daily according to manufacturer's directions or more often if solution becomes contaminated or cloudy.

Section 3. Single Use Items (porous items).

(a) Any item that cannot be cleaned and disinfected, is considered single use and must be disposed of after each use. This includes, but is not limited to, nail files/emery boards made of any material except metal, plastic or glass, all cotton, buffing blocks, pumice stones, orange wood sticks, toe separators, wooden spatulas, neck strips, and paper coverings.

(b) Single use items may not be stored for customers on the premises and customers may not take single use items home and return with them for service.

(c) All single use items must be stored in a clean, covered container marked "clean" or in their original, single use packaging.

Section 4. Dry Storage Standards. Disinfected implements must be stored in a disinfected, dry covered container and be isolated from contaminants. At no time can these items come into contact with used/dirty items.

Section 5. Clippers and Trimmers. Clippers and trimmers must be cleaned and disinfected after each use with a disinfectant spray or wipe, used according to manufacturer's label. Clipper wash may be used as a cleaner prior to disinfection, but is not acceptable as a disinfectant unless labeled as a bactericidal, virucidal and fungicidal disinfectant. Clippers must be stored in a clean place such as on a hook, stand or on a clean towel covered by a clean towel when not in use.

Section 6. Hand Hygiene. Thoroughly wash hands and exposed portions of the arms with soap and water before providing services to each client, and after smoking, drinking, eating, and using the restroom. An equally effective hand sanitizer is acceptable except for after using the restroom.

Section 7. Pedicure Spa Standards.

(a) After each client or service:

(i) Drain tub.

(ii) Remove all parts (filters, screens, drains, jets, etc.); and

(iii) Clean and disinfect the removable parts as follows:

(A) Scrub with brush and soap or detergent until free of debris;

- (B) Rinse;
 - (C) Completely immerse in an EPA registered, bactericidal, virucidal, fungicidal disinfectant mixed and used according to the manufacturer's directions;
 - (D) Rinse;
 - (E) Air dry; and
 - (F) Replace the disinfected parts into the tubs or store them in a clean, dry, covered container.
- (iv) Clean tub according to manufacturer's instructions. Take special care to remove all film, especially at the water line. Rinse tub well;
 - (v) Fill tub with fresh water, add appropriate amount of disinfectant into water according to the disinfectant manufacturer's label;
 - (vi) At minimum use an EPA registered bactericidal, virucidal, and fungicidal disinfectant that is mixed and used according to the manufacturer's directions;
 - (vii) Allow the disinfectant to stand for non-circulating tubs or circulate for circulating tubs for the contact time specified according to the manufacturer's instructions; and
 - (viii) Drain tub and rinse with fresh water.

Section 8. Blood Exposure Procedure. If a blood exposure should occur, the following steps must be followed:

- (a) When possible, injured party should go to a sink and rinse injury with running water and "milk" the injury to remove any bacteria that may have entered the wound;
- (b) Supply injured party with antiseptic or single use packet of antibacterial ointment and the appropriate dressing to cover the injury; and
- (c) Dispose of all soiled articles in trash. Immediately clean and disinfect all non-porous items. Do not continue service with these items.

Section 9. Chemical Safety.

- (a) Chemicals shall be transported and stored in accordance with the manufactures label.

- (b) Chemicals must be stored in the original containers.
- (c) Chemicals must be stored in overhead cabinets or locked cabinets. They may not be stored in areas used by customers such as bathrooms.
- (d) Chemicals may only be mixed and applied to customers specifically as instructed on manufactures label, including patch test.
- (e) Chemicals must be discarded in accordance with manufacture's label, local, state, and federal rules.
- (f) Chemicals shall not be mixed with any other substance unless expressly instructed on the label.

Section 10. Communicable Disease. Licensees shall not perform any service if they have been diagnosed with a communicable disease until cleared by a medical professional for return to work. Licensees shall not perform a service on a client who has visible swelling, eruption, redness, bruising on skin or rash in an area where a service is to be performed. Clients with a physician's note indicating they are not contagious, (such as psoriasis) are an exception to this rule.

Section 11. Product Safety.

- (a) All products in multiuse containers such as lotions, creams, powders, and waxes shall be stored, handled, and applied in such a manner as to prevent contamination of the remaining product in the container.
- (b) All product in multiuse containers shall be removed from containers with a new, single use spatula or a non-porous spatula that has been cleaned and disinfected.
- (c) A single spatula may be used for product that is separated into single use, disposable container for application, but all remaining product, the container and spatula must be disposed of immediately following the service.
- (d) No implement shall be doubled dipped back into the original container.
- (e) Powder shall be dispensed from shaker and liquid preparations shall be dispensed from an atomizer or applicator bottle without contamination.

Section 12. Nail Services.

- (a) Nail tables shall be cleaned and disinfected after each use with an approved disinfectant.

(b) Electric nail files and attachments shall be properly disinfected after each use. Attachments shall be stored in a clean, closed drawer, cabinet or container.

(c) Paraffin wax shall be used in single use bags only.

Section 13. Esthetics Services.

(a) Esthetic devices allowed must be commercially available and not pierce, ablate, or destroy the live tissue of the skin, and be operated within manufacturer guidelines.

Section 14. Eyelash Extensions Services.

(a) Eyelash stands, holders, pallets, and trays must be cleaned and disinfected before use with each client.

(b) Glue pallets and holders must be cleaned and disinfected before each client.

(c) Eyelash extensions must be stored in a clean, closed container or in closed original packaging. Eyelash extensions that are removed from the container or original packaging for client's eyelash service and not used must be disposed of and not used for another client.

Section 15. Towels and Coverings.

(a) A clean cape shall be provided for each client.

(i) If it is not possible to use a clean cape for each client, a neck strip or clean towel must be used.

(b) A clean covering shall be used on the esthetic table for each client.

(c) All clean towels, table, bed and client coverings shall be stored in a clean closed dry cabinet or container.

(d) All soiled linens shall be kept in a ventilated container with a lid. All linens (towels, sheets, robes, etc.) must be laundered prior to use. Laundry may be done through commercial laundry services or on site. If laundry is being done on-site, there must be a functional washing machine and dryer on the premises.

Section 16. Common Areas.

(a) Shampoo bowls shall be cleaned with approved disinfectant after each use.

(b) Wax containers and pots shall be kept clean and free of debris, and covered when not in use. **No implement shall be double dipped back into the wax container.** If wax becomes contaminated or has visible debris, pot must be emptied and disinfected. No wax may be re-used, only new wax may be used in the pot.

(c) Restroom facilities shall be adequately supplied with disposable hand towels and liquid soap. Cloth towels are not allowed.

(d) Hand sanitizer shall be available.

(e) All refuse shall be deposited in suitable receptacles with lids. Lids shall be kept in place at all times. All refuse shall be disposed of in a manner so as not to be unsightly, offensive, or a menace to health. Hair cuttings shall be swept up and properly disposed of after each client.

(f) All coffee and other refreshments shall be served in a single use container with lids. No open food or drink is allowed in the work area.

(g) Animals may not be used to perform any service in a salon.

Section 17. Prohibited Items. The following items shall not be present in a salon.

(a) Methylemethacrylate Monomer (MMA);

(b) Wooden handle, natural bristle neck brushes or table dusters;

(c) Roll on wax;

(d) Multiuse puffs or sponges; and

(e) Styptic pencil.

Chapter 1 General Provisions

Section 1. Authority. These rules are adopted by the Wyoming State Board of Cosmetology, under the authority granted by W.S. 33-12-123 and -134.

Section 2. Disposition of Fees. Under no circumstances will fees be refunded.

Section 3. Correspondence Courses and Apprenticeship Training. Correspondence courses are not recognized by the Board. Apprenticeship training is only recognized if it is a certified program through a state regulatory agency. The applicant must submit certification of record from the licensing or state regulatory agency.

Section 4. Display of License, Rules, and Notices. All licensees, including schools and salons shall conspicuously display the appropriate license(s), most recent inspection report, and infection control standards in an unobstructed location accessible and visible to the consumer. Notices of closure due to disciplinary action will be affixed to the front entrance of the facility during mandatory closure.

Section 5. ~~Credit Allowed to Barbers.~~

~~(a) — A barber stylist licensed in Wyoming who has completed three hundred fifty (350) hours in a board-certified school of cosmetology with special focus on esthetics and nail technology qualifies to take the cosmetology examination.~~

~~(b) — A barber licensed in Wyoming who has completed six hundred (600) hours in a board-certified school of cosmetology with special focus on chemicals, esthetics, and nail technology qualifies to take the cosmetology examination.~~

~~Section 6.~~ Section 5. Required Photo for Licensure. All licensees are required to provide the board office with a current passport-type (headshot only) photo.

~~Section 7.~~ Section 6. Scope of Practice. The following describes the allowable scope of practice for each cosmetology category.

(a) Hairstyling.

(i) Cutting, clipping, or trimming hair;

(ii) Massaging, cleansing, stimulating, manipulating, beautifying, applying oils, lotions, or other preparations, styling, arranging, dressing, braiding, curling, waving,

chemical waving, straightening, singeing, bleaching, tinting, coloring, or similar functions upon the scalp, hair, wigs, or hairpiece of any person; and

(iii) Applying extensions to a person's hair by bonding, sewing, braiding, or any other means.

(b) Nail Technology.

(i) Cutting, trimming, polishing, coloring, cleansing, or otherwise treating nails;

(ii) Applying artificial nails; and

(iii) Massaging, cleansing, stimulating, manipulating, beautifying, or applying oils, lotions, or other preparations to a person's hands and arms to the elbows or feet and ankles to the knees by any means.

(c) Esthetics.

(i) Massaging, cleansing, exfoliating, stimulating, manipulating, beautifying, or applying makeup, oils, lotions, or other preparations to the skin using hands, chemicals, mechanical or electrical apparatuses, or appliances;

(ii) Removal of superfluous hair by means other than electrolysis and laser;

(iii) Arching or tinting eyebrows, tinting, chemical waving, or applying extensions to eyelashes; and

(iv) Performing extractions of the face using hands, mechanical or electrical apparatuses, or appliances.

(v) Procedures which pierce the epidermal or dermal layer of the skin are considered invasive and are prohibited.

(vi) Using the term or title of "Medical Esthetician" is not allowed.

(d) Cosmetology.

(i) Encompasses hairstylist, nail technician and esthetics as defined in this chapter, section 6 (a), (b), and (c).

(e) Hairstylist/Wax Technician or Nail/Wax Technician. A licensed hairstylist or nail technician that has completed the additional training and has passed the required examination as required by Chapter 6, Section 5 to acquire the skills to safely remove superfluous hair.

~~Section 8.~~ **Section 7. Independent Contractor.** An individual holding a current cosmetology, hairstylist, nail technician, or esthetician license who is self-employed working within a licensed salon.

~~Section 9.~~ **Section 8. Unprofessional or Dishonest Conduct.** Unprofessional or dishonest conduct under W.S. 33-12-135(iii) includes, but is not limited to, the following:

(a) Working with an expired or lapsed license is considered non-licensed practice. Any grace period associated with a license is to delay late fee, and does not continue the license.

(b) Any act which constitutes the practice of medicine, unless the cosmetologist is also licensed or certified to perform the act in question by another licensing board.

(c) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice or instruction of cosmetology, nail technology, esthetics, or hairstyling.

(d) Misrepresentation or concealment of a material fact in obtaining or renewing a license.

(e) Advertising which is false, fraudulent, or misleading.

(f) Incompetence, negligence, or any practice which results in injury to a patron or which creates unreasonable risk of harm to a patron.

(g) Suspension, revocation, or restriction of a license by a competent authority in another jurisdiction due to conduct that also violates Wyoming law.

(h) Unlawful possession, use, or delivery of a controlled substance.

(i) Failure to cooperate with the Board or its agents by:

(i) Not furnishing papers, documents, records, or other items requested;

(ii) Not furnishing a full and complete written explanation in response to any complaint filed with the Board;

- (iii) Not responding to a subpoena issued by the Board; or
- (iv) Interfering with or refusing access to any Board member, agent, or assistant seeking to perform an inspection.
- (j) Failure to comply with any order issued by the Board.
- (k) Aiding or abetting the practice of cosmetology, nail technology, esthetics, or hairstyling by an unlicensed person.
- (l) Practicing beyond the scope of practice authorized by the person's license.
- (m) Practicing while suffering from a contagious or infectious disease involving serious risk to patrons.
- (n) Promotion for personal gain of any inefficacious product, treatment, or service.
- (o) Interference with an investigation or disciplinary proceeding by willfully misrepresenting facts, using threats or harassment against any witness to prevent them from providing evidence in a disciplinary proceeding or other legal action, or using financial inducements to any witness to prevent or attempt to prevent the witness from providing evidence in a disciplinary proceeding or other legal action.
- (p) Abuse of a patron or nonconsensual sexual conduct with a patron.

~~Section 10.~~ Section 9. Publications. All proposed rule changes will be available on the Board's website, cosmetology.wyo.gov and at the Wyoming Secretary of State website, rules.wyo.gov. To obtain a Wyoming law book send a self-addressed, stamped, #10 envelope to the board office at 2515 Warren Avenue, Suite 302, Cheyenne, WY 82002.

~~Section 11.~~ Section 10. Credit Hours vs. Clock Hours. The Board will recognize a conversion ratio of thirty (30) clock hours to one (1) credit hour for students transferring to Wyoming to complete their training in cosmetology and related fields. The transferring credit hours must be in the field of cosmetology and have been completed within the five (5) years immediately preceding application.

Section 11. Refresher course and examinations.

(a) Any person whose license has been lapsed for five (5) years or more, and who does not qualify for licensure by endorsement is required to complete a refresher course, of at

least one hundred (100) hours at a licensed school, based on curriculum in Chapter 6 of these rules, with emphasis on health, safety and infection control before applying for examinations.

(b) Applicant must pass both a theory and practical exam to obtain licensure.

Section 12. Change of Name, Address or Telephone Number. Each applicant, and licensee shall notify the Board of any change to their legal name, home address, business address, email address or telephone number within thirty (30) days of the change.

Chapter 2

Personal Licensing Requirements and Procedures

Section 1. Licensing by Examination.

(a) An applicant who graduated from a cosmetology school with equal or greater hour requirements, as required under Chapter 6 may apply for licensure by taking a theory and practical examination approved by the board.

(b) ~~Applicants shall provide the Board with an English translation of all documentation relating to their training if documents are not in English. Applicants shall~~
provide the Board with all documentation relating to their training. If the documents are not in English, they must be translated by a board approved translation company.

(c) Applications for examination shall be submitted to the Board office on the prescribed form accompanied by the required documentation, current passport-type (headshot only) photo, and license fee.

(i) Exam fees for board or board staff administered hands-on practical exam will accompany the exam application.

(ii) Computer-based theory and practical exam fees will be paid directly to the exam administration company.

(d) An applicant who fails the examination must retake any phase of the examination failed. Applicants must register and pay the appropriate fee to the board office or test administration company before retaking the examination.

(e) Any applicant who has failed any phase of an examination and does not pass all phases within one year of failing must retake the entire examination.

Section 2. Licensing by Endorsement.

(a) An applicant from another state or country who meets the requirements of W.S. 33-12-132 may obtain a Wyoming license by endorsement.

(b) ~~Applicants shall provide the Board with an English translation of all documentation relating to their training and licensing if the documents are not in English.~~
Applicants shall provide the Board with all documentation relating to their training and

licensing. If documents are not in English, they must be translated by a board approved translation company.

(c) Applications for endorsement shall be submitted to the Board office on the prescribed forms and accompanied by the required documentation, current passport-type (headshot only) photo, and appropriate fees.

Chapter 4

Instructor Licensing and Requirements

Section 1. Instructor License.

- (a) Licensing by examination requires that:
 - (i) An applicant shall meet all requirements set forth in chapter 5, section 3 (a) through (d);
 - (ii) ~~Provide the Board office with an English translation of all documentation relating to their training if documents are not in English.~~ Applicants shall provide the Board with all documentation relating to their training. If the documents are not in English, they must be translated by a board approved translation company;
 - (iii) Application for examination shall be submitted to the Board office on the prescribed form accompanied by the required documentation, and license fee.
 - (A) Exam fees for a board or board staff administered hands-on practical exam will accompany the exam application.
 - (B) Computer-based theory and practical exam fees will be paid directly to the exam administration company.
 - (iv) An applicant who fails the examination must retake any phase of the examination failed. Applicant must register and pay the appropriate fees to the board office or test administration company before retaking the examination.
 - (v) Satisfy one of the following:
 - (A) Have graduated from an instructor program with equal or greater hour requirements as set forth in chapter 6, section 6; or
 - (B) Have equal or greater study in teaching from outside a cosmetology school; or
 - (C) A combination of training and work history that is equal or greater to the requirements set forth in chapter 6, section 6.

Section 2. Licensing by Endorsement.

(a) An applicant from another state or country who meets the requirements of W.S. 33-12-132 may obtain a Wyoming Instructor license by endorsement.

(b) ~~Applicants shall provide the Board with an English translation of all documentation relating to their training and licensing if the documents are not in English.~~
Applicants shall provide the Board with all documentation relating to their training and licensing. If documents are not in English, they must be translated by a board approved translation company.

(c) Applications for endorsement shall be submitted to the Board office on the prescribed forms and accompanied by the required documentation, and appropriate fees.

Section 3. Practice by Instructor.

(a) No person actively engaged as an instructor of cosmetology shall practice cosmetology in the school at which the person is employed except as necessary for instructional purposes. Practice in a salon outside the school is not prohibited.

(b) Instructors may only instruct in the field of their professional license.

Chapter 6

Course of Study

Section 1. Course of Study for Cosmetology Students. The cosmetology program for all schools shall consist of no less than eight (8) months of education in the study of hair, skin, and nails and meet the state requirement of no less than sixteen hundred (1600) hours of theory and practical instruction to include the following:

(a) Eight hundred fifty (850) hours in the science of hair, general hairstyling and chemical services to include:

rules;

- (i) Health, safety, and infection control as outlined in Chapter 10 of these

- (ii) Anatomy, physiology and histology of the hair and scalp;

- (iii) Scalp and hair analysis;

- (iv) Scalp disorders and diseases;

- (v) Hair care products (chemistry, ingredients, and selection);

- (vi) Basics of chemistry;

- (vii) Basics of electricity;

- (viii) State laws and regulations;

- (ix) Professional development;

- (x) Pre-and post-service procedures;

- (xi) Scalp care, shampooing, and conditioning;

- (xii) Haircutting;

- (xiii) Hairstyling;

- (xiv) Braiding and extensions;

- (xv) Wigs and hair additions;

- (xvi) Chemical texture services; and

(xvii) Hair color and lightening.

(b) Four hundred fifty (450) hours in the science of esthetics and general esthetics to include:

rules;

(i) Health, safety, and infection control as outlined in Chapter 10 of these

(ii) Anatomy, physiology, and histology of the skin;

(iii) Skin analysis;

(iv) Skin disorders and diseases;

(v) Skin care products (chemistry, ingredients, and selection);

(vi) Basics of chemistry;

(vii) Basics of electricity;

(viii) State laws and regulations;

(ix) Professional development;

(x) Pre-and post-service procedures;

(xi) The treatment room;

(xii) Basic facials;

(xiii) Facial massage;

(xiv) Hair removal;

(xv) Advanced topics and treatments; and

(xvi) Makeup.

(c) Three hundred (300) hours in the science of nail technology and general nail technology to include:

- rules;
- (i) Health, safety, and infection control as outlined in Chapter 10 of these
 - (ii) Anatomy, physiology, and histology of the skin and nails;
 - (iii) Skin and nail analysis;
 - (iv) Nail diseases and disorders;
 - (v) Nail and skin care products (chemistry, ingredients, and selection);
 - (vi) Basics of chemistry;
 - (vii) Basics of electricity;
 - (viii) State laws and regulations;
 - (ix) Professional development;
 - (x) Pre-and post-service procedures;
 - (xi) Basic and advanced manicures and pedicures;
 - (xii) Polishing and design;
 - (xiii) Hand, arm, foot, and leg massage;
 - (xiv) Hand and feet treatments;
 - (xv) Nail tips and wraps;
 - (xvi) Nail enhancements;
 - (xvii) Electric filing; and
 - (xviii) Creative design.

Section 2. Course of study for Hairstyling Students. The hairstyling program for all schools shall consist of no less than five (5) months of education in the study of hair and meet the state requirement of no less than one thousand (1000) hours of theory and practical instruction to include the following:

(a) One thousand (1000) hours in the science of hair, general hairstyling and chemical services to include;

rules;

- (i) Health, safety, and infection control as outlined in Chapter 10 of these

- (ii) Anatomy, physiology, and histology of the hair and scalp;

- (iii) Scalp and hair analysis;

- (iv) Scalp disorders and diseases;

- (v) Hair care products (chemistry, ingredients, and selection);

- (vi) Basics of chemistry;

- (vii) Basics of electricity;

- (viii) State laws and regulations;

- (ix) Professional development;

- (x) Pre-and post-service procedures;

- (xi) Scalp care, shampooing, and conditioning;

- (xii) Haircutting;

- (xiii) Hairstyling;

- (xiv) Braiding and extensions;

- (xv) Wigs and hair additions;

- (xvi) Chemical texture services; and

- (xvii) Hair color and lightening.

Section 3. Course of Study for Nail Technology Students. The nail technology program for all schools shall consist of no less than two (2) months of education in the study of nails and meet the state requirement of no less than four hundred (400) hours of theory and practical instruction to include the following:

(a) Four hundred (400) hours in the science of nail technology, and general nail technology to include;

rules;

- (i) Health, safety, and infection control as outlined in Chapter 10 of these
- (ii) Anatomy, physiology and histology of the skin and nails;
- (iii) Skin and nail analysis;
- (iv) Nail diseases and disorders;
- (v) Nail and skin care products (chemistry, ingredients, and selection);
- (vi) Basics chemistry;
- (vii) Basics of electricity;
- (viii) State laws and regulations;
- (ix) Professional development;
- (x) Pre-and post-service procedures;
- (xi) Basic and advanced manicures and pedicures;
- (xii) Polishing and design;
- (xiii) Hand, arm, foot, and leg massage;
- (xiv) Hand and feet treatments;
- (xv) Nail tips and wraps;
- (xvi) Nail enhancements;
- (xvii) Electric filing; and
- (xviii) Creative design.

Section 4. Course of Study for Esthetician Students. The esthetician program for all schools shall consist of no less than three (3) months of education in the study of skin and meet

the state requirement of no less than six hundred (600) hours of theory and practical instruction to include the following:

- (a) Six hundred (600) hours in the science of esthetics and general esthetics to include;
 - (i) Health, safety, and infection control as outlined in Chapter 10 of these rules;
 - (ii) Anatomy, physiology and histology of the skin;
 - (iii) Skin analysis;
 - (iv) Skin disorders and diseases;
 - (v) Skin care products (chemistry, ingredients, and selection);
 - (vi) Basics of chemistry;
 - (vii) Basics of electricity;
 - (viii) State laws and regulations;
 - (ix) Professional development;
 - (x) Pre-and post-service procedures;
 - (xi) The treatment room;
 - (xii) Basic facials;
 - (xiii) Facial massage;
 - (xiv) Hair removal;
 - (xv) Advanced topics and treatments; and
 - (xvi) Makeup.

Section 5. Course of Study for Add-On Hair Removal License. This course of study is for licensed hairstylists and nail technicians to acquire education in the removal of superfluous hair. The hair removal program shall meet the state requirements of no less than

one hundred twenty-five (125) hours of theory and practical instruction to include the following:

- (a) One hundred twenty-five (125) hours in hair removal to include;
 - (i) Health, safety, and infection control as outlined in Chapter 10 of these rules.
 - (ii) Anatomy of the skin;
 - (iii) Skin analysis;
 - (iv) Pre-and post-service procedures; and
 - (v) Hair Removal.

Section 6. Course of Study for Add-On Lash Extensions License. This course of study is for licensed hairstylists and nail technicians to acquire education pertaining to lash extensions. The lash extension program shall meet the state requirements of no less than one hundred twenty-five (125) hours of theory and practical instruction to include the following:

- (b) One hundred twenty-five (125) hours in lash extensions to include;
 - (i) Health, safety, and infection control as outlined in Chapter 10 of these rules;
 - (ii) Health and safety in relation to working around the eye area;
 - (iii) Chemical safety;
 - (iv) Lash types, curl, thickness, and length;
 - (v) Pre-and post-service procedures; and
 - (vi) Applying extensions to the eyelashes.

Section 6. Section 7. Course of Study for Student Instructors. The instructor program for all schools shall consist of no less than two and one-half (2 ½) months of education in the study of teaching and meet the state requirement of no less than five hundred (500) hours of theory and practical instruction to include the following:

(a) Five hundred (500) hours in the science of teaching and general education to include:

rules;

- (i) Health, safety, and infection control as outlined in Chapter 10 of these
- (ii) Introduction to teaching;
- (iii) Ethics;
- (iv) State laws and regulations;
- (v) Hours and record keeping;
- (vi) Lesson plans;
- (vii) Use of audio and visual teaching aids and tools;
- (viii) Test construction and analysis;
- (ix) Theory class lectures;
- (x) Class demonstrations; and
- (xi) Student supervision (no more than 100 hours).

Section 8. Discretionary Hours.

(a) A student of a cosmetology, hairstyling, esthetics, or nail technology program, may earn discretionary hours outside of the school's premises.

(b) Discretionary hours may not exceed 2% of the total program hours.

(c) Discretionary hours must be earned under the direct supervision of an instructor affiliated with the student's school.

Section 7. Section 9. Hours Earned Remotely.

~~(a) — A student may earn up to 25% of theory related hours outside of school premises. The instructor shall supervise the student through regular assessments and written work product.~~

~~(b)~~ (a) A student may earn any non-clinical floor hours by synchronous remote education.

~~(c)~~ (b) If a student earns any portion of their hours remotely, the student's final course record shall reflect which hours the student earned remotely.

~~Section 8.~~ Section 10. **Client protection.** Proper infection control standards should be taught and utilized throughout all educational courses in accordance with Wyoming law and the manufacturer's directions.

~~Section 9.~~ Section 11. **Credits Allowed When Transferring from One Course to Another.** A student registered for a hairstyling, nail technician, or esthetician course, or a licensed hairstylist, nail technician, or esthetician may transfer to or enroll in a full cosmetologist course with full credit of the applicable hours. A student enrolled as a cosmetology student may transfer only course specific hours to hairstyling, nail technology, or esthetics courses and the transfer hours shall be approved by the Board.

Chapter 7

Salon and Independent Contractors

Section 1. Salon Applications and License. No person, association, partnership, or corporation may operate a salon without first securing a license from the Board. Applications shall be received a minimum of fifteen (15) days prior to opening date, submitted on the prescribed forms and be accompanied by the following:

- (a) Fees;
- (b) Completed inspection sheet;
- (c) A detailed floor plan of the salon showing work space, the location of restrooms, entrances, and exits, carpeted areas of floor and the location of all other equipment required; and
- (d) Equipment waiver (if applicable).

Section 2. Salon Minimum Equipment. As a minimum requirement each salon shall provide and maintain the following:

- (a) One shampoo bowl with hot and cold running water; and
- (b) One work station.
- (c) If a restroom is shared with any other business, a hand washing sink or shampoo bowl is required within the salon area.
- (d) All water supplies for sinks and shampoo bowls shall be plumbed, potable hot and cold water under pressure.

Section 3. Salon Equipment Waiver. Salons offering limited services (nail services and/or esthetic services) may apply in writing for a waiver of the shampoo bowl requirement.

Section 4. Services Not Regulated by The Board of Cosmetology. Services allowed in a salon that are not regulated by the board of cosmetology:

- (a) Tattooing (Permanent Makeup);
- (b) Massage Therapy;

(c) Piercing;

(d) Tanning; and

(e) Medical.

(i) All medical services and treatments must be offered in a separate room from cosmetology services; and

(ii) Only licensed medical staff may perform medical services or treatments in a salon.

Section 5. Inspections.

(a) All areas licensed and regulated by the Board shall be open to inspection by authorized representatives of the Board anytime during normal business hours.

(b) All areas not regulated by the Board must be clearly designated as “not regulated or licensed by the Board of Cosmetology” and posted in clear view of the public.

Section 6. Salon Premises.

(a) Commercial building or space:

(i) The use of a salon as living or sleeping quarters is prohibited. Mattresses are not allowed on the premises.

~~(ii) When the salon occupies the same building as another business, the salon shall be separated from the other business by walls or partitions at least six (6) feet high.~~

~~(iii)~~ (ii) Salons shall provide and maintain toilet and hand washing facilities that are clean and in good repair for employees and patrons.

~~(iv)~~ (iii) Salons shall be adequately heated, lighted, and ventilated.

~~(v)~~ (iv) Walls and ceilings shall be kept clean and in good repair. Floors shall be of such construction as to be easily cleaned and kept in good repair. Acceptable flooring is tile, vinyl, or other smooth non-porous material. Carpeting or rugs shall be permitted in reception area only.

(b) In-home Salons:

(i) In-home salons, in compliance with city ordinances, must have a separate clearly marked salon entrance. Entrance way into the salon area shall not pass through any living quarters of the residence.

(ii) In-home salons shall provide and maintain toilet and hand washing facilities that are designated for salon use only and be kept clean and in good repair. Restrooms shall not require passage through living quarters of the residence.

(iii) In-home salons shall be adequately heated, lighted, and ventilated.

(iv) Walls and ceilings in the salon area shall be kept clean and in good repair. Floors in the salon area shall be of such construction as to be easily cleaned and kept in good repair. Acceptable flooring is tile, vinyl, or other smooth non-porous material. Carpeting shall be permitted in reception area only.

Section 7. Mobile Salon.

(a) Mobile salon means a self-contained, enclosed mobile unit licensed for the practice of cosmetology and related fields.

(b) No person shall establish or operate a mobile salon until such person has obtained a mobile salon license from the Board. Applications shall be received a minimum of fifteen (15) days prior to opening date and shall be made on the prescribed forms and accompanied by the following;

(i) Fees;

(ii) A detailed floor plan of the mobile salon work space, location of restrooms, entrances, and exits, and all other equipment required; and

(iii) Salon waiver (if applicable).

(c) Mobile salon must pass Board inspection, or receive verbal approval from the Board prior to opening.

(d) All salon requirements, rules and infection control standards apply to mobile salons.

(e) All equipment shall be securely anchored to the mobile unit.

(f) Fire extinguisher shall be mounted in full view.

- (g) No services shall be performed while unit is in motion.
- (h) Sleeping provisions shall not be placed or maintained in mobile unit.
- (i) Each mobile unit shall, at a minimum, be equipped with each of the following functioning systems:
 - (i) A self-contained, potable water supply, and waste water collection tanks of adequate capacity;
 - (ii) Continuous, on-demand hot water tank.
 - (iii) A self-contained, flushing toilet, with holding tanks;
 - (iv) A cooling and heating system sufficient to maintain a comfortable room temperature in the mobile salon during all hours of operation; and
 - (v) Adequate power source to maintain all required functions of mobile salon.
- (j) Mobile salons shall provide an itinerary showing dates, locations and operating hours if requested by the board.

Section 8. Salon Sale, Relocation, or Closing of Salon.

- (a) Salon and mobile salon licenses may not be transferred upon sale of salon. The new owners shall apply for a salon or mobile salon license pursuant to section 1 (a) through (d) of this chapter.
- (b) Prior to relocation of a salon, the information required in Section 1 (a) through (d) of this chapter shall be filed with the Board. Relocation only applies if the salon remains in the same city and ownership is unchanged. Application and fees must be received 15 days prior to anticipated opening date.
- (c) The salon or mobile salon owner shall notify the Board office if the salon is permanently closed.

Section 9. Add or Remove Owner on Facility License. For currently licensed salons that are changing ownership with at least one original owner remaining:

- (a) Submit change of ownership application and fee to the board office.

(b) A new salon license will be issued with change of ownership information reflected.

Section 10. Barbering in Salons/Cosmetology in a Barber Shop.

(a) Barbers may practice in a salon or mobile salon if the salon holds a current barber shop or mobile barber shop license.

(b) Cosmetologist may practice in a barber shop or mobile barber shop if the barber shop holds a current salon or mobile salon license.

(c) Combined salons and barber shops shall adhere to the requirements of both Boards. In any case of conflicting requirements, the more exacting standard shall be applied.

Section 11. Salon and Mobile Salon License Renewal. All salon licenses expire on December 31st of each year. Failure to renew the license on or before the expiration date shall result in late fees. A license that has been expired less than ninety (90) days may be renewed. A license that has been expired for more than ninety (90) days must apply for a new license and meet the current requirements and submit current fees.

Section 12. Temporary Location and License. A temporary location is a place where cosmetology and related fields may be practiced for no longer than fourteen (14) consecutive days. No area of a residence which does not qualify for a salon license may be used as a temporary location. No persons, association, partnership, corporation or other form of business may operate in a temporary location without first securing a license from the Board. Applications shall be made on the prescribed form, accompanied by licensing fees and be received at the board office ten (10) days prior to the event. All licensees performing services must have a current Wyoming license. All licenses and infection control standards must be posted at the temporary location in clear view of the public. All applicable infection control standards must be adhered to.

Section 13. Permitted Locations. Licensed cosmetologist, hairstylist, nail technicians, and estheticians may practice in the following unlicensed locations, all applicable infection control standards must be adhered to:

- (a) The personal residence of a patron;
- (b) The hospital, health care facility, nursing, or convalescent home in which the patron is presently living or staying; and
- (c) The hotel, motel, or boarding facility in which the patron is presently residing.

Section 14. Permitted Events and Services.

(a) Licensees may provide services within the scope of practice of their license at special events such as, but not limited to, weddings and photography sessions.

(b) Permitted services shall consist of make-up, polish application, and hairstyling only.

(c) All infection control procedures shall be followed.

Section 15. Independent Contractor Application and License. No person may operate as an independent contractor within a licensed salon without first securing an independent contractor license from the Board. Application shall be made on the prescribed form and be accompanied by the appropriate fee.

Section 16. Independent Contractor Minimum Equipment and Common Areas. As a minimum requirement, each independent contractor will provide and maintain the basic equipment to perform services related to the scope of their individual license.

(a) Shared equipment such as, but not limited to shampoo bowls and pedi spas will be considered as a common area and will be the responsibility of the salon owner to maintain for inspection purposes.

(b) The salon owner is responsible for all common areas.

Section 17. Independent Contractor Change of Status. The Board office shall be notified by the independent contractor if services are discontinued or if the independent contractor relocates to a new location.

Section 18. Independent Contractor Inspection Requirements. The independent contractor is responsible for maintaining their individual work area to meet all health and infection control standards set forth by the board Rules and Regulations, Chapter 10.

(a) The work area must be accessible for inspection during salon business hours.

~~(b) A completed independent contractor inspection form shall be kept on the salon premise and available to the inspector.~~

~~(c)~~ (b) The independent contractor's license and most recent inspection shall be posted at the work station.

Section 18. Independent Contractor License Renewal. All independent contractor licenses expire on August 31st of each year. Failure to renew the license on or before the expiration date shall result in a late fee.

Chapter 10

Infection Control

Section 1. Definitions.

(a) Clean: Removal of surface and/or visible debris by using soap, detergent or chemical “cleaner”, followed by a clean water rinse. Prepares non-porous items for disinfection by removing debris, product residues, organic matter and oils that may interfere with disinfection chemicals. Reduces the number and slows the growth of pathogens on both porous and non-porous surfaces. Cleaning does not make multi-use items safe for use.

(b) Disinfect: The process of making a non-porous item safe for use requires the use of a chemical intended to kill or denature a bacteria, virus or fungus. Items to be disinfected must be cleaned prior to disinfection. Proper disinfection requires adherence to manufacturer's label with regard to concentration and contact time. UV light is not acceptable for disinfection.

(c) Disinfectant: EPA registered bactericidal, virucidal and fungicidal disinfectant that is approved for use in a salon, or spa setting. Instruction label must be followed for dilution ratio and contact time. Disinfectant used when there is contact with blood or body fluids must be labeled as effective against HIV-1 and human Hepatitis B virus.

(d) Contact Time: The amount of wet contact time required for a disinfectant to be effective against the pathogens on the label. Clean items or surfaces must remain completely immersed or visible wet (spray or wipes) for full contact time to be effective.

(e) Non-porous: Material that has no pores and does not allow for liquids to be absorbed or pass through. Common non-porous materials include glass, metal and plastic.

(f) Porous: Material that has minute spaces or holes through which liquid or air may pass. (Permeable, penetrable, cellular)

Section 2. Wet Disinfection and Storage Standards.

(a) Prior to use on any client, all non-porous tools and implements or multi-use items must be cleaned and disinfected. Items must be cleaned with soap and water or a chemical cleaner. Items must then be disinfected by complete immersion in a properly diluted, EPA registered, bactericidal, virucidal, fungicidal disinfectant that is mixed and used according to the manufacturer's directions. EPA registered bactericidal, virucidal, and fungicidal wipes and sprays may be used where designated in these rules.

(b) Items must stay immersed or visibly wet with disinfectant for the entire contact time listed on the manufacturer's label to be effective.

(c) All disinfectant must be prepared daily according to manufacturer's directions or more often if solution becomes contaminated or cloudy.

Section 3. Single Use Items (porous items).

(a) Any item that cannot be cleaned and disinfected, is considered single use and must be disposed of after each use. This includes, but is not limited to, nail files/emery boards made of any material except metal, plastic or glass, all cotton, buffing blocks, pumice stones, orange wood sticks, toe separators, wooden spatulas, neck strips, and paper coverings.

(b) Single use items may not be stored for customers on the premises and customers may not take single use items home and return with them for service.

(c) All single use items must be stored in a clean, covered container marked "clean" or in their original, single use packaging.

Section 4. Dry Storage Standards. Disinfected implements must be stored in a disinfected, dry covered container and be isolated from contaminants. At no time can these items come into contact with used/dirty items.

Section 5. Clippers and Trimmers. Clippers and trimmers must be cleaned and disinfected after each use with a disinfectant spray or wipe, used according to manufacturer's label. Clipper wash may be used as a cleaner prior to disinfection, but is not acceptable as a disinfectant unless labeled as a bactericidal, virucidal and fungicidal disinfectant. Clippers must be stored in a clean place such as on a hook, stand or on a clean towel covered by a clean towel when not in use.

Section 6. Hand Hygiene. Thoroughly wash hands and exposed portions of the arms with soap and water before providing services to each client, and after smoking, drinking, eating, and using the restroom. An equally effective hand sanitizer is acceptable except for after using the restroom.

Section 7. Pedicure Spa Standards.

(a) After each client or service:

(i) Drain tub.

(ii) Remove all parts (filters, screens, drains, jets, etc.); and

(iii) Clean and disinfect the removable parts as follows:

(A) Scrub with brush and soap or detergent until free of debris;

- (B) Rinse;
 - (C) Completely immerse in an EPA registered, bactericidal, virucidal, fungicidal disinfectant mixed and used according to the manufacturer's directions;
 - (D) Rinse;
 - (E) Air dry; and
 - (F) Replace the disinfected parts into the tubs or store them in a clean, dry, covered container.
- (iv) Clean tub according to manufacturer's instructions. Take special care to remove all film, especially at the water line. Rinse tub well;
 - (v) Fill tub with fresh water, add appropriate amount of disinfectant into water according to the disinfectant manufacturer's label;
 - (vi) At minimum use an EPA registered bactericidal, virucidal, and fungicidal disinfectant that is mixed and used according to the manufacturer's directions;
 - (vii) Allow the disinfectant to stand for non-circulating tubs or circulate for circulating tubs for the contact time specified according to the manufacturer's instructions; and
 - (viii) Drain tub and rinse with fresh water.

Section 8. Blood Exposure Procedure. If a blood exposure should occur, the following steps must be followed:

- (a) When possible, injured party should go to a sink and rinse injury with running water and "milk" the injury to remove any bacteria that may have entered the wound;
- (b) Supply injured party with antiseptic or single use packet of antibacterial ointment and the appropriate dressing to cover the injury; and
- (c) Dispose of all soiled articles in trash. Immediately clean and disinfect all non-porous items. Do not continue service with these items.

Section 9. Chemical Safety.

- (a) Chemicals shall be transported and stored in accordance with the manufactures label.

- (b) Chemicals must be stored in the original containers.
- (c) Chemicals must be stored in overhead cabinets or locked cabinets. They may not be stored in areas used by customers such as bathrooms.
- (d) Chemicals may only be mixed and applied to customers specifically as instructed on manufactures label, including patch test.
- (e) Chemicals must be discarded in accordance with manufacture's label, local, state, and federal rules.
- (f) Chemicals shall not be mixed with any other substance unless expressly instructed on the label.

Section 10. Communicable Disease. Licensees shall not perform any service if they have been diagnosed with a communicable disease until cleared by a medical professional for return to work. Licensees shall not perform a service on a client who has visible swelling, eruption, redness, bruising on skin or rash in an area where a service is to be performed. Clients with a physician's note indicating they are not contagious, (such as psoriasis) are an exception to this rule.

Section 11. Product Safety.

- (a) All products in multiuse containers such as lotions, creams, powders, and waxes shall be stored, handled, and applied in such a manner as to prevent contamination of the remaining product in the container.
- (b) All product in multiuse containers shall be removed from containers with a new, single use spatula or a non-porous spatula that has been cleaned and disinfected.
- (c) A single spatula may be used for product that is separated into single use, disposable container for application, but all remaining product, the container and spatula must be disposed of immediately following the service.
- (d) No implement shall be doubled dipped back into the original container.
- (e) Powder shall be dispensed from shaker and liquid preparations shall be dispensed from an atomizer or applicator bottle without contamination.

Section 12. Nail Services.

- (a) Nail tables shall be cleaned and disinfected after each use with an approved disinfectant.

(b) Electric nail files and attachments shall be properly disinfected after each use. Attachments shall be stored in a clean, closed drawer, cabinet or container.

(c) Paraffin wax shall be used in single use bags only.

Section 13. Esthetics Services.

(a) Esthetic devices allowed must be commercially available and not pierce, ablate, or destroy the live tissue of the skin, and be operated within manufacturer guidelines.

Section 14. Eyelash Extensions Services.

(a) Eyelash stands, holders, pallets, and trays must be cleaned and disinfected before use with each client.

(b) Glue pallets and holders must be cleaned and disinfected before each client.

(c) Eyelash extensions must be stored in a clean, closed container or in closed original packaging. Eyelash extensions that are removed from the container or original packaging for client's eyelash service and not used must be disposed of and not used for another client.

Section 15. Towels and Coverings.

(a) A clean cape shall be provided for each client.

(i) If it is not possible to use a clean cape for each client, a neck strip or clean towel must be used.

(b) A clean covering shall be used on the esthetic table for each client.

(c) All clean towels, table, bed and client coverings shall be stored in a clean closed dry cabinet or container.

(d) All soiled linens shall be kept in a ventilated container with a lid. All linens (towels, sheets, robes, etc.) must be laundered prior to use. Laundry may be done through commercial laundry services or on site. If laundry is being done on-site, there must be a functional washing machine and dryer on the premises.

Section 16. Common Areas.

(a) Shampoo bowls shall be cleaned with approved disinfectant after each use.

(b) Wax containers and pots shall be kept clean and free of debris, and covered when not in use. **No implement shall be double dipped back into the wax container.** If wax becomes contaminated or has visible debris, pot must be emptied and disinfected. No wax may be re-used, only new wax may be used in the pot.

(c) Restroom facilities shall be adequately supplied with disposable hand towels and liquid soap. Cloth towels are not allowed.

(d) Hand sanitizer shall be available.

~~(e) All facilities shall have an adequate supply of potable hot and cold water under pressure. The water supply shall comply with the requirements of the Federal Safe Drinking Water Act, and the safe drinking amendments of 1977, 42 U.S.C. § et seq. and regulations adopted there under.~~

~~(f)~~ (e) All refuse shall be deposited in suitable receptacles with lids. Lids shall be kept in place at all times. All refuse shall be disposed of in a manner so as not to be unsightly, offensive, or a menace to health. Hair cuttings shall be swept up and properly disposed of after each client.

~~(g)~~ (f) All coffee and other refreshments shall be served in a single use container with lids. No open food or drink is allowed in the work area.

~~(h)~~ (g) Animals may not be used to perform any service in a salon.

Section 16. Prohibited Items. The following items shall not be present in a salon.

(a) Methylemethacrylate Monomer (MMA);

(b) Wooden handle, natural bristle neck brushes or table dusters;

(c) Roll on wax;

(d) Multiuse puffs or sponges; and

(e) Styptic pencil.