

**Highlights of Amendments to Cosmetology Regulations**

February 2009

**This is only a partial summary of new regulations that became effective on January 10, 2009. Licensees should keep a current copy of the statute and regulations, read it regularly, and be familiar with the applicable law.**

**Terminology and Definitions in General**

Act 99 replaces a number of terms in the act with updated terminology. The following old terms and their definitions have been replaced throughout the regulations:

<b>Old term</b>	<b>New term</b>
cosmetician	esthetician
manicuring	nail technology
manicurist	nail technician
shop	salon

The following new terms and their definitions were added based on Act 99’s addition of them to the cosmetology lexicon:

braiding
esthetics
limited license
natural hair braider
natural hair braiding

The term “limited license” has been substituted throughout the regulations to reduce the number of times that all three limited license classifications are enumerated.

**§ 7.1 (Relating to definitions.)**

“Esthetics” includes eyelash perming and the use of industry standard mechanical and electrical apparatus and appliances in the practice of the profession. “Natural hair braiding” includes the application of heat by the use of a straightening comb, ceramic iron or similar appliance to prepare the hair for manipulation; and does not include cutting the hair. Finally, “school district” includes any school district, joint vocational school or department, area vocational-technical school or technical institute that provides vocational education under Article 18 of the Public School Code of 1949.

**§ 7.31. (Exceptions to examination requirement.)**

As required by Act 99, for 1 year after the effective date of these regulations (January 10, 2009), the Board will issue a natural hair braider license to an applicant who submits the application adopted by the Board, pays the required licensing fee, and provides proof that the applicant has practiced natural hair braiding for 3 consecutive years immediately prior to the date of the application for licensure.

§ 7.32 (Relating to deadline for examination applications.)

Both the theoretical and practical portions of the exam must be passed within 1 year of the date the first portion is passed.

§ 7.32b. (Requirements for teacher examinations.)

Applicants for the teacher exam must have completed a minimum of 500 hours of instruction in a teacher curriculum prior to taking the exam. § 7.32b addresses the requirements for the cosmetology teacher examination in subsection (a) and provides the requirements for an individual with a limited license to obtain a limited practice teacher license in subsection (b). Subsection (c) specifies that an applicant who already holds a teacher license for one limited practice field (esthetics, nail technology or natural hair braiding) may obtain a teacher license in an additional limited practice field if the applicant meets the teacher license requirements for the additional practice field and successfully completes the practical portion of the teacher exam for the additional practice field.

§ 7.32d. (Requirements for cosmetologist examination.)

Limited license holders who desire to obtain cosmetology licenses may receive educational credit toward the cosmetology education credits required for cosmetology licensure from the credits received when obtaining their education in their limited practice field. An applicant for the cosmetologist exam that already holds an active esthetician license issued by the Board may obtain credit for “up to” 160 hours toward the total 1,250 hours required for a cosmetology license; a licensed nail technician may obtain credit for “up to” 100 hours; and a licensed natural hair braider may obtain credit for “up to” 125 hours. Subsection (d) requires that the total 1250 hours, including those already completed in a limited practice field program, must be completed within 4 consecutive years.

§ 7.34 (Relating to models for practical portion of examination.)

Only the practical portion of the esthetics examination requires a live model. All other exams require the use of a mannequin.

§ 7.41 (Display of licenses.)

Subsection (a) requires the salon license to be displayed in a conspicuous place on the salon’s business premises, while subsection (b) requires that individual licenses should be readily available for inspection at the place of business or employment of the individual holding the license. The Board added subsection (c) to address the display of school licenses.

§ 7.43. (Expiration and renewal of licenses.)

As a condition of biennial renewal for the first biennial renewal after initial licensure, an individual initially licensed as a natural hair braider without examination under § 7.31(c) must provide to the Board proof that the licensee has completed 150 hours of education in specified subject matter areas, within 2 years of the date their licenses were initially issued. A “grandfathered” natural hair braider must complete 50 hours in scalp care, 50 hours in hygiene, 25 hours in occupational safety and 25 hours in locking and weaving as part of the 150 hours that is required to be completed as a condition of renewal of a license. This educational requirement must be completed by January 31, 2011.

§§ 7.71, 7.71a, 7.71b and 7.71c. (Equipment and supplies.)

See Attached Chart.

§ 7.79. (Lavatories.)

A lavatory must be located “within the square footage of the salon.”

§§ 7.81, 7.82 and 7.83. (Activities outside a salon.)

This section applies to all licensees and all licensed salons, rather than just cosmetologists and cosmetology salons.

§§ 7.91 – 7.100. (Amendments to the health and safety requirements for salons.)

All sharp implements must be stored upright with the points down or in a protective case. The outdated term “sterilization” is replaced with “sanitization.” A closed towel dispenser for clean towels better protects the sanitary nature of the clean towels than would be the case if they were kept in an open container. The insertion of the phrase “or hair” after “skin,” prohibits direct contact by a spatula or similar utensil with the hair of a client and helping to prevent the spread of bacteria and the like from one client to another. A client may not be left unattended during any chemical applications.

§ 7.94 (Relating to sanitary use of supplies.)

Utensils may not be permitted to come into contact with the skin or hair of another client until properly disinfected.

§ 7.120 (Relating to work done by students on the public.)

A school may charge a fee that reflects the reasonable cost of materials used in the treatment of clients. The Board believes the intent of section 7 of the act, 63 P.S. § 513, is to preclude a school from charging for the student’s labor or otherwise profiting from the clinical work of its students. Therefore, it is reasonable to interpret this section as permitting a school to recoup its costs in providing these services to the public. In addition, cosmetology students must complete at least 300 hours of instruction prior to working on the public; esthetics students must complete at least 75 hours of instruction to work on the public; nail technology students must complete at least 50 hours of instruction to work on the public; and natural hair braiding students must complete at least 75 hours of instruction to work on the public.

	<u>Cosmetology salon.</u>	<u>Esthetician salon.</u>	<u>Nail technology salon.</u>	<u>Natural hair braiding salon.</u>
	Minimum equipment for a salon with 1 cosmetologist:	Minimum equipment for a salon with 1 esthetician:	Minimum equipment needed for a salon with 1 nail technician:	Minimum equipment needed for a salon with 1 natural hair braider:
Chair	1 adjustable chair.	1 adjustable chair.	1 chair for use in manicure and pedicure.	1 adjustable chair.
Station	1 styling station with mirror.	1 workstation with mirror.	1 manicure table with light, chair and stool.	1 styling station with mirror.
Pedicure Basin	No	No	1 pedicure basin and stand.	No
1 labeled first aid kit containing: An antiseptic, cotton balls, protective plastic or latex gloves, a blood spill kit, a hazardous waste bag, eyewash, burn ointment, bandage strips of varying sizes and shapes, sterile gauze pads.	Yes	Yes	Yes	Yes
1 dryer or blow dryer.	Yes	No	No	Yes
1 shampoo tray or basin	Yes	No	No	Yes
12 combs and 12 brushes.	Yes	No	No	Yes
1 covered waste container.	Yes	Yes	Yes	Yes
A closed storage area for soiled linen.	Yes	Yes	Yes	Yes
1 timer clock.	Yes	Yes	No	No
1 closed towel cabinet for clean linen.	Yes	Yes	Yes	Yes
A closed container for sanitized implements.	Yes	Yes	Yes	Yes
1 wet sanitizer.	Yes	Yes	Yes	Yes
A reception desk.	Yes	Yes	Yes	Yes
12 sanitary towels for each station in the salon.	Yes	Yes	Yes	Yes
1 sink with hot and cold running water that is readily accessible to each station in the salon.	Yes	Yes	Yes	Yes
1 multipurpose fire extinguisher suitable for use on Class A, B and C fires.	Yes	Yes	Yes	Yes
For each additional licensee supplies and equipment shall be increased so that each cosmetology can render services safely and efficiently.	Yes	Yes	Yes	Yes

§ 7.129 (Relating to curriculum requirements)

Each of the curricula requirements establishes minimum requirements. The Board also amended the cosmetology curriculum to include conditioning, chemical texturizing, and makeup.

§§ 7.111 – 7.129. (Amendments related to licensed schools of cosmetology.)

This modification broadens the range of work experience that the Board finds acceptable in the individual named as a school supervisor in an application for a school license. The school and student equipment and supply requirements are consistent with the salon equipment and supply requirements where the two coincide. Section 7.114 adds the requirement that a school enrolling 25 students have at least two sanitary towels per student. The required razor for cosmetologist students is a hair-cutting razor. Neither cosmetologists nor nail technician students are required to have nippers or scissors for nail technology kits. Each cosmetologist student must have a pair of tweezers. Subsection (d) sets forth the required supplies and equipment that each natural hairbraiding student must possess.

§7.129 (Curriculum requirements.)

New subsection, (f), sets forth the natural hair braider curriculum that schools must implement in order to train candidates for licensure as natural hair braiders. The regulation establishes a curriculum of 300 hours, as mandated by Act 99, and recommends that schools distribute the hours as follows: 50 to professional practices, including sanitation; 125 to sciences, including scalp care and anatomy; and 125 to cognitive and manipulative skills related to natural hair braiding. This recommended apportionment is similar to the recommended apportionment for the other limited license curricula.

§ 7.132. (Apprentice curriculum.)

The apportionment of hours for the cosmetology curriculum set forth in §7.129 has been included in the apprentice curriculum, and assigns an additional 750 hours to the category of “cosmetology cognitive and manipulative skills.” This narrows down the subject matter of the additional hours but leaves the actual content to the discretion of the cosmetology teacher and apprentice. The amendment, therefore, gives the cosmetology teacher some guidance but permits leeway as to what else should be taught, thus allowing for differences in interest and in the nature of the services a given salon may actually provide.