

Substantive Policy Statement Arizona Revised Statute § 32-506 (14)

Non-applicability of chapter Provides Exemption of Individuals who Blow Dry Hair in a place of business Effective August 27, 2019

This Substantive Policy Statement is advisory only. A Substantive Policy Statement does not include internal procedural documents that only affect the internal procedures of the agency and do not impose additional requirements or penalties on the regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedures Act. If you believe that this Substantive Police Statement does impose additional requirements or penalties on regulated parties, you may petition the agency under Arizona Revised Statutes §41-1033 for a review of the statement.

Senate Bill 1401, from the Arizona Fifty-Fourth Legislature First Regular Session, amended A.R.S. § 32-506 to include the following provision for non-applicability of the Cosmetology Board statutes and rules. This substantive policy clarifies the exemption.

A.R.S. § 32-506 (14), provides as follows:

Persons who dry, style, arrange, dress, curl, hot iron or shampoo and condition hair. If the service does not include applying reactive chemicals to permanently straighten, curl or alter the structure of the hair and if the person takes and completes a class relating to sanitation, infection protection and law review that is provided by the Board or its designee. This paragraph does not apply if a person is engaging in the practice of Aesthetics or Cosmetology. A person who is exempt pursuant to this paragraph shall post a sign in a conspicuous location in the person's place of business notifying the public that the person's services are not regulated by the Board.

In order to qualify for the exemption individuals are required to do the following:

- Take and complete a class relating to sanitation, infection protection and law review that is provided by the Board or its designee pursuant to A.R.S. § 32-506 (14).
- Individuals are required to post out services in a conspicuous location in the person's place of business notifying the public that the person's services are not regulated by the Board. A.R.S. § 32-506 (14) and A.A.C. R4-10-111 (F).

The Board currently offers a class for a \$25.00 fee entitled "Infection Protection/Law Review" that is a requirement for reciprocity licensure pursuant to A.R.S. § 32-513 (3). Attendance and completion of the Board's "Infection Protection/Law Review" class will satisfy the class requirement for individuals seeking to qualify for the exemption in A.R.S. § 32-506 (14). Additionally, individuals seeking to qualify for the exemption are required to post a sign in a conspicuous location in the person's place of business notifying the public that the person's services are not regulated by the Board. The unregulated services contained in A.R.S. § 32-506 (14) are also unregulated services that a salon shall prominently post a notice of pursuant to A.A.C. R4-10-111 (E).