



Arizona State
Board of Cosmetology

Kim Scoplitte, Executive Director

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ARIZONA STATE BOARD OF COSMETOLOGY

**Rules Committee Meeting Minutes
November 22, 2019
11:30 a.m.**

TIME: 11:33 a.m.

PLACE: 1740 W. Adams Phoenix, Board Room A, AZ 85007

I. CALL TO ORDER AND ROLL CALL

Brandy Wells, Public Member
Gary Begley, School Owner
Jenna Bentley, Public Member

Also in Attendance:

Kim Scoplitte, Executive Director
Theresa Bunch, Deputy Director
Irma Telles, Investigative Supervisor
Mona Baskin, Assistant Attorney General

II. CALL TO ORDER AND ROLL CALL

III. COMMITTEE BUSINESS: The Board may vote to go into executive session to obtain legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

A. Review, Discussion and Approval of Committee Meeting Minutes from October 18, 2019.

MOTION by Gary Begley to approve the October 18, 2019, minutes as written. **MOTION SECONDED** by Jenna Bentley.

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Wells	Jenna Bentley	Amber Cepkauskas
Aye	x		x	x	
Nay					
Recused					
Abstained					
Absent					

MOTION CARRIED.

B. Discussion, Consideration and Recommendation on Comprehensive Review and Update of Board Rules A.A.C. R4-10-101 through R4-10-405, for Proposed Rulemaking.

1. Executive Order 2019-01; Moratorium on Rulemaking to Promote Job Creation and Customer-Services-Oriented Agencies; Protecting Consumers against Fraudulent Activities.

Article 1. General Provision

- A.A.C. R4-10-102 (A)(3) Fees and Charges (Delinquent Fees)

Committee members discussed and proposed for A.A.C. R4-10-102 (A)(3) to read as follows:

Delinquent personal license renewal: \$90.00 (\$60.00 for personal license renewal as specified under subsection ~~(A)(4)~~ (A)(2) plus \$30.00 for delinquent renewal) for every two years or portion of two years that the license is inactive to a maximum of ~~four~~ ten years.

- A.A.C. R4-10-110 Reactivating an Inactive License

Committee members discussed and proposed for A.A.C. R4-10-110 to read as follows:

A. A cosmetology, hairstyling, nail technology, aesthetics, or instructor license that has been inactive for less than two years may be reactivated by paying the delinquent renewal fee.

B. A cosmetology, hairstyling, nail technology, aesthetics, or instructor license that has been inactive for more than two years, but less than ~~five~~ ten years, may be reactivated by the inactive licensee paying the delinquent renewal fees and paying for and completing the infection protection class and law review class, offered by the Board.

~~C. A cosmetology, hairstyling, nail technology, aesthetics, or instructor license that has been inactive for more than five years, but less than 10 years, may be reactivated by the inactive licensee if the licensee does all of the following: 1. Provides a certification of licensure; 2. Completes the infection protection class and law review class given by the Board; 3. Takes and passes the Board examination pertaining to the type of license formerly held; and 4. Pays for the classes required under subsection (C)(2) and the delinquent renewal fee.~~

D. If a cosmetology, hairstyling, nail technology, aesthetics, or instructor license has been inactive for more than 10 years, the inactive licensee shall pay the delinquent renewal fees up to 10 years and comply with all application requirements in R4-10-104 before practicing or teaching cosmetology in Arizona.

- A.A.C. R4-10-112 Infection Control and Safety Standards

Committee members discussed and proposed changes for A.A.C. R4-10-112 to the following:

A. An establishment licensee shall ensure the establishment have has and maintain maintains the following minimum equipment and supplies:

1. Non-leaking, solid side waste receptacles with a liner, which ~~shall be~~ are emptied, cleaned, and disinfected daily. ~~If a liner is used, the waste receptacle may be disinfected weekly;~~

2. Ventilated, covered containers for soiled linens including towels and capes;

4. A covered, wet disinfectant container ~~made of stainless steel or a material recommended by the manufacturer of the wet disinfectant that:~~

- c. ~~Is changed as determined by manufacturer's instruction~~ as determined by manufacturer's instructions daily or when sooner if visibly cloudy or contaminated; and

- d. ~~Remains covered at all times.~~

5. An Environmental Protection Agency (EPA)-registered bactericidal, virucidal, fungicidal and effective against HIV and Human Hepatitis B Virus, and ~~pseudomonacidal (formulated for hospitals)~~ disinfectant, which shall be mixed and used according to manufacturer's directions on all tools, instruments, and equipment, ~~except those that have come in contact with blood or other body fluids; and~~

~~6. An EPA registered disinfectant that is effective against HIV 1 and Human Hepatitis B Virus, or Tuberculocidal which shall be mixed and used according to the manufacturer's directions on tools, instruments, and equipment that come in contact with blood or other body fluids.~~

B. Procedure for disinfecting non-electrical equipment. A licensee or student shall disinfect non-electrical equipment by:

2. Totally immersing the non-electrical equipment in the wet disinfectant or disinfectant wipes or spray required under subsection (A)(5) or (A)(6) following manufacturer's recommended directions. Including the amount of time specified for the equipment to be in contact with the disinfectant.

C. Procedure for storage of storing tools and instruments. A licensee or student shall:

1. A Place a tool or implement instrument that has been used on a client or soiled in any manner shall be placed in a covered properly labeled receptacle that is labeled "dirty"; and

2. A Place a disinfected implement instrument shall be stored in a disinfected, dry, covered container that is marked "clean" "labeled "ready to use" and isolate the disinfected instrument from contaminants.

D. Procedure for disinfecting electrical equipment, which shall be in good repair, before each use. A licensee or student shall disinfect electrical equipment by:

4. Store in a clean place such as a stand, hook or on a clean towel (covered by a towel). Cords from electrical implements should not be placed in containers with disinfected implements.

E. Tools, instruments, and supplies. A licensee or student shall:

1. All Dispose of all tools, instruments, or supplies that come into direct contact with a client and cannot be disinfected (for example, cotton pads, sponges, porous emery boards, and neck strips) shall be disposed of by placing them in a waste receptacle immediately after use;

2. Disinfected Not store or carry disinfected tools and instruments shall not be stored in a leather or cloth storage pouch or in any pockets;

3. A Dispose of a sharp cosmetology tool or implement that is to be disposed of shall be sealed instrument by sealing the tool or instrument in a rigid, puncture-proof container and disposed disposing of in a manner that keeps licensees, students, and clients and sanitation workers safe from injury;

5. Clips Not place clips or other tools and instruments shall not be placed in mouths the mouth, pockets pocket, or other unsanitized holders that has cannot be been cleaned and disinfected;

6. Pencil Sharpen pencil cosmetics shall be sharpened before each use. and clean and disinfect pencil cosmetics after each use; Sharpener shall be cleaned and disinfected after each use.

8. Cutting Keep cutting equipment shall be kept sharp; and

9. A Ensure a client's personal cosmetology tools and instruments that are brought into and used in the establishment shall comply with these rules are cleaned and disinfected before use. A client's single use personal cosmetics may be used only if the cosmetics are in original, sealed manufacturer's packaging. Porous (single use) items may not be brought in for use in an establishment.

F. If there is a blood spill or exposure to blood or other body fluids during a service, licensees and students a license or student shall stop the service and:

3. Place All Blood-stained tissue or cotton or other blood-contaminated material shall be placed in a sealed plastic bag and that plastic bag shall be placed into another plastic bag (double bagged), labeled with a red or orange biohazard warning, and discarded. the plastic bag;

4. All Disinfect all equipment, tools, and instruments that have come came in contact with blood or other body fluids shall be disinfected as discussed in subsection (A)(6)(5) and (B); and

5. Electrical Disinfect electrical equipment shall be disinfected as discussed in subsection (D).

G. ~~All~~ An establishment licensee shall ensure all circulating and non-circulating tubs or spas shall be are cleaned as follows using the disinfectant in subsection (A)(5) or (6):

2. At the end of the day, complete all of the following:

Drain the tub

b. Scrub parts with a brush and soap or detergent until free from debris;

c. Rinse parts;

d. Completely immerse parts in the ~~solution described in~~ disinfectant

listed under subsection (A)(5);

e. Using soap or detergent and a clean brush, scrub the tub, taking special care to remove all film, especially at the water line.

f. Rinse the tub; Air dry and;

g. Replace the disinfected parts; in the tubs or store in a disinfected, dry, covered container.

h. Fill tub with clean water and proper amount of disinfectant for volume of water;

i. Circulate through tub for full contact time listed on manufacturer's label.

If the tub is non-jetted, allow to stand for full contact time listed on the manufacturer's label.

j. Drain tub.

H. Personal cleanliness. A licensee or student shall:

1. ~~A licensee or student shall~~ Thoroughly wash his or her hands with soap and warm water or with an equally effect ~~cleansing agent~~ hand sanitizer immediately before providing services to each client, before checking a student's work on a client, or after smoking, eating, or using the restroom;

2. ~~A licensee or student shall~~ Wear clothing and shoes;

3. ~~A client's skin upon which services will be performed shall be washed~~ Wash a client's skin on which services will be performed with soap and warm water or ~~wiped~~ wipe the skin with ~~disinfectant or waterless hand cleanser~~ sanitizer approved for use on skin before a nail technology service, including a pedicure service, is provided; and

4. ~~A licensee or student shall~~ Wear clean, fluid-proof protective single use gloves while performing any service if any bodily discharge is present from the licensee, student, or client or if any discharge is likely to occur from the client because of services being performed. Gloves shall be discarded immediately after single use.

I. Disease and infestation. A licensee or student shall not:

2. ~~Services shall not be~~ Perform services on an individual who has a contagious disease that may be transmitted by the performing of the services on the individual. ~~or any reddened, swollen, erupted, or open skin in the area where services are to be performed.~~

3. Perform a service on a client exhibiting signs of infection such as reddened, erupted or open skin.

M. Prohibited hazardous substances and use of products. An establishment licensee shall ensure:

2. ~~Product shall be~~ All products are used only in a manner approved by the FDA or other regulatory agencies such as the EPA. Instructions on the manufacturers label must be followed at all times.

P. Skin peeling. A licensee shall:

1. Except as provided in ~~subsections (O)(1) and~~ subsection (O)(2), remove only the non-living, uppermost layer of skin, known as the epidermis, may be removed by any method or means, and only for the purpose of beautifications;

R. Cleanliness An establishment licensee shall maintain cleanliness and repair of the establishment ~~shall be maintained~~ according to the following guidelines:

2. ~~All~~ Ensure all areas of the establishment, including storerooms and passageways, ~~shall be are~~ well lighted, ventilated, and free from infectious agents;

~~3. Floors Ensure floors, walls, woodwork, ceilings, furniture, furnishings, and fixtures shall be are clean and in good repair;~~

~~6. Waste or refuse shall be removed Remove garbage timely so there is no accumulation.~~

S. Building An establishment licensee, including the licensee of a salon in a residence shall ensure compliance with the following building standards:

2. The establishment shall not be used for residential or other living purposes unless the establishment is a salon in a residence.

T. General An establishment licensee shall ensure compliance with the following general requirements:

~~shall have a~~
1. The following items are present and easily accessible in the establishment:

a. A first-aid kit that contains, at a minimum, small bandages, gauze, and antiseptic; ~~and antibiotic cream.~~

b. A blood spill exposure kit that contains disposable bags, and gloves, and hazardous waste stickers;

~~2. No bird or animal, except Only fish in aquariums and service animals, are allowed in the establishment; and~~

Article 3. Students

- A.A.C. R4-10-306 (C) Curricula Hours

Committee members discussed and proposed for A.A.C. R4-10-306 (C) to read as follows:

C. When evaluating an application for licensure, ~~the Board shall allow the following hours to apply toward licensing:~~

~~1. 100% of the hours of training received in a nail technology course toward a cosmetologist license; “Crossover training” means training approved by the School Director as training hours that may be credited to current licensees for similar training in another profession licensed and;~~

~~2. 100% of the hours of training received in an aesthetics course toward a cosmetologist license;~~

~~3. 100% of the hours of training received in a combined aesthetics and nail technology course toward a cosmetologist license to a maximum of 600 hours;~~

~~4. 100% of the hours of training received in a hairstyling course toward a cosmetologist license;~~

~~5. 100% of the hours of training received in a cosmetology course toward a hairstylist license;~~

~~6. 15% of the hours of training received in a cosmetology course toward a nail technician license;~~

~~7. 15% of the hours of training received in a cosmetology course toward an aesthetician license;~~

~~8. 33% of the hours of training received in a nail technology course toward an aesthetician license;~~

~~9. 66% of the hours of training received in an aesthetics course toward a nail technologist license;~~

~~10. 50% of the hours of training received in a barber course toward a cosmetologist license;~~

~~11. 200 hours of training received for a registered nurse (RN) or clinical nurse specialist (CNS) license toward an aesthetician license;~~

~~12. 100% of the hours of training received by a licensed cosmetologist in a nail technology instructor course toward an aesthetics instructor license. The Board shall require the~~

~~remaining hours needed for an aesthetics instructor license to be obtained in an aesthetics or cosmetology instructor course;~~

~~13. 100% of the hours of training received by a licensed cosmetologist in a nail technology instructor course toward a cosmetology instructor license. The Board shall require the remaining hours needed for a cosmetology instructor license to be obtained in a cosmetology instructor course;~~

~~14. 100% of the hours of training received by a licensed cosmetologist in an aesthetics instructor course toward a cosmetology instructor license. The Board shall require the remaining hours needed for a cosmetology instructor license to be obtained in a cosmetology instructor course;~~

~~15. 100% of the hours of training received in a barber instructor course toward a cosmetology instructor license. The Board shall require the remaining hours needed for a cosmetology instructor license to be obtained in a cosmetology instructor course. For the purpose of qualifying for the cosmetology instructor examination specified under A.R.S. § 32-531, the Board shall accept one year of licensed barber experience as one year of licensed cosmetology experience; and~~

~~16 2. Hours may be transferred to another course shall be used only once.~~

- ~~• A.A.C. R4-10-306 (H) Field Trips~~
- ~~• Student Hours for Charitable Events~~

Article 4. Salons

- ~~• A.A.C. R4-10-403 Salon Requirements and Minimum Equipment~~

C. Discussion, Consideration on Setting of the next Rules Committee Meeting Date.

Committee members discussed setting the next committee meeting by teleconference on Friday December 6th at 11:30 a.m. to approve these minutes so that they would be able to bring to the full board the proposed rule changes at the December 13th Board meeting.

All committee members were in agreement.

III. ADJOURN

MOTION BY Brandy Wells to adjourn the meeting at 1:16 p.m. **MOTION SECONDED** by Jenna Bentley.

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Wells	Jenna Bentley	Amber Cepkauskas
Aye	x		x	x	
Nay					
Recused					
Abstained					

Absent					
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MOTION CARRIED.

In accordance with Title II of the Americans with Disabilities Act, the Cosmetology Board does not discriminate on the basis of disabilities in its programs, services or activities. Individuals who need reasonable accommodation to participate or who need information in an alternative format may contact Mimi Ahmetovic the ADA Coordinator at (480) 825-7002.