

**CALIFORNIA  
BOARD OF BARBERING AND COSMETOLOGY**



**MARCH 14, 2022  
Health and Safety Advisory Committee Meeting**

**PUBLIC TELECONFERENCE**

**CALIFORNIA BOARD  
OF  
BARBERING AND COSMETOLOGY**



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**HEALTH AND SAFETY ADVISORY  
COMMITTEE**

**MEMBERS OF THE  
COMMITTEE**

Jacquelyn Crabtree  
Calimay Pham  
Reese Isbell  
Paul Bryson  
Lorianne Burr  
Deedee Crossett  
Brandy Hamilton  
Brandon Hart  
Paula Johnson  
Mark Rierson  
Leslie Roste  
Yumi Youn

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**PUBLIC TELECONFERENCE  
MEETING**

**March 14, 2022**

**10:00am – Until Completion of  
Business**

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*Action may be taken on  
any item listed on the  
agenda.*

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**NOTE: Pursuant to Governor Gavin Newsom's Executive Order N-1-22, issued January 5, 2022, and the provisions of Government Code section 11133, neither a public location nor teleconference locations are provided. Public participation may be through teleconferencing as provided below.**

**Important Notices to the Public: The Board of Barbering and Cosmetology will hold a public meeting via a WebEx Events. To participate in the WebEx Events meeting, please log on to this website the day of the meeting:**

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m1b7586e760bd488636957595016d43d7>

**Webinar number: 2493 073 1856 Webinar password: BBC03142022**

**Instructions to connect to the meeting can be found at:**

<https://www.barbercosmo.ca.gov/about-us/meetings/how-to-join-webex-event.pdf>.

Members of the public may but are not obligated to provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment; participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XXXXX@mailinator.com.

In order to ensure all public members have an opportunity to speak and in the interest of time, public comments will be limited to two minutes unless, in the discretion of the committee, circumstances require a shorter period or longer period; members of the public will not be permitted to "yield" their allotted time to other members of the public to make comments.

As an alternative, members of the public who wish to observe the meeting without making public comment can do so (provided no unforeseen technical difficulties) at

<https://thedcapage.wordpress.com/webcasts/>.

## AGENDA

1. Call to Order/ Roll Call/ Establishment of Quorum
2. Election of Committee Chairperson
3. Executive Officer's Opening Remarks (Kristy Underwood)
4. Review and Possible Approval of April 19, 2021 Committee Meeting Minutes
5. Discussion and Possible Action Regarding Recommendations to the Board for Possible Amendments on Health and Safety Regulations:
  - a. Title 16, Article 12, California Code of Regulations sections 977-995
6. Discussion and Possible Action Regarding the Staff's Analysis of the Board's Laws and Regulations and Recommendations for the Establishment of a Schedule of Administrative Fines Pursuant to the Requirements of Business and Professions Code Section 7407
7. Public Comment on Items Not on the Agenda  
*Note: The Committee may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 1125.7(a))*
8. Suggestions for Future Agenda Items
9. Adjournment

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Committee Chair and may be taken out of order. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public.

\*Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Committee prior to the Committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Committee, but the Committee Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Committee to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).

The meeting is being held via Webex Events. The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification in order to participate in the meeting may make a request by contacting: Marcene Melliza at (916) 575-7121, email: [marcene.melliza@dca.ca.gov](mailto:marcene.melliza@dca.ca.gov), or send a written request to the Board of Barbering and Cosmetology, PO Box 944226, Sacramento, CA 94244. Providing your request is a least five (5) business days before the meeting will help to ensure availability of the requested accommodations. TDD Line: (916) 322-1700.

*Agenda Items*

*No. 1-3*

*No Attachments*

**CALIFORNIA STATE BOARD  
OF  
BARBERING AND COSMETOLOGY**

**HEALTH AND SAFETY ADVISORY COMMITTEE MEETING**

**MINUTES OF APRIL 19, 2021**

**BOARD MEMBERS PRESENT**

Jacquie Crabtree  
Andrew Drabkin

**COMMITTEE MEMBERS PRESENT**

Paul Bryson, Ph.D.  
Larry Cromwell  
Jennifer Cruz-Jimenez  
Joanie Gonella  
Brandon Hart  
Paula Johnson  
Fred Jones  
Leslie Roste  
Jaime Schragebeck, Ph.D.  
Kellie Swallow

**COMMITTEE MEMBERS ABSENT**

Judith Balmin

**STAFF MEMBERS PRESENT**

Kristy Underwood, Executive Officer  
Sabina Knight, Board Legal Representative  
Marcene Melliza, Board Analyst  
Allison Lee, Board Project Manager

**1. Agenda Item #1, CALL TO ORDER / ROLL CALL**

Kristy Underwood, Executive Officer, called the teleconference meeting of the California State Board of Barbering and Cosmetology (Board) Health and Safety Advisory Committee to order at approximately 9:00 a.m., welcomed everyone, and confirmed the presence of a quorum.

**2. Agenda Item #2, EXECUTIVE OFFICER'S OPENING REMARKS**

Ms. Underwood provided a brief summary of staff activities since the last Committee meeting. She thanked Committee Members Jones, Roste, and Schragebeck for their assistance in this work and Wendy Cochran, Founder, California Aesthetic Alliance, for their public input.

**3. Agenda Item #3, REVIEW AND POSSIBLE APPROVAL OF DECEMBER 18, 2020, COMMITTEE MEETING MINUTES**

**MOTION:** Mr. Jones made a motion, seconded by Ms. Crabtree, that the Board approves the December 18, 2020, Meeting Minutes as presented. Motion carried 10 yes, 0 no, 1 abstain per roll call vote as follows:

The following Committee Members voted “Yes”: Bryson, Crabtree, Cromwell, Cruz-Jimenez, Drabkin, Gonella, Johnson, Roste, Schragebeck, and Swallow.

The following Committee Member abstained: Hart.

**4. Agenda Item #4, DISCUSSION AND POSSIBLE ACTION REGARDING RECOMMENDATIONS ON AMENDING HEALTH AND SAFETY REGULATIONS:**

**a. Title 16, Article 12, California Code of Regulations sections 977-995**

Ms. Underwood presented the proposed changes to the Health and Safety Regulations, which were included in the meeting packet. The suggested changes will be made and brought back to this Committee for further discussion and public comment prior to going to the Board for approval.

Committee Members provided the following feedback:

Discussion on Section 977, Health and Safety Definitions

- Under Single-Use Items, concern about consistency with Title 8 Regulation terminology about worker protection. Cal OSHA uses the term “hand protection” while these regulations use the phrase “disposable items including ... gloves ....”
- Under Single-Use Items, add “protective equipment includes gloves, finger guards, and arm coverings.”

Discussion on Section 978, Minimum Equipment and Supplies

- Under 978(b)(1), strike the second and third sentences as they go beyond Cal OSHA’s requirements so it would read “all containers shall be distinctly labeled to disclose their contents.”
- Include in the curriculum that Cal OSHA requires that secondary containers be labeled and a binder for Safety Data Sheets (SDS) for all hazardous chemicals must be available at the location.

Discussion on Section 979, Disinfecting and Storing Non-Electrical Tools

No Committee Member comments were offered.

Discussion on Section 980, Disinfecting Electrical Tools

No Committee Member comments were offered.

Discussion on Section 980.1, Procedures for Cleaning and Disinfecting Foot Basins

No Committee Member comments were offered.

Discussion on Section 981, Disposing Single-Use Tools and Supplies

- Under 981(b), add “pursuant to local ordinances” to the end of the last sentence so it will read “... and disposed of as biohazardous waste pursuant to local ordinances.”

#### **Public Comment**

Wendy Cochran agreed with adding a phrase about local ordinances to the end of the sentence in Section 981. The speaker suggested adding dermaplane blades to the list of items to dispose of in a sharps container.

#### Discussion on Section 982, Sterilizing Tools

No Committee Member comments were offered.

#### Discussion on Section 983, Hand Hygiene

No Committee Member comments were offered.

#### Discussion on Section 984, Communicable Illness

- Under 984(d), change the language to “services should not be performed on broken or inflamed skin and scalp areas. Single-use gloves must be worn when an eruption or a cut is present or becomes present during a service. An example, but not limited to, during or after client extractions or a cut on service provider’s hands.”
- Cal OSHA has a blood-borne pathogen standard, which requires employees to wear gloves whenever they may have reasonably anticipated contact with blood, other potentially infectious materials (OPIM), mucus membranes, and non-intact skin.
- Include language about wearing gloves in anticipation of contact with blood and other fluids but also include the need to continue to wear gloves for the remainder of the service.
- The second portion where the licensee is meant to wear gloves should be moved to Section 983, Hand Hygiene.
- Staff to work on Section 984(d) separately.

#### **Public Comment**

Wendy Cochran agreed that language about wearing gloves in Section 984(d) should be part of Section 983. The speaker encouraged the protection of acne specialists when rewording 984(d). Also, work in the Brazilian area needs to be considered when rewording 984(d).

#### Discussion on Section 985 (removed)

No Committee Member comments were offered.

#### Discussion on Section 986, Brushes

- Under 986(a)(2), add clarifying language about the types of brushes to clean in the ways listed, specifically about what can be cleaned with monomer. Include a

cross-reference to Section 988(c)(1) to indicate that there may be certain re-dipping situations that are bacteriologically safe.

- Dr. Bryson will send recommendations for language changes to staff.

#### Discussion on Section 987, Linens

- Under 987(a), include examples of “closed vented containers made of non-porous materials” that are not to be “used again until properly laundered.” It is difficult to locate acceptable containers online.
- Also, clarify the amount of venting that is required to prevent the growth of bacteria.
- Allow open containers but add to curriculum that linen must be contained within the receptacle and not hanging over the sides – perhaps only allowing the receptacle to be three-quarters filled.
- Experience dictates that open containers will be overfilled. A closed container flags when the laundry needs to be moved.

#### Discussion on Section 988, Multi-Use Containers

- Strike 988(b) based on the previous regulation, Section 978(b)(1).

##### **Public Comment**

Wendy Cochran referred to 986(a)(2) and suggested clarifying the word “alcohol” such as adding the word “isopropyl” so it will read “liquid spray cleaner or isopropyl alcohol.”

Wendy Cochran referred to 987(a) and suggested adding “or perforated” so it will read “in a closed vented or perforated container ...” Drilling holes into existing containers would be acceptable.

Wendy Cochran referred to 988(b) and stated they hear questions about labeling Kleenex or glove boxes. This needs to be clarified.

#### Discussion on Section 989, Prohibited Substances, Equipment, Tools, and Supplies

- Under 989(b)(2), it is helpful to educate licensees on the reasons certain services are not safe.
- Under 989(b)(6), many manufacturers use the word “detoxification” for the benefit of their product.

#### Discussion on Section 990, Shampoo Bowls and Trays, and Treatment Tables

- Under 990(c), consider adding wax table pads, if they are properly disinfectable.
- Kellie Swallow will send a link to staff from major wax table pad distributors.

#### Discussion on Section 991, Invasive Procedures

- Under 991(a) and (b)(1), clarify when lancets are allowed as per 981(b) and if “penetration of the skin by metal needles or filaments” means all metal tools and implements.



- Staff is to work on this language separately.

Discussion on Section 992, Skin Exfoliation (removed)

No Committee Member comments were offered.

Discussion on Section 993 (removed)

No Committee Member comments were offered.

Discussion on Section 994 Cleanliness and Repair

- Under 994(b), strike the word “refuse.”

Discussion on Section 995, Building Standards

No Committee Member comments were offered.

**Public Comment**

Wendy Cochran referred to Section 989(b)(6) and stated they agreed with the proposed language. Intimate bleaching is lacking in this section.

Wendy Cochran referred to Section 990 and stated wax table pads are marine vinyl. These types of pads began to be customized during the COVID-19 pandemic so they are not only provided by major distributors but are part of a cottage industry.

Wendy Cochran referred to Section 991(b)(1) and stated changing the language to lance or spade is acceptable.

Wendy Cochran suggested adding tooth gem and tooth whitening.

**5. Agenda Item #5, PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

No members of the public addressed the Committee.

**6. Agenda Item #6, SUGGESTIONS FOR FUTURE AGENDA ITEMS**

Ms. Swallow suggested a discussion on changing the legislative process on brow henna, lash tinting, and brow tinting. Clients are asking that professional tinting be brought back. Untrained individuals are offering these services to the public and also homemade substances are being used. She asked staff to gather data on consumer risk/harm from states where these services have been permitted to continue.

Ms. Swallow also suggested a discussion on dermaplaning and asked staff to gather data on consumer risk/harm from states where these services are permitted.

**7. Agenda Item #7, ADJOURNMENT**

Ms. Underwood thanked everyone for their input. There being no further business, the meeting was adjourned.

**Article 12**  
**Health and Safety**

**977. Health and Safety Definitions.**

The following words and terms, when used in this article, shall have the following meanings:

Communicable Illness – illness that is spread from person to person or from animals to people through the direct or indirect transmission of an infectious agent or its products.

Contaminated – The presence of blood or other potentially infectious materials on an item's surface or visible debris such as dust, hair, nails and skin.

Cosmetic Product – Any substance or mixture regardless of form (solid, liquid, or gas) intended to be applied to the human body for cleansing, beautifying, or altering appearance. Examples include, but are not limited to, shampoo, hairspray, hair color, makeup, lotion, wax, cuticle remover, and acrylic powder.

Disinfect or Disinfection – The use of chemicals intended to eliminate harmful bacteria, fungi and viruses.

Disinfectant – A product registered by the U.S. Environmental Protection Agency (EPA) that has demonstrated bactericidal, fungicidal and virucidal activity. The products used must include a label from the manufacturer that indicates the EPA registration. Wipes and sprays may be used unless otherwise specified.

Epidermis – The outermost layer of the skin.

Electrical Tool – Any tool that comes in contact with a client and requires electricity to operate by means of an electrical cord, wireless charger, or battery. These include, but are not limited to, clippers, blow dryers, curling irons and flat irons.

Foot Basin – Open portion of a foot spa chair or a stand-alone tub (with or without plumbing) that is filled with water and in which the client's feet are placed during a pedicure.

Linens – Items made of fabric material such as towels, robes, sheets and smocks.

Non-Electrical Tool – Any tool used for barbering, cosmetology and electrology that does not use any form of electricity to operate. These include, but are not limited to, shears, razors, cuticle nippers, metal files, metal smoothers, combs and hair clips.

Non-porous – A material that does not allow fluids to pass through or be absorbed. Examples include, but are not limited to, metal, plastic, silicone and glass.

Porous – A material that allows fluids to pass through or be absorbed. Examples include, but are not limited to, wood, cloth, stone, foam or sponges.

Single-Use Tools – Any item intended for disposal after a single-use only or any porous item that cannot be cleaned and disinfected. Examples include, but are not limited to, gloves, cotton, lancets, nail files, toe separators, wooden sticks, sponges, and mascara wands.

Sterilize or Sterilization – The process of killing microorganisms (bacteria, fungi, viruses, and spores). The destruction of all microbial life, including bacteria (including spores), fungi, and viruses.

Sterilizer – A device approved by the U.S. Food and Drug Administration (FDA) that sterilizes using high-pressure saturated steam (autoclave) or hot air that is nearly or completely free of water vapor (dry heat).

*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.*

### **978. Minimum Equipment and Supplies.**

(a) All establishment owners, school owners, and licensees shall:

(1) Have at least one covered waste container per establishment for the disposal of hair, if hair services are performed. Hair must be disposed of in a covered waste container.

(2) Have at least one covered container labeled “Dirty” to hold used linens.

(3) Store all clean non-electrical tools and linens in separate closed, clean container made of non-porous materials.

(4) Have containers for disinfectant solution labeled “Disinfectant” for tools and equipment to be disinfected. Containers must contain sufficient disinfectant solution to allow for complete immersion.

(5) Have disinfected tools, labeled as clean, that are ready for use. All licensees, establishment owners, and school owners shall not have all tools in the establishment labeled as “Dirty”.

(6) If electrolysis is performed, single use, pre-sterilized filaments must be used.

(7) Have disinfectant solution, mixed according to manufacturer's directions and/or spray or wipes, available for use at all times.

(8) Have a manufacturer-labeled container for the disinfectant used available at all times in the establishment or school. In the event that the last remaining disinfectant has been used, the empty manufacturer-labeled container must be present.

(b) All licensees shall maintain chemical safety in the following manner:

(1) All containers shall be distinctly labeled to disclose their contents.

(2) Safety Data Sheets (SDS) for all hazardous chemicals must be readily available during business hours.

(3) All chemicals must be stored according to the manufacturer's label. No chemicals shall be stored in areas accessible by the public, such as restrooms.

(4) All chemicals shall be disposed of according to the manufacturer directions when provided.

*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.*

### **979. Disinfecting and Storing Non-Electrical Tools.**

(a) All non-electrical tools that can be disinfected, shall be disinfected before each use in the following sequential manner:

(1) Remove visible debris.

(2) Clean with soap and water.

(3) Completely dry tools with a new paper towel.

(4) Use an EPA-registered disinfectant to wipe, spray or completely immerse tool for entire contact time. Any tool that cannot be disinfected with a wipe or spray must be immersed.

(5) Wear protective gloves or use tongs when removing immersed tools from the disinfectant.

(6) Let air dry or dry with a new paper towel.

(b) The EPA-registered disinfectant solution shall:

- (1) Remain covered at all times.
  - (2) Be changed according to the manufacturer's instructions or when it is cloudy or contains debris.
- (c) All tools used on a client or contaminated in any manner shall be placed in a container labeled "Dirty."
- (d) All disinfected tools shall be stored in a clean, covered place that is labeled "Clean."
- (e) Disinfected non-electrical tools shall not be placed in a container, pouch or holder which cannot be disinfected. This includes any pockets, belts or holsters made of leather or cloth and includes hairclips being placed on any leather or cloth item of clothing.
- (f) If tools specified in this section are sterilized in accordance with the requirements outlined in Section 982, the requirements of this section will be deemed to have been met.

*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.*

#### **980. Disinfecting Electrical Tools.**

- (a) Clippers, and other electrical tools shall be disinfected before each use in the following sequential manner:
- (1) Remove all visible debris from the tool.
  - (2) Disinfect with an EPA-registered disinfectant spray or wipe following the manufacturer's directions. with demonstrated bactericidal, fungicidal, and virucidal activity used according to manufacturer's instructions.

*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.*

#### **980.1. Disinfecting Foot Basins.**

- (a) After use with a client, each foot basin shall be disinfected in the following sequential manner:
- (1) Drain water from basin.
  - (2) Remove and clean any removable parts, such as screens, jets, footplates, magnetic jets. Removable parts shall be scrubbed and cleaned individually with a

clean brush, liquid soap and water.

(3) Rinse the inside walls of the basin with water.

(4) Reinsert any clean removable parts.

(5) Refill with water and add appropriate amount of EPA-registered disinfectant.

(A) Circulating Foot Basin: disinfectant solution must circulate for required contact time.

(B) Non-Circulating Foot Basin: disinfectant solution must remain undisturbed in basin for required contact time.

(6) Drain disinfectant from basin and rinse with clean water.

(7) Wipe dry with a new paper towel.

(b) Record each disinfection in the pedicure equipment cleaning log. The log must contain the date, time and initials of the person who completed the procedure.

(c) Single-use disposable, recyclable liners designed specifically and manufactured for use as a foot basin liner shall not be disinfected or re-used. The liner must be disposed of immediately after use and the basin shall be cleaned and disinfected according to steps 1, 3, 5, 6, and 7 and logged according to section (b) in this section.

(A) Establishment owners, school owners and licensees who utilize liners must maintain a supply of five liners per foot basin for use at all times.

(B) Liners shall not be placed in a foot basin until the client is present.

(C) Removable magnetic jets shall be cleaned after every use according to the requirements of 979(a) and must not be stored in the foot basin when the foot basin is not in use.

### **981. Disposing Single-Use Tools.**

(a) All single-use tools which come into direct contact with a client shall be disposed of immediately after use on a client.

(b) Any single-use tools categorized as "sharps," including, but not limited to, pre-sterilized filaments, dermaplaning blades, hair razors, and lancets must be placed in a puncture-resistant, disposable sharps container immediately after use, when contaminated before use, or when opened and found damaged. The sharps

disposal container must be replaced when not more than three-quarters full and disposed of as biohazardous waste.

*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.*

### **982. Sterilizing Tools.**

(a) If a licensee, establishment owner or school owner chooses to sterilize non-electrical tools, the tools must be processed in the following sequential manner:

(1) Remove visible debris.

(2) Clean with soap and water.

(3) Package tools in sterilization pouches before processing in either the FDA-approved autoclave or dry heat sterilizer.

(4) After the sterilization cycle, sterilized tools shall remain in their pouches until ready for use. Pouches must be dated, labeled "Sterilized" (or have color indicators), and be undamaged.

(5) Any tool removed from the sterilization pouch, found in a damaged pouch, used on a client or contaminated in any manner shall be placed in a container labeled "Dirty."

(b) Sterilizers shall be checked monthly by a spore test kit sent to an independent laboratory to ensure efficacy.

(c) Spore test results shall be maintained in the establishment for one year and shall be made available upon request by either a client or a board representative.

(d) Any package that was processed prior to a failed spore test result must be processed again with a functioning sterilizer.

*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.*

### **983. Hand Hygiene.**

(a) Every licensee or student performing services shall thoroughly wash their hands with soap and water or use any effective alcohol-based hand-cleaning product immediately before serving each client.

*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.*

**984. Communicable Illness.**

- (a) No establishment owner or school owner shall knowingly permit a licensee or student afflicted with an infection or parasitic infestation capable of being transmitted to a client to serve clients or train in the establishment or school. A licensee or student with fever, vomiting, diarrhea, or rash of unknown origin shall not perform services on clients, unless a note from a healthcare provider confirms they are not contagious.
- (b) No establishment owner or school owner shall knowingly require or permit a licensee or student to work on a client with an infection or parasitic infestation capable of being transmitted to the licensee or student. A client who provides documentation from a healthcare provider that specifically states there is no risk of transmission (for example, psoriasis or eczema) is not considered to be infectious.
- (c) Blood-borne diseases, such as HIV/AIDS and hepatitis B (HBV), shall not be considered infectious or communicable diseases for the purpose of this section.
- (d) No services shall be performed upon a surface of the skin or scalp where such skin is inflamed or broken (e.g., abraded, cut), or where a skin infection or eruption is present without wearing new single-use gloves; nor shall services be performed if the skin of a licensee's hands is inflamed or broken, or where a skin infection or eruption is present, without wearing new single-use gloves.

*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code; and Section 121365, Health and Safety Code.*

**986. Brushes.**

- (a) Before use on a client, all brushes, including but not limited to, natural fiber, facial, acrylic, nail art, tint and make-up brushes that are used on a client shall be cleaned in the following sequential manner:
  - (1) Remove visible debris.
  - (2) Clean with a cleansing agent such as EPA-registered disinfectant spray, monomer, make-up brush liquid spray cleaner or isopropyl alcohol.
  - (3) Lay brushes on a towel to dry.
  - (4) Store all brushes in a clean, covered container labeled "Clean."
  - (5) All brushes used on a client or contaminated in any manner shall be placed in a container labeled "Dirty."



*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e) Business and Professions Code.*

**987. Linens.**

- (a) After a linen has been used once, it shall be placed in a closed, vented container made of non-porous material and not used again until properly laundered.
- (b) Linens shall be laundered either by commercial laundering or by a noncommercial laundering process. Non-commercial laundering requires using a washer on the hot water setting and a dryer until linens are hot to the touch.
- (c) All clean linens shall be stored in clean, closed cabinets or a clean, closed container.

*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.*

**988. Multi-Use Containers.**

- (a) All cosmetic products shall be kept in clean, closed containers. Powders may be kept in clean shakers.
- (b) When only a portion of a cosmetic product is to be used on a client, it shall be removed from the bottle or container in such a way as not to contaminate the remaining portion.
  - (1) This provision does not apply to cosmetic products that have been demonstrated to be unlikely to transmit pathogens (such as nail polish, acrylic monomer and gel nail polish).
- (c) Cosmetic pencils shall be sharpened before each use and pencil sharpeners shall be disinfected after each use according to section 979a.

*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.*

**989. Prohibited Substances, Equipment, Tools and Supplies.**

- (a) Establishment owners, school owners, and licensees shall not have on the premises or use:
  - (1) Methyl methacrylate monomer.
  - (2) Methylene chloride.
  - (3) Credo blade, rasp or any other tool intended to mechanically cut or remove skin, corns and/or calluses.

- (4) Ultra-violet light boxes or cabinets.
- (5) Sterilization pouches (unless used with an autoclave or dry heat sterilizer according to section 982).
- (6) Roll-on wax applicators that cannot be disinfected.
- (7) Neck or nail dusters.
- (8) Glue or adhesive around the eye area unless specifically manufactured for use around eyes.

(b) Establishment owners, school owners and licensees shall not advertise or provide:

- (1) Any type of injection, regardless of whether the devices uses a needle.
- (2) Removal of hair from the inside of the nose or ear canal.
- (3) Removal of ingrown toenails.
- (4) Removal of moles and/or skin tags.
- (5) Emptying the intestines by means of adding fluids to the lower portion of the gastrointestinal tract or rectum, such as colonics.
- (6) Medical claims such as weight loss or detoxification.
- (7) Any service using a live animal as a part of the service.

*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.*

#### **990. Shampoo Bowls and Treatment Tables.**

- (a) Shampoo bowls must be cleaned with soap and water after each use and kept in a clean condition at all times.
- (b) Before service, treatment tables shall be covered with new single-use treatment table paper, a clean linen or a non-porous covering that shall be disinfected between uses.
- (c) Treatment table paper shall be immediately disposed of after a single use. Disinfect the treatment table before covering with clean treatment table paper, a clean linen, or a non-porous covering. Used linens shall be handled according to the requirements of section 987.

*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.*

**991. Invasive Procedures.**

- (a) No licensee or student may use a product, device, machine, or other technique or combination of the same, which results in the removal, destruction, incision, or piercing of a client's skin beyond the epidermis. Any such act shall be considered an invasive procedure.
- (b) Prohibited invasive procedures include, but are not limited to, the following:
  - (1) Application of electricity that visibly contracts the muscle.
  - (2) Application of topical substances which require a physician's prescription or medical license to purchase.
  - (3) Penetration of the skin by metal needles or filaments, except in electrology services performed by a licensed electrologist.
  - (4) Abrasion and/or exfoliation of the skin below the epidermis.
  - (5) Removal of any callus, corn or skin tag by means of a razor-edged tool or similar device.
  - (6) Any action that results in thermal, chemical or electrical burn of the skin.

*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7312(e), 7316, 7320, 7320.1, Business and Professions Code.*

**994. Cleanliness and Repair.**

Establishment owners, school owners, and licensees shall:

- (a) Keep the floors, walls, ceilings, furniture, furnishing, fixtures, and equipment clean and in good repair.
- (b) Not allow waste, hair clippings, or refuse to accumulate or overflow their containers.

*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.*

**995. Building Standards.**

All licensed establishments and schools shall have:

- (a) A system of adequate ventilation in accordance with Part 2, Section 1203, Title 24, California Code of Regulations.
- (b) A supply of hot and cold running water shall be provided in accordance with Part 5, Section 601.4.1, Title 24, California Code of Regulations.
- (c) Potable drinking water in accordance with Part 5, Section 601.4.3, Title 24, California Code of Regulations.
- (d) Hand washing facilities in accordance with Part 5, Section 601.4.2, Title 24, California Code of Regulations.
- (e) Public toilet rooms in accordance with Part 5, Sections 422.6, 422.7, and Table No. 422.1, Title 24, California Code of Regulations.

*Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e) and 7352, Business and Professions Code.*



Analysis of the Board's Laws and Regulations and Recommendations for the Establishment of a Schedule of Administrative Fines Pursuant to the Requirements of Business and Professions Code Section 7407

## 7313 Access to Establishment for Inspection

**Examples of When and Why this is Cited:**

An individual physically prevents an inspector from conducting an inspection.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Violation	3 <sup>rd</sup> Violation
Fine Amount	\$250	\$500	\$750

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
283	224	192	168	63	87

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** The Board protects consumers by enforcing the health and safety rules via the inspections program. Denying access to an inspector leads the Board to believe that there is something in the establishment that is purposely being hidden (illegal or dirty tools, working out of scope, unlicensed activity, etc.). While it is unknown, the potential for high risk must be considered.

## 7317a Unlicensed Establishment

**Examples of When and Why this is Cited:**

An establishment has no establishment license, or the establishment changed ownership or moved and has not applied for and received a new establishment license.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$500	\$1000	\$1000

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
887	735	693	662	298	444

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** An unlicensed establishment has no record with the Board, so it will not be inspected unless an inspector is in the area and notices the establishment or a complaint is received. If a business is not obtaining an establishment license, the risk is high for consumers as it would appear to the business intentionally wants to hide from the board. There are also cases where the owner of the establishment was not aware of the license and immediately applies once they are informed. These situations do not usually end in a citation and fine being issued.

### 7317 b. Unlicensed Individual

**Examples of When and Why this is Cited:**

An inspector observes an individual performing services and verifies that the individual does not have a personal license. This violation can also be cited if an inspector observes an apprentice performing service without their trainer’s supervision.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$1000	\$1000	\$1000

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
724	573	606	667	187	300

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** This could be one of the highest risks to consumers. An individual performing services who is not licensed likely means they have not attended school and received proper training. This individual has not been deemed minimally competent and has not learned the basic minimum health and safety skills.

### 7317c Expired Establishment License

**Examples of When and Why this is Cited:**

An inspection is conducted, and the inspector verifies the establishment license is expired.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$250	\$300	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
471	398	395	347	177	234

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** This violation often occurs when the business forgets to renew their license timely. When the license is renewed immediately after an inspection, a citation is not issued.

## 7317d Expired Individual License

### Examples of When and Why this is Cited:

An inspection is conducted, and the inspector verifies an individual has not renewed their license.

### Fine Schedule:

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$250	\$300	\$500

### Number of Times Violation Cited per Year:

2016	2017	2018	2019	2020	2021
420	387	296	268	66	73

### Recommended Risk Level



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** This violation often occurs when the individual forgets to renew their license. When the license is renewed immediately after an inspection, a citation is not issued. However, if the license is not renewed, this poses a risk to consumers when an individual is performing services and choosing not to renew.

## 7317e Individual Working in an Expired Establishment

### Examples of When and Why this is Cited:

An inspector finds an individual working in an establishment with an expired license.

### Fine Schedule:

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$25	\$50	\$100

### Number of Times Violation Cited per Year:

2016	2017	2018	2019	2020	2021
581	385	434	496	91	203

### Recommended Risk Level



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** This violation often occurs without the individual licensee being aware. While an individual licensee should verify that they are working in a licensed establishment, it is the owner who may have forgotten to renew the license.



## 7317f Individual Working in an Unlicensed Establishment

**Examples of When and Why this is Cited:**

An inspector finds an individual providing services in an unlicensed establishment.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$250	\$300	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
664	556	463	546	145	362

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** Individuals should work in licensed establishments, so the Board knows to inspect the establishment and verify they are following all health and safety regulations for consumer protection. If establishments are not obtaining an establishment license, they are likely not following other requirements, which puts consumer safety at risk. Establishment owners may be unaware of licensing requirements if they are not personally licensed, which is why the Board also requires licensees to work in unlicensed establishments as they were taught about this in school.

## 7320 Practice of Medicine

**Examples of When and Why this is Cited:**

An inspector finds evidence that the practice of medicine is occurring in a licensed establishment. The services vary but have been deemed by the Board to cross into the medical field. Examples include but are not limited to providing injections, laser treatments, mole removal, and use of prescription products.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$1,000	\$1,000	\$1,000

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
94	66	66	149	45	110

**Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** The level of risk is extremely high as a licensee performing medical services does not have the appropriate education and training to safely perform such services.

## 7320.1 Use of Illegal Metal Tools

### Examples of When and Why this is Cited:

This violation is rarely cited as the Board usually cites CCR 993 as it is more specific to finding illegal tools. These tools are usually credo blades or needles.

### Fine Schedule:


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$250	\$500	\$500

### Number of Times Violation Cited per Year:

2016	2017	2018	2019	2020	2021
2	9	5	13	0	1

### Risk Level

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** The risk level is high as illegal tools can cause harm to consumers; however, other areas of the Board’s regulations address these issues so this could be considered duplicative.

## 7320.2 Illegal Treatment Methods

### Examples of When and Why this is Cited:

An inspector finds a licensee using an x-ray device, a solution of phenol greater than 10%, or corrosive sublimate to a solution greater than one in five hundred.

### Fine Schedule:

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$500	\$500	\$500

### Number of Times Violation Cited per Year:

2016	2017	2018	2019	2020	2021
0	0	0	0	0	0

### Recommended Risk Level

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** A violation of this section would be a significant risk to a consumer, however, this violation has not been found in the last 6 years.

### 7336 No Supervision of Apprentice

**Examples of When and Why this is Cited:**

An inspector finds an apprentice providing service and their approved trainer is not directly supervising the apprentice.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$100	\$150	\$200

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
38	42	60	68	8	20

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** An apprentice has not yet passed the minimal competency exam and therefore is a high risk to a consumer if not supervised.

### 7348 No Licensee in Charge of Establishment

**Examples of When and Why this is Cited:**

This section ensures that someone who is licensed by the Board is present when services are being offered. This violation is often cited because a person (who is licensed) will not take responsibility for being “in charge” and as a result, the establishment is issued a citation.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$100	\$150	\$200

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
601	338	437	370	75	50

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** The risk associated with this violation can vary because it is often just a misunderstanding as the licensee is afraid that they are accepting responsibility of the fines.

## 7349 Employing Unlicensed Persons

**Examples of When and Why this is Cited:**

An Inspector finds an individual performing services without any license or when an apprentice is found performing services without their trainer’s supervision.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$1000	\$1000	\$1000

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
863	771	784	812	167	324

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** This poses one of the highest risks to consumers as someone who is not licensed has not received the required training or been deemed minimally competent.

## 7349 Employing Unlicensed Persons - Expired License

**Examples of When and Why this is Cited:**

An inspector finds an individual working and their personal license is expired.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$250	\$300	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
0	0	1	1	54	324

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** The risk level is generally low as the individual was initially licensed, however, there are factors to take into consideration. If an individual simply forgot to renew their license, that could be a low risk. If an individual is working with a license that has been expired for several years, they may not receive updates to laws and regulations, therefore increasing the consumer risk. Also, a licensee could have an expired license because they owe outstanding fines from other citation(s), in which case they may have a history of not complying with health and safety regulations.

### 7349.1 Illegal Use of a Barber Pole

**Examples of When and Why this is Cited:**

An inspector finds a barber pole, but a licensed barber is not employed in the establishment.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$25	\$50	\$100

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
43	29	24	19	5	1

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** The barber pole is a significant symbol of the barbering industry; however, the presence of the pole does not have a direct correlation to consumer safety.

### 7350 Establishment Residential Use/Entrance/Prohibited Use

**Examples of When and Why this is Cited:**

Inspector finds evidence of persons living in the establishment or an establishment does not have a direct entrance separate from an entrance in connection with private quarters.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
5	1	4	2	0	1

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** There is a risk of the establishment being unsanitary or unsafe if persons are living in the establishment. For instance, licensees could hide violations or illegal tools in the residential-use space.

### 7351 Restroom Requirement (Clean, Storage, Floor, Vented)

**Examples of When and Why this is Cited:**

An inspector finds items stored inside the public restroom and consumers have access to the items. This often involves cleaning supplies or products.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
1444	1102	1175	1068	197	76

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** Large items such as ladders or unsecured shelving could fall on consumers. Buckets, mops, and vacuums could be tripping hazards. In addition, open products or chemicals should not be accessible to a consumer (specifically a child) that may use the restroom.

### 7352 No Soap/Towels or Air Hand Dryer in Hand Washing Facilities

**Examples of When and Why this is Cited:**

An inspector finds there is no way for consumers to properly wash or dry their hands.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
316	215	146	118	16	3

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** Our licensees are hands-on with consumers and therefore the importance of having all the supplies needed to wash their hands is vital.

### 7353.4 Labor Rights Notice Not Posted

**Examples of When and Why this is Cited:**

An inspector does not observe the labor information posted.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
0	0	0	0	0	0

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** This violation became effective in 2017 and to date has not been cited, however, it is very important information that should be posted. The Board provides the posting with every new and renewed establishment license with instructions. While the risk to consumers is low, it is vital information to protect licensees working in establishments.

### 7358 No Licensee in Charge of Mobile Unit

**Examples of When and Why this is Cited:**

An inspector inspects a mobile unit which does not have a licensee in charge.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$100	\$150	\$200

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
0	0	0	0	0	0

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** The risk could be high if a licensee in charge is not present. This has never been cited as most individuals that own a mobile unit are both the owner and the working licensee.

### 7359 Employing Unlicensed Person in Mobile Unit

**Examples of When and Why this is Cited:**

An Inspector finds an individual performing services without any license in a mobile unit.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$1000	\$1000	\$1000

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
0	0	0	0	0	0

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** The risk would be extremely high if an unlicensed person is working in a mobile unit. This violation has never been cited as most individuals that own a mobile unit are both the owner and the working licensee, however it should be identified as a significant risk to consumers.

### 7360 Mobile Unit - Residential/Prohibited Use

**Examples of When and Why this is Cited:**

An inspector finds an individual living inside a mobile unit.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
0	0	0	0	0	0

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** While this violation has never been found, there is a risk of the mobile unit being unsanitary or unsafe if persons are living in the mobile unit.



## 7400 No Change of Address Notice Filed

### Examples of When and Why this is Cited:

An inspector determines that an individual has moved their residence and not provided the Board with a current address.

### Fine Schedule:

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

### Number of Times Violation Cited per Year:

2016	2017	2018	2019	2020	2021
101	86	58	57	5	4

### Recommended Risk Level



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** While it is important for the Board to have the licensee’s current address so renewal licenses and other mailings can be received, the risk of harm to a consumer is minimal.

## 7404I Refusal or Interference with Inspection

### Examples of When and Why this is Cited:

When an individual within the establishment creates an interference that prevents the inspector from completing the inspection or places the inspector in an unwanted position. This is also cited when individuals working inside an establishment flee the location and/or hide illegal/dirty tools.

### Fine Schedule:

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$1000	\$1000	\$1000

### Number of Times Violation Cited per Year:

2016	2017	2018	2019	2020	2021
470	306	434	402	69	112

### Recommended Risk Level



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** There are many times this violation is cited because an individual has become hostile with an inspector. An individual willing to become hostile with an inspector should be of high concern on how they would treat a consumer. This is also common when individuals flee or hide dirty items, which is one of the highest threats to consumer safety.

## 904(d) No Photographic Identification Available

### Examples of When and Why this is Cited:

An individual has no driver's license, identification card or other form of identification.

### Fine Schedule:


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

### Number of Times Violation Cited per Year:

2016	2017	2018	2019	2020	2021
471	336	306	321	48	34

### Recommended Risk Level

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** Licensees are required to identify themselves when asked. This allows the Board to verify that someone is not using another person's license to provide services, which could be a very high risk to a consumer.

## 905 Consumer Information Not Posted

### Examples of When and Why this is Cited:

An inspector does not see the consumer information posted conspicuously in the reception area.

### Fine Schedule:


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

### Number of Times Violation Cited per Year:

2016	2017	2018	2019	2020	2021
586	243	152	167	32	13

### Recommended Risk Level

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** The consumer notice provides consumers with information on how to file a complaint and contact the Board. Without this poster, many consumers may not know to contact the board if they have been injured or observe health and safety concerns.

## 920 Apprentice Training Records Not Available or Incomplete

**Examples of When and Why this is Cited:**

An inspector finds an apprentice present and they are unable to provide their training records.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$100	\$150	\$200

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
78	46	66	79	9	29

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** Maintaining the apprentice training records is vital to prove that the individual is receiving the on-the-job training required for the apprenticeship program. This can also help prevent an establishment from having an apprentice working but not receiving the required training. An apprentice working on a consumer is not fully licensed, and therefore poses a higher risk to consumer if not being properly trained.

## 965 Display of Licenses

**Examples of When and Why this is Cited:**

An inspector does not see a license clearly displayed at a licensee’s work station.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
3864	2963	3153	3748	609	83

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** The posting of the license is the most obvious indication to a consumer that the person providing the service is licensed. This allows a consumer to verify the license is valid and allows the consumer to see the individuals name and license number if they need to file a complaint. The Board often received complaints of harm where we are unable to identify the licensee because there was no license posted.

**978(a)(1),(a)(2),(a)(3),(a)(4) Receptacles, Cabinets and Containers**

**Examples of When and Why this is Cited:**

An inspector finds that an establishment does not have minimum equipment such as a covered waste container for hair, closed containers for soiled linens, closed containers to store clean tools and linens, proper containers for disinfectant solution, and mixed disinfectant.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
1109	473	429	259	34	53

**Recommended Risk Level** 

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** There is a low chance for consumer harm if hair and items are not stored in closed containers. Disinfectant solution is vital, however disinfection is covered in other sections, such as CCR 979.

**978(a)(5) Insufficient Disinfectant for Total Immersions**

**Examples of When and Why this is Cited:**

An inspector observes that a non-electrical tool is in disinfectant solution but is not fully immersed.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$100	\$150	\$200

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
1359	1141	1037	748	116	241

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High 
1	2	3	4	5

**Risks Level Explanation:** An item that is not fully immersed is not being disinfected properly. This would pose a significant risk to a consumer as that contaminated tool could spread bacteria, fungi, and/or viruses to another consumer.

### 978(a)(6) No Steam/Dry Heat Sterilizer for Electrology Tools

**Examples of When and Why this is Cited:**

An inspector does not find an autoclave or a dry heat sterilizer where electrology services are being provided.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$500	\$1000	\$1500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
0	0	0	1	0	0

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** Electrology is an invasive procedure and therefore requires sterilization as opposed to disinfection. Using non-sterilized tools is a significant risk to consumers.

### 978(b) No Disinfectant Solution Available for Use

**Examples of When and Why this is Cited:**

An inspector does not find disinfection solution available in the establishment.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$250	\$300	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
260	250	167	175	42	97

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** The absence of disinfection solution being readily available increases the likelihood that tools are not being disinfected at all. This would create a significant risk for consumers who would be exposed to bacteria, fungi, and/or viruses.

## 978(c) No Manufacturer-Labeled Container for Disinfectant

**Examples of When and Why this is Cited:**

An inspector does not find a manufactured labeled container in the establishment.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$250	\$300	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
280	185	157	206	30	48

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** The requirement to have the container on site is very important to consumer safety as it contains the label from the EPA indicating it is a proper disinfectant and contains the directions for use. When directions are not followed, the consumer is at risk of receiving services with tools not properly disinfected and thus being exposed to bacteria, fungi, and/or viruses.

## 979 Disinfecting Non-Electrical Tools

**Examples of When and Why this is Cited:**

An inspector observes a dirty tool not being disinfected properly, disinfectant solution not covered or containing debris, a tool not stored in a labeled container, or a container labeled clean may be dirty.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$100	\$250	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
11010	8608	8154	7787	1404	1455

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** This section includes the proper ways to disinfect non-electrical tools. If the disinfection procedures and storage of items are not done properly, the consumer’s safety is at high risk.

## 980(a) Incorrect Disinfection of Electrical Tools

### Examples of When and Why this is Cited:

An inspector observes a licensee using a dirty electrical tool (most commonly hair clippers) or if the proper disinfection spray is not used.

### Fine Schedule:


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$100	\$250	\$500

### Number of Times Violation Cited per Year:

2016	2017	2018	2019	2020	2021
198	162	122	50	6	17

### Recommended Risk Level

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** If a tool is not disinfected properly and used on multiple consumers, the risk of spreading bacteria, fungi, and viruses is high.

## 980(b) Incorrect Storage of Electrical Disinfected Items

### Examples of When and Why this is Cited:

An inspector observes an electrical tool not being stored properly.

### Fine Schedule:


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

### Number of Times Violation Cited per Year:

2016	2017	2018	2019	2020	2021
77	32	64	73	2	9

### Recommended Risk Level

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** Not storing a tool properly may increase the likelihood that a tool has not been properly disinfected, so the storage of a clean tool is an important step to reduce consumer harm.

## 980(c) Incorrect Storage of Soiled Electrical Tools

**Examples of When and Why this is Cited:**

An inspector observes an electrical tool not being stored properly.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
1725	1442	1387	1254	275	285

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** Not storing a tool properly may increase the likelihood that a tool has not been properly disinfected, so the storage of a clean tool is an important step to reduce consumer harm.

## 980.1 Incorrect Disinfection of Pedicure Spas (Per Chair)

**Examples of When and Why this is Cited:**

An inspector observes a whirlpool foot spa not being disinfected properly or the inspector finds the foot spa to be in a condition that poses an immediate threat to a consumer’s health and safety.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount (per chair)	\$500	\$500	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
72	24	21	12	2	9

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** This is the highest risk to consumers as there have been documented deaths and significant injuries to consumers from dirty foot spas.



**980.1 (c)7, (d)8, (e)(4) Incorrect/Missing Log**

**Examples of When and Why this is Cited:**

An inspector verifies that the foot spa cleaning log is not being maintained or is missing.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$100	\$150	\$200

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
125	71	51	30	3	75

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** The log is an important tracking tool for a licensee to make sure they are following the cleaning regulations for foot spas. While the missing log or incomplete log may not directly cause harm, it is a valuable requirement for the Board to ensure the proper steps are taking place.

**980.1 (g) Failure to List Chair as “Not in Service” in Log; No Sign Displayed on Chair**

**Examples of When and Why this is Cited:**

An inspector learns that a chair is out of service, but the chair is not identified as such.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
3	1	1	2	0	8

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** The requirement to display a sign helps consumers know that a chair should not be used. It is also an indication to the Board that the chair is not in use.

**980.2 Incorrect Disinfection of “Pipeless” Footspas (Per Unit)**

**Examples of When and Why this is Cited:**

An inspector observes a pipe-less foot spa not being disinfected properly or the inspector finds the foot spa to be in a condition that poses an immediate threat to a consumer’s health and safety.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount (per chair)	\$500	\$500	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
331	228	175	102	31	25

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** This is the highest risk to consumers as there have been documented deaths and significant injuries to consumers from dirty foot spas.

**980.2(b)7, (c)6, (d)(3) Incorrect/Missing Log**

**Examples of When and Why this is Cited:**

An inspector verifies that the foot spa cleaning log is not being maintained or is missing.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$100	\$150	\$200

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
452	282	177	110	34	83

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** The log is an important tracking tool for a licensee to make sure they are following the cleaning regulations for foot spas. While the missing log or incomplete log may not directly cause harm, it is a valuable requirement for the Board to ensure the proper steps are taking place.

## 980.2 (f) Failure to List Chair as “Not in Service” in Log; No Sign Displayed on Chair

**Examples of When and Why this is Cited:**

An inspector learns that a chair is out of service, but the chair is not identified as such.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
8	11	7	9	4	2

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** The requirement to display a sign helps consumers know that a chair should not be used. It is also an indication to the Board that the chair is not in use.

## 980.3 Incorrect Disinfection of “Non-Whirlpool Foot Basins” (Per Unit)

**Examples of When and Why this is Cited:**

An inspector observes foot basin or tub not being disinfected properly or the inspector finds the foot spa to be in a condition that poses an immediate threat to a consumer’s health and safety.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$100	\$150	\$200

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
63	34	33	12	2	1

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:**

This is the highest risk to consumers as there have been documented deaths and significant injuries to consumers from dirty foot spas.

### 980.3(b)(6) Incorrect/Missing Log

**Examples of When and Why this is Cited:**

An inspector verifies that the foot spa cleaning log is not being maintained or is missing.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
274	179	148	99	12	22

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** The log is an important tracking tool for a licensee to make sure they are following the cleaning regulations for foot spas. While the missing log or incomplete log may not directly cause harm, it is a valuable requirement for the Board to ensure the proper steps are taking place.

### 980.3(e) Improper Storage of Basins or Tubs

**Examples of When and Why this is Cited:**

An inspector finds basins or tubs that are not stored in a clean, covered place.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
19	18	3	3	0	0

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** There is no direct correlation between consumer harm and how a foot basin is stored. The basins are portable and are usually easily cleaned out prior to use.

## 980.4 Incorrect Disinfection of Foot Basin/Tub After Use of Disposable Liner

**Examples of When and Why this is Cited:**

An inspector observes foot basins or tubs not being cleaned after a disposable liner was used.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$500	\$500	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
18	33	105	100	30	46

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** The use of the liner prevents a consumer’s skin from coming into direct contact with a foot basin or tub. The Board has not seen any consumer harm cases stem from a basin not being cleaned properly after use of a liner.

## 980.4(a)(2) Incorrect/Missing Log

**Examples of When and Why this is Cited:**

An inspector verifies that the foot spa cleaning log is not being maintained or is missing.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
74	107	166	175	36	286

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** The log is an important tracking tool for a licensee to make sure they are following the cleaning regulations for foot spas. While the missing log or incomplete log may not directly cause harm, it is a valuable requirement for the Board to ensure the proper steps are taking place.

### 980.4(a)(4) Failure to Maintain Supply of Liners (5 Per Tub)

**Examples of When and Why this is Cited:**

An inspector observes that an establishment does not have a supply of 5 liners per basin.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$250	\$300	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
41	58	35	43	2	16

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** If a supply of liners is not present, this could mean that licensees are reusing liners, which could increase the risk to consumers.

### 981(a) No Disposal of Non-Disinfectable Items

**Examples of When and Why this is Cited:**

An inspector finds used disposable items that have not been thrown away immediately. Most common items cited are nail buffers, emery boards and wax sticks.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$100	\$150	\$200

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
4732	3742	3755	3736	599	504

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** Usually items are not thrown away because the licensee will reuse the tools on multiple consumers – such as with emery boards. Using an item that cannot be cleaned or disinfected on more than one consumer puts the consumer at high risk for cross contamination.

### 981(b) Improper Storage of New Supplies and Disposable Tools

**Examples of When and Why this is Cited:**

An inspector finds a new tool not labeled “New.”

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
7539	1267	1174	669	138	74

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** Items are commonly stored in their original containers and it does not increase consumer safety to add a label of “new” to a package.

### 981(c) Carry Tools or Supplies in or on Garments

**Examples of When and Why this is Cited:**

An inspector sees a tool being carried in or on a licensee’s garments, pouch, or holster. Examples include hair clips on an apron or licensees wearing brush belts to hold makeup brushes.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
206	171	131	236	17	9

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** The Board has no evidence of a consumer ever being harmed from an item that was clipped on a licensee’s clothing. Pouches and holsters should not be used since they are typically made of leather or other porous material and cannot be disinfected, so there is a risk of tools being contaminated and spreading bacteria, fungi, or viruses to consumers.

## 982 Incorrect Sterilization of Electrology Tools

**Examples of When and Why this is Cited:**

An inspector finds that electrolysis tools are not being sterilized properly.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$100	\$150	\$200

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
1	0	0	0	0	1

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** Electrology is an invasive procedure and therefore requires sterilization as opposed to disinfection. Using non-sterilized tools is a significant risk to consumers.

## 983 Personal Cleanliness

**Examples of When and Why this is Cited:**

An inspector observes a licensee’s attire not being clean or observes a licensee not washing their hands before a service.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
20	4	20	8	0	0

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** There is no risk to a consumer’s safety if a licensee’s clothes are not clean, however, hand washing is vital. There is a high risk to a consumer’s safety if the licensee does not properly wash their hands before providing services.



## 984(a) Allow Licensee with Infectious/Communicable Disease to Work on Person

**Examples of When and Why this is Cited:**

An inspector observes a licensee providing a service and the licensee has an infection or parasitic infestation capable of being transmitted.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$100	\$250	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
2	2	3	0	0	0

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** The risk would be significant; however, it is almost impossible for the Board to determine or prove that this violation occurred.

## 984(b) Allow or Require Licensee to Work on a Person with Infectious/Communicable Disease

**Examples of When and Why this is Cited:**

An inspector observes a licensee providing a service on a consumer that has an infection or parasitic infestation capable of being transmitted.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$100	\$250	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
0	0	0	0	0	0

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** The risk would be significant; however, it is almost impossible for the Board to determine or prove that this violation occurred.

**984(e) Performing Services on Inflamed, Broken or Infected or Erupted Skin or Scalp/Working Without Gloves When Skin on Hands is Inflamed, Broken, Infected or Erupted.**

**Examples of When and Why this is Cited:**

An inspector observes a licensee providing a service to a consumer who has inflamed, broken, or an infection on their skin or scalp or the licensee has the skin issue and is not wearing gloves during the service.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$100	\$250	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
0	0	0	0	0	0

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** The risk would be significant; however, it is almost impossible for the Board to determine or prove that this violation occurred.

**985 No Use of Neck Strip or Towel**

**Examples of When and Why this is Cited:**

An inspector observes a service being performed and there is no neck strip or towel between the consumer’s neck and the cape.


**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
46	26	20	16	4	5

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** There is no evidence to suggest that a neck strip or towel increases consumer safety. The Board has no record of harm resulting from the absence of a neck strip or towel.

## 986 Neck Dusters/Brushes Not Clean or Sanitary

**Examples of When and Why this is Cited:**

An inspector finds a brush that is visibly dirty and/or not stored properly. This is most commonly found in neck dusters.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
4673	3485	3693	4251	745	246

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** Neck dusters are a hassle to clean and dry between clients. Many states have prohibited neck dusters as there is no viable method to ensure their cleanliness. While brushes can also be a significant risk, staff are developing a new and clear regulation for brushes.

## 987 Towels

**Examples of When and Why this is Cited:**

An inspector observes towels not being stored properly. Often clean towels are often left uncovered or in an open cabinet.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
2969	1874	1770	1737	287	248

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** There is no evidence to suggest that there is a risk to consumer safety from a towel not being stored in a closed container or cabinet.

## 988 Liquids, Creams, Powders and Cosmetics

**Examples of When and Why this is Cited:**

An inspector finds dirty, open, and/or not labeled product containers. Wax pots are most commonly cited. This violation also covers the “double-dipping” of products.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
5156	4189	4549	4172	657	342

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** Leaving product containers open and double-dipping allows for cross-contamination between consumers, which is a significant risk to consumer health and safety.

## 989 Prohibited Hazardous Substance/Use of Product

**Examples of When and Why this is Cited:**

An inspector finds a hazardous product, most commonly methyl methacrylate monomer.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$500	\$500	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
574	426	388	434	83	118

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** Products are considered hazardous by the FDA, EPA, or OSHA for reasons. Use of a prohibited product poses significant risk to consumers. Methyl Methacrylate Monomer is poisonous and deleterious – it causes artificial nails to adhere to the natural nail bed so strongly that the nail bed can be removed under pressure. It also causes severe allergic reactions and can cause nail infections resulting from breaks in the natural nails.

## 990 Headrests, Shampoo Bowls, and Treatment Tables

### Examples of When and Why this is Cited:

An inspector finds a dirty shampoo bowl or treatment table.

### Fine Schedule:

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

### Number of Times Violation Cited per Year:

2016	2017	2018	2019	2020	2021
1676	1208	1207	997	172	214

### Recommended Risk Level



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** The treatment table and shampoo bowl should always be properly cleaned; however, the Board has no evidence of consumer harm from either of these situations.

## 991 Performing Invasive Procedures

### Examples of When and Why this is Cited:

An inspector finds licensees using products/devices that are invasive. Microneedling tools and surgical blades are most commonly cited.

### Fine Schedule:

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$500	\$500	\$500

### Number of Times Violation Cited per Year:

2016	2017	2018	2019	2020	2021
44	29	48	84	25	44

### Recommended Risk Level



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** Any licensee that performs an invasive procedure puts a consumer's safety at significant risk. Licensees are not properly trained or tested on how to safely provide invasive procedures.

## 992 Performing Invasive Skin Exfoliation

**Examples of When and Why this is Cited:**

An inspector finds products that removes deeper than the epidermal layer of the skin. Medium and deep chemical peels are most commonly cited.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$500	\$500	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
17	7	5	5	0	3

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** Any licensee that performs an invasive procedure puts a consumer’s safety at significant risk. Licensees are not properly trained or tested on how to safely provide invasive skin exfoliation.

## 993 Prohibited Tools

**Examples of When and Why this is Cited:**

An inspector finds a razor-edged tool used to remove calluses (blade or rasp) or a needle-like tool used for extractions.

**Fine Schedule:**


	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$300	\$400	\$500

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
348	249	329	283	43	72

**Recommended Risk Level**

Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5



**Risks Level Explanation:** There is a significant consumer safety risk as licensees are not properly trained or tested on how to safely provide services that remove skin or puncture the skin.

## 994 Cleanliness and Repair

**Examples of When and Why this is Cited:**

An inspector finds an excess of hair clippings/garbage present or broken furniture. This section is most commonly cited when there is hair from multiple consumers found in drawers or swept into a pile on the floor, or the garbage can is overflowing.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
1237	1017	986	858	135	125

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** While the Board has no evidence that an accumulation of hair clippings or garbage directly impacts consumer safety, if an establishment is in a condition that allows this, then other regulations may be ignored as well.

## 995 Plumbing Standards

**Examples of When and Why this is Cited:**

An inspector finds an establishment does not have adequate ventilation, running water, or public toilets available.

**Fine Schedule:**

	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense
Fine Amount	\$50	\$100	\$150

**Number of Times Violation Cited per Year:**

2016	2017	2018	2019	2020	2021
0	0	0	0	0	0

**Recommended Risk Level**



Low	Low-Med	Medium	Medium-High	High
1	2	3	4	5

**Risks Level Explanation:** Ventilation is necessary, so consumers can easily breathe and not inhale hazardous fumes. Running water is necessary to wash hands and flush eyes in case of an emergency.

*Agenda Items*

*No. 7-9*

*No Attachments*