

BOARD OF BARBERING AND COSMETOLOGY

Division 9, Title 16, of the California Code of Regulations.

SPECIFIC LANGUAGE

LEGEND

<u>Underlined</u>	Indicates proposed amendments or additions to the existing regulation.
Strikeout	Indicates proposed deletions to the existing regulation.

1. Amend Section 904, Title 16, California Code of Regulations as follows:

§ 904. Enforcement.

(a) Article 12 of the Bboard's regulations, within Title 16, Division 9 of the California Code of Regulations, contains the Bboard's "Health and Safety Rules".

(b) The holder or holders of an establishment license or a mobile unit license, and the person in charge of any such establishment or mobile unit, shall implement and maintain the Health and Safety Rules in such establishment or mobile unit individually and jointly with all persons in or employed by or working in or on the premises of such establishment or mobile unit.

(c) All licensed barbers, cosmetologists, hairstylists, estheticians, manicurists, electrologists, instructors, or apprentices shall individually implement and maintain the Health and Safety Rules.

(d) All persons performing acts of a barber, cosmetologist, hairstylist, esthetician, manicurist or electrologist, except students in schools, shall, upon request of an authorized representative of the Bboard, present satisfactory proof of identification. Satisfactory proof shall be in the form of a photographic driver's license or photographic identification card issued by any state, federal, or other recognized government entity.

(e) Failure to present valid proof of identification shall be grounds for disciplinary action.

(f) The executive officer and any authorized representative of the Bboard shall have access to and inspect all areas within an establishment, mobile unit, or school, including any room, closet, cabinet, drawer, container, or mobile or fixed storage or display unit.

Note: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7312, 7313, 7316 and 7404, Business and Professions Code.

2. Amend Section 909, Title 16, California Code of Regulations as follows:

(a) Every application for examination in which the applicant is using training received in a school in this state approved by the Board in order to qualify for examination must be accompanied by proof of that training.

(b) For the purpose of this section, Pproof of training shall be a completed form entitled "Proof of Training Document" (Form #F-BBC-05 New 07/2023), which is hereby incorporated by reference. The Proof of Training form shall be completed document, prepared by the school where the applicant completed the qualifying training, ~~that includes all of the following:~~

~~(1) The course title.~~

~~(2) The student's name, address, and date of birth.~~

~~(3) The school's name, address, and school code issued by the board.~~

~~(4) The date training started and the date training was completed at the school completing the training.~~

~~(5) The total number of hours of training the student received.~~

~~(6) If the applicant has done any one of the following, the document shall also include the information as specified for each:~~

~~(A) If the applicant has received any of the training at another school, the document must specify, for each school attended, the school's name and school code, the number of hours of training received, the date training started, and the last date of attendance.~~

~~(B) If the applicant has received credit from a course transfer, the document must specify the course and the number of hours of training received, the date training started and the last date of attendance before transferring, and the number of hours of credit received.~~

~~(C) If the applicant has received credit for holding a manicurist or cosmetician license issued by the board, the document must specify the type of license, the license number, its date of expiration, and the number of hours of credit received.~~

~~(D) If the applicant has received credit for out-of-state training and/or experience, a copy of the letter from the board granting that credit shall be attached to the document.~~

~~(7) A statement confirming that the student has met the course curriculum requirements as specified by regulation.~~

~~(8) A statement, dated and signed under penalty of perjury by the school and the student, that all the information on the document is true and correct. The statement shall be worded as follows:~~

~~“We, the undersigned, certify under penalty of perjury under the laws of the state of California, that all the information contained herein is true and correct.”~~

~~(9) The document must include the name and title of the individual signing for the school clearly printed or typed.~~

~~(c) The information contained in any proof of training document prepared by an approved school in this state must be clearly identified by the number and presented in the order specified in subdivision (b).~~

Note: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7321, 7321.5, 7322, 7324, 7326, 7330, 7331, 7337, 7362.5, 7363, 7364, 7365, 7367 and 7391, Business and Professions Code.

3. Repeal Section 928, Title 16, California Code of Regulations as follows:

~~§ 928. Preapplication for Examination.~~

~~(a) A preapplication for examination must be submitted to the board postmarked within 7 calendar days from the day the applicant completed 75 percent of the required course hours and curriculum requirements (60 percent for students of the manicurist course) from an approved barbering, cosmetology or electrology school, or any person licensed as an apprentice in barbering, cosmetology, skin care, or nail care who has completed at least 75 percent of the required apprenticeship training hours.~~

~~(b) A preapplication for examination shall be in writing, on a form prepared by the board (Form PRE1, Request for Pre-Application, Rev. 1/05).~~

~~(c) The preapplication form shall be submitted with the following:~~

~~(1) The required preapplication fee specified in Section 998;~~

~~(2) The application for examination, including the required fee and all proof of qualifications of the applicant for examination, except the proof of training document specified in Section 909 or (for apprentices) the certificate of apprenticeship completion specified in Section 924.~~

~~(3) A stamped envelope, addressed to the school from which the applicant completed training or to the apprentice program sponsor from which the applicant completed training.~~

~~(d) The preapplication form shall include an anticipated date that the student/apprentice shall complete his/her course of study/apprenticeship, and a statement, signed by the student/apprentice and the school/apprentice program sponsor and certified to under penalty of perjury, that the student/apprentice has completed the curriculum requirements and number of clock hours required to submit a preapplication.~~

~~(e) Within 30 calendar days of receipt of the preapplication the board shall notify the applicant in writing, at the school/apprentice program sponsor from which the applicant completed training, that the preapplication is either complete or is deficient and what information or documentation is required to complete the application.~~

~~(1) If the application is complete, the notification (that portion of form PRE1 filled out by the board) shall also contain the applicant's scheduled examination date.~~

~~(2) If a preapplication is deficient, the applicant shall not be scheduled for examination with the pre-application population until the deficiencies are corrected and the application is resubmitted.~~

~~(f) The proof of training document/certificate of apprenticeship completion and the portion of form PRE1 filled out by the board must be mailed to the board, postmarked within three working days after the applicant's anticipated date of course/apprenticeship completion. If this requirement is not met, the applicant will not be permitted to be examined on the scheduled date and the applicant will be scheduled for examination with the general application population.~~

~~(g) Within ten working days of receipt of the proof of training document/certificate of apprenticeship completion, the board shall notify the applicant in writing that it is either complete or is deficient and what information or documentation is required to complete the document.~~

~~(1) If the proof of training document/certificate of apprenticeship completion is complete, the board will mail an examination admission letter to the applicant.~~

~~(2) If the proof of training document/certificate of apprenticeship completion is deficient, the applicant will not be permitted to be examined on the scheduled~~

date and will be rescheduled for examinations at the time of receipt of a complete proof of training document/certificate of apprenticeship completion.

Note: Authority cited: Sections 7312 and 7337.5, Business and Professions Code.
Reference: Section 7337.5, Business and Professions Code.

4. Amend Section 931, Title 16, California Code of Regulations as follows:

§ 931. Interpreter and Interpreter/Model.

(a) An applicant for the barber, cosmetologist, hairstylist, esthetician, manicurist, or electrologist examination may use an Interpreter ~~or an Interpreter/Model~~ during examination if the applicant is unable to speak, read, or write in the English, Korean, Spanish, Vietnamese, or Simplified Chinese languages at a 10th grade level and, if the applicant and/or the interpreter complies with the requirements of subsections (c), (d), (f), (h), (i), and (j), as applicable.

(b) To request approval from the Board for an individual designated by the applicant to act as an Interpreter, the applicant shall file with the application for examination, or not later than thirty (30) days prior to the date of the examination, a notice of permission to use an Interpreter or Interpreter/Model on a form prescribed by the board a completed form entitled "Application to Use an Interpreter" (Form #03B-125, Form G, Request for Use of an Interpreter or Interpreter/Model, Rev. #03A-126 New 07/20238/94), which is hereby incorporated by reference, and executed by the applicant under penalty of perjury.

(c) ~~The person designated by the applicant to act as an Interpreter or an Interpreter/Model shall file with the board, not later than fifteen (15) days prior to the date of the examination and on a form prescribed by the board (Form #03A-126, Form H, Rev 8/94) and executed by the person under oath or penalty of perjury, a request to act as an interpreter or an interpreter/model, along with two 1 1/2 x 1 1/2 inch signed photographs of himself or herself.~~

(~~c~~) The Interpreter ~~or Interpreter/Model~~ shall be a person who is fluent both in English and in the native language of the applicant and must certify to this fact in writing under penalty of perjury.

(~~e~~) ~~An Interpreter may interpret only for the written portion of the examination.~~

(~~f~~) ~~An Interpreter/Model may interpret for the written and practical portions of the examination and shall serve as the model for the practical examination.~~

(~~g~~) ~~A person shall be allowed to act as an Interpreter or Interpreter/Model only once in two (2) years in any examination.~~

~~(h) An Interpreter shall not be used in the barber or cosmetology instructor examinations.~~

(ie) Disabled persons are entitled to access to examination activities in a manner that is equal to that offered non-disabled persons and reasonable accommodation will be provided all such persons with medically-certified documentation.

(jf) The following persons are prohibited from acting as an Interpreter ~~or Interpreter/Model~~:

(1) Persons less than 15 years of age.

(2) Persons who are current or former students in barbering, or any of the branches of cosmetology, hairstyling, electrology, nail care, or skin care.

(3) Persons who are currently or have been formerly licensed as an operator or an instructor by this state or any other state in barbering, or any of the branches of cosmetology, hairstyling, electrology, nail care, or skin care.

(4) Persons who are currently or have been formerly enrolled in a barber, cosmetologist, skin care, nail care, or electrology apprentice training program.

~~(5) Persons who are currently or have been formerly enrolled in a cosmetologist apprentice training program.~~

~~(6) Persons who have been formerly Junior Operators or Junior Electrologists.~~

~~(7)~~ Persons who are currently or have been formerly current or former owners or employees of any school of barbering, cosmetology, or electrology, hairstyling, nail care, or skin care.

(kg) For a period of one (1) year from the date that any person served as an Interpreter ~~or Interpreter/Model~~, that person shall be ineligible to apply to the Board of Barbering and Cosmetology for a license in barbering, or any of the branches of cosmetology, hairstyling, electrology, nail care, or skin care from which ~~he or she~~ they provided Interpreter ~~or Model~~ services.

(lh) If the Board determines that any of the information furnished pursuant to this section is false in a material respect, it ~~may~~ shall void the applicant's examination, if any.

~~(mi)~~ Persons who are only reading the examination to the applicant, but not interpreting to another language, will not be permitted to accompany the applicant into any examination.

(h) If the ~~B~~board determines that an Interpreter or ~~Interpreter/Model~~ is providing answers during the examination or any other material assistance to the applicant other than translating during the conduct of the examination, it shall disqualify the Interpreter or ~~Interpreter/Model~~ and void the applicant's examination.

Note: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7338 and 7340, Business and Professions Code.

5. Amend Section 932, Title 16, California Code of Regulations as follows:

§ 932. Passing Grades in Examinations.

(a) Examinations shall consist of ~~a practical demonstration and~~ a written test.

(b) An applicant must obtain a passing score on ~~both the practical demonstration and~~ the written test. The ~~B~~board will determine the passing scores using a criterion-referenced method and based on the recommendation of subject matter experts under the direction of the Board and the Board's examination contractor.

Note: Authority cited: Sections 7312, 7338 and 7340, Business and Professions Code. Reference: Sections 7338 and 7340, Business and Professions Code.

6. Repeal Section 934, Title 16, California Code of Regulations as follows:

§ 934. Examination Appeal.

~~(a) An applicant who has received a fail score on the written or practical examination shall be eligible to appeal to the board for a review of his or her examination results.~~

~~(b) The appeal shall be filed with the board within fifteen (15) days after the date of notification of his or her examination results. The appeal shall be made in writing, and it shall state the reason for appeal. The board shall only consider appeals regarding significant procedural error in or adverse environmental conditions during the test administration.~~

~~(c) The review of the appeal shall be conducted by one or more board members, or the board's designee, to determine if there is clear and convincing evidence to sustain the applicant's appeal. Such findings shall be subject to the approval of the board.~~

~~(d) Within thirty (30) days after the board has approved the determination on appeal, the applicant shall be notified in writing of the results of his or her appeal. In acting on appeals, the board may take such action as it deems appropriate, including the~~

~~issuance of a license where the board has determined that the applicant has demonstrated the required competence.~~

~~Note: Authority cited: Sections 7312 and 7340, Business and Professions Code.
Reference: Sections 7340 and 7341, Business and Professions Code.~~

7. Amend Section 937, Title 16, California Code of Regulations as follows:

§ 937. Licensing and Operation.

~~(a) An ~~application~~ applicant for a license to operate a mobile unit shall ~~be on a form prescribed and provided by the board~~ submit a completed application to the Board, which shall include a completed form entitled “(1008) Application for Mobile Unit License” (Form #03A-202, Application for License to Operate A Mobile Unit, Rev 1/93 #F-BBC-05 New 07/2023), which is hereby incorporated by reference, accompanied by the nonrefundable application fee and the initial inspection and license fee specified in section 998, and such evidence, statements, or documents as required by Section 7355(b) of the Business and Professions Code.~~

~~(b) The geographical boundaries within which the mobile unit is licensed to operate shall include only the cities and counties within which the mobile unit has permits to provide services, and shall extend no further than a 50 mile radius from the permanent base address from which the mobile unit operates.~~

~~(c) All Health and Safety Rules governing barbering and cosmetology establishments (as contained in Article 12 of these regulations) shall apply to mobile units unless otherwise specified.~~

~~(d) All storage cabinet doors shall have safety catches.~~

~~(e) All equipment which is not stored in storage cabinets shall be securely anchored to the mobile unit.~~

~~(f) No services shall be performed while the mobile unit is in motion.~~

~~(g) A ramp or lift shall be provided for access to the mobile unit if providing services for disabled individuals.~~

~~(h) The owners of mobile units shall be responsible for adherence to all local, state and federal laws and regulations regarding the operation of vehicles to be used as mobile units.~~

~~(i) An itinerary showing dates, locations, and times of service shall be made available, upon request, to an authorized representative of the Bboard.~~

(~~ji~~) The ~~B~~board shall inform the applicant in writing that the application is either complete and accepted for filing or that it is deficient and what specific information or documentation is required to complete the application ~~after~~ within 10 calendar days of receipt of an application for a license to operate a mobile unit.

(~~ki~~) The ~~B~~board shall inform the applicant in writing of its decision regarding an application, ~~within 21 calendar days from the date of filing of a completed application.~~ The decision is contingent upon the applicant scheduling an appointment with the ~~B~~board, or its representative, for an inspection of the mobile unit for final approval, pursuant to section 7355(~~a~~) of the Business and Professions Code, within seven (7) calendar days of receipt of the notice of a completed application. If the application is determined to be incomplete and the applicant fails to complete the application within the time specified in Business and Professions Code section 7345, the Board shall return the initial inspection and license fee to the applicant after the time period in Section 7345 expires.

(~~lk~~) The inspection for final approval shall be conducted to ensure compliance with Sections 7345 and 7357(b) of the Business and Professions Code.

Note: Authority cited: Sections 7312 and 7357, Business and Professions Code.
Reference: Sections 7345, 7355 and 7357, Business and Professions Code.

8. Repeal Section 950.1, Title 16, California Code of Regulations as follows:

§ 950.1. Curriculum for Barbering Course.

(~~a~~) ~~The curriculum for students enrolled in a barbering course shall consist of fifteen hundred (1500) hours of technical instruction and practical training covering all practices of a barber pursuant to Section 7316 of the Barbering and Cosmetology Act.~~

(~~b~~) ~~For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operations shall mean the actual performance by the student of a complete service on another person or on a mannequin. Practical training shall mean the time it takes to perform a practical operation. Technical instruction and practical training shall include the following hours:~~

~~(1) 1100 Hours of Technical Instruction and Practical Training in Hair Dressing~~

~~The required subjects of instruction in Hair Dressing shall be completed with the minimum hours of technical instruction and practical operations for each subject-matter as follows:~~

~~Hairstyling (65 hours of Technical Instruction and 240 Practical Operations):
The subject of Hairstyling shall include, but is not limited to, the following techniques and procedures: Hair analysis, shampooing, finger waving, pin curling, comb-outs, straightening, waving, curling with hot combs and hot curling irons and blower styling.~~

~~Permanent Waving and Chemical Straightening (40 hours of Technical Instruction and 105 Practical Operations):~~

~~The subject of Permanent Waving and Chemical Straightening shall include, but is not limited to, the following techniques and procedures: Hair analysis, acid and alkaline permanent waving, chemical straightening including the use of sodium hydroxide and other base solutions.~~

~~Hair Coloring and Bleaching (60 hours of Technical Instruction and 50 Practical Operations):~~

~~The subject of Hair Coloring and Bleaching shall include, but is not limited to, the following techniques and procedures (also including, the use of semi-permanent, demi-permanent and temporary colors): Hair analysis, predisposition and strand tests, safety precautions, formula mixing, tinting, bleaching, high and low lights, and the use of dye removers.~~

~~Hair Cutting (20 hour of Technical Instruction and 80 Practical Operations):~~

~~The subject of Hair Cutting shall include, but is not limited to, the following techniques and procedures: Use of scissors, razor (shaper), electrical clippers/trimmers, and thinning (tapering) shears for wet and dry cutting.~~

~~(2) 200 Hours of Technical Instruction and Practical Training in Shaving~~

~~The required subjects of instruction in Shaving shall be completed with the minimum hours of technical instruction and practical operations for each subject-matter as follows:~~

~~Preparation and Performance (100 hours of Technical Instruction and 40 Practical Operations)~~

~~The subject of Preparation and Performance shall include, but is not limited to the following techniques and procedures: Preparing the client's hair for shaving, assessing the condition of the client's skin, performing shaving techniques, applying after-shave antiseptic following facial services, massaging the client's face, rolling cream massages.~~

~~(3) 200 Hours of Technical Instruction in Health and Safety~~

~~The required subjects of instruction in Health and Safety shall be completed with the minimum hours of technical instruction for each subject matter as follows:~~

~~Laws and Regulations (20 hours of Technical Instruction)~~

~~The subjects of Laws and Regulations shall include, but is not limited to, the following issues: The Barbering and Cosmetology Act and the Board's Rules and Regulations.~~

~~Health and Safety Considerations (45 hours of Technical Instruction)~~

~~Health and Safety/hazardous substances including training in chemicals and health in establishments, material safety data sheets, protection from hazardous chemicals and preventing chemical injuries, health and safety laws and agencies, bacteriology and preventing communicable diseases including HIV/AIDS and Hepatitis B.~~

~~Disinfection and Sanitation (20 hours of Technical Instruction)~~

~~The subject of Disinfection and Sanitation shall include, but is not limited to the following techniques and procedures: Disinfection and sanitation including proper procedures to protect the health and safety of the consumer as well as the technician, proper disinfection procedures for equipment used in establishments.~~

~~Disinfection shall be emphasized throughout the entire training period and must be performed before use of all instruments and equipment.~~

~~Anatomy and Physiology (15 hours of Technical Instruction)~~

~~The subjects of Anatomy and Physiology shall include, but is not limited to the following issues: Human Anatomy, Human Physiology.~~

~~(c) The Board recommends that schools provide training in the area of communication skills that includes professional ethics, salesmanship, client record keeping, decorum, basic tax information relating to booth renters, independent contractors, employees, and employers.~~

~~Note: Authority cited: Sections 7312 and 7362(b), Business and Professions Code.
Reference: Sections 7316, 7321.5(d)(1), 7362.5(a) and 7389, Business and Professions Code.~~

9. Repeal Section 950.2, Title 16, California Code of Regulations as follows:

~~§ 950.2. Curriculum for Cosmetology Course.~~

~~(a) The curriculum for students enrolled in a cosmetology course shall consist of sixteen hundred (1600) hours of technical instruction and practical training covering all practices constituting the art of cosmetology pursuant to Section 7316 of the Barbering and Cosmetology Act.~~

~~(b) For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operation shall mean the actual performance by the student of a complete service on another person or on a mannequin. Practical training shall mean the time it takes to perform a practical operation. Technical and practical training shall include the following hours and/or operations:~~

~~(1) 1100 Hours of Technical Instruction and Practical Training in Hair Dressing~~

~~The required subjects of instruction in Hair Dressing shall be completed with the minimum hours of technical instruction and practical operations for each subject-matter as follows:~~

~~Hairstyling (65 hours of Technical Instruction and 240 Practical Operations)~~

~~The subject of Hairstyling shall include, but is not limited to, the following techniques and procedures: Hair analysis, shampooing, finger waving, pin curling, comb-outs, straightening, waving, curling with hot combs and hot curling irons and blower styling.~~

~~Permanent Waving and Chemical Straightening (40 hours of Technical Instruction and 105 Practical Operations)~~

~~The subject of Permanent Waving and Chemical Straightening shall include, but is not limited to, the following techniques and procedures: Hair analysis, acid and alkaline permanent waving, chemical straightening including the use of sodium hydroxide and other base solutions.~~

~~Hair Coloring and Bleaching (60 hours of Technical Instruction and 50 Practical Operations)~~

~~The subject of Hair Coloring and Bleaching shall include, but is not limited to, the following techniques and procedures (also including, the use of semi-permanent, demi-permanent and temporary colors): Hair analysis, predisposition and strand tests, safety precautions, formula mixing, tinting, bleaching, high and low lights, and the use of dye removers~~

~~Hair Cutting (20 hours of Technical Instruction and 80 Practical Operations)~~

~~The subject of Hair Cutting shall include, but is not limited to, the following techniques and procedures: Use of scissors, razor (shaper), electrical clippers/trimmers, and thinning (tapering) shears for wet and dry cutting.~~

~~(2) 200 Hours of Technical Instruction in Health and Safety~~

~~The required subjects of instruction in Health and Safety shall be completed with the minimum hours of technical instruction for each subject matter as follows:~~

~~Laws and Regulations (20 hours of Technical Instruction)~~

~~The subjects of Laws and Regulations shall include, but is not limited to, the following issues: The Barbering and Cosmetology Act and the Board's Rules and Regulations.~~

~~Health and Safety Considerations (45 hours of Technical Instruction)~~

~~The subject of Health and Safety shall include, but is not limited to, the following techniques and procedures: Cosmetology chemistry including the chemical composition and purpose of cosmetic, nail, hair and skin care preparations. Elementary chemical makeup, chemical skin peels and chemical and physical changes of matter. Hazardous substances including training in chemicals and health in establishments, protection from hazardous chemicals and preventing chemical injuries, ergonomics, theory of electricity in cosmetology, bacteriology, communicable diseases, including HIV/AIDS, Hepatitis B, and staph and Material Safety Data Sheets.~~

~~Disinfection and Sanitation (20 hours of Technical Instruction)~~

~~The subject of Disinfection and Sanitation shall include, but is not limited to the following techniques and procedures: Disinfection and sanitation including proper procedures to protect the health and safety of the consumer as well as the technician. Proper disinfection procedures for equipment used in establishments.~~

~~Disinfection shall be emphasized throughout the entire training period and must be performed before use of all instruments and equipment.~~

~~Anatomy and Physiology (15 hours of Technical Instruction)~~

~~The subjects of Anatomy and Physiology shall include, but is not limited to the following issues: Human Anatomy, Human Physiology.~~

~~(3) 200 Hours of Technical Instruction and Practical Training in Esthetics~~

The required subjects of instruction in Esthetics shall be completed with the minimum hours of technical instruction and practical operations for each subject-matter as follows:

~~Manual, Electrical and Chemical Facials (25 hours of Technical Instruction and 40 Practical Operations)~~

~~The subject of manual, electrical and chemical facials shall include, but is not limited to the following techniques and procedures: Manual Facials including cleansing, scientific manipulations, packs, and masks. Electrical Facials include the use of electrical modalities, dermal lights and electrical apparatus, for facials and skin care purposes; however, machines capable of producing an electrical current shall not be used to stimulate so as to contract, or for the purpose of contracting, the muscles of the body or face. Chemical Facials include chemical skin peels, packs, masks and scrubs. Training shall emphasize that only the non-living, uppermost layers of facial skin, known as the epidermis, may be removed, and only for the purpose of beautification. All practical operations must be performed in accordance with Section 992 regarding skin peeling.~~

~~Eyebrow Beautification and Make-up (25 hours of Technical Instruction and 30 Practical Operations)~~

~~The subject of Eyebrow Beautification shall include, but is not limited to, the following issues: Eyebrow Arching and Hair Removal, including the use of wax, tweezers, electric or manual, and depilatories for the removal of superfluous hair.~~

~~The subject of Makeup shall include, but is not limited to, the following issues: skin analysis, complete and corrective makeup, the application of false eyelashes, and lash and brow tinting, if a product exists that is not disapproved, prohibited or banned by the U.S. Food and Drug Administration, the Occupational Safety and Health Administration, or the U.S. Environmental Protection Agency.~~

~~(4) 100 Hours of Technical Instruction and Practical Training in Manicuring and Pedicuring~~

~~The required subjects of instruction in Manicuring and Pedicuring shall be completed with the minimum hours of technical instruction and practical operation for each subject-matter as follows:~~

~~Manicuring and Pedicuring (10 hours of Technical Instruction and 25 Practical Operations)~~

~~The subject of Manicuring and Pedicuring shall include, but are not limited to, the following issues: Water and oil manicure, including nail analysis, and hand/foot and arm/ankle massage.~~

~~Artificial Nails and Wraps (25 hours of Technical Instruction and 120 (nails) Practical Operations)~~

~~Artificial nails including acrylic: liquid and powder brush-ons, artificial nail tips and nail wraps and repairs~~

~~(c) The Board recommends that schools provide training in the area of communication skills that includes professional ethics, salesmanship, decorum, record keeping, and client service records.~~

~~Note: Authority cited: Sections 7312, 7362 and 7362.1(c), Business and Professions Code. Reference: Sections 7316(b), 7321(d)(1), 7362, 7362.5(b) and 7389, Business and Professions Code.~~

10. Repeal Section 950.3, Title 16, California Code of Regulations as follows:

~~§ 950.3. Curriculum for Skin Care Course.~~

~~(a) The curriculum for students enrolled in a skin care course shall consist of six hundred (600) hours of technical instruction and practical training covering all practices of an esthetician pursuant to Section 7316 of the Barbering and Cosmetology Act.~~

~~(b) For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operations shall mean the actual performance by the student of a complete service on another person or on a mannequin. Practical training shall mean the time it takes to perform a practical operation. Technical instruction and practical training shall include the following hours:~~

~~(1) 350 Hours of Technical Instruction and Practical Training in Facials~~

~~The required subjects of instruction in Facials shall be completed with the minimum hours of technical instruction and practical operations for each subject-matter as follows:~~

~~Manual, Electrical and Chemical Facials 70 Hours of Technical Instruction and 140 Practical Operations)~~

~~The subject of manual, electrical and chemical facials shall include, but is not limited to the following techniques and procedures: Manual Facials including cleansing, scientific manipulations, packs, and masks. Electrical Facials include the use of electrical modalities, dermal lights and electrical apparatus, for facials and skin care purposes; however, machines capable of producing an electrical current shall not be used to stimulate so as to contract, or for the purpose of contracting, the muscles of the body or face. Chemical Facials include chemical skin peels, packs, masks and scrubs. Training shall emphasize that only the non-living, uppermost layers of facial skin, known as the epidermis, may be removed, and only for the purpose of beautification. All practical operations must be performed in accordance with Section 992 regarding skin peeling.~~

~~Preparation (15 hours of Technical Instruction)~~

~~The subject of Preparation shall include, but not be limited to the following issues: Client consultation, intake procedures, contraindications, professionalism, client record keeping, pre and post operative care, CPR/AED, salon and spa skills.~~

~~(2) 200 Hours of Technical Instruction in Health and Safety~~

~~The required subjects of instruction in Health and Safety shall be completed with the minimum number of hours of technical instruction for each subject matter as follows:~~

~~Laws and Regulations (10 hours of Technical Instruction)~~

~~The subject of Laws and Regulations shall include, but is not limited to, the following issues: The Barbering and Cosmetology Act and the Board's Rules and Regulations.~~

~~Health and Safety Considerations (40 hours of Technical Instruction)~~

~~The subject of Health and Safety shall include, but is not limited to, the following techniques and procedures: Training in chemicals and health in establishments, material safety data sheets, protection from hazardous chemicals and preventing chemical injuries, health and safety laws and agencies, communicable diseases including HIV/AIDS and Hepatitis B. Chemical composition and purpose of cosmetic and skin care preparation. Elementary chemical makeup, chemical skin peels, physical and chemical changes of matter. Electrical current, principles of operating electrical devices, and the various safety precautions used when operating electrical equipment.~~

~~Disinfection and Sanitation (10 hours of Technical Instruction)~~

~~The subject of Disinfection and Sanitation shall include, but is not limited to, the following techniques and procedures: Procedures to protect the health and safety of the consumer as well as the technician. Proper disinfection procedures.~~

~~Disinfection shall be emphasized throughout the entire training period and must be performed before use of all instruments and equipment.~~

~~Anatomy and Physiology (15 Hours of Technical Instruction)~~

~~The subjects of Anatomy and Physiology shall include, but is not limited to the following issues: Human Anatomy, Human Physiology, Bacteriology, skin analysis and conditions.~~

~~(3) 50 Hours of Technical Instruction and Practical Training in Hair Removal and Make-up~~

~~The required subjects of instruction in Hair Removal shall be completed with the minimum hours of technical instruction and practical operations for each subject-matter as follows:~~

~~Eyebrow Beautification (25 hours of Technical Instruction and 50 Practical Operations)~~

~~The subject of Eyebrow Beautification shall include, but is not limited to, the following issues: Eyebrow shaping and hair removal techniques, hair analysis, waxing, tweezing, manual or electrical depilatories.~~

~~Make-up (20 hours of Technical Instruction and 40 Practical Operations)~~

~~The subject of Make-up shall include, but is not limited to, the following issues: Skin analysis, basic and corrective application, application of false eyelashes.~~

~~(c) The Board recommends that schools provide training in the area of communication skills that includes professional ethics, salesmanship, decorum, record keeping, client service records, basic tax information relating to booth renters, independent contractors, employees, and employers.~~

~~Note: Authority cited: Sections 7312, 7362 and 7364, Business and Professions Code. Reference: Sections 7316(c)(1), 7324(d)(1), 7362, 7364 and 7389, Business and Professions Code.~~

11.Repeal Section 950.4, Title 16, California Code of Regulations as follows:

~~§ 950.4. Curriculum for Nail Care Course.~~

~~(a) The curriculum for students enrolled in a nail care course shall consist of not less than four hundred (400) hours of technical instruction and practical training covering all practices of a manicurist, pursuant to Section 7316 of the Barbering and Cosmetology Act.~~

~~(b) For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operations shall mean the actual performance by the student of a complete service on another person or on a mannequin. Practical training shall mean the time it takes to perform a practical operation. Technical instruction and practical training shall include the following hours:~~

~~(1) 300 Hours of Technical Instruction and Practical Training in Nail Care~~

~~The required subjects of instruction in Nail Care shall be completed with the minimum hours of technical instruction and practical operations for each subject matter as follows:~~

~~Manicures and Pedicures (60 hours of Technical Instruction, 60 Practical Operations and 180 nails)~~

~~The subject of Manicures and Pedicures shall include, but is not limited to, the following techniques and procedures: Water and oil manicures including hand and arm massage, complete pedicure including foot and ankle massage, application of artificial nails including liquid, gel, and powder brush-ons, nail tips, nail wraps and repairs, and nail analysis.~~

~~(2) 100 Hours of Technical Instruction and Practical Training in Health and Safety~~

~~The required subjects of instruction in Health and Safety shall be completed with the minimum number of hours of technical instruction and practical operations for each subject matter as follows:~~

~~Laws and Regulations (10 hours of Technical Instruction)~~

~~The subject of Laws and Regulations shall include, but is not limited to, the following issues: The Barbering and Cosmetology Act and the Board's Rules and Regulations.~~

~~Health and Safety Considerations (25 hours of Technical Instruction)~~

~~The subject of Health and Safety shall include, but is not limited to, the following techniques and procedures: Chemistry pertaining to the practices of a manicurist~~

~~including the chemical composition and purpose of nail care preparations. Health and Safety/Hazardous Substances, including training in chemicals and health in establishments, material safety data sheets, protection from hazardous chemicals and preventing chemical injuries, health and safety laws and agencies, ergonomics, and communicable diseases, including HIV/AIDS and Hepatitis B.~~

~~Disinfection and Sanitation (20 hours of Technical Instruction and 10 Practical Operations)~~

~~The subject of Disinfection and Sanitation shall include, but is not limited to, the following techniques and procedures: Procedures to protect the health and safety of the consumer as well as the technician.~~

~~The ten required minimum operations shall entail performing all necessary functions for disinfecting instruments and equipment as specified in Sections 979 and 980. Disinfection shall be emphasized throughout the entire training period and must be performed before use of all instruments and equipment, with special attention given to pedicure foot spa and basin disinfection procedures detailed in Sections 980.1, 980.2 and 980.3.~~

~~Bacteriology, Anatomy and Physiology (10 hours of Technical Instruction)~~

~~The subjects of Anatomy and Physiology shall include, but is not limited to the following issues: Bacteriology, anatomy, physiology, and nail analysis and conditions.~~

~~(c) The Board recommends that schools provide training in the area of communication skills that includes professional ethics, salesmanship, decorum, record-keeping, client service record cards, basic tax responsibilities related to independent contractors, booth renters, employees, and employers.~~

~~Note: Authority cited: Sections 7312, 7362 and 7365, Business and Professions Code. Reference: Sections 7316(c)(2), 7326(d)(1), 7362, 7365 and 7389, Business and Professions Code.~~

**12. Amend Section 962, Title 16, California Code of Regulations as follows:
§ 962. Definitions.**

(a) For purposes of Section 7395.1 as specified in subdivision (c)(3) of the Business and Professions Code, the term “good standing” means the following:

(4) The licensee maintains a valid, current, active, and unrestricted barber, cosmetology, electrology, hairstyling, esthetician, or manicurist license issued by the Board of Barbering and Cosmetology.

~~(2)~~ There is no current or pending discipline against the license pursuant to Article 11 of the Barbering and Cosmetology Act.

~~(3)~~ The licensee has no unpaid fine issued pursuant to Article 12 of the Barbering and Cosmetology Act.

(b) For purposes of Section 7395.1 as specified in subdivision (g)(3) of the Business and Professions Code and this section, the term “appropriate training” means the student extern has completed ~~60~~25% of the required ~~minimum practical operations and~~ minimum hours of practical and technical instruction set forth in Sections ~~7362.5 950.2-950.4 of this division of the Business and Professions Code.~~

(c) For purposes of Section 7395.1 as specified in subdivision (g)(3) of the Business and Professions Code, the term “chemical treatment” means any product or procedure, including the preparation and/or application of the product, that alters or changes the molecular structure of the hair, skin or nails through the chemical treatments. These treatments may include, but are not limited to the following:

~~(1)~~ permanent waving

~~(2)~~ soft permanent waving

~~(3)~~ chemical straightening

~~(4)~~ sodium hydroxide and other base solutions

~~(5)~~ hair coloring and bleaching (semi-permanent and permanent)

~~(6)~~ chemical skin peel products

~~(7)~~ depilatory products

~~(8)~~ lash and brow tinting products

(d) For purposes of Section 7395.1 subdivision (g)(3) of the Business and Professions Code, the term “direct and immediate supervision” means the student extern may work on a paying client, only in an assisting capacity, when a designated licensee is present to oversee the work process. The tasks performed by the student extern must be within the scope of practice of the designated licensee who is supervising the student extern.

(e) For purposes of Section 7395.1 subdivision (g)(3) of the Business and Professions Code, the term “directly superviseds” means the student extern may perform those acts considered the practice of barbering or cosmetology as listed in Section 7316 of the

Business and Professions Code only not use or apply chemical treatments unless if a designated licensee is present to oversee those acts and the extern meets the requirements of this section. An extern shall not use or apply chemical treatments on any client unless the extern has received appropriate training in the application of those treatments from a barbering or cosmetology school the work process approved by the Board pursuant to section 941. The tasks performed by the student extern must be within the scope of practice of the designated licensee who is supervising the student extern.

Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7316, 7362.5, 7395.1, Business and Professions Code.

13. Amend Section 998, Title 16, California Code of Regulations as follows:

998. Schedule of Fees.

The following fees (in dollars) shall be charged by the ~~b~~Board:

- (a) Barbers:
 - ~~(1) Preapplication fee~~ _____ 9
 - ~~(2) Application and examination fee~~ 75
 - ~~(3) Initial license fee~~ 50
 - ~~(4) License renewal fee~~ 50 ¹
 - ~~(5) License renewal delinquency fee~~ 25 ¹
- (b) Cosmetologists:
 - ~~(1) Preapplication fee~~ _____ 9
 - ~~(2) Application and examination fee~~ 75
 - ~~(3) Initial license fee~~ 50
 - ~~(4) License renewal fee~~ 50 ¹
 - ~~(5) License renewal delinquency fee~~ 25 ¹
- (c) Estheticians:
 - ~~(1) Preapplication fee~~ _____ 9
 - ~~(2) Application and examination fee~~ 75
 - ~~(3) Initial license fee~~ 40
 - ~~(4) License renewal fee~~ 50 ¹
 - ~~(5) License renewal delinquency fee~~ 25 ¹
- (d) Manicurists:
 - ~~(1) Preapplication fee~~ _____ 9
 - ~~(2) Application and examination fee~~ 75
 - ~~(3) Initial license fee~~ 35
 - ~~(4) License renewal fee~~ 50 ¹
 - ~~(5) License renewal delinquency fee~~ 25 ¹
- (e) Electrologists:
 - ~~(1) Preapplication fee~~ _____ 9
 - ~~(2) Application and examination fee~~ 75

(3 <u>2</u>) Initial license fee	50
(4 <u>3</u>) License renewal fee	50 ¹
(5 <u>4</u>) License renewal delinquency fee	25 ¹
(f) Apprentice application and license fee ²	25
(g) Establishments:	
(1) Application and initial license fee	50
(2) License renewal fee	40
(3) License renewal delinquency fee	20
(h) Mobile Units:	
(1) Application fee	50
(2) Initial inspection and license fee	100
(3) License renewal fee	40
(4) License renewal delinquency fee	20
(i) Personal Service Permit:	
(1) Initial License fee	25
(2) License renewal fee	10
(3) License renewal delinquency fee	5

¹ Fees effective for all licenses expiring on or after December 21, 2007.

² Licenses of apprentices are not renewable.

Note: Authority cited: Sections 7312, 7337.5(~~b~~a), and 7421, Business and Professions Code. Reference: Sections 7415, 7417, 7418, 7420, 7423, ~~7423.5~~, 7424~~1~~, and 7425, Business and Professions Code.