

Chapter C 1

**BEAUTY AND ELECTROLYSIS SALONS, AND
SCHOOLS OF COSMETOLOGY**

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C 1.01 Definitions. (1) "Board" means the cosmetology examining board.

(2) "Licensee" means a person who holds any license or permit issued by the board.

(3) "Manager of record" means a manager licensed by the board and appointed by the owner who shall supervise and direct salon personnel and be responsible for compliance with C 1.02 pertaining to the daily operation of the salon.

(4) "Cancelled" means to terminate a cosmetology training program.

(5) "Interrupted" means to leave a cosmetology training program on a leave of absence.

(6) "Completed" means to qualify for the examination for an operator's license.

(7) "Person prosecuting the complaint" means the attorney or agent of the board who presents evidence supporting the charges in the complaint against the respondent.

(8) "Respondent" means the licensee served with a complaint under the statutes or these rules.

(9) "Qualified designee" means a beauty operator who has submitted proof of having practiced cosmetology 4,000 hours in a period of at least 2 years in this state and has been approved by the board to be a temporary replacement for the manager of record.

(10) "School certificate of registration" means a school license.

History: Cr. Register, May, 1977, No. 257, eff. 6-1-77.

C 1.02 Premises. (1) An application giving the dimensions, the floor plan and specifications shall be submitted to the board when opening a new salon or school, changing dimensions of premises, moving to a new location, changing ownership or leasing to another.

(2) Business and living quarters shall be separate. Solid walls shall extend from the floor to the ceiling separating the beauty or electrolysis salon or school from adjoining rooms which are used for domestic purposes. All doors leading to a beauty or electrolysis salon or school from adjoining rooms used for domestic purposes shall be kept closed.

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(3) Beauty and electrolysis salons located in private residences shall provide access by means of a separate entrance. Access may not be through living quarters.

(4) All areas of the beauty or electrolysis salon or school shall be maintained in a clean, sanitary and safe condition.

(5) Floor surfaces in a beauty or electrolysis salon or school shall be of a washable material and kept in a clean, orderly and sanitary condition. Walls and ceilings shall be clean and in good repair.

(6) Public toilet facilities for the beauty or electrolysis salon or school, shall be provided within the licensed premises, directly adjacent to or accessible by a public hallway. Toilet facilities shall be kept clean, sanitary and in working order at all times. Soap, disposable towels and hand-washing facilities shall be provided. The toilet room shall not be used as a dispensary. Items stored in toilet rooms shall be in closed cabinets.

(7) Disposable drinking cups shall be provided for the public and disposed of immediately after use. A drinking fountain is acceptable.

(8) Preparation of food which contributes to an insanitary condition shall not be allowed within a beauty or electrolysis salon or school.

(9) An adequate supply of both hot and cold running water of safe, sanitary quality shall be provided.

(10) Beauty and electrology salons and schools shall provide areas specifically designed for storage, cleaning and disinfecting equipment. The dispensary area shall include a sink with hot and cold running water.

(11) Containers of adequate size and construction shall be provided to store all soiled linen. All soiled linen shall be immediately stored after use. Towels shall be properly laundered in hot soapy water and disinfected with a disinfecting agent.

(12) Closed separate containers shall be provided for all clean linen. Clean linen shall be packaged for transportation.

(13) If a laundry facility is provided it shall be clean and well vented.

(14) Adequate facilities for waste material shall be provided and waste shall be disposed of in a sanitary manner.

(15) The wet sanitizer shall be made up at all times the beauty salon or school is in operation. It shall be a covered container large enough to hold the disinfectant solution for complete immersion of the objects to be disinfected.

(16) All metal instruments to be used in direct contact upon a person must be disinfected prior to use. All instruments and equipment which are subject to scrubbing including but not limited to combs and brushes, must be thoroughly scrubbed in soap and hot water, rinsed and thereafter immersed in a disinfecting agent, taken out, dried and placed in a sanitary container. Containers shall be provided for soiled equipment.

(17) Shampoo bowls and basins shall be kept clean and drained. Clean towels shall be used for each patron. A neckstrip or a towel shall be placed around the neck of the patron to prevent contact with the cape. The head rest of any operating chair or shampoo bowl shall be covered with fresh linen or paper for each patron.

(18) A common powder puff, sponge or neck duster shall be disinfected prior to use. Powder shall be dispensed from a shaker top receptacle. Waving fluids and lotions shall be dispensed from suitable containers in a manner which will prevent contamination of the unused fluid. Creams and semi-solid substances shall be dipped from the containers with a clean spatula or disposable tissue. If an emery board is used, it shall be discarded immediately after use.

History: Cr. Register, May, 1977, No. 257, eff. 6-1-77.

C 1.03 Responsibilities of owners and managers. (1) The owner of any licensed premises shall be responsible for compliance with chapter 159, Wis. Stats. and chapter C 1, Wis. Adm. Code.

(2) The owner shall:

(a) Appoint a "manager of record" who shall have direct supervision over salon personnel and be responsible for compliance with C 1.02 pertaining to the daily operation of the salon.

(b) Keep and provide employment records to enable operators to meet the requirements of section 159.08(2)(b) Wis. Stats., for licensure as a manager or as a temporary replacement for the manager of record.

(c) Notify the board of any changes in ownership within 5 days giving the new owner's name and address.

(d) Upon permanently closing the licensed premises return the current license to the board within 5 days.

(3) A beauty salon may not operate without the manager of record, a licensed manager or a qualified designee on the premises.

(4) If a corporation, the board shall be notified of any change in the name and address of the registered agent.

History: Cr. Register, May, 1977, No. 257, eff. 6-1-77.

C 1.04 Responsibilities of all licensees. (1) In accordance with section 159.13(2), Wis. Stats., all licensees shall notify the board, within 5 days, of any change in name or residence address.

(2) No provision of this rule shall be construed to relieve the owner or manager of record of their responsibility under the rules of the board.

(3) A cosmetologist or employe, who knowingly has a communicable disease, in a communicable form, shall not work in a beauty or electrolysis salon or school.

(4) All licensees shall be responsible for compliance with the sanitary practices and safety precautions contained in Wis. Adm. Code section C 1.02.

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(5) Each cosmetologist shall wash his or her hands with soap and water prior to serving each individual patron.

History: Cr. Register, May, 1977, No. 257, eff. 6-1-77.

C 1.05 Licenses. (1) All licenses shall be current and shall be conspicuously posted for the public.

(2) Upon receipt of a signed notarized statement giving the reason that a duplicate license is needed and a fee of \$5.00 the board shall issue a duplicate license.

History: Cr. Register, May, 1977, No. 257, eff. 6-1-77.

C 1.06 Inspections. Inspections by field representatives or agents of the board will be periodically conducted to assure compliance with chapter 159, Wis. Stats., and chapter C 1, Wis. Adm. Code.

History: Cr. Register, May, 1977, No. 257, eff. 6-1-77.

C 1.07 Time limits for correction of violations. (1) Violations relative to sections 159.09 and 159.13, Wis. Stats., and rules C 1.03 (3) and C 1.08, Wis. Adm. Code shall be corrected immediately.

(2) Violations relative to all other sections of the cosmetology law and rules shall be corrected at the time of inspection or within a period not to exceed 5 days.

(3) Extensions of the above time limits for reasons not under the control of the person charged with violation may be granted.

History: Cr. Register, May, 1977, No. 257, eff. 6-1-77.

C 1.08 Practice. (1) Cosmetology shall not be practiced outside of a licensed beauty or electrolysis salon or school except for sick or infirm persons in homes or hospitals as follows:

(a) Cosmetologists licensed under chapter 159 can perform any cosmetology services for patients regardless of whether it is done in a special area or at the bedside in an institution. If a cosmetologist, licensed under chapter 159, provides cosmetology services in a person's home, that person must be incapable of leaving his or her home.

(b) Personal care type cosmetology services as provided in section 159.13(1), Wis. Stats., includes shampooing, setting, combing and brushing the hair of patients, but does not include giving permanents, bleaches, coloring or cutting the hair of patients.

(2) Demonstrations, shows, seminars and workshops held off licensed premises for the purpose of demonstrating advanced cosmetology techniques to licensed cosmetologists may be held only after prior notification is submitted to the board. All teaching to cosmetologists must be done by certified, licensed cosmetologists or a member of a bona fide profession, from this state, another state, foreign country or province. Cosmetology techniques shall not be taught to persons who do not hold a license or permit to practice cosmetology. However, demonstrations may be held to educate the public concerning sanitation and personal hygiene. Full compliance with all sanitary practices as listed in section C 1.02 (7), (15), (17), and (18), Wis. Adm. Code, shall be adhered to.

History: Cr. Register, May, 1977, No. 257, eff. 6-1-77.

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C 1.09 Licensure requirements for out-of-state applicants. (1) Applicants whose combined verified basic training in cosmetology and verified experience as a cosmetologist in another state or foreign country, when viewed as a whole, equals the total amount of training required in this state, will be considered to have met requirements substantially comparable to the requirements of this state and may be licensed in accordance with section 159.08 (6) (a) or (b), Wis. Stats., provided that the combined time would not allow a person to be licensed in a shorter time than if the training and experience had been in this state. Verified training through cosmetology schools or apprenticeship programs and verified experience as a cosmetologist in beauty salons may be considered in any combination. Apprentice training and experience will be considered in the same proportion that required hours of apprentice training in this state has to required hours of cosmetology school training in this state.

(2) The minimum practice requirements of subsection (1) may not be considered as satisfying the requirements of section 159.08 (6) (a) and (b), Wis. Stats., for licensure without examination.

History: Cr. Register, May, 1977, No. 257, eff. 6-1-77.