



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

**MICHIGAN BOARD OF COSMETOLOGY  
FEBRUARY 1, 2021 MEETING**

**APPROVED MINUTES**

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Cosmetology met on February 1, 2021. The meeting was held via Zoom, pursuant to MCL 15.263 and MCL 15.263a.

**CALL TO ORDER**

Linda Ward, Professional Member, Chairperson, called the meeting to order at 10:02 a.m.

**ROLL CALL**

**Members Present: Linda Ward, Professional Member, Chairperson**

Attended remotely from the city of Big Rapids, Mecosta County, Michigan.

**Fletcher Bland, Public Member**

Attended remotely from the city Detroit, Wayne County, Michigan.

**Cindy Straley, Professional Member**

Attended remotely from the city of Grand Rapids. Kent County, Michigan.

**Jaclyn Turner, Professional Member**

Attended remotely from the city of Birmingham, Oakland County, Michigan.

**Scott Weaver, Professional Member**

Attended remotely from the city of East Lansing, Ingham County, Michigan.

**Victoria Williams, Professional Member**

Attended remotely from the city of Farmington, Oakland County, Michigan.

**Members Absent:** Gabriella Abel, Public Member



Abstain – Bland, Turner

MOTION PREVAILED

## **REGULATORY CONSIDERATIONS**

### **HEARING REPORTS**

MOTION by Bland, seconded by Straley, to receive the hearing reports.

A roll call vote was held:                   Yeas – Bland, Straley, Turner, Weaver, Williams, Ward  
  Nays – None

MOTION PREVAILED

### **Pamela J. Grant Custer and Teasers Hair Studio**

MOTION by Straley, seconded by Weaver, to discuss the matter.

A roll call vote was held:                   Yeas – Bland, Straley, Turner, Weaver, Williams, Ward  
  Nays – None

MOTION PREVAILED

Discussion was held.

MOTION by Straley, seconded by Weaver, to fine the Respondents \$3,500, jointly and severally, to be paid within 60 days. If non-compliant, the licenses will be suspended.

A roll call vote was held:                   Yeas – Bland, Straley, Turner, Weaver, Williams, Ward  
  Nays – None

MOTION PREVAILED

### **Spa Nails-Wax and Anh Van Ho**

MOTION by Straley, seconded by Williams, to discuss the matter.

A roll call vote was held:                   Yeas – Bland, Straley, Turner, Weaver, Williams, Ward  
  Nays – None

MOTION PREVAILED

Discussion was held.

**Anh Van Ho**

MOTION by Weaver, seconded by Straley, to fine the Respondent \$10,000 to be paid within 90 days and revoke the Respondent's license.

A roll call vote was held:                   Yeas – Bland, Straley, Turner, Weaver, Williams, Ward  
  Nays – None

MOTION PREVAILED

**Spa Nails Wax**

MOTION by Weaver, seconded by Straley, to fine the Respondent \$10,000 to be paid within 90 days and revoke the Respondent's license.

A roll call vote was held:                   Yeas – Bland, Straley, Turner, Weaver, Williams, Ward  
  Nays – None

MOTION PREVAILED

**CONSENT ORDER AND STIPULATIONS**

MOTION by Straley, seconded by Bland, to accept the Consent Order and Stipulations as presented for the following:

**Karin M. Hudson**  
**Marco's Hair and Rochelle A. Arnold**  
**John Peter Obuchowski**  
**Sarah Lynn Ruby**  
**Spabella Nails and Hien Su**

A roll call vote was held:                   Yeas – Bland, Straley, Turner, Weaver, Williams, Ward  
  Nays – None

MOTION PREVAILED

**OLD BUSINESS**

None

**NEW BUSINESS**

**Margaret Beckman – License Petition**

Marks presented the petition.

MOTION by Weaver, seconded by Bland, to discuss the matter.

A roll call vote was held:                   Yeas – Bland, Straley, Turner, Weaver, Williams, Ward  
  Nays – None

MOTION PREVAILED

Discussion was held.

MOTION by Weaver, seconded by Bland, to reinstate the license, require the applicant to take and pass the written portion of the state exam, and waive the practical portion of the exam.

A roll call vote was held:                   Yeas – Bland, Straley, Turner, Weaver, Williams, Ward  
  Nays – None

MOTION PREVAILED

### **Rosaland Diekema – License Petition**

Marks presented the petition.

MOTION by Bland, seconded by Williams, to discuss the matter.

A roll call vote was held:                   Yeas – Bland, Straley, Turner, Weaver, Williams, Ward  
  Nays – None

MOTION PREVAILED

Discussion was held.

MOTION by Weaver, seconded by Turner, to reinstate the license, require the applicant to take and pass the written portion of the state exam, and waive the practical portion of the exam.

A roll call vote was held:                   Yeas – Bland, Turner, Weaver, Ward  
  Nays – Straley, Williams

MOTION PREVAILED

### **Heather Marie Hemmila – License Petition**

Marks presented the petition.

MOTION by Bland, seconded by Williams, to discuss the matter.

A roll call vote was held:                   Yeas – Bland, Straley, Turner, Weaver, Williams, Ward  
  Nays – None

MOTION PREVAILED

Discussion was held.

MOTION by Weaver, seconded by Straley, to reinstate the license, require the applicant to take and pass the written portion of the state exam, and waive the practical portion of the exam.

A roll call vote was held:                   Yeas – Bland, Straley, Turner, Weaver, Williams, Ward  
  Nays – None

MOTION PREVAILED

### **Elections**

Marks ran elections for Chair.

MOTION by Straley, seconded by Weaver, to elect Ward as Chair.

A roll call vote was held:                   Yeas – Bland, Straley, Turner, Weaver, Williams, Ward  
  Nays – None

MOTION PREVAILED

Marks ran elections for Vice-Chair.

MOTION by Ward, seconded by Weaver, to elect Straley as Vice-Chair.

A roll call vote was held:                   Yeas – Bland, Straley, Turner, Weaver, Williams, Ward  
  Nays – None

MOTION PREVAILED

### **Rules Discussion**

Marks explained the promulgation process and presented the draft to the Board.

Discussion was held.

MOTION by Bland, seconded by Straley, to approve the draft as amended.

A roll call vote was held:                   Yeas – Bland, Straley, Turner, Weaver, Williams, Ward  
  Nays – None

MOTION PREVAILED

### **Chair Report**

Ward thanked everyone for their work.

### **Department Update**

Catlin reminded the Board to use their state emails.

### **PUBLIC COMMENT**

Kissy Butler stated that before moving to national requirements those it impacts need to be thought of.

Lauren inquired if gloves were necessary to take the practical portion of the exam.

Marks encouraged Lauren to reach out to PSI directly.

Tangie Gary requested clarification on the definition of a mobile salon and how one can be used.

Wagner-Gutkowski advised that she contact to the Department.

Diane Mhlader requested clarification on renewing.

Marks advised her to contact to the Department.

Kathy Plavnick inquired about contacting PSI for assistance.

Lynn Thomas provided PSI's contact information.

Mel Birchett inquired on how to be involved with the Board.

Przybylo advised that she should visit the Governor's webpage to file an application and view the requirements.

### **ANNOUNCEMENTS**





DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

COSMETOLOGY – GENERAL RULES

Filed with the Secretary of State on

These rules take effect immediately upon filing with the secretary of state unless adopted under sections 33, 44, or 45a(6) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the department of licensing and regulatory affairs by sections ~~205-308, and~~ 1203, **1205, 1207, 1208, 1209, and 1210** of the occupational code, 1980 PA 299, **MCL 339.205, MCL 339.308, and 339.1203, 339.1205, 339.1207, 339.1208, 339.1209, and 339.1210**; and on the board of cosmetology by section **308** of the occupational code, 1980 PA 299, **MCL 339.308**; and by Executive Reorganization Order Nos. **1991-9**, 1996-2, 2003-1, ~~2008-4~~, and 2011-4, **MCL 338.3501, MCL 445.2001, MCL 445.2011, MCL 445.2025, and MCL 445.2030.**)

R 338.2101, R 338.2127, R 338.2131; R 338.2132, R 338.2136, R 338.2138, R 338.2161, R 338.2162, R 338.2163, R 338.2163a, R 338.2163b, R 338.2163c, R 338.2166, R 338.2167, R 338.2168, R 338.2169, R 338.2171, and R 338.2179g of the Michigan Administrative Code are amended, R 338.2121a, R 338.2121b, R 338.2121c, R 338.2126a, R 338.2158, R 338.2169a, R 338.2169b, R 338.2171a, R 338.2171b, R 338.2171c, R 338.2180, R 338.2187, and R 338.2188 are added, and R 338.2133, R 338.2134, R 338.2137, R 338.2139, R 338.2151, R 338.5153, R 338.2161a, R 338.2161b, R 338.2162a, R 338.2173, R 338.2176, R 338.2178, R 338.2179, R 338.2179a, R 338.2179b, R 338.2179c, R 338.2179d, R 338.2179f, and R 338.2179h are rescinded, as follows:

PART 1. GENERAL PROVISIONS

R 338.2101 Definitions.

Rule 1. **(1)** As used in these rules:

(a) ~~"Act" means 1980 PA 299, MCL 339.101 to 339.2919.~~

~~(b) "Apprenticeship practitioner program" means a licensee who is approved by the department and who is engaged in training an apprentice within an establishment.~~  
**licensed cosmetology establishment that is teaching cosmetology to an apprentice without charging a fee.**

**(b) "Autoclave" means a device registered and listed as an autoclave or dry-heat sterilizer with the United States Food and Drug Administration.**

(c) "Blade" means a flat or curved implement designed for cutting including, but not limited to, implements commonly referred to as razors, callus shavers, graters, and credo blades intended to cut or shave growths of skin on the hands and feet.

January 6, 2021

- (d) "Clean" or "cleaned" means an item that was disinfected or sterilized pursuant to R 338.2171a or a new and unused single-use item.
- (e) "Code" means the occupational code, 1980 PA 299, MCL 339.101 to 339.2677.
- (f) "Department" means the department of licensing and regulatory affairs.
- (g) "Disinfectant" means a substance, or mixture of substances, that is registered as a disinfectant by the United States Environmental Protection Agency (EPA).
- ~~(d)~~ (h) "Dry sanitizer" means a closed cabinet or container that holds a fumigant chemical sanitizing agent. "Equivalent" means the passing of a standard examination that is equal to or greater than the required grade level. If there is no grade equivalency test available, the department shall accept a statement from a school administrator indicating that the person has potentially and scholastically achieved the required grade.
- (i) "Establishment" means a cosmetology establishment as defined under section 1201(e) of the code, MCL 339.1201, and includes a mobile salon, as defined in section 1201(o) of the code, MCL 339.1201, and a cosmetology suite as defined in section 1201(g) of the code, MCL 339.1201.
- (j) "Patron" means an individual receiving a cosmetology service whether or not the individual intends to pay for the service.
- ~~(e)~~(k) "Minimum practical application applications" means **the hours spent performing practical applications** service performed on a mannequin, student, or patron.
- ~~(f)~~(l) "Reactive chemicals" means, but is not limited to, any of the following:
- (i) Permanent wave solutions.
  - (ii) Relaxers.
  - (iii) Temporary, semipermanent, or permanent hair colorings.
  - (iv) Hair lighteners.
  - (v) Acids.
  - (vi) Bases.
  - (vii) Creams.
  - (viii) Fluids.
  - (ix) Any other preparation designed to modify or rearrange the structure of the hair, skin, or nails.
- (m) "School" means a school of cosmetology licensed under section 1205 of the code, MCL 339.1205, which may include a school of cosmetology with a license limited only to the teaching of electrology.
- (n) "Specialty license" means an electrologist license, esthetician license, manicurist license, or natural hair cultivation license.
- (o) "Specialty service" means a service pertaining to electrology, skin care services, manicuring, or natural hair cultivation.
- (p) "Sterilant" means a substance, or mixture of substances, that is registered as a sterilant by the EPA.
- ~~(g)~~(q) "Wet sanitizer" means **a container that holds a liquid chemical sanitizing agent covered container filled with a liquid substance, or mixture of liquid substances, that is registered as a disinfectant or sterilant by the EPA.**
- (2) Terms that are defined in the code have the same meaning when used in these rules.

## PART 2. LICENSES AND PERMITS

## SUBPART 1. INDIVIDUALS

**R 338.2121a Examination requirement; examination administrator; valid score.**

**Rule 21a. (1) An applicant for a cosmetologist license or specialty license, in addition to meeting all the requirements of the code, shall pass the state or national examination required for the license pursuant to Table 21a.**

**(2) An applicant for an initial cosmetology or specialty instructor license, in addition to meeting all the requirements of the code, shall pass the state or national examination required for the license pursuant to Table 21a. The examination does not need to be repeated if a licensed instructor applies for a subsequent cosmetology or specialty instructor license.**

**(3) The state or national examination shall be administered by a third party chosen by the department.**

**(4) A passing score as determined by the party chosen to administer the examination is required. The passing score is valid for not more than 1 year from the date of the examination.**

TABLE 21a

	<b>License Type</b>	<b>Required Examination</b>
<b>(a)</b>	<b>Cosmetologist</b>	<b>Cosmetologist theory Cosmetologist practical</b>
<b>(b)</b>	<b>Electrologist</b>	<b>Electrologist theory Electrologist practical</b>
<b>(c)</b>	<b>Esthetician</b>	<b>Esthetician theory Esthetician practical</b>
<b>(d)</b>	<b>Manicurist</b>	<b>Manicurist theory Manicurist practical</b>
<b>(e)</b>	<b>Natural hair culturist</b>	<b>Natural hair culturist theory Natural hair culturist practical</b>
<b>(f)</b>	<b>Instructor</b>	<b>Cosmetology instructor theory</b>

**R 338.2121b Licensure by endorsement; substantially equal requirements; substituted experience.**

**Rule 21b. (1) An individual who is licensed to perform cosmetology services in another state may apply for a cosmetology license or specialty license by endorsement under this rule.**

**(2) An applicant for licensure by endorsement, in addition to meeting all the requirements under section 1211 of the code, MCL 339.1211, shall submit an application on a form provided by the department, pay the required fee, and satisfy all of the following requirements:**

**(a) Establish that he or she has an education equivalent to the completion of the ninth grade.**

(b) Hold an active license or registration in good standing from another state that authorizes him or her to perform a cosmetology service in that state. An applicant's license or registration in good standing shall be verified by the licensing or registering agency of each state in which the applicant holds or ever held a license or registration as an cosmetologist. If applicable, verification must include the record of any disciplinary action taken or pending against the applicant.

(c) Provide proof of any name change, if the name on the application does not match the name shown on the submitted documents.

(d) Demonstrate that the licensure or registration requirements of the state in which he or she is authorized to perform cosmetology services are substantially equal to the requirements for licensure under the code and these rules.

(3) Another state's requirements are considered substantially equal to the requirements of a cosmetologist license if both of the following conditions are satisfied:

(a) The state required an applicant for a cosmetology license or registration to pass 1 or more examinations that tested cosmetology theory and practical cosmetology application that is substantially equal to the theory and practical application examinations for licensure in Michigan.

(b) The state required an applicant to receive not less than 1,500 hours of prelicensure training as a student in cosmetology services or not less than 2 years of prelicensure training as an apprentice in cosmetology services.

(4) Another state's requirements are considered substantially equal to the requirements of a specialty license if both of the following conditions are satisfied:

(a) The state required an applicant for a specialty cosmetology license or registration to pass 1 or more examinations that tested the specialty cosmetology theory and practical specialty cosmetology application substantially equal to the theory and practical application examinations for licensure in Michigan.

(b) The state required an applicant to receive not less than 400 hours of prelicensure training as a student in the services for which the applicant seeks a specialty license or not less than 6 months of prelicensure training as an apprentice in the services for which the applicant seeks a specialty license.

(5) Pursuant to section 1211(2) of the code, MCL 339.1211, the hours of prelicensure training required under the code and these rules may be substituted with work experience at a ratio of 100 hours of training for each 6 months of work experience. To receive credit, the applicant shall attest, on a form provided by the department, that he or she was employed for a period of time equal to the number of hours of training required for the license.

(6) Each state in which the applicant holds or has ever held a cosmetology or cosmetology specialty license or registration shall verify that the applicant's license or registration is currently in good standing or was in good standing just prior to its lapse.

#### **R 338.2121c Relicensure requirements.**

**Rule 21c. (1) An applicant whose cosmetologist or specialty license has lapsed for 3 years or less after the expiration date of the last license may be relicensed under**

section 411(3) of the code, MCL 339.411, after submitting a completed application on a form provided by the department and the required fee.

(2) An applicant whose cosmetologist or specialty license has lapsed for more than 3 years after the expiration date of the last license may be relicensed under section 411(4) of the code, MCL 339.411, after submitting a completed application on a form provided by the department, the required fee, and satisfying either of the following requirements:

(a) Pass the examination required for the applicable license pursuant to Table 21a under R 338.2121a within a 1-year period immediately preceding the date of the relicensure.

(b) Establish that he or she has an active cosmetology license in good standing in another state.

## SUBPART 2. ESTABLISHMENTS AND SCHOOLS

**R 338.2126a Cosmetology establishment license.**

**Rule 26a.** An applicant for an establishment license, in addition to meeting the requirements of the code, shall satisfy all of the following:

(a) Submit an application as required by the department, together with the required fee.

(b) If the premises of the establishment is a permanent, physical location, including a cosmetology suite, or is a mobile salon as defined in section 1201(o)(i) of the code, MCL 339.1201, a drawing or diagram showing the location of the equipment and facilities required by the code and these rules must be submitted to the department at the time of application.

(c) If the premises of the establishment is a mobile salon as defined in section 1201(o)(ii) of the code, MCL 339.1201, photographs demonstrating the establishment's compliance with the requirements of R 338.2171(1)(c)-(e), (g)-(i), (2)(e), (3), and (4) must be submitted to the department at the time of application.

(d) The establishment and its premises shall pass the inspection required by section 1204(1)(c) of the code, MCL 339.1204. To pass the inspection the establishment shall demonstrate its compliance with all requirements of the code and these rules.

**R 338.2127 Permanent, physical business address, Change change of ownership or relocation; closure; branch facility license.**

**Rule 27. (1)** An establishment or school shall provide a permanent, physical business address. The permanent, physical business address of a mobile salon is determined as follows:

(a) If the establishment is a mobile salon as defined in section 1201(o)(i) of the code, MCL 339.1201, the permanent, physical business address is the physical location from which the mobile salon is dispatched and to which it returns.

(b) If the establishment is a mobile salon as defined in section 1201(o)(ii) of the code, MCL 339.1201, the permanent, physical business address is the owner's premises.

~~(1)~~ **(2) Pursuant to section 1204(5) of the code, MCL 339.1204, the sale or transfer of a cosmetology establishment voids the owner's cosmetology establishment license. If a cosmetology establishment changes ownership, the parties involved shall inform the department, in writing, within 30 calendar days before the change occurs.**

**(3) The change in the location of a cosmetology establishment, except for a mobile salon, voids the owner's cosmetology establishment license. The change in the location of a cosmetology establishment, other than a mobile salon, or school changes ownership or location, including any branch facility to the current location, the parties involved shall inform the department of the change, in writing, within 30 calendar days before change occurs. A change in the permanent, physical business address of a mobile salon must comply with the requirements of R 338.2180(3). A new application showing the new ownership or the new location, together with the applicable fees and a copy of the existing license shall be filed with the department.**

~~(2)~~ **(4) Pursuant to section 1205(5) of the code, MCL 339.1205, the sale or other transfer of a school, a sale or transfer of its ownership, or a change in the location of a school, including a branch facility, voids the owner's school of cosmetology license. If a cosmetology school changes ownership or location, the parties involved shall inform the department, in writing, within 30 calendar days before making the change.**

**(5) Within 30 calendar days before Before a school or establishment that is conducting an apprenticeship program is closed, or changes ownership, or changes its permanent, physical business address, the school department or establishment that is conducting an apprenticeship program shall be notified, in writing, and shall be furnished with provide the department with up-to-date information pertaining to a copy of the school's enrolled student records of examinations, credit hours, and minimum practical applications each student's or apprentice's record. The up-to-date information must include all reports and timesheets that have not previously been reported to the department.**

~~(3)~~ **(6) Branch facilities where training by a cosmetology school is conducted in a physical location apart from the main school premises, may be approved by the department if the branch facility meets the following criteria:**

(a) Is not used for training students until the department has approved the use of the facility, based upon school need.

(b) Meets all requirements for Michigan cosmetology schools, except that it shall not include a full-service facility and shall not offer clinic services to the public.

(c) Provides for proper supervision of students.

(d) Is submitted for approval on an application ~~prescribed~~ **provided** by the department, to include, at a minimum, both of the following:

(i) The complete address of the premises to be licensed.

(ii) A current, detailed floor plan, not larger than 8 1/2 by 11 inches, of the proposed premises, showing arrangement of the classroom, placing of equipment, entrances, exits, and a statement of the purpose for which the premises will be used.

**(7) Beginning 60 calendar days after the promulgation of these rules, the department shall not accept an application for an initial branch facility license.**

(8) Beginning 1 year after the promulgation of these rules, the department shall not grant a renewal of a branch facility license.

(9) Beginning 1 year after the promulgation of these rules, a branch facility license becomes void on the expiration date of the license and the facility shall not operate without obtaining a school of cosmetology license.

(10) A school whose licensure application involved the approval of more than 1 premises shall satisfy all of the following requirements:

(a) Display a copy of the school license at each premises in a prominent place that is always visible to the public.

(b) Display a copy of the license of each instructor that works for the school, whether or not the instructor works on the premises. The license must be in a prominent place that is always visible to the public.

(c) Provide the department with the address of each premises and identify the primary address at which to receive correspondence from the department.

### PART 3. GENERAL TRAINING ADMINISTRATION

R 338.2131 "~~Equivalent~~" defined; ~~proof of educational grade equivalency~~. **Substitution of hours for credits earned in Michigan-licensed barber college; substantially similar criteria and determination; notice to department.**

~~Rule 31. "Equivalent," as used in the act when referring to educational grade levels, means the passing of a standard examination which is equal to or greater than the required grade level. If there is no grade equivalency test available, the department shall accept a statement from a school administrator indicating that the person has potential and scholastic achievement equal to the required grade.~~

**Rule 31. (1) Pursuant to section 1205(6) of the code, MCL 339.1205, a school of cosmetology may allow a student who is a Michigan-licensed barber to substitute up to 1,000 hours of substantially similar instruction obtained from a Michigan-licensed barber college for hours of instruction required by the school of cosmetology.**

(2) In determining if an hour of instruction earned from a Michigan-licensed barber college is substantially similar and may be substituted for required instruction in the cosmetology student's curriculum, the school of cosmetology may consider all of the following:

(a) The student's barber college transcript.

(b) The student's scores on examinations.

(c) The barber college's course descriptions.

(d) The student's performance on an examination conducted by the school of cosmetology that tests the student's theory and practical knowledge.

(3) The school of cosmetology shall determine the number of substantially similar instruction hours that will be substituted for required instruction in the student's cosmetology curriculum before the student begins his or her cosmetology program.

(4) The school of cosmetology shall notify the department of the number of substantially similar hours it permitted the student to substitute in the student's cosmetology curriculum and the number of minimum practical applications it has verified for the student.

R 338.2132 ~~School and apprentice training program~~ **equipment** requirement.

Rule 32. (1) A school or ~~apprenticeship practitioner~~ shall have all of the following items:

- ~~—(a) Instructional visual aids for teaching the prescribed curriculum.~~
- ~~—(b) One bulletin board in the student or apprentice area.~~
- ~~—(c) (a) Seating facilities for patrons.~~
- ~~—(d) (b) One chair that has writing facilities for each attending student or apprentice.~~  
**An adequate number of chairs and adequate desk space to meet the needs of each student attending.**
- ~~—(e) (c) Sufficient practical training stations and equipment so that students or apprentices are not required to share a station or equipment during practical training periods.~~ **If services are performed on the public, an adequate amount of equipment, supplies, and tools necessary for performing services on patrons in compliance with the requirements under part 4 of these rules.**
- ~~—(f) (d) A shampoo bowl installed in a classroom other than the main clinic classroom, unless a limited school of electrology.~~
- ~~—(g) Adequate space per attending student for theory or non-practical classroom training.~~ **If services are not performed on the public, an adequate amount of equipment, supplies, and tools necessary for providing the theory hour and practical training offered on the premises.**
- ~~—(h) A chalkboard or the equivalent of sufficient size to be seen from the back of the room in which it is used.~~

R 338.2133 ~~Credit of school hours to apprenticeship training prohibited; credit of apprenticeship training to school training prohibited.~~ **Rescinded.**

- ~~—Rule 33. (1) School credit hours shall not be credited to apprenticeship training.~~
- ~~—(2) Apprenticeship months of training shall not be credited to school credit hours.~~

R 338.2134 ~~Enrollment.~~ **Rescinded.**

- ~~—Rule 34. (1) A school shall report the enrollment of a student and submit the registration fee to the department within 60 days after the student begins a course of instruction.~~
- ~~—(2) A student requesting hours from a previous enrollment shall pass practical and theory examinations on the subject areas previously studied and submit the previous hours to the new school before attending the new school. The school shall notify the department of the number of hours accepted and the number of minimum practical applications verified for any student who has hours from previous training.~~
- ~~—(3) A student shall not be granted credit for more hours than are verified by the school of previous enrollment.~~

R 338.2136 **Permanent School and apprenticeship** records.

Rule 36. (1) A school or apprenticeship ~~practitioner~~ **program** shall keep **permanent complete records for each student or apprentice** of students or apprentices. The ~~permanent~~ records shall **must** be maintained for not less than 7 years after the last date of attendance of the student or apprentice.



(2) The records ~~shall~~ **must** be available to the department upon request and ~~shall~~ **must** include all of the following information:

- (a) A summary of the attendance record.
- (b) A summary of the **practical hours and theory** hours of training **that were completed by the student or apprentice**, including the **subjects and** number of ~~minimal practical-applications~~ **hours and theory hours that were credited under R 338.2138(4) and (5)**.
- (c) The date of the enrollment and the last date of attendance.
- (d) The final grades.
- (e) A copy of the contract **that is required under section 1205(2)(f) of the code, MCL 339.1205**.

R 338.2137 ~~Student and apprentice supplies.~~ **Rescinded.**

~~Rule 37. (1) A school or apprenticeship practitioner shall furnish a copy of the act and these rules to each student or apprentice.~~

~~(2) All necessary materials, equipment, and supplies shall be furnished to students or apprentices for work performed on the public. The contract between the school or apprenticeship practitioner and the student or apprentice shall contain a list of any charges for additional materials, supplies, or equipment other than that required to adequately train students or apprentices under the prescribed curriculum.~~

R 338.2138 ~~Theory instruction.~~ **School and apprenticeship program requirements.**

Rule 38. ~~Theory shall be taught throughout a course as applied to practical training under §1205(5)(c) of the act.~~ **(1) A school or apprenticeship program, in addition to meeting all the requirements of the code and these rules, shall satisfy all of the following:**

- (a) **Submit a monthly report to the department that contains the daily record of attendance of each student or apprentice.**
- (b) **Establish a system of grades for the advancement of training in each curriculum.**
- (c) **Require a student or apprentice to pass at least 1 examination based on the curriculum in which the student or apprentice is enrolled.**
- (d) **Certify, on a form provided by the department, that the student or apprentice has completed the training in the curriculum under part 4 of these rules in which he or she is enrolled. A school or apprenticeship program that grants transfer credit under subrules (4) and (5) of this rule shall identify on the form the subjects and number of theory and practical hours that it granted transfer credit to a student or apprentice. Theory shall be taught throughout a course as applied to practical training under §1205(5)(c) of the act.**
- (e) **Notify the department in writing when a student's or apprentice's training is terminated prior to completion of the training program.**

**(2) A school licensed under the code shall provide instruction in not less than both of the following:**

- (a) **The cosmetology curriculum pursuant to Table 11 under R 338.2169a.**
- (b) **The cosmetology instructor and cosmetology limited instructor curriculum pursuant to Table 16 under R 338.2169b.**

**(3) An establishment conducting an apprenticeship program shall display its apprenticeship program permit in a prominent place on the premises that is visible to the public at all times.**

**(4) A school may transfer credit of hours a student has previously earned in a school of cosmetology toward the completion of a curriculum under part 4 of these rules, if the school determines that the previously earned hours are substantially similar to the hours required under the applicable curriculum. A school has the discretion for determining whether to grant credit.**

**(5) An apprenticeship program may transfer credit of hours an apprentice has earned in an apprenticeship program toward the completion of a curriculum under part 4 of these rules, if the apprenticeship program determines that the previously earned hours are substantially similar to the hours required under the applicable curriculum. An apprenticeship program has the discretion for determining whether to grant credit.**

**(6) A school shall not transfer credit of hours that were earned in an apprenticeship program. An apprenticeship program shall not transfer credit of hours that were earned as a student.**

**R 338.2139 ~~Board examination-Rescinded.~~**

~~Rule 39. (1) To be eligible to take the state board examination, a student or apprentice shall satisfactorily complete the course of study and shall pass a final examination on each subject with a score of not less than 75%.~~

~~-(2) A school or apprenticeship practitioner shall provide certification, to the department or its designees, that the student or apprentice has completed all requirements before the student or apprentice applies for the state board examination.~~

~~-(3) An applicant for a cosmetology, electrology, limited, or specialty instructor license may be granted a partial waiver of the instructor examination if the applicant currently possesses a different cosmetology, electrology, limited, or specialty instructor license. The applicant shall complete the practical portion of the instructor examination in the area of the new instructor license for which he or she applies.~~

~~-(4) A passing score on an examination, or on a portion of an examination if the examination is given in separate parts, shall be valid for 1 year from the date the examination or portion of the examination was passed, except as provided in subrule (3) of this rule.~~

**~~PART 4. SCHOOL TRAINING PROGRAMS~~**

**~~PART 5. APPRENTICE TRAINING PROGRAMS~~**

**R 338.2151 ~~Application for apprenticeship-Rescinded.~~**

~~Rule 51. (1) A licensee who has had not less than 3 years of experience as a licensed cosmetologist, electrologist, natural hair culturist, esthetician, or manicurist may submit an application to the department to train an apprentice.~~

~~-(2) The application shall include the following information:~~

~~-(a) A floor plan of the establishment.~~

- ~~-(b) A list of equipment to be used in training the apprentice.~~
- ~~-(c) A list of the books that will be used to teach theory.~~
- ~~-(d) A copy of the licensee's contract with the apprentice showing the curriculum to be taught and the minimum number of hours per month that the apprentice must attend. The contract shall include written agreements to do all of the following:~~
  - ~~-(i) Personally train the apprentice.~~
  - ~~-(ii) Give and correct examinations.~~
  - ~~-(iii) Render a grade in each subject of the curriculum.~~
  - ~~-(iv) Submit the apprentice=s hours to the department monthly.~~
- ~~-(3) An apprentice shall not practice on the public before meeting the requirements of section 1205(5)(c) of the act. An apprentice practicing outside an approved apprenticeship establishment may be ineligible to take the state board examination.~~
- ~~-(4) An apprentice shall be in training throughout the period of the program and shall have received an average of not less than 80 hours of instruction per month.~~
- ~~-(5) An apprentice=s registration permit shall be conspicuously displayed in the establishment.~~
- ~~-(6) The apprenticeship practitioner shall provide certification to the department or the department=s designee that the apprentice has completed all requirements before applying for the state board examination.~~

R 338.2153 Apprenticeship program examinations and grades. **Rescinded.**

- ~~Rule 53. (1) A licensee that trains a cosmetology apprentice shall give the apprentice an examination every 6 months.~~
- ~~-(2) A licensee that trains an electrology, manicuring, esthetician, or natural hair culturist apprentice shall give the apprentice an examination every 3 months.~~

#### PART 6 4. CURRICULUM

**R 338.2158 Distance education requirements.**

**Rule 58. (1) As used in the rule, "distance education" means education that uses technology to deliver instruction to a student who is physically separated from the instructor while permitting live, interaction between the student and the instructor.**

**(2) Distance education is permitted in the delivery of theory hours of the curriculum if all of the following are satisfied:**

**(a) The instructor has been trained in the use of the modality and technology resources used in distance education.**

**(b) The technology and practices are in place to verify the identity of the distance education student who participates, while protecting student privacy.**

**(c) The student has been provided with written information that clearly describes the distance education technology requirements to successfully complete the course.**

**(3) A cosmetology school offering distance education pursuant to subrule (2) of this rule shall have a policy in place that it provides to each student and includes all of the following information:**

**(a) A clear statement that all practical hours and practical applications in the curriculum must be done in-person.**

(b) A clear statement that the student's interaction with the instructor through distance education will be logged by the instructor.

(c) A clear statement that an in-person performance evaluation will be completed after each 10% of the distance education component.

(d) A clear statement that the student must pass a comprehensive theory and practical examination before he or she graduates from the program.

(e) A clear statement that the student's transcript and other documents will identify the portion of the curriculum that was delivered through distance education.

(4) Before a student enrolls in the cosmetology school, the student must be provided with, and shall sign, a disclaimer that advises him or her that distance education may not be accepted for reciprocity or licensure in some states. The cosmetology school shall maintain a copy of the signed waiver in the student's record.

R 338.2161 Cosmetology curriculum.

Rule 61. ~~A school or apprenticeship practitioner shall provide instruction in cosmetology pursuant to the following table:~~ **Students and apprentices who were enrolled in the study of cosmetology before 1 year after the promulgation of this rule shall complete a curriculum pursuant to the following table:**

TABLE 1

Subject	Theory Hours	Practical Hours	Unassigned Hours	Total Hours	Minimum Practical Applications
Sanitation/ and patron protection. Laws and rules. Personal hygiene. Salon management. Mechanical and electrical equipment safety.	90	40	0	130	585 (Sanitation and patron protection shall must be included in all services.)
Facials. Skin analysis and care.	35	80	0	115	40 (a minimum of 5 services in each category)

<p>Manipulation, massage, electricity.</p> <p>Removal of hair by the use of wax, tweezers, or depilatories.</p> <p>Makeup and eyebrow arch.</p>					
<p>Hairdressing.</p> <p>Arranging, cutting, dressing, curling, pressing, artificial hair and finger waving, <b>and</b> natural hair cultivation.</p>	125	400	0	525	300 (a minimum of 20 services in each category)
<p>Scalp and hair treatments.</p>	10	15	0	25	30
<p><del>Hair coloring</del>  <del>Temporary</del> <del>Semi</del>  <del>permanent</del>  <del>Permanent</del>  <b>Temporary, semi-permanent, and permanent hair coloring.</b></p> <p>Bleaching and dimensional coloring.</p> <p>Color mixing.</p>	40	170	0	210	80 (a minimum of 8 services in each category)
<p>Chemical hair restructuring.</p> <p>Permanent waving.</p> <p>Straightening and relaxing.</p>	40	180	0	220	80 (a minimum of 15 services in each category)

Applied chemistry/ <b>and</b> occupational safety and health administration as related to skin, hair, nails, and scalp.	20	10	0	30	5
Applied anatomy, physiology, and histology of the human head, hands, nails, skin and hair.	45	0	0	45	0
Manicuring/ <b>and</b> pedicuring.	15	55	0	70	35
Artificial nails.	5	15	0	20	5
Unassigned hours.	0	0	110	110	0
Totals	425	965	110	1500	1160

~~R 338.2161a Crossover hours; manicuring. **Rescinded.**~~

~~–Rule 61a. A student, before enrolling in a cosmetology curriculum in a licensed school of cosmetology, may be granted a maximum of 70 hours toward completion of the curriculum if the student provides proof to the school of successful completion of a curriculum in manicuring in a licensed school of cosmetology within the previous 3 years. A student, before enrolling in a cosmetology apprenticeship program, may be granted a maximum of 70 hours toward completion of the curriculum if the student provides proof to the practitioner of successful completion of an apprenticeship program approved by the department in manicuring within the previous 3 years.~~

~~R 338.2161b Crossover hours; esthetics. **Rescinded.**~~

~~–Rule 61b. A student, before enrolling in a cosmetology curriculum in a licensed school of cosmetology, may be granted a maximum of 115 hours toward completion of the curriculum if the student provides proof to the school of successful completion of a curriculum in esthetics in a licensed school of cosmetology within the previous 3 years. A student, before enrolling in a cosmetology apprenticeship program, may be granted a maximum of 115 hours toward completion of the curriculum if the student provides proof to the practitioner of successful completion of an apprenticeship program approved by the department in esthetics within the previous 3 years.~~

R 338.2162 Manicuring curriculum.

Rule 62. A school or apprenticeship practitioner shall provide instruction in manicuring pursuant to the following table: **Students and apprentices who were enrolled in the**

**study of manicuring before 1 year after the promulgation of this rule shall complete a curriculum pursuant to the following table:**

TABLE 2

Subject	Theory Hours	Practical Hours	Unassigned Hours	Total Hours	Minimum Practical Applications
Sanitation/ <b>and</b> patron protection. Laws and rules. Personal hygiene. Salon management. Mechanical and electrical equipment safety.	50	50	0	100	100 (Sanitation and patron protection <del>shall</del> <b>must</b> be included in all services.)
Anatomy and disorders.	25	0	0	25	0
Artistic principles.	10	0	0	10	0
Manicuring/ <b>and</b> pedicuring techniques.	20	50	0	70	40
Chemistry/ <b>and</b> occupational safety and health administration	15	0	0	15	0
Artificial nails/, extensions/, <b>and</b> repairs.	25	105	0	130	50
Unassigned hours.	0	0	50	50	0
Totals	145	205	50	400	190

R 338.2162a ~~Crossover hours~~ - **Rescinded.**

~~Rule 62a. A student, before enrolling in a manicuring curriculum in a licensed school of cosmetology, may be granted a maximum of 70 hours toward completion of the curriculum if the student provides proof to the school of successful completion of a curriculum in cosmetology at a licensed school of cosmetology within the previous 3 years. A student, before enrolling in a manicuring apprenticeship program, may be granted a maximum of 70 hours toward completion of the curriculum if the student provides proof to the practitioner of successful completion of an apprenticeship program approved by the department in cosmetology within the previous 3 years.~~

R 338.2163 Electrology curriculum.

Rule 63. ~~An electrology school or apprenticeship practitioner shall provide instruction in electrology pursuant to the following table:~~ **Students and apprentices who were enrolled the study of electrology before 1 year after the promulgation of this rule shall complete a curriculum pursuant to the following table:**

TABLE 3

Subject	Theory Hours	Practical Hours	Unassigned hours	Total Hours	Minimum Practical Applications
Sanitation/ and patron protection. Laws and rules. Personal hygiene. Salon management.	40	10	0	50	160 (Sanitation and patron protection shall <b>must</b> be included in all services.)
Applied anatomy, physiology, and histology.	25	0	0	25	0
Applied electrolysis. Mechanical and electrical equipment safety. Techniques.	25	250	0	275	150
Unassigned hours.	0	0	50	50	0
Totals	90	260	50	400	310



R 338.2163a Esthetics curriculum.

Rule 63a. ~~A school or apprenticeship practitioner shall provide instruction in skin care service pursuant to the following table:~~ **Students and apprentices who were enrolled in the study of esthetics before 1 year after the promulgation of this rule shall complete a curriculum pursuant to the following table:**

TABLE 4

Subject	Theory Hours	Practical Hours	Unassigned Hours	Total Hours	Minimum Practical Applications
Sanitation/ <b>and</b> patron protection.  Laws and rules.  Personal hygiene.  Salon management.	25	25	0	50	90 ( <del>sanitation</del> <b>Sanitation</b> and patron protection <b>shall must</b> be included in all services.)
Mechanical and electrical equipment safety.	25	25	0	50	15
Anatomy and disorders.	40	0	0	40	0
Artistic principles/ <b>and</b> makeup.	20	20	0	40	0
Facial/ <b>and</b> skin care techniques.	20	125	0	145	50
Chemistry/ <b>and</b> occupational safety and health administration.	15	0	0	15	0
Temporary removal of hair.	5	5	0	10	5

Unassigned hours.	0	0	50	50	0
Totals	150	200	50	400	160

~~(2) A student, before enrolling in an esthetics curriculum in a licensed school of cosmetology, may be granted a maximum of 115 hours toward completion of the curriculum if the student provides proof to the school of successful completion of a curriculum in cosmetology at a licensed school of cosmetology within the previous 3 years. A student before enrolling in an esthetics apprenticeship program, may be granted a maximum of 115 hours toward completion of the curriculum if the student provides proof to the practitioner of successful completion of an apprenticeship program approved by the department in cosmetology within the previous 3 years.~~

R 338.2163b Natural hair cultivation curriculum.

Rule 63b. ~~A school or apprenticeship practitioner may provide instruction in natural hair cultivation pursuant to the following table:~~ **Students and apprentices who were enrolled in the study of natural hair cultivation before 1 year after the promulgation of this rule shall complete a curriculum pursuant to the following table:**

TABLE 5

Subject	Theory Hours	Practical Hours	Unassigned Hours	Total Hours	Minimum Practical Applications
Sanitation/ <b>and</b> patron protection. Laws and rules. Personal hygiene. Salon management. Equipment safety.	25	25	0	50	50 ( <del>sanitation</del> <b>Sanitation</b> and patron protection <del>shall</del> <b>must</b> be included in all services.)
Anatomy and disorders.	25	0	0	25	0
Artistic principles.	30	0	0	30	0
Braiding techniques/ <b>and</b> extensions.	40	215	0	255	40

Occupational safety and health administration.	5	0	0	5	0
Unassigned hours.	0	0	35	35	0
Totals	125	240	35	400	90

338.2163c Cosmetology instructor curriculum.

Rule 63c. ~~In training a cosmetology instructor, a school shall give instruction pursuant to the following table:~~ **Students who were enrolled in the study of cosmetology instructor before 1 year after the promulgation of this rule shall complete a curriculum pursuant to the following table:**

TABLE 6

Subject	Theory Hours	Practical Hours	Total Hours	Minimum practical applications
Orientation and review of the cosmetology curriculum.	25	50	75	20
Introduction to teaching.	30	0	30	0
Course outlining and development. Lesson planning. Teaching techniques. Teaching aids. Developing, administering, and grading examinations.	80	85	165	20 (a minimum of 5 services in each category)
Laws and rules. Record keeping. School administration.	15	10	25	70
Teaching.	0	75	75	15

Assisting in the clinic and theory classrooms.				
Practice teaching in the clinic and theory classrooms.	0	130	130	25
Totals	150	350	500	150

~~(2) A student, before enrolling in a cosmetology instructor curriculum, may be granted a maximum of 300 hours toward completion of the curriculum if the student provides proof to the school of both of the following:~~

~~(a) Successful completion of a curriculum in any limited specialist instructor curriculum.~~

~~(b) Possession of a current limited specialist instructor license.~~

R 338.2166 Electrology instructor curriculum.

Rule 66. ~~In training an electrology instructor, a school shall give instruction pursuant to the following table:~~ **Students who were enrolled in the study of electrology instructor before 1 year after the promulgation of this rule shall complete a curriculum pursuant to the following table:**

TABLE 7

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
Orientation and review of the curriculum.	10	15	25	10
Introduction to teaching.	30	0	30	0
Course outlining and development. Lesson planning. Teaching techniques. Teaching aids. Developing, administering, and grading examinations.	80	85	165	20 (a minimum of 5 services in each category)

Laws and rules.	15	10	25	40
Record keeping.				
School administration.				
Teaching.	0	55	55	15
Assisting in the clinic and theory classrooms.				
Practice teaching in the clinic and theory classrooms.				
Totals	135	165	300	85

R 338.2167 Limited specialist manicuring instructor curriculum.

Rule 67. ~~In training a limited specialist manicuring instructor, a school shall give instruction pursuant to the following table:~~ **Students who were enrolled in the study of limited specialist manicuring instructor before 1 year after the promulgation of this rule shall complete a curriculum pursuant to the following table:**

TABLE 8

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
Orientation and review of the curriculum.	10	15	25	10
Introduction to teaching.	30	0	30	0
Course outlining and development.	80	85	165	20 (a minimum of 5 services in each category)
Lesson planning.				
Teaching techniques.				
Teaching aids.				
Developing, administering, and grading examinations.				

Laws and rules.	15	10	25	40
Record keeping.				
School administration.				
Teaching.	0	55	55	15
Assisting in the clinic and theory classrooms.				
Practice teaching in the clinic and theory classrooms.				
Totals	135	165	300	85

R 338.2168 Limited specialist skin care instructor curriculum.

Rule 68. ~~In training a limited specialist skin care instructor, a school shall give instruction pursuant to the following table:~~ **Students who were enrolled in the study of limited specialist skin care instructor before 1 year after the promulgation of this rule shall complete a curriculum pursuant to the following table:**

TABLE 9

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
Orientation and review of the curriculum.	10	15	25	10
Introduction to teaching.	30	0	30	0
Course outlining and development.	80	85	165	20 (a minimum of 5 services in each category)
Lesson planning.				
Teaching techniques.				
Teaching aids.				
Developing, administering, and grading examinations.				

Laws and rules.	15	10	25	40
Record keeping.				
School administration.				
Teaching.	0	55	55	15
Assisting in the clinic and theory classrooms.				
Practice teaching in the clinic and theory classrooms.				
Totals	135	165	300	85

R 338.2169 Limited specialist natural hair culturist instructor curriculum.

Rule 69. ~~In training a limited specialist natural hair culturist instructor, a school may give instruction pursuant to the following table:~~ **Students who were enrolled in the study of limited specialist natural hair culturist instructor before 1 year after the promulgation of this rule shall complete a curriculum pursuant to the following table:**

TABLE 10

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
Orientation and review of the curriculum.	10	15	25	10 (Sanitation and patron protection <del>shall</del> <b>must</b> be included in all services.)
Introduction to teaching.	30	0	30	0
Course outlining and development.	80	85	165	20 (a minimum of 5 services in each category)
Lesson planning.				

Teaching techniques.				
Teaching aids.				
Developing, administering, and grading examinations.				
Laws and rules.	15	10	25	40
Record keeping.				
School administration.				
Teaching.	0	55	55	15
Assisting in the clinic and theory classrooms.				
Practice teaching in the clinic and theory classrooms.				
Totals	135	165	300	85

**R 338.2169a Cosmetologist, esthetician, electrologist, manicurist, and natural hair culturist curriculum.**

**Rule 69a. (1) Students and apprentices who are enrolled the study of cosmetology 1 year or later after the promulgation of this rule shall complete a curriculum pursuant to the following table:**

**TABLE 11**

	<b>Subject</b>	<b>Theory Hours</b>	<b>Practical Application Hours</b>	<b>Total Hours</b>	<b>Minimum Practical Applications</b>
(a)	<b>Health and safety related to hair care services, manicuring services, skin care services, and natural hair cultivation that include all of the following topics: (i) Anatomy and physiology. (ii) Chemical safety.</b>	<b>75</b>	<b>125</b>	<b>200</b>	<b>Health and safety must be included in all practical applications.</b>



	<ul style="list-style-type: none"> <li><b>(iii) Diseases and disorders.</b></li> <li><b>(iv) Laws and rules.</b></li> <li><b>(v) Occupational safety.</b></li> <li><b>(vi) Personal hygiene.</b></li> <li><b>(vii) Sanitation.</b></li> <li><b>(viii) Equipment, supply, and tool safety.</b></li> </ul>				
<b>(b)</b>	<p><b>Hair care services and natural hair cultivation that include all of the following topics:</b></p> <ul style="list-style-type: none"> <li><b>(i) Arranging.</b></li> <li><b>(ii) Artificial Hair.</b></li> <li><b>(iii) Bleaching.</b></li> <li><b>(iv) Cleansing.</b></li> <li><b>(v) Curling.</b></li> <li><b>(vi) Cutting.</b></li> <li><b>(vii) Coloring and bleaching.</b></li> <li><b>(viii) Dressing.</b></li> <li><b>(ix) Perming.</b></li> <li><b>(x) Relaxing.</b></li> <li><b>(xi) Singeing.</b></li> <li><b>(xii) Straightening.</b></li> <li><b>(xiii) Tinting.</b></li> <li><b>(xiv) Waving.</b></li> <li><b>(xv) Natural hair cultivation.</b></li> </ul>	<b>200</b>	<b>600</b>	<b>800</b>	<b>425</b>
<b>(c)</b>	<p><b>Esthetic services that include all of the following topics:</b></p> <ul style="list-style-type: none"> <li><b>(i) Beautifying the skin using cosmetic preparations, chemicals, and liquids, including body wrapping.</b></li> <li><b>(ii) Cleansing the skin with hands and equipment.</b></li> <li><b>(iii) Temporary hair removal.</b></li> <li><b>(iv) Facials, makeup, and eyelashes.</b></li> </ul>	<b>100</b>	<b>150</b>	<b>250</b>	<b>25</b>

(d)	Manicuring services that include all of the following: (i) Artificial nails, extensions, and repairs. (ii) Manicuring. (iii) Pedicuring.	100	150	250	25
<b>Total Hours</b>		<b>475</b>	<b>1025</b>	<b>1500</b>	<b>475</b>

(2) Students and apprentices who are enrolled in the study of electrology 1 year or later after the promulgation of this rule shall complete a curriculum pursuant to the following table:

**TABLE 12**

	<b>Subject</b>	<b>Theory Hours</b>	<b>Practical Application Hours</b>	<b>Total Hours</b>	<b>Minimum Practical Applications</b>
(a)	Health and safety related to electrology services that include all of the following topics: (i) Anatomy and physiology. (ii) Chemical safety. (iii) Diseases and disorders. (iv) Laws and rules. (v) Occupational safety. (vi) Personal hygiene. (vii) Sanitation. (viii) Equipment, supply, and tool safety.	50	50	100	Health and safety must be included in all practical applications.
(b)	Electrology services that includes the topic of removal of the hair with electricity.	125	175	300	150
<b>Total Hours</b>		<b>175</b>	<b>225</b>	<b>400</b>	<b>150</b>

(3) Students and apprentices who are enrolled in the study of esthetics 1 year or later after the promulgation of this rule shall complete a curriculum pursuant to the following table:

TABLE 13

	Subject	Theory Hours	Practical Application Hours	Total Hours	Minimum Practical Applications
(a)	<b>Health and safety related to esthetic services that include all of the following topics:</b> (i) Anatomy and physiology. (ii) Chemical safety. (iii) Diseases and disorders. (iv) Laws and rules. (v) Occupational safety. (vi) Personal hygiene. (vii) Sanitation. (viii) Equipment, supply, and tool safety.	50	50	100	<b>Health and safety must be included in all practical applications.</b>
(b)	<b>Esthetic services that include the following topics:</b> (i) Beautifying the skin using cosmetic preparations, chemicals, and liquids, including body wrapping. (ii) Cleansing the skin with hands and equipment. (iii) Temporary hair removal. (iv) Facials, makeup, and eyelashes.	125	175	300	50
<b>Total Hours</b>		175	225	400	50

(4) Students and apprentices who are enrolled in the study of manicuring 1 year or later after the promulgation of this rule shall complete a curriculum pursuant to the following table:

TABLE 14

	<b>Subject</b>	<b>Theory Hours</b>	<b>Practical Application Hours</b>	<b>Total Hours</b>	<b>Minimum Practical Applications</b>
(a)	<b>Health and safety related to manicuring services that include all of the following topics:</b> <b>(i) Anatomy and physiology.</b> <b>(ii) Chemical safety.</b> <b>(iii) Diseases and disorders.</b> <b>(iv) Laws and rules.</b> <b>(v) Occupational safety.</b> <b>(vi) Personal hygiene.</b> <b>(vii) Sanitation.</b> <b>(viii) Equipment, supply, and tool safety.</b>	<b>50</b>	<b>50</b>	<b>100</b>	<b>Health and safety must be included in all practical applications.</b>
(b)	<b>Manicuring services that include all of the following topics:</b> <b>(i) Artificial nails, extensions, and repairs.</b> <b>(ii) Manicuring.</b> <b>(iii) Pedicuring.</b>	<b>125</b>	<b>175</b>	<b>300</b>	<b>50</b>
	<b>Total Hours</b>	<b>175</b>	<b>225</b>	<b>400</b>	<b>50</b>

(5) Students and apprentices who are enrolled in the study of natural hair cultivation 1 year or later after the promulgation of this rule shall complete a curriculum pursuant to the following table:

TABLE 15

Subject		Theory Hours	Practical Application Hours	Total Hours	Minimum Practical Applications
(a)	<b>Health and safety related to natural hair cultivation that include all of the following topics:</b> (i) Anatomy and physiology. (ii) Chemical safety. (iii) Diseases and disorders. (iv) Laws and rules. (v) Occupational safety. (vi) Personal hygiene. (vii) Sanitation. (viii) Equipment, supply, and tool safety.	50	50	100	Health and safety must be included in all practical applications.
(b)	<b>Natural hair cultivation services that include all of the following topics:</b> (i) Braiding. (ii) Extending. (iii) Locking. (iv) Twisting. (v) Weaving. (vi) Wrapping.	125	175	300	40
<b>Total Hours:</b>		175	225	400	40

**R 338.2169b Cosmetologist instructor and cosmetologist limited instructor curriculum; electrologist instructor, limited electrologist instructor, and limited specialist instructor curriculum.**

**Rule 69b. (1) Students who are enrolled in the study of cosmetology instructor or cosmetology limited instructor 1 year or later after the promulgation of this rule shall complete a curriculum pursuant to the following table:**

**TABLE 16**

Subject	Theory Hours	Practical Application Hours	Total Hours	Minimum Practical Applications
---------	--------------	-----------------------------	-------------	--------------------------------

(a)	<b>Orientation and review of the cosmetology curriculum.</b>	<b>25</b>	<b>50</b>	<b>75</b>	<b>20</b>
(b)	<b>Introduction to teaching.</b>	<b>30</b>	<b>0</b>	<b>30</b>	<b>0</b>
(c)	<b>Teaching skills that include all of the following topics: (i) Course outlining and development. (ii) Lesson planning. (iii) Teaching techniques. (iv) Teaching aids. (v) Developing, administering, and grading examinations.</b>	<b>80</b>	<b>85</b>	<b>165</b>	<b>20</b>
(d)	<b>Administration skills that include all of the following topics: (i) Laws and rules. (ii) Record keeping. (iii) School administration.</b>	<b>15</b>	<b>10</b>	<b>25</b>	<b>10</b>
(e)	<b>Teaching theory and practical hours that include all of the following topics: (i) Assisting in the clinic and theory classrooms. (ii) Practice teaching in the clinic and theory classrooms.</b>	<b>0</b>	<b>205</b>	<b>205</b>	<b>40</b>
<b>Total Hours:</b>		<b>150</b>	<b>350</b>	<b>500</b>	<b>90</b>

(2) Students who are enrolled in the study of electrology instructor, electrology limited instructor, esthetics limited specialist instructor, manicuring limited specialist instructor, or natural hair cultivation limited specialist instructor 1 year or later after the promulgation of this rule shall complete a curriculum pursuant to the following table:

**TABLE 17**

	<b>Subject</b>	<b>Theory Hours</b>	<b>Practical Application Hours</b>	<b>Total Hours</b>	<b>Minimum Practical Applications</b>
<b>(a)</b>	<b>One of the following:</b> <b>(i) For an electrology instructor or electrology limited instructor, orientation and review of the electrology curriculum.</b> <b>(ii) For an esthetics limited specialist instructor, orientation and review of the esthetician curriculum.</b> <b>(iii) For a manicuring limited specialist instructor, orientation and review of the manicuring curriculum.</b> <b>(iv) For a natural hair cultivation limited specialist instructor, orientation and review of the natural hair cultivation curriculum.</b>	<b>10</b>	<b>15</b>	<b>25</b>	<b>10</b>
<b>(b)</b>	<b>Introduction to teaching.</b>	<b>30</b>	<b>0</b>	<b>30</b>	<b>0</b>
<b>(c)</b>	<b>Teaching skills that include all of the following topics:</b> <b>(i) Course outlining and development.</b> <b>(ii) Lesson planning.</b> <b>(iii) Teaching techniques.</b> <b>(iv) Teaching aids.</b> <b>(v) Developing, administering, and grading examinations.</b>	<b>80</b>	<b>85</b>	<b>165</b>	<b>20</b>

(d)	<b>Administration skills that include all of the following topics: (i) Laws and rules. (ii) Record keeping. (iii) School administration.</b>	<b>15</b>	<b>10</b>	<b>25</b>	<b>10</b>
(e)	<b>Teaching theory and practical hours that include all of the following topics: (i) Assisting in the clinic and theory classrooms. (ii) Practice teaching in the clinic and theory classrooms.</b>	<b>0</b>	<b>55</b>	<b>55</b>	<b>15</b>
<b>Total Hours</b>		<b>135</b>	<b>165</b>	<b>300</b>	<b>55</b>

#### PART 7 5. HEALTH AND SAFETY

R 338.2171 Establishment and school **requirements**; ~~compliance with codes, rules, and regulations required.~~

Rule 71. (1) ~~An owner of an establishment or school shall ensure that the establishment or school have all of the following:~~ **An establishment or school shall have and maintain all of the following:**

- (a) An adequate supply of running hot and cold water.
- (b) ~~Adequate electrical outlets and wiring to supply all electrical equipment used.~~ **Adequate ventilation to prevent the concentration of chemical vapors and strong odors.**
- (c) ~~Adequate lighting and ventilation in all rooms.~~ **Covered containers for holding used towels, capes, and neck strips.**
- (d) ~~Floors, walls, and ceilings, which shall be maintained in good condition.~~ **An adequate amount of cleaning, disinfecting, and sterilizing equipment and supplies necessary to meet the sanitation requirements of these rules.**
- (e) ~~A source of drinking water in an area other than that used to mix chemicals.~~ **The manufacturer-labeled container of each disinfectant and sterilant that is used.**
- (f) Covered waste containers that are large enough to contain 1 day's accumulation of waste materials.
- (g) **If services are performed that involve fusing hair with an open flame, at least 1 multi-purpose fire extinguisher that is labeled by the manufacturer as suitable for use on class a, b, and c fires. The fire extinguisher must be located within 20 feet of where the open flame is used.**



**(h) At least one first aid kit that is labeled by the manufacturer as meeting the American National Standards Institute (ANSI) and International Safety Equipment Association (ISEA) American national standard - minimum requirements for workplace first aid kits and supplies. A first aid kit labeled by the manufacturer with a stamp indicating “ANSI/ISEA Z308.1” is considered to have satisfied the requirement of this rule.**

**(i) If a chair, bed, table, headrest, or other station is used for providing services to patrons, it must be made of, or covered in, a non-porous material that can be disinfected.**

**(2) An establishment or school shall comply with all of the following minimum operational requirements:**

**(a) ~~Local building codes.~~ Maintain all areas in a safe and sanitary condition.**

**(b) ~~Local and state health rules.~~ Dispose of vaporous chemical waste materials pursuant to the manufacturer’s recommendations.**

**(c) ~~Local fire prevention and fire safety rules.~~ Disinfect waste containers at least once every 24 hours unless lined with a plastic bag that is disposed of each time the waste container is emptied.**

**(d) ~~Applicable industrial, occupational, safety, and health regulations.~~ Dispose of all single-use tools and supplies after use on a patron.**

**(e) Store clean tools and supplies in covered containers and separate from used tools and supplies.**

**(f) Dispose towels, capes, and neck strips used on a patron in a container for used items.**

**(g) All waste materials including, but not limited to, hair clippings, paper, tissue, and single-use tools shall be disposed of in a covered waste container.**

**(3) An establishment providing hair care services shall have a shampoo bowl equipped with hot and cold running water.**

**(4) An establishment providing pedicuring services shall have a pedicuring basin.**

**R 338.2171a Disinfecting and sterilizing requirements; non-electrical and electrical tools; towels, capes, and neck strips; chairs, headrests, tables, and beds; semi-solid substances; pedicuring basins; shampoo bowls, dusters and brushes.**

**Rule 71a. (1) Unless otherwise provided under this rule, all non-electrical tools that are not disposed must be disinfected after each use on a patron in the following sequential manner:**

**(a) Remove all visible debris.**

**(b) Disinfect using either of the following methods:**

**(i) Full immersion in a wet-sanitizer for not less than 10 minutes or the period recommended by the manufacturer of the disinfectant.**

**(ii) Scrubbing all surfaces with a disinfectant wipe or a disinfectant spray and clean towel.**

**(c) Fully dry by air or with a clean towel.**

**(2) Unless otherwise provided under this rule, all removeable parts of an electrical tool must be disinfected after each use on a patron in the following sequential manner:**

- (a) Remove all visible debris.**
- (b) Disinfect using either of the following methods:**
  - (i) Full immersion in a wet-sanitizer for not less than 10 minutes or the period recommended by the manufacturer of the disinfectant.**
  - (ii) Scrubbing all surfaces with a disinfectant wipe or a disinfectant spray and clean towel.**
- (c) Fully dry by air or with a clean towel before storing in a clean place such as a stand, hook, or on a clean towel covered by a clean towel. Electrical items with a cord shall not be stored in a container used for storing other clean items.**
- (3) Tools and supplies that go beneath the top layer of the skin must be sterilized after each use in the following sequential manner:**
  - (a) Remove all visible debris.**
  - (b) Sterilize using either of the following methods:**
    - (i) Full immersion in a liquid sterilant for not less than 10 minutes or the period recommended by the manufacturer of the sterilant.**
    - (ii) Sterilization in an autoclave pursuant to the autoclave manufacturer's instructions.**
- (4) Towels, capes, and neck strips must be machine washed with a detergent in water of not less than 160 degrees Fahrenheit for not less than 25 minutes during a wash and rinse cycle. The following exceptions and presumption apply to this subrule:**
  - (a) A detergent registered as a disinfectant with the EPA is not required.**
  - (b) Machine washing is not required for plastic or nylon capes that are disinfected after each use by scrubbing all surfaces using a disinfectant wipe or a disinfect spray and clean towel.**
  - (c) Towels, capes, and neck strips laundered through commercial laundry services are presumed to satisfy the requirements of this subrule.**
- (5) Chairs, headrests, tables, beds, and other stations that come in direct contact with a patron's skin must be disinfected after use on a patron in the following sequential manner:**
  - (a) Remove all visible debris.**
  - (b) Scrub all surfaces with a disinfectant wipe or a disinfectant spray and clean towel.**
- (6) All semi-solid substances, including, but not limited to, waxes, creams, lotions, oils, and powders must be stored in a covered container and removed by using a clean spatula or single-use spatula that is disposed after use on a patron unless it is dispensed from a shaker dispenser that prevents contact with the skin.**
- (7) After each use, a basin used by a patron for pedicuring services must be disinfected in the following sequential manner:**
  - (a) Drain all water from the basin.**
  - (b) Remove all visible debris.**
  - (c) Circulate a disinfectant in the basin for not less than 10 minutes or the period recommended by the manufacturer of the disinfectant.**
  - (d) Drain, rinse, and fully dry by air or with a clean towel.**
  - (e) If the basin contains a screen or other removable parts, the screen and removeable parts must be disinfected in the following sequential manner:**

- (i) Remove all visible debris.
  - (ii) Disinfect using either of the following methods:
    - (A) Full immersion in a wet sanitizer for not less than 10 minutes or the period recommended by the manufacturer of the disinfectant.
    - (B) Scrubbing all surfaces with a disinfectant wipe or a disinfectant spray and clean towel.
  - (iii) Rinse with water and fully dry by air or with a clean towel.
- (8) A basin that uses a liner that is disposed of after each use by a patron and that prevents water and skin from contacting the basin is not required to be disinfected pursuant to subrule (7) of this rule. However, a screen and any other removable parts that contact the water or skin must be disinfected pursuant to subrule (7) of this rule.
- (9) Shampoo bowls must be disinfected after each use in the following sequential manner:
- (a) Remove all visible debris.
  - (b) Scrub all surfaces with a disinfectant wipe or disinfectant spray and clean towel.
- (10) Neck and nail dusters and other brushes not included under subrule (11) of this rule must be disinfected after each use in the following sequential manner:
- (a) Remove all visible debris.
  - (b) Immerse in a wet sanitizer for not less than 10 minutes or the period recommended by the manufacturer of the disinfectant.
- (11) Natural fiber, facial, acrylic, gel, nail-art, and makeup brushes must be cleaned after each use in the following sequential manner:
- (a) Remove all visible debris.
  - (b) Fully immerse in a wet-sanitizer for at least 10 minutes or the period recommended by the manufacturer of the disinfectant.

**R 338.2171b Patron protection.**

**Rule 71b.** A licensee, student, or apprentice shall satisfy all of the following:

- (a) Ensure his or her attire and hands are kept sanitary.
- (b) Apply antiseptic to his or her hands before performing electrology, manicuring, or skin care services.
- (c) Clean tools, equipment, and supplies that are not disposed after each use on a patron pursuant to R 338.2171a.
- (d) Store clean tools and supplies in covered containers and separate from used tools and supplies.
- (e) Use clean tools, equipment, and supplies on patrons.
- (f) Dispose of all single-use tools and supplies after each use on a patron.
- (g) Once hair care services are completed on a patron, remove any hair clippings from the floor.

**R 338.2171c Mobile salon services performed in a self-contained or other device that is moved, towed, or transported from 1 location to another.**

**Rule 71c.** In addition to complying with all health and safety requirements in these rules, a mobile salon that is a self-contained vehicle or other device that is moved,

towed, or transported from 1 location to another must comply with all of the following:

- (a) It shall not be used as a residence or for any purpose other than providing cosmetology services.
- (b) All furniture must be anchored to the unit.
- (c) It shall have a functioning restroom, including a self-contained, flush toilet with holding tank.
- (d) It shall have a water heater that provides fresh, hot water continuously and on demand.
- (e) All chemicals must be stored in cabinets with secured safety latches in an area apart from customer service areas.
- (f) All services rendered within the mobile salon must be done in compliance with all local, state, and federal laws and regulations where the services are provided.
- (g) It shall be parked in a safe, accessible, and legal parking spot when rendering services. A ramp or lift must be provided for access if providing services for a disabled individual.
- (h) No cosmetology services shall be performed while the mobile salon is moving.

~~R 338.2173 Practice areas; chairs and work stations; sinks, tubs, spas, showers, baths, and shampoo bowls. Rescinded.~~

~~—Rule 73. (1) The licensee or owner of an establishment or school shall keep the establishment or school clean, safe, and sanitary at all times, disposing of temporary waste materials, including, but not limited to, hair clippings, paper, and tissues, after servicing a patron.~~

~~—(2) The licensee or owner of an establishment or school shall keep chairs and work station surfaces clean and sanitary at all times, covering the headrest of a patron chair and the working surface of any table or chair with fresh, clean paper, linen, or cloth before the chair or table is used.~~

~~—(3) The licensee or owner of an establishment or school shall keep sinks, tubs, spas, showers, baths, and shampoo bowls clean and sanitary at all times and shall thoroughly cleanse and sanitize sinks, tubs, spas, showers, baths, and shampoo bowls immediately after each use.~~

~~R 338.2176 Equipment, tools, implements, and supplies; dryer hoods; removable parts of certain equipment; electrical equipment. Rescinded.~~

~~—Rule 76. (1) The licensee or owner of an establishment or school shall keep all equipment, tools, implements, and supplies, including all of the following, clean and sanitary at all times, and if the equipment, tools, implements, or supplies are intended for use on more than 1 patron, then the licensee or owner shall sanitize the equipment, tools, implements, or supplies pursuant to rules promulgated by the department:~~

- ~~—(a) Combs.~~
- ~~—(b) Brushes.~~
- ~~—(c) Rollers.~~
- ~~—(d) Rods.~~
- ~~—(e) Clips.~~
- ~~—(f) Hair nets.~~

- ~~-(g) Razors.~~
- ~~-(h) Shears.~~
- ~~-(i) Hair pins.~~
- ~~-(j) Hair coverings.~~
- ~~-(k) Nippers.~~
- ~~-(l) Pushers.~~
- ~~-(m) Extractors.~~
- ~~-(n) Electrodes.~~
- ~~-(2) The licensee or owner of an establishment or school shall ensure all of the following:~~
  - ~~-(a) Dryer hoods are clean and sanitary.~~
  - ~~-(b) Removable parts of equipment designed to touch the skin, hair, or nails shall be removed and sanitized according to rules promulgated by the department.~~
  - ~~-(c) The main body of electrical equipment is clean and sanitary.~~
  - ~~-(d) Electrical equipment and apparatus is used and maintained in accordance with the manufacturer's recommendations.~~

R 338.2178 Creams and other semisolid substances; fluids and powders; reactive ~~chemical supplies.~~ **Rescinded.**

Rule 78. (1) ~~The licensee or owner of an establishment or school shall ensure all of the following:~~

- ~~-(a) Creams and other semisolid substances shall be removed from containers with clean sanitary spatulas and shall be covered when not in use.~~
- ~~-(b) Fluids and powders used on a patron are dispensed from a bottle or shaker type dispenser.~~
- ~~-(c) Reactive chemical supplies are used in accordance with the manufacturer's recommendations.~~

R 338.2179 Capes and hair cloths; towels and linens. **Rescinded.**

Rule 79. (1) ~~The licensee shall place a clean towel, neck strip, or other protection around the patron's neck when using a cape or hair cloth on a patron, to prevent the cape or hair cloth from touching the skin.~~

- ~~-(2) The licensee or owner of an establishment or school shall ensure all of the following:~~
  - ~~-(A) A towel or linen is laundered after being used on a patron.~~
  - ~~-(B) Clean towels and linens are stored in a closed cabinet or drawer.~~
  - ~~-(C) Soiled towels and linens are stored in a covered container until laundered.~~

R 338.2179a Sanitizing procedures generally. **Rescinded.**

Rule 79a. (1) ~~The licensee or owner of an establishment or school shall sanitize equipment, tools, implements and supplies that will not be damaged by immersion in water using all of the following steps:~~

- ~~-(a) Thoroughly washing in a detergent solution.~~
- ~~-(b) Rinsing in clean water.~~
- ~~-(c) Completely immersing in a wet sanitizer for the period of time recommended by the manufacturer of the disinfectant used.~~

- ~~-(d) Rinsing in clean water and allowing to air dry.~~
- ~~-(2) The licensee or owner of an establishment or school shall sanitize other equipment, tools, implements, and supplies by wiping with a disinfectant solution.~~
- ~~-(3) The licensee or owner of an establishment or school shall sanitize sharp-edged tools, including the blades of electrical clippers, by wiping with a 70% alcohol solution after each use.~~
- ~~-(4) The licensee or owner of an establishment or school shall ensure that, after sanitization, the equipment, tools, implements, and supplies are put in a dry sanitizer, closed cabinet or drawer, or covered container.~~

**R 338.2179b Personal hygiene. Rescinded.**

- ~~-Rule 79b. (1) A licensee shall do all of the following:~~
- ~~-(a) Keep attire clean and sanitary when services are being rendered.~~
- ~~-(b) Wash his or her hands immediately before and after serving each patron.~~
- ~~-(c) Apply antiseptic after washing his or her hands when manicuring or electrology services are to be performed.~~
- ~~-(d) Request that a patron for manicure services wash his or her hands before beginning the service.~~

**R 338.2179c Manicuring implements and work tables. Rescinded.**

- ~~-Rule 79c. (1) A licensee or owner shall ensure all of the following:~~
- ~~-(a) Manicuring implements are kept in a jar-type wet sanitizer.~~
- ~~-(b) Manicuring tables are clean and sanitary at all times and tables are wiped with a disinfectant solution before each use.~~
- ~~-(c) Porous materials, that cannot be sanitized, including, but not limited to, abrasive boards/blocks/buffers, orangewood sticks, or pumice stones, are used on only 1 patron.~~
- ~~-(d) Vaporous chemical waste materials are disposed of by placing the materials in an airtight, covered waste container.~~
- ~~-(2) The owner of an establishment or school shall ensure that there is adequate ventilation or filtration to prevent the concentration of chemical vapors and strong odors.~~

**R 338.2179d Electrology sanitation and sterilization procedures. Rescinded.**

- ~~-Rule 79d. (1) For electrology services, a licensee shall use only the following sterile equipment:~~
- ~~-(a) Tweezers.~~
- ~~-(b) Scissors.~~
- ~~-(c) Needles.~~
- ~~-(d) Needle holder tips.~~
- ~~-(e) Probes.~~
- ~~-(f) Removable needle caps.~~
- ~~-(2) After using equipment on a patron, a licensee shall sanitize the equipment specified in subrule (1) of this rule utilizing all of the following steps:~~
- ~~-(a) Soaking in liquid, protein-dissolving enzyme detergent for the period of time recommended by the manufacturer of the enzyme detergent used or thoroughly soaking in a soap and water solution for not less than 20 minutes.~~
- ~~-(b) Rinsing in clean water and drying with sanitary paper towels.~~

- ~~-(c) Placing in an ultrasonic cleaner for not less than 5 minutes or wiping with 70% alcohol.~~
- ~~-(d) Rerinsing in clean water and drying with sanitary paper towels.~~
- ~~-(3) After equipment is sanitized, a student, apprentice, or licensee shall sterilize the items specified in subrule (1) of this rule by placing the items in an autoclave or dry heat sterilizer for the period of time recommended by the manufacturer of the autoclave or dry heat sterilizer.~~
- ~~-(4) After sterilizing all nonprepackaged equipment, a licensee shall wrap or package the tools, implements, and supplies.~~
- ~~-(5) A licensee shall keep all sterilized equipment in a dry sanitizer, closed cabinet or drawer, or covered container.~~
- ~~-(6) A licensee shall properly discard disposable needles after being used on a patron.~~

R 338.2179f ~~Open flame fusing.~~ **Rescinded.**

~~Rule 79f. If a cosmetologist or natural hair culturist fuses hair using an open flame, then the owner or practitioner of the establishment or school shall ensure that a minimum of 1 abc type fire extinguisher is located not more than 20 feet from the work station.~~

R 338.2179g Student, apprentice, and licensee; prohibitions.

Rule 79g. (1) A student, apprentice, or licensee shall not do any of the following, and a licensee shall not allow another to do any of the following:

- (a) Use or possess methyl methacrylate monomers.
- (b) Abrade, roughen, buff, or file the nail plate to the extent that the nail bed is exposed or that deeply filed trenches or ridges in the nail plate are created.
- (c) Use a nail white pencil.
- (d) Use lump alum or a styptic pencil to stop bleeding.
- (e) Carry any equipment, tools, implements, or supplies in the pocket of a uniform.
- (f) Use the same powder puffs, makeup brushes, or cosmetic pencils on more than 1 patron.
- (g) **Use an ultraviolet ray electrical sanitizer to disinfect or sterilize items. However, items that were disinfected or sterilized pursuant to R 338.2171a may be stored in an ultraviolet ray electrical sanitizer unless the items placed in the sanitizer have been sanitized according to the rules promulgated by the department.**
- (h) Use or possess a blade in the practice of manicuring or pedicuring.
- (i) **Provide services that require a license without posting a current, unexpired, and valid license or permit for that person in the establishment where cosmetology services are being rendered. Perform services that are limited to the scope of practice of a licensed health profession regulated under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838, unless he or she is performing a service that is delegated to him or her under section 16215 of the public health code, 1978 PA 368, MCL 333.16215.**
- (j) Fail to provide proof of identity with a picture I.D. or alternative acceptable to the department at the time of an inspection, if requested by a department representative performing an inspection of the licensed establishment.
- (k) **Allow a member of the public to drink from a water source used for mixing chemicals.**

(2) An ~~aesthetician~~**esthetician** shall not use razors, scissors, or clippers on the ~~face or head~~ **scalp** of a patron.

(3) A natural hair cultivation student, apprentice, or practitioner shall not use reactive chemicals or perform any service included in the practice of cosmetology as defined in section 1201 of the ~~aet~~ **code, MCL 339.1201.**

~~R 338.2179h Advertising; use of false, confusing, or misleading statements prohibited.~~  
**Rescinded.**

~~Rule 79h. A licensee or owner shall not use false, confusing, or misleading statements in advertising.~~

#### ~~PART 8. STUDENTS~~ **6. OPERATION OF MOBILE SALON**

**R 338.2180 Mobile salons; duties; change in permanent, physical business address.**

**Rule 80. (1) The premises of a mobile salon, as defined in section 1201(s) of the code, MCL 339.1201, shall comply with all requirements established under the code and these rules.**

**(2) A mobile salon shall display the establishment license and the license of each cosmetologist who works in the mobile salon in compliance with section 1204(2)(b) of the code, MCL 339.1204.**

**(3) The mobile salon owner shall provide and keep current with the department all of following contact information:**

- (a) The permanent, physical business address of the mobile salon.**
- (b) The permanent physical address of the mobile salon owner.**
- (c) The telephone number of the mobile salon.**
- (d) The telephone number of the mobile salon owner.**
- (e) The electronic mail address of the mobile salon owner.**

**(3) As provided in R 338.2127(2), the sale or transfer of a mobile salon voids the cosmetology establishment license. The mobile salon owner shall notify the department within 15 calendar days before there is a change to its permanent, physical business address.**

**(4) A mobile salon owner shall report a change in his or her name or any of the contact information required by subrule (2) of this rule within 15 calendar days before the change to facilitate the department's ability to locate, investigate, and inspect the mobile salon to ensure compliance with the requirements of the code and these rules, pursuant to section 1203(2)(c) of the code, MCL 339.1203.**

**R 338.2187 Mobile Salon; duty to provide itinerary; duty to provide access to the premises.**

**Rule 87. (1) Within 10 calendar days of receiving a notice of a request for disclosure of the mobile salon's itinerary issued by the department, the mobile salon owner shall provide the department with a written, detailed itinerary indicating the dates, times, and locations where the mobile salon will be located and providing cosmetology services for the upcoming 30 calendar days.**



**(2) The notice of a request for disclosure of the mobile salon’s itinerary from the department is effective 3 business days after it is mailed by first-class mail to the permanent, physical business address of the mobile salon.**

**(3) The mobile salon owner shall ensure that the department has permission and access to enter the premises of a mobile salon, including a location defined in section 1201(o)(ii) of the code, MCL 339.1201, at any time that a cosmetology service is being provided on the premises.**

**R 338.2188 Mobile salon; records.**

**The mobile salon owner shall maintain the following records at the permanent, physical business address of the mobile salon:**

**(a) Seven years of appointment records, or if the mobile salon has been in operation less than 7 years, all appointment records.**

**(b) A copy of the license of each employee or independent contractor performing a cosmetology service on the premises of the mobile salon.**

**(c) If the mobile salon is a self-contained vehicle, a copy of the vehicle registration and proof of insurance.**

~~PART 9. HEARINGS~~

**DRAFT**