

**Department of Professional and Occupational Regulation
9960 Mayland Drive
Richmond, Virginia 23233**

BOARD FOR BARBERS AND COSMETOLOGY

TENTATIVE AGENDA

February 23, 2026– 9:30 a.m.

2nd Floor - Board Room 2

Mission: Our mission is to protect the health, safety, and welfare of the public by licensing qualified individuals and businesses, enforcing standards of professional conduct for professions and occupations as designated by statute.

I. CALL TO ORDER

- a. Determination of Quorum
- b. Emergency Evacuation Procedures

II. INTRODUCTION OF NEW AGENCY DIRECTOR

III. APPROVAL OF AGENDA

- a. Board for Barbers and Cosmetology Board Meeting Tentative Agenda February 23, 2026

IV. APPROVAL OF MINUTES

- a. Board for Barbers and Cosmetology Board Meeting, November 10, 2025
- b. Board for Barbers and Cosmetology Exam Review Committee, November 10, 2025
- c. Board for Barbers and Cosmetology Public Hearing, January 14, 2026

V. COMMUNICATIONS

- a. NIC Email: Safety in Salons
- b. NIC Email: EPA Disinfectants
- c. NIC Email: Safe Practices from OSHA
- d. Email from Danielle Good: Permanent Cosmetic Licensure Experience Requirements

VI. PUBLIC COMMENT PERIOD *

VII. CASE FILES

- a. Licensing
 - 1. 2025-02505 Hakeem Devonta Witcher
 - 2. 2025-02507 Kareem Antoine Landers
 - 3. 2025-00508 Tyrone Lewis Archie
 - 4. 2026-02638 Barba O’Neal Faltz, Jr.
- b. Consent Orders
 - 1. 2025-03139 Black Diamond School of Beauty LLC (C. Espinoza)
 - 2. 2025-03140 Black Diamond School of Beauty LLC (C. Espinoza)
 - 3. 2025-02274 Moon Nails Spa LLC
 - 4. 2025-03084 Tri Dinh Dao
 - 5. 2025-03135 Daydreamers Academy

6. 2025-02971 Nesren Agban
7. 2026-00352 Phung Inc t/a Divine Nail Spa
- c. Prima Facia
 1. 2025-02581 Healthy Hair Care Beauty Academy Inc

VIII. REPORTS

- a. Examination Statistics
- b. Regulatory Report
- c. Director of Licensing and Regulatory Programs Report

IX. REGULATORY ACTION AND BOARD GUIDANCE

- a. Standards of Apprenticeship for Cosmetology and Master Barber
- b. Revision of Implementation of Cosmetology, Barber, Master Barber, Dual Barber/Master Barber, Nail and Wax Curricula Guidance Document
- c. Withdrawal of HB 2669 Amendment

X. NEW BUSINESS

- a. Lash Tech Licensure
- b. 2027 General Assembly Wishlist
- c. Straight Razor Shaving

XI. BOARD MEMBER PROFESSIONAL DEVELOPMENT

- a. Disciplinary Process

XII. REMINDERS

- a. Next Board Meeting, May 18, 2026
- b. Complete Conflict of Interest Form and Travel Voucher

XIII. ADJOURNMENT

- ❖ Agenda materials made available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the Code of Virginia.
- ❖ Five minute public comment, per person, with the exception of any open disciplinary or application file.
- ❖ Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-8590 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act

2026 MEETING DATES:

May 18, 2026

August 3, 2026

November 9, 2026

PERIMETER CENTER CONFERENCE CENTER
EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS
(Script to be read at the beginning of each meeting.)

PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound. When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

Board Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Room 2

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Rooms 3 and 4

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 2

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

BOARD FOR BARBERS AND COSMETOLOGY

MINUTES OF MEETING

The Board for Barbers and Cosmetology met at 9:30 a.m. on Monday, November 10, 2025, at the Department of Professional and Occupational Regulation Offices, 9960 Mayland Drive, 2nd Floor, Board Room 2, Richmond, Virginia.

The following board members were present:

Gregory Edwards
Emmanuel Gayot
Marques Blackmon
Candice Benvenuti
Jaime Turgeon
Kailey Blakeney

The following board members were not present:

Kimberly Lewis
Oanh "Tina" Pham Kim Dang
Claudia Espinoza
Rita Lampkin

The following DPOR staff present for all or part of the meeting:

Jeb Wilkinson, Director
Stephen Kirschner, Director, Licensing & Regulatory Programs
Kelley Smith, Executive Director
Tamika Rodriguez, Regulatory Operations Administrator
Wendy Duncan, Licensing Operations Administrator
Joseph Haughwout, Regulatory Affairs Manager
Heather Garnett, Administrative Coordinator

A representative from the Office of the Attorney General was present at the meeting.

A board liaison was not present at the meeting.

Mr. Edwards, Board Chair, determined a quorum was present and called the meeting to order at 9:34 a.m.

CALL TO ORDER

Mr. Edwards read the Department of Professional & Occupational Regulations' mission statement and announced several meeting reminders.

Ms. Rodriguez, Regulatory Operations Administrator, explained the emergency egress procedure for board room 2.

**EMERGENCY
EGRESS**

The Board took the agenda under consideration.

**APPROVAL OF
AGENDA**

Ms. Turgeon motioned to approve the agenda, seconded by Ms. Benvenuti

The members voting “yes” were Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon. There were no negative votes.
The motion carried.

The Board took the minutes of the Public Hearing on August 18, 2025, Board meeting minutes on September 29, 2025, and Regulatory Review Committee meeting minutes on September 29, 2025, under consideration.

**APPROVAL OF
MINUTES AS A
BLOCK**

Ms. Smtih informed the Board a spelling change will be made to the Public Hearing minutes from August 18, 2025.

Ms. Turgeon motioned to approve amended minutes from the Public Hearing on August 18, 2025, and approve Board meeting minutes from September 29, 2025, and Regulatory Review Committee meeting minutes on September 29, 2025, as a block, seconded by Ms. Benvenuti.

The members voting “yes” were Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon. There were no negative votes.
The motion carried.

Mr. Edward read, and Ms. Rodriguez presented Margaret Lapierre with her resolution.

RESOLUTION

**Department of Professional and Occupational
Regulation**

Board for Barbers and Cosmetology

Resolution To

Margaret LaPierre

WHEREAS, Margaret LaPierre faithfully and diligently served as a member of the Virginia Board for Barbers and Cosmetology from 2014 to 2025; and

WHEREAS, Margaret LaPierre has given generously of her knowledge, time, and talent to the Board, including serving as the Board’s Chair and Vice Chair, a member of the Board’s Committee for Vocational School Training, the Board’s Committee for Esthetics Apprenticeships, the Board’s Esthetics Sub-Committee, the Board’s School Transfer Committee, the Board’s Examination Committee, Board’s Standing Committee on Training, the Regulatory Advisory Panel on Esthetics

and Master Esthetics, the Board's Regulatory Review Committee, as well as, chairing numerous Informal Fact-finding Conferences, and providing expertise to the Board as needed; and

WHEREAS, Margaret LaPierre endeavored always to protect the health, safety, and well-being of the public by rendering fair and wise decisions, which were in the best interest of the Board and the Commonwealth's citizens; and

WHEREAS, the Board for Barbers and Cosmetology acknowledges its gratitude and deepest appreciation for the devoted service of Margaret LaPierre, who is highly regarded by the members of the Board and the citizens of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, by the Board for Barbers and Cosmetology, on this tenth day of November, in the year two-thousand and twenty-five, that Margaret LaPierre be given all honors and respect due for her outstanding service to the Commonwealth, its citizens, and the Board for Barbers and Cosmetology; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

Ms. Rodriguez brought the board's attention to the communication in the electronic agenda from Dr. Schwartz concerning microdermabrasion and micochanneling procedures. Ms. Rodriguez informed the Board these procedures are currently outside the scope of practice; however, it has been added to the 2026 wish list for consideration by the General Assembly.

There was no public comment.

In the matter of File Number **2025-01992, Bounheuang Fanekham** board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the informal fact-finding conference summary, transcript, and exhibits.

COMMUNICATION

Letter from Dr. Schwartz, Procell Therapies LLC

PUBLIC COMMENT

CASES

Licensing

File Number 2025-01992, Bounheuang Fanekham

Bounheuang Fanekham and her daughter, Vesa Fanekham addressed the Board.

Mr. Blackmon motioned to accept the recommendation and deny Bounheuang Fanekham's application for a nail technician license, seconded by Ms. Turgeon.

There was no Board discussion.

The members voting "yes" were Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon. There were no negative votes. The motion carried.

In the matter of File Number **2025-02650, Paige Morgan Mizak**, board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the informal fact-finding conference summary, transcript, and exhibits.

File Number 2025-02650, Paige Morgan Mizak

Paige Morgan Mizak did not appear at the meeting in person, by counsel, or by any other qualified representative.

Mr. Blackmon motioned to accept the recommendation and approve Paige Morgan Mizak's application for a cosmetology license, seconded by Ms. Turgeon.

There was no Board discussion.

The members voting "yes" were Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon. There were no negative votes. The motion carried.

Consent Orders

Mr. Edwards addressed the audience, asking if any individual was present to speak upon Consent Order agenda items.

Consent Orders Considered as a Block

With no one present to speak, Ms. Turgeon moved to consider the Consent Order agenda items a1 and a2 as a block. Ms. Benvenuti seconded the motion, which was unanimously approved by Board members Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon. There were no negative votes. The motion carried.

In the matter of File Number **2025-02937 Locks & Lashes LLC**, board members reviewed the Consent Order as seen and agreed to by Locks & Lashes LLC.

File Number 2025-02937 Locks & Lashes LLC

A representative from Locks & Lashes LLC was not present at the meeting.

Ms. Turgeon motioned to adopt the Consent Order and to accept the violations, seconded by Ms. Benvenuti.

The violations were:

Count 1:	18 VAC 41-20-280.14	\$950
Sub-Total		\$950
Board Costs		\$350
Total		\$1,300

The members voting “yes” were Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon. There were no negative votes. The motion carried.

In the matter of File Number **2025-02198, Kaotic Enzymes LLC t/a Loose Screw Tattoo**, board members reviewed the Consent Order as seen and agreed to by Kaotic Enzymes LLC t/a Loose Screw Tattoo.

File Number 2025-02198, Kaotic Enzymes LLC t/a Loose Screw Tattoo

A representative from Kaotic Enzymes LLC t/a Loose Screw Tattoo was not present at the meeting.

Ms. Turgeon motioned to adopt the Consent Order and to accept the violations, seconded by Ms. Benvenuti.

The violations were:

Count 1:	18 VAC 41-50-420.14	\$1,200
Sub-Total		\$1,200
Board Costs		\$350
Total		\$1,550

It is acknowledged that on August 25, 2025, Juan Fernando Garcia-Espinosa was issued tattooer license (No. 1231002670). Therefore, the Board shall waive \$700.00 of the \$1,200.00 monetary penalty.

The members voting “yes” were Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon. There were no negative votes. The motion carried.

Prima Facia

In the matter of File Number **2025-00850 Eye Deux Inc t/a Eye Deux Advance School of Beauty**, Board members reviewed the record of the revised report of findings and exhibits.

File Number 2025-00850 Eye Deux Inc t/a Eye Deux Advance School of Beauty

A representative from Eye Deux Inc t/a Eye Deux Advance School of Beauty was not present at the meeting.

Mr. Gayot motioned to find violations for Counts 1, 2, 3, and 4 and accept the recommended sanctions, seconded by Ms. Blakeney.

The violations and sanctions were:

Count 1:	18 VAC 41-50-330.A	\$1,050
Count 2:	18 VAC 41-50-420.2	\$500
Count 3:	18 VAC 41-50-420.6	\$1,000
Count 4:	18 VAC 41-50-420.10	\$350
Total		\$2,900

The Board also imposed the following sanctions:

For violations of Counts 2, 3, and 4, the Board revoked Eye Deuz In's license.

The members voting "yes" were Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon. There were no negative votes. The motion carried.

REPORTS

Ms. Smith called the board's attention to the examination statistics provided in the electronic agenda.

Examination Statistics

Ms. Rodriguez called the board's attention to the regulatory report found in the electronic agenda. Mr. Haughwout informed the Board that the expected effective date of the tattooing regulations is January 5, 2026.

Regulatory Report

Ms. Smith called the board's attention to the executive director's report provided in the electronic agenda.

Executive Director Report

REGULATORY ACTION AND BOARD GUIDANCE

Mr. Haughwout presented the public comments received during the public comment period for the proposed stage of the Board's General Review of Body-Piercing Regulation, and responses to the comments.

**Approval of Public
Comment Responses
and Final General
Review Body-
Piercing Regulations**

Ms. Turgeon motioned to adopt the proposed responses to public comments, seconded by Ms. Benvenuti.

The members voting "yes" were Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon. There were no negative votes. The motion carried.

Mr. Haughwout presented the final language of the General Review of Body-Piercing Regulations. Staff changes in the final language were based on suggestions from the Department of Planning and Budget and continued review from Board staff.

Ms. Turgeon motioned to adopt the final General Review of General-Piercing Regulations and authorize Board staff to file the final stage of the General Review of General-Piercing Regulations and make any technical amendments as necessary, seconded by Ms. Benvenuti.

The members voting "yes" were Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon. There were no negative votes. The motion carried.

Ms. Rodriguez informed the Board that the Regulatory Review Committee recommended the Board add threading to the esthetics curriculum in the same manner as the cosmetology curriculum.

Threading

Ms. Turgeon motioned to accept the proposed language to add threading to the esthetics curriculum and add the language to the Esthetics and Master Esthetics Training Hours NOIRA, seconded by Ms. Blakeney.

The members voting "yes" were Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon. There were no negative votes. The motion carried.

Ms. Rodriguez informed the Board that, currently, the Board assesses a \$120 program addition fee for barbering, cosmetology, nail technician, and wax technician schools that add new courses of instruction. Presently, this fee does not apply to tattooing, permanent cosmetic tattooing, and esthetics schools, creating inconsistency in the Board's fee structure. Board staff recommended

Add a Program Fee

amending the fee schedule under 18 VAC 41-70-120 and 18 VAC 41-50-130 to include a \$120 fee for each new program addition.

Mr. Gayot motioned to adopt the addition of a program fee for tattooing, permanent cosmetic tattooing, and esthetics schools, and add the fees to the Body-Piercing and Ear-Piercing Schools NOIRA, seconded by Ms. Turgeon.

The members voting “yes” were Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon. There were no negative votes. The motion carried.

Ms. Rodriguez informed the Board that the Regulatory Review Committee recommended amending the general school requirements, revising the school transfer policy, school inspection procedures, and the definition of a school.

General School Requirements

Ms. Blakeney motioned to add the proposed general school requirements for barber and cosmetology, tattooing, permanent cosmetic tattooing, and esthetics schools to the body-piercing and ear-piercing school regulatory action, seconded by Ms. Turgeon.

The members voting “yes” were Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon. There were no negative votes. The motion carried.

RECESS

NEW BUSINESS

Ms. Smith introduced Prov Inc. staff, Henry Sorenson, Deborah Roope, Amy Fife, and DPOR Examinations Director Greg Emerson.

Remote Proctoring

Prov Inc. provided a demonstration of the remote proctoring written theory examination. The demonstration provided the Board with Prov’s procedures, requirements of the examinee, security, a visual of what the vendor monitors, and what the examinee experiences during the examination.

The Board discussed the remote proctoring written theory examination.

Ms. Blakeney motioned to approve the remote proctoring of the Board’s written theory examinations, seconded by Mr. Gayot.

The Board discussed the remote proctoring written theory examination.

Ms. Blakeney motioned a friendly amendment to approve the remote proctoring of the Board's written theory examinations, prohibit breaks, and give Prov Inc. discretionary authority to give the examinee one warning during the examination.

The members voting "yes" were Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon. There were no negative votes. The motion carried.

Ms. Smith called the Board's attention to the Ear-Piercing Standards of Apprenticeship found in the electronic agenda. Ms. Smith suggested the Board could adopt the Ear-Piercing Standards of Apprenticeship while staff researches to determine whether all Standards of Apprenticeship should be formally adopted as guidance documents or incorporated into regulation.

**Ear-Piercing
Apprenticeship
Standards**

Ms. Turgeon motioned to adopt the Ear-Piercing Standards of Apprenticeship as presented to the board. Seconded by Ms. Benvenuti.

The members voting "yes" were Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon. There were no negative votes. The motion carried.

Recess

The following Board Members participated in Conflict of Interest Training: Mr. Edwards, Mr. Blackmon, Mr. Gayot, Ms. Benvenuti, Ms. Blakeney, and Ms. Turgeon.

**CONFLICT OF
INTEREST
TRAINING**

REMINDERS

Mr. Edwards reminded the Board of the next board meeting scheduled for February 23, 2026.

Next Board Meeting

There being no further business brought before the Board, Mr. Edwards adjourned the meeting at 12:34 pm

Adjournment

Gregory Edwards, Board Chair

, Board Secretary

**BOARD FOR BARBERS AND COSMETOLOGY
BOARD FOR BARBERS AND COSMETOLOGY EXAM REVIEW COMMITTEE
MINUTES OF MEETING**

The Board for Barbers and Cosmetology, Board for Barbers and Cosmetology Exam Review Committee, met on Monday, November 10, 2025, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd floor board room 2, Richmond, Virginia.

The following board members of the Barbers and Cosmetology Exam Review Committee were present:

Gregory Edwards
Emmanuel Gayot
Jaime Turgeon

The following board members of the Barbers and Cosmetology Exam Review Committee were not present:

Tina Dang

The following individual from Prov Inc. was present:

Henry Sorenson

The following DPOR staff present:

Kelley Smith, Executive Director
Tamika Rodriguez, Regulatory Operations Administrator
Heather Garnett, Administrative Coordinator
Gregory Emerson, Exams Director

A representative from the Office of the Attorney General was not present for the meeting.

Mr. Edwards, Board Chair, called the Board for Barbers and Cosmetology Exam Review Committee meeting to order at 12:54 p.m.

CALL TO ORDER

Ms. Smith, Executive Director, explained the emergency egress procedure for board room 2.

**EMERGENCY
EGRESS**

The Committee took the agenda under consideration.

**APPROVAL OF
AGENDA**

Ms. Turgeon motioned to approve the agenda, seconded by Mr. Gayot.

The members voting “yes” were Mr. Edwards, Mr. Gayot, and Ms. Turgeon.

There were no negative votes. The motion carried.

There was no public comment.

PUBLIC COMMENT

NEW BUSINESS

Ms. Smith introduced Henry Sorenson, Prov Inc., and stated that examination review items will need to be discussed in closed session.

**Barbers and
Cosmetology Rules
and Regulation Exam
Review**

Mr. Gayot motioned that this meeting be recessed, and the Exam Review Committee of the Board for Barbers and Cosmetology, immediately reconvene in closed meeting for the purpose of discussion or consideration of test, examinations, or other information used, administered, or prepared by a public body within the jurisdiction of the public body as permitted by §2.2-3711(A)12 of the Code of Virginia.

CLOSED SESSION

Additionally, Mr. Gayot motioned that the following non-members attend the closed meeting because their presence in the closed meeting is deemed necessary and will reasonably aid the consideration of the topic: Ms. Smith, Ms. Rodriguez, Ms. Duncan, Ms. Garnett, Mr. Emerson, Ms. Starr, Ms. Roope, and Mr. Sorenson.

This motion is made with respect to the matters identified as agenda item roman numeral (4) IV Discussion and Development of Barber and Cosmetology Rules and Regulations Examination.

Ms. Smith stated that Ms. Duncan, Ms. Starr, and Ms. Roope will not be present for the closed meeting.

Ms. Turgeon seconded the motion, which was approved by members Mr. Edwards, Mr. Gayot, and Ms. Turgeon.

Mr. Gayot read the Certification of Closed Meeting:

WHEREAS, the Exam Review Committee of the Board for Barbers and Cosmetology has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

**OPEN SESSION AND
CERTIFICATION
OF CLOSED
MEETING**

WHEREAS, § 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Exam Review Committee of the Board for Barbers and Cosmetology hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

Mr. Edwards called recess.

Recess

Mr. Gayot motioned that this meeting be recessed, and the Exam Review Committee of the Board for Barbers and Cosmetology, immediately reconvene in closed meeting for the purpose of discussion or consideration of test, examinations, or other information used, administered, or prepared by a public body within the jurisdiction of the public body as permitted by §2.2-3711(A)12 of the Code of Virginia.

CLOSED SESSION

Additionally, Mr. Gayot motioned that the following non-members attend the closed meeting because their presence in the closed meeting is deemed necessary and will reasonably aid the consideration of the topic: Ms. Smith, Ms. Rogriguez, Ms. Garnett, Mr. Emerson, and Mr. Sorenson.

This motion is made with respect to the matters identified as agenda item roman numeral (4) IV Discussion and Development of Barber and Cosmetology Rules and Regulations Examination.

Ms. Turgeon seconded the motion, which was approved by members Mr. Edwards, Mr. Gayot, and Ms. Turgeon.

Mr. Gayot read the Certification of Closed Meeting:

**OPEN SESSION AND
CERTIFICATION
OF CLOSED
MEETING**

WHEREAS, the Exam Review Committee of the Board for Barbers and Cosmetology, has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, § 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Exam Review Committee of the Board for Barbers and Cosmetology hereby certifies that,

to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

Roll Call Vote:

AYES: Mr. Edwards, Mr. Gayot, and Ms. Turgeon

NAYS: 0

There being no further business, Mr. Edwards adjourned the meeting at 4:30 pm **ADJOURN**

Gregory Edwards, Board Chair

, Board Secretary

BOARD FOR BARBERS AND COSMETOLOGY

MINUTES OF MEETING

PUBLIC HEARING MINUTES

The Virginia Board for Barbers and Cosmetology held a public hearing on January 14, 2026, at the Department of Professional and Occupational Regulation Offices, 9960 Mayland Drive, 2nd Floor, Board Room 1, Richmond, Virginia, to receive public comment regarding the Board's proposed regulations published in the Virginia Register on December 15, 2025.

DPOR staff present for all, or part of the meeting included:

Tamika Rodriguez, Regulatory Operations Administrator

Wendy Duncan, Licensing Operations Administrator

Heather Garnett, Administrative Coordinator

Ms. Duncan began the public hearing regarding the Board's proposed Cosmetology Compact amendment at 9:05 a.m. and read an introductory statement regarding the purpose and rules of the hearing.

There was no public comment (transcript attached).

There being no further comment, the meeting was adjourned at 9:15 a.m.

COMMENCEMENT OF PUBLIC HEARING

PUBLIC COMMENT PERIOD

ADJOURNMENT

Gregory Edwards, Board Chair

Laura McEntock, Board Secretary

1 COMMONWEALTH OF VIRGINIA

2 DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

3
4 BOARD FOR BARBERS & COSMETOLOGY5
6
7 IN RE: PUBLIC HEARING

8 HEARD BEFORE: WENDY DUNCAN

9
10
11 January 14, 2025

12 SECOND FLOOR CONFERENCE CENTER

13 HENRICO, VIRGINIA 23233

14 9:00 A.M.
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16
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APPEARANCES:

BOARD DESIGNEE: WENDY DUNCAN,

Licensing Operations Administrator

STAFF: HEATHER GARNETT, Administrative Coordinator

TAMIKA RODRIGUEZ, Regulatory Operations Administrator

DRAFT AGENDA
DRAFT AGENDA

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

1
2 The Public Hearing convened
3 at 9:00 a.m.

4 MISS DUNCAN: Good morning. On the
5 record, the Hearing is starting 9:05 a.m. I am Wendy Duncan
6 the Licensing Operations Administrator for the Virginia Board
7 for Barbers and Cosmetology.

8 This is a Public Hearing held at the
9 Department of Professional and Occupational Regulation, 9960
10 Mayland Drive, Richmond, Virginia. This hearing is being held
11 pursuant to 2.2-407.01 of the Administrative Process Act of the
12 State of Virginia, for the purpose of receiving public comment
13 on the Board's proposed Cosmetology amendment, published in the
14 Virginia Register on December 15, 2025.

15 The list of interested parties and
16 organizations which were notified and invited is available upon
17 written request. The staff of the Department of Professional
18 and Occupational Regulation will hear all of the comments made,
19 which were submitted to the Board for consideration of the
20 revisions to the revised regulations.

21 Now I would like to present the rules
22 for this Public Hearing. Rules for this hearing: Comments
23 will be received from any member of the public. Additional
24 comments will be limited to a maximum of five minutes,
25 depending on the number of individuals who wish to speak. If

1 you have not signed up to speak and you wish to speak today,
2 please sign your name on the sign-up sheet at this time. Staff
3 members may ask questions, ask speakers questions to clarify
4 statements; however, this is not the proper forum for questions
5 to the Board. If you have a question for the Board, please
6 forward them in writing to the Board. Any speaker who wishes
7 to provide a written statement in addition to his oral public
8 comment may do so until February 13, 2026.

9 And, just to make sure, if any of you
10 want to make a public comment, you can do so at this time,
11 right now; or if not, we're going to wait until about 9:15, and
12 then close out the hearing, or if you have any questions you
13 want to ask the Board, we can do that.

14 (Whereupon a brief pause was taken.)

15 MISS DUNCAN: Thank you for coming
16 today. For the record, this Public Hearing will be kept open
17 until February 13, 2026. And written comments will be accepted
18 until five p.m. that day.

19 This hearing is now closed. On the
20 record, the Hearing closed at 9:15 a.m.

21 * * * * *

22 (Whereupon the Public Hearing concluded at 9:15 a.m.)
23
24
25

1 CERTIFICATE OF COURT REPORTER

2
3
4 I, Dawn Testa, hereby certify that I
5 was the Court Reporter at the Public Hearing, heard in the
6 County of Henrico, Virginia, on January 14, 2026, at the time
7 of the hearing herein.

8 I further certify that the foregoing
9 transcript is, to the best of my ability, a true and accurate
10 record of the testimony and incidents of the hearing herein.

11 Given under my hand this 14th day of
12 January, 2026.

13
14 *Dawn Testa*
15 Dawn Testa
16 Notary Registration No. 7811201

17 My Commission Expires:
18 August 31, 2027
19
20
21
22
23
24
25

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Page 1 COMMONWEALTH OF VIRGINIA DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION BOARD FOR BARBERS & COSMETOLOGY IN RE: PUBLIC HEARING HEARD BEFORE: WENDY DUNCAN January 14, 2025 SECOND FLOOR CONFERENCE CENTER HENRICO, VIRGINIA 23233 9:00 A.M.	Page 3 The Public Hearing convened at 9:00 a.m. MISS DUNCAN: Good morning. On the record, the Hearing is starting 9:05 a.m. I am Wendy Duncan, the Licensing Operations Administrator for the Virginia Board for Barbers and Cosmetology. This is a Public Hearing held at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. This Hearing is being held pursuant to 2.2-407.01 of the Administrative Process Act of the State of Virginia, for the purpose of receiving public comment on the Board's proposed Cosmetology amendment, published in the Virginia Register on December 15, 2025. The list of interested parties and organizations which were notified and invited is available upon written request. The staff of the Department of Professional and Occupational Regulation will hear all of the comments made, which were submitted to the Board for consideration of the revisions to the revised regulations. Now I would like to present the rules for this Public Hearing. Rules for this hearing: Comments will be received from any member of the public. Additional comments will be limited to a maximum of five minutes, depending on the number of individuals who wish to speak. If
Page 3 APPEARANCES: BOARD DESIGNEE: WENDY DUNCAN, Licensing Operations Administrator STAFF: HEATHER GARNETT, Administrative Coordinator TAMIKA RODRIGUEZ, Regulatory Operations Administrator	Page 4 you have not signed up to speak and you wish to speak today, please sign your name on the sign-up sheet at this time. Staff members may ask questions, ask speakers questions to clarify statements; however, this is not the proper forum for questions to the Board. If you have a question for the Board, please forward them in writing to the Board. Any speaker who wishes to provide a written statement in addition to his oral public comment may do so until February 13, 2026. And, just to make sure, if any of you want to make a public comment, you can do so at this time, right now; or if not, we're going to wait until about 9:15, and then close out the hearing, or if you have any questions you want to ask the Board, we can do that. (Whereupon a brief pause was taken.) MISS DUNCAN: Thank you for coming today. For the record, this Public Hearing will be kept open until February 13, 2026. And written comments will be accepted until five p.m. that day. This hearing is now closed. On the record, the Hearing closed at 9:15 a.m. * * * * * (Whereupon the Public Hearing concluded at 9:15 a.m.)

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My Commission Expires:
August 31, 2027

I further certify that the foregoing transcript is, to the best of my ability, a true and accurate record of the testimony and incidents of the hearing herein.

Given under my hand this 14th day of January, 2026.

Dawn Testa
Notary Registration No. 7811201

My Commission Expires:
August 31, 2027

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Safety In Salons! (click on download pictures at the top of your email to access)

From National Interstate Council of State Boards of Cosmetology <scolard-nictesting.org@shared1.ccsend.com>

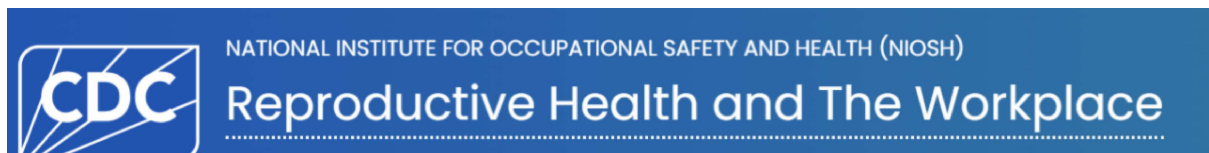
Date Mon 12/15/2025 11:40 AM

To DPOR: Board for Barbers & Cosmetology (DPOR) <barbercosmo@dpor.virginia.gov>

rd position.



A Message from the CDC on Safety in Salons!



About Chemical Disinfectants and Sterilants and Reproductive Health

Key points

- Chemical disinfectants are used to kill microbes.
- High level disinfectants (HLDs) are different from disinfectants used at home.
- HLDs are mostly used on medical equipment that cannot withstand high heat.
- We do not know whether long-term HLD exposure poses reproductive risks.

Understanding chemical disinfectants

High level disinfectants (HLDs) are different from disinfectants used at home.

Chemical disinfectants/sterilants are used to kill bacteria, viruses, fungi, protozoans, and parasites on equipment that cannot be sterilized using high heat.

High-level disinfectants are not the same as most common household disinfectants.

Common household disinfectants include surface sprays and wipes containing quaternary ammonium compounds or sodium hypochlorite (bleach) solutions. Common household disinfectants used by adults according to directions are generally not considered hazardous.

High-level disinfectants are used on delicate equipment that cannot be sterilized with heat. For example, they may be used on medical equipment in healthcare settings. Examples of high-level disinfectants include ethylene oxide gas, hydrogen peroxide gas plasma, glutaraldehyde, orthophthalaldehyde, peracetic acid, and formaldehyde.

Why I should be concerned about exposure to HLDs

Some studies showed a higher risk of reduced fertility, miscarriages, and preterm birth with healthcare workers who were exposed to HLDs.

We don't know what levels of HLD exposure are safe for a pregnant woman, or someone trying to become pregnant.

Who is at risk

- Healthcare workers
- Hospital staff
- Veterinary workers
- Nail, hair, and beauty salon workers

What I can do to reduce or eliminate exposure

Learn more about best practices recommended for using the specific HLDs used in your workplace:

- Recommendations for working with glutaraldehyde
- Information on working with formaldehyde
- Information on working with ethylene oxide

RESOURCES

Getting help

Talk to your employer or workplace's safety officer about how to handle HLDs safely at work.

For information on the Pregnant Workers Fairness Act, please see resources from the U.S. Equal Employment Opportunity Commission (EEOC) website.

Talk to your doctor about potential hazards at work. Make sure to mention that your job exposes you to HLDs.

Where I can get more information

NIOSH Hazard Communication for Disinfectants Used Against Viruses

[About Us](#) | [Testing](#) | [New Members](#) | [Events](#) | [Sponsors](#)

**National Interstate Council
of State Boards of Cosmetology**

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Are all EPA Approved Disinfectants Approved for Salon Use?

From National Interstate Council of State Boards of Cosmetology <scolard-nictesting.org@shared1.ccsend.com>

Date Fri 1/30/2026 4:38 PM

To DPOR: Board for Barbers & Cosmetology (DPOR) <barbercosmo@dpор.virginia.gov>

rd position.

Not All EPA-Approved Disinfectants Are Approved for Salon Use



Regulatory Considerations for Salon, Barber, and Spa Environments

Disinfection is essential for protecting public health in salons, barber shops, and spas. Every day, professionals rely on disinfectants to keep clients, staff, and tools safe. While many disinfectants are registered with the U.S. Environmental Protection Agency (EPA),

EPA registration alone does not mean a product is approved or safe for use in beauty industry settings.

Whether a disinfectant may be used in salons, barber shops, or spas depends on site-specific claims that have been reviewed and approved by the EPA and are clearly documented on the product's approved label.

This article outlines key points to consider when evaluating disinfectants for salon, barber, and spa environments. Topics include EPA registration, approved site uses, label compliance, and the difference between product labels and master labels. The LUCAS-CIDE concentrate disinfectant label is used as an example of how approved salon uses can be clearly documented.

EPA Registration: Necessary but Not Enough

The first step in evaluating any disinfectant is to check that it is EPA-registered. Registration indicates that the product has been reviewed for safety and effectiveness but only for the specific claims and uses approved by the Agency.

You can verify EPA registration by locating the EPA Registration Number on the product label. However, EPA registration does not allow use in all settings. A disinfectant can only be used as directed on its EPA-approved label.

Under EPA labeling requirements (40 CFR Part 156), disinfectants may only be used in the ways and locations specifically listed on their labels.

Regulatory Considerations for Salon, Barber, and Spa Environments

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Site Uses Determine Approval for Salon Environments

After confirming EPA registration, the next step is to check whether the disinfectant is approved for use in salons, barber shops, and spas.

EPA-approved labels include “Site Uses” or “Areas of Use.” This lists the environments where the product has been tested, evaluated, and approved. Using a disinfectant outside of these listed uses is considered off-label and is not allowed under EPA rules.

Approved site uses are based on manufacturer data reviewed by the EPA to ensure both safety and disinfection effectiveness in the listed environments.

On the LUCAS-CIDE concentrate disinfectant label, approved site uses include hard non-porous surfaces in:

- Massage and facial salons
- Hair, nail, and pedicure salons
- Barber and beauty shops
- Spas and related beauty service environments
- Hospitals, dental and healthcare facilities

In addition, specific applicable uses will appear on the product label. On the LUCAS-CIDE concentrate disinfectant label, approved applications include:

- Hair/barber/nail salon instruments and tools such as combs, shears, tweezers, nail implements (including specific *Directions for Use* to ensure proper pre-cleaning, dwell time/soak time, and disinfection of implements)
- Pedicure spas and footbaths (including specific *Directions for Use* to ensure proper pre-cleaning, dwell time/soak time, and disinfection of spa)
- Grooming clippers, hair clippers (including clipper-specific *Directions for Use* to ensure proper pre-cleaning, dwell time, and disinfection)
- Tanning beds, tanning equipment (including specific *Directions for Use* to ensure proper pre-cleaning, dwell time, and disinfection)

These site uses are printed on the product label and show where the disinfectant may be lawfully used.

Why Site-Specific Approval Matters

Listing salon, barber, and spa site uses on the label serves several important purposes:

1. Public Health Protection

2. Confirms the disinfectant works against relevant microorganisms when used as directed.

3. Occupational and Client Safety

4. Takes into account exposure risks, including how often the disinfectant is used and how close staff and clients are to treated surfaces.

5. Equipment Compatibility

6. Shows that the disinfectant can be safely used on common salon tools and surfaces when mixed and applied according to label directions, reducing the risk of damage.

Improper Handling, Dilution, and Off-Label Use

Incorrect use of disinfectants can compromise both public health and regulatory compliance. Common mistakes include:

Improper Dilution

Disinfectants must be mixed precisely as directed. Free-pouring concentrate into water can cause:

- Over-concentration – may damage tools or surfaces
- Under-concentration – may fail to disinfect

For example, the LUCAS-CIDE concentrate label specifies 0.5 ounces per gallon of water.

Failure to Pre-Clean

EPA-approved labels always require visible debris to be removed before disinfection. Cleaning and disinfecting are both necessary steps.

Off-Label Use

A disinfectant may only be used in environments listed on its EPA-approved label. Claims in marketing materials, social media, or technical guides do not constitute EPA approval. A product is only approved for salon, barber, or spa use if those site uses appear on the label.

Product Label Versus Master Label

Every EPA-registered disinfectant has two important labels:

Product Label – The label on the container. It includes essential information in a condensed format for everyday use.

Master Label – The complete, EPA-approved document. This is the legal reference. Regulators and manufacturers use it to interpret allowed uses and limitations. Information often on the master label but not on the product label includes:

- Complete list of microorganisms the disinfectant kills
- Pathogen-specific contact times
- Detailed dilution instructions for different uses
- Full list of approved site uses
- Expanded safety and PPE requirements
- Storage and disposal instructions
- Limitations and restrictions of use

While most users rely on the product label, regulators reference the master label for compliance, enforcement, or verification.

Manufacturer Accountability and Transparency

EPA regulations require that disinfectant labels include manufacturer contact information. This ensures that questions about:

- Label interpretation
- Proper use and dilution
- Safety concerns
- Compliance verification

Clear contact information supports responsible product stewardship and regulatory oversight.

Conclusion

Effective disinfection in salon, barber, and spa environments requires more than selecting an EPA-registered product. Compliance depends on:

- Approved site uses
- Accurate labeling
- Following EPA-reviewed directions

Manufacturers, regulators, and licensed professionals share responsibility for protecting public health. Clear labeling, verified claims, and consistent application of EPA requirements help safeguard clients, staff, and equipment while maintaining public trust.

Reference to LUCAS-CIDE is provided solely as an example of labeling practices and does not constitute endorsement or approval by any regulatory authority. Other EPA-registered disinfectants may meet the same requirements.

This document is intended for educational purposes and does not replace federal, state, or local laws or regulations.



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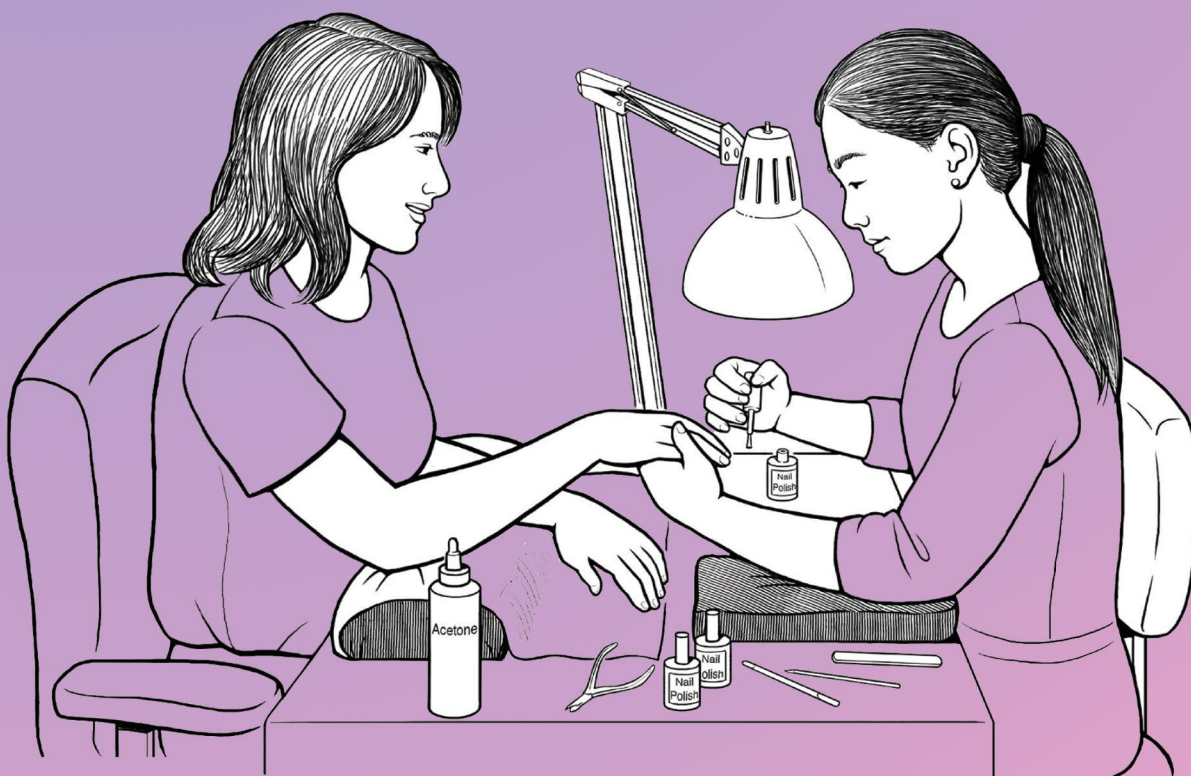
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Stay Healthy and Safe While Giving Manicures and Pedicures

A Guide for Nail Salon Workers



**Occupational Safety
and Health Administration**

U.S. Department of Labor

OSHA 3542-09R 2025

This booklet was adapted from *Stay Healthy and Safe While Giving Manicures and Pedicures: A Guide for Nail Salon Workers*, which was developed by the Labor Occupational Health Program (LOHP), University of California, Berkeley and the California Healthy Nail Salon Collaborative, which was produced through the Susan Harwood Grant Program, under grant number SH20864SH0 from the Occupational Safety and Health Administration, U.S. Department of Labor.

Photos and video stills were provided by the Asian Law Caucus and Street Level Health Project, the Boston Public Health Commission, and the King County Local Hazardous Waste Management Program. Illustrations were provided by Mary Ann Zapalac.

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Stay Healthy and Safe While Giving Manicures and Pedicures

A Guide for Nail Salon Workers

U.S. Department of Labor
Occupational Safety and Health Administration
OSHA 3542-09R 2025



With this guide, you will learn about possible hazards in nail salons and good work practices that should be used in nail salons to protect you from chemical hazards, muscle strains, and diseases. This booklet also explains your rights as a nail salon worker. For more information, see OSHA's *Health Hazards in Nail Salons* website at www.osha.gov.

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Chemical Hazards

Products used in nail salons may have chemicals in them that can harm your health.

Chemicals can get into your body if you:

- Breathe in vapors, dusts, or mists from the products;
- Get the product on your skin or in your eyes; or
- Swallow the product if it gets on your uncovered food, drink, or cigarettes.

Chemicals affect different people in different ways. How a chemical affects you also depends on how much of it you are exposed to. You can get sick right away, or you can get sick over time. Exposures can “add up,” especially when many products are being used at the same time, when the products are used day after day, or when there is poor ventilation in the salon. If you use chemicals all day, every day, you are more likely to get sick than someone who uses the same chemicals once in a while. Follow the steps in this guide to help protect your health.

Hazardous Chemicals Found in Nail Salon Products

Nail products, such as polishes, strengtheners, removers, and artificial nail liquids, can contain many chemicals. Some of these chemicals are more harmful than others. Over time with repeated use or exposure to high concentrations, these chemicals could damage your body or cause an allergic reaction. Everyone is different and not everyone who breathes in these chemicals or gets them on their skin will experience these effects now or in the future.

Some potentially hazardous chemicals, the types of products they can be found in, and how they can affect your body include:

- **Acetone** (nail polish remover): headaches; dizziness; and irritated eyes, skin, and throat.
- **Acetonitrile** (for fingernail glue remover): irritated nose and throat; breathing problems; nausea; vomiting; weakness; and exhaustion.
- **Butyl acetate** (nail polish, nail polish remover): headaches and irritated eyes, skin, nose, mouth, and throat.
- **Dibutyl phthalate (DBP)** (nail polish): nausea and irritated eyes, skin, nose, mouth, and throat. Long-term exposures to high concentrations may cause other serious effects.
- **Ethyl acetate** (nail polish, nail polish remover, fingernail glue): irritated eyes, stomach, skin, nose, mouth, and throat; high concentrations can cause fainting.



Tip:

Make sure your doctor or healthcare provider knows what type of work you do and the chemicals you use. Tell them if you are pregnant or planning to become pregnant.



- **Ethyl methacrylate (EMA)** (artificial nail liquid): asthma; irritated eyes, skin, nose, and mouth; difficulty concentrating. Exposures while pregnant may affect your child.
- **Formaldehyde** (nail polish, nail hardener): difficulty breathing, including coughing, asthma-like attacks, and wheezing; allergic reactions; irritated eyes, skin, and throat. Formaldehyde can cause cancer.
- **Isopropyl acetate** (nail polish, nail polish remover): sleepiness, and irritated eyes, nose, and throat.
- **Methacrylic acid** (nail primer): skin burns and irritated eyes, skin, nose, mouth, and throat. At higher concentrations, this chemical can cause difficulty breathing.
- **Methyl methacrylate (MMA)** (artificial nail products, though banned for use in many states): asthma; irritated eyes, skin, nose, and mouth; difficulty concentrating; loss of smell.
- **Quaternary ammonium compounds** (disinfectants): irritated skin and nose and may cause asthma.
- **Toluene** (nail polish, fingernail glue): dry or cracked skin; headaches, dizziness, and numbness; irritated eyes, nose, throat, and lungs; damage to liver and kidneys; and harm to unborn children during pregnancy.

Report any health problems you think are from the products you use in the workplace to your employer and doctor. Employers must follow up on reports of health problems from workers.

Where to Get Information about the Chemicals Found in Nail Salon Products

You can get product information on packaging, or in printed materials delivered with the product such as its material safety data sheet.

Product Labels

At minimum, professional-use nail salon products containing hazardous chemicals must provide the following information:

- The name and address of the product manufacturer or distributor;
- Something that explains the type and use of the product, such as a name, description, or illustration;
- Facts about the product, such as directions for safe use if a product could be unsafe if used incorrectly; and
- All necessary warning and caution statements.



Safety Data Sheets (often called “SDSs”)

OSHA requires product manufacturers to provide salon owners with material safety data sheets (SDSs)¹ for the products they buy that contain hazardous chemicals. Employers must make these SDSs available to you. Your employer must also train you so that you understand the chemicals’ potential hazards and how to use the products safely. In general, an SDS must provide the following information:

- Hazardous ingredients in the product;
- How you can be exposed to the ingredients;
- Health and safety risks you face when using the product; and
- Steps for safely using and storing the product, including what to do in emergencies.

Be aware that SDSs may not contain all the information needed to help protect you. For example, the manufacturer may state that you should wear “impervious gloves,” but not specify the type.

Steps You Can Take to Protect Your Health

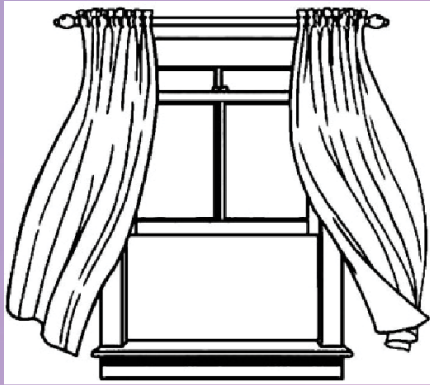
Choose Safer Products

- Whenever possible, use products with the least hazardous chemicals in them.
 - *3-free*: Some products now **claim** to be made without the “toxic trio” (toluene, formaldehyde, and dibutyl phthalate). These products are called “3-free” products.²
 - *Acid free*: Some primers claim to be made without chemicals like methacrylic acid. These are labeled “acid free.”
- Always read product labels and SDSs and follow manufacturers’ instructions when using all nail salon products, including those labeled as “free” of hazardous chemicals.

¹ OSHA’s Hazard Communication standard, 29 CFR 1910.1200.

² On April 10, 2012 the California Department of Toxic Substances (DTSC) announced its discovery of certain nail polish and nail care products that may endanger nail salon workers and the public despite being marketed as non-toxic. In May 2011, DTSC tested 25 nail products sold by California distributors. Of the 12 claiming to be “toxic-free,” 10 contained toluene and four contained dibutyl phthalate (DBP). For more information, call (800) 728-6942 or visit www.dtsc.ca.gov.





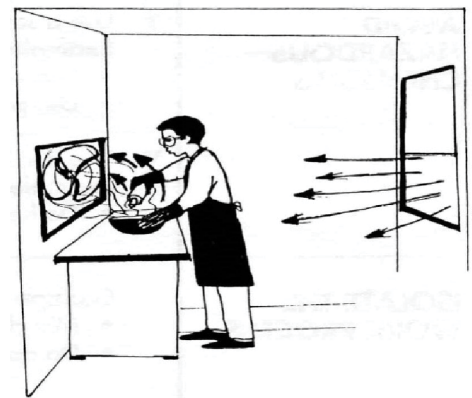
Ventilate the Room and Let in Fresh Air

Ventilation is the best way to lower the level of chemicals in the salon. These steps can really help improve your health:

- Open doors and windows when possible to let in fresh air. If the salon has a ceiling vent, it should be turned on and working.
- Always keep the nail salon's exhaust system on.
- If your salon does not have an exhaust system, always keep the heating, ventilation, and air conditioning (HVAC) system on during work hours. The HVAC thermostat fan switch should always be in the "on" position (not "auto") so that it runs even when the heat or air conditioner is off. The salon owner should have a HVAC contractor clean the HVAC system and replace the filters at least once a year.
- Place fans near open doors or windows. Fans should pull air in one end of the salon and push it out of the other end.



Bad ventilation: Outside air from the open window blows the chemicals into the worker's face before being vented out of the salon.



Good ventilation: Outside air from the open window blows the chemicals away from the worker's face before being vented out of the salon.



Some manicure tables are made with ventilation systems built into them.

Photo of ventilated table courtesy of the Boston Public Health Commission.

- If the salon has ventilated tables:
 - Make sure they are turned on.
 - Change the charcoal filters at least once a month.
 - Clean out the catch basin at least once a week.
- If the salon has portable ventilation machines, use them in your work area to pull harmful vapors away from you and your clients.

Use Safe Work Practices to Avoid Regular and Accidental Exposures

- Store chemicals in small bottles with small openings and label them with the information from the manufacturer's label.
- Close bottles tightly when you are not using them so the product does not spill or get into the air.
- Use metal trashcans with tight, self-closing lids to keep the nail products soaked on cotton balls and other trash from evaporating and getting into the salon's air.
 - Put cotton balls and other soaked materials into the trashcans immediately.
 - If you do not have metal trashcans with self-closing lids, put cotton balls and soaked materials in a sealed bag before putting them in the trashcan and keep the trash covered.
 - Empty trashcans often and remove from the work area to the outside garbage at the end of each day.
- Use only the amount of product you need to perform services. When possible, do not keep extra products at a workstation.
- Follow instructions for safely disposing of used chemicals. **DO NOT** pour them down your sink or toilet, throw them on the ground or down outside drains, or pour them onto cotton balls.
 - Some chemicals must be disposed of in a specific way. For example, used liquid acetone must be saved in a fire department-approved metal container and disposed of as hazardous waste.
- Wash your hands before eating, drinking, putting on cosmetics, and smoking.
- When you have a break, go outside to get some fresh air. This will give you a chance to get away from chemicals in the salon's air.
- Keep food and drinks covered at all times, and do not store or eat food in work areas.

Keep Products Off of Skin and Out of Eyes

- Wear long-sleeved shirts to protect your arms and pants or skirts that are at least knee-length to protect your lap from acrylic nail and other dusts.
- Wash your hands before and after working on clients; before eating, drinking, putting on cosmetics or smoking; and after handling or transferring products.
- Wear goggles and the appropriate type of disposable gloves when handling and transferring products. For example, nitrile gloves (usually blue or purple) protect against many chemicals used in nail salon products, but latex or vinyl gloves are appropriate when handling acetone.



Ventilation off: Without a ventilation system running, chemical levels during acrylic nail removal reached very high levels (over 826 parts per million).



Ventilation on: With a ventilation system running, chemical levels dropped significantly during the same process (below 12.4 parts per million).

Images courtesy of the Local Hazardous Waste Management Program in King County, WA.



- Replace gloves immediately if there are cuts, tears, or holes in them.
- Cover and protect cuts or cracks in your skin. Damaged skin can increase chemical absorption and exposure.
- Do not continue to use a product if you see signs of skin irritation.
 - If your hands are red and irritated, make sure your gloves are the right type for the product you are using.

Respiratory Protection

Using the ventilation methods described above, using products without harmful chemicals, and following good work practices all reduce the level of chemicals in a nail salon. If you work in a salon that follows these practices, you may not need respiratory protection.

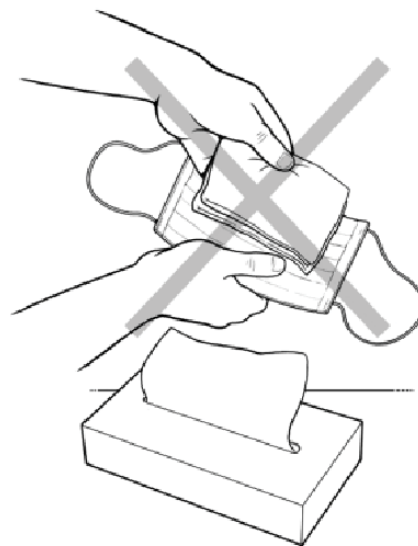
Evaluating Possible Hazards

Employers need to determine if the levels of dust and/or chemical vapors in the salon pose a risk to workers and decide if respirators are required. Small employers can use available industrial hygiene services from OSHA's On-site Consultation Program. Other groups that can provide assistance include an employer's private insurance company or private industrial hygiene consulting firms.

Because chemicals can cause effects even at low levels, you may decide that you want to wear a respirator to protect yourself while transferring chemicals or when buffing and filing nails.

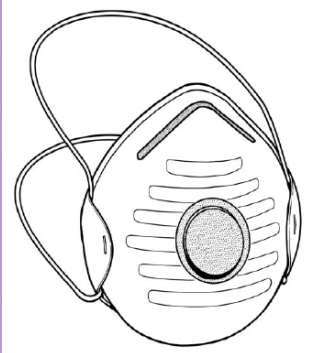
Types of Respirators

Many nail salon workers wear paper or cloth medical masks. **These are not the same as dust masks (filtering facepieces)**, and even when stuffed with tissues, **they will not protect you** from breathing in harmful gases, vapors, or dusts.



Here are some types of respirators that may be used in nail salons:

Filtering Facepiece Respirators (Dust Masks)



You should only use NIOSH-approved filtering facepiece respirators. “N95s” are one type.

This type of respirator **will**:

- Help protect you from dust, viruses, and germs.

This type of respirator **will not**:

- Protect you from vapors or gases. Some N95s have filters that reduce chemical odors, but they may not protect you from harmful chemical exposure levels.

Filtering facepiece respirators may be helpful when you are:

- Buffing or filing artificial nails; or
- Using acrylic powders.

You don’t need to wear the mask all the time, only when you are working on a client. When you put on this mask, make sure your hands are clean to avoid irritating your skin.

If your employer allows you to wear this type of respirator voluntarily, then he/she must give you *Appendix D* of the OSHA *Respiratory Protection Standard*, which explains some important information about how to safely and effectively use your respirator.

Half-mask Respirators with Cartridges



Half-mask respirators with chemical cartridges offer protection from breathing in chemical vapors.

This type of respirator **will**:

- Help protect you from breathing in chemical gases and vapors (such as formaldehyde).

Your employer may require you to wear this type of respirator when you:

- Transfer chemicals from larger bottles to smaller bottles; or
- Clean up large spills.

If you must use this type of respirator:

- Your employer is required to develop a respiratory protection program;
- You must be fitted and trained to wear a respirator properly;
- Your employer must evaluate the appropriate cartridge for the job task and provide it to you; and
- You must know how and when to change cartridges, and your employer must provide you with a cartridge change out schedule.

Preventing Aches and Pains

Nail salon workers can get aches and pains from leaning over a worktable for a long time; doing repetitive movements like filing and buffing nails; and resting hands, wrists, and forearms and/or elbows against hard surfaces or sharp edges of worktables. These are often called ergonomic or musculoskeletal hazards because they affect your muscles and bones. Ergonomics is the science of “fitting the task to the worker” so that you are more comfortable and efficient when doing your job. Good ergonomic practices will reduce stress to your body and help you avoid aches and pains.

What is wrong with this picture?



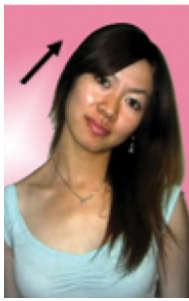
What improvements do you see?



Steps You Can Take to Reduce These Hazards

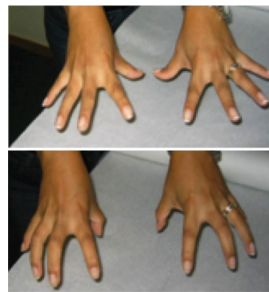
- **Use an adjustable chair.** Sit so that your feet are flat on the floor and your back is supported. Use a footrest if your feet do not touch the floor when sitting.
- **Make sure there is enough space** between the back of your knees and the front edge of your seat to improve blood flow to your legs.
- **Adjust the lighting.** Good lighting can help you see without having to bend over.
- **Raise the client's hand or foot.** Use a cushion to raise the client's hand or foot so you do not have to bend over as far.
- **Use safety glasses with magnifying lenses.** These glasses reduce the need for you to bend over to see the client's hand or foot.
- **Put a towel or foam pad** on the table edge to soften it for hands, arms, wrists, and elbows.
- **Put soft pads on tools** to make handles larger and easier to hold.
- **Take frequent breaks if possible;** changing positions and doing a different task is also helpful.
- **Pace your work.** When you work too fast, your body can become tense, which could cause muscle pain.
- **Do gentle stretching exercises,** like the ones on the following page, in between sessions with clients. You may need to check with your doctor first!

Stretching Exercises You Can Do to Reduce Aches and Pains



Neck: Keeping your arms and shoulders loose:

- Tilt your head to one side for 2 seconds.
- Tilt your head to the other side for 2 seconds.



Fingers: Stretch your fingers out and hold for 8 seconds. Relax. Make a claw with your hands and hold for 8 seconds. Relax.



Shoulders and Upper Back: Put one hand on your shoulder and look the opposite way. Pull your elbow in and up with the other hand.

- Hold for 2 seconds.



Lower Back and Hips: Lean forward keeping your neck relaxed and your head down.

- Hold for 8 seconds while breathing slowly. Use your hands to push yourself up.



Neck: Keeping your arms and shoulders loose and your head facing straight forward:

- Tuck your chin for 2 seconds.



Back of Legs: Place your hands shoulder width apart on a wall or table.

- Bend your knees, keep hips directly above your feet, and lower head between arms.



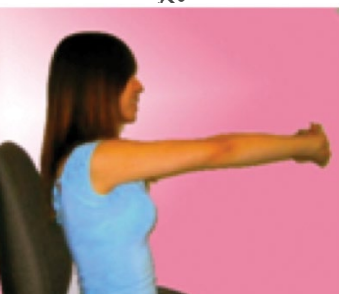
Neck: Keeping your arms and shoulders loose:

- Turn your head to one side for 2 seconds.
- Turn your head to the other side for 2 seconds.



Inner Thighs: With your feet wide apart, place both hands on your left knee. Bend the knee until you can feel the stretch.

- Hold for 8 seconds.



Shoulders: Lace your fingers and stretch your arms with your palms facing out:

- Hold for 2 seconds.



Ankles: While holding onto a table or wall for balance, put one foot out and:

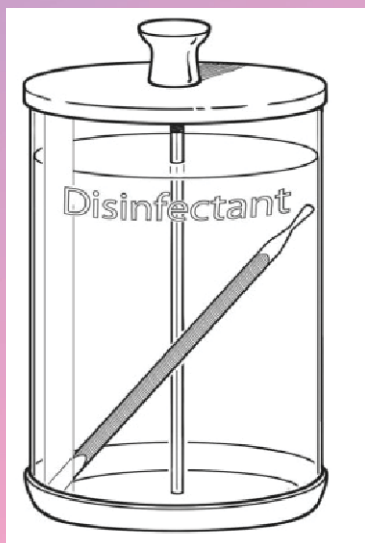
- Point your toe up and down.
- Draw circles with your foot.

Biological Hazards

Biological hazards include bacteria, fungi, and viruses.³ You can be exposed to many infectious agents, such as hepatitis B, hepatitis C, and human immunodeficiency virus (HIV), if you come into contact with infected blood from a coworker or client. You can also be exposed to fungal infections of the nails and feet by touching a client's infected skin or by using equipment that has not been cleaned.

Steps You Can Take to Prevent Exposure and Protect Your Health

- **Avoid touching any blood or bodily fluids.**
- **Wear gloves**, and avoid clients with cuts, open wounds/sores, blisters, or visibly infected skin on their hands, feet, or nails. Many agencies, such as the Boston Public Health Commission and the California Board of Barbering and Cosmetology, prohibit working on clients with these health issues.
- **Throw away disposable gloves** immediately after using them.
- **Always wash your hands with soap and water** before and after working with clients to avoid spreading germs.
- **Bandage open cuts or broken skin** to prevent contact with blood or other potentially infectious materials from a client or coworker.
- **If an individual is bleeding, do not touch the blood.** Ask the individual to use a cotton ball or tissue to stop the bleeding and to throw the used material directly into the trash once the bleeding has stopped.
- **Consider getting immunized against hepatitis B.** Your doctor can help you determine whether this is needed. Immunization practices can vary by state, so be sure to follow your state's requirements. Your employer must offer you hepatitis B immunization without charge if you are likely to be exposed to blood or other infectious materials during your work.
- **Clean and disinfect tools after each client according to the policies of your state's cosmetology board.** Some common steps for cleaning and disinfecting tools are:
 - Always wear the right gloves for the product you are using while cleaning and handling disinfectants or tools soaked in disinfectant.
 - Wash tools with soap and water. Use a scrub if needed.



³ OSHA's Bloodborne Pathogens standard, 29 CFR 1910.1030, requires your employer to evaluate whether you may come into contact with blood or other potentially infectious material. If this risk exists, then the employer must follow the requirements of the standard, including providing training, vaccination, and personal protective equipment.

- Soak tools in an EPA-registered disinfectant for 10–30 minutes, according to manufacturer directions. Follow the manufacturer's instructions when mixing the product ratios.
- Rinse tools in clean water.
- Dry tools with a clean cloth.
- Store all disinfected tools in a clean, covered area. Only use ultraviolet (UV) sanitizing boxes to store clean and disinfected reusable metal tools. The UV boxes do not disinfect tools.
- **Disinfect foot basins and spas after each client** and at the end of the day. Follow your **state cosmetology board's rules on how to clean** and disinfect foot basins and spas.

Your Rights as a Worker

What is the difference between an Employee and an Independent Contractor for purposes of the Occupational Safety and Health Act?

- It doesn't matter how an individual is labeled by the salon owner. Instead, courts and agencies will look at a list of factors to determine whether you are an employee or an independent contractor.
- For example, if you: rent a station at a salon; purchase your own supplies and tools; have your own customers; and set your own schedule and appointments; set your own rates and are paid by customers directly; and have your own business license, you may be more likely to be considered an independent contractor.
- However, if: the owner sets your work schedule; you are paid by the hour; the owner or receptionist makes the appointments for all the workers; you do not rent the space; the owner sets the rates paid by customers; and you use the owner's tools and equipment, you may be more likely to be considered an employee.

Why does it matter?

- Employers must provide protection against workplace hazards for their employees; independent contractors are responsible for their own occupational health and safety protection. Employees also have rights to a minimum wage, workers' compensation, and other benefits. Independent contractors do not.
- Just because a salon owner tells you that you are an independent contractor, it does not mean that you are one. Just because an owner gives you an IRS form 1099 instead of a W-2 does not mean that you are an independent contractor. Salons sometimes misclassify the employment status of their workers to bypass taking

protective safety and health measures, and to also deny benefits. That is why it is important for you to know the difference between what constitutes an employee and an independent contractor. If you need help, you can contact OSHA at 1-800-321-OSHA (6742).

What are my rights as a worker?

You have the right to working conditions that do not put you at risk of serious harm. OSHA also provides you with the right to:

- Ask OSHA to inspect your workplace.
- Receive information and training about hazards, methods to prevent harm, and the OSHA standards that apply to your workplace. Employers can train you in a language you understand.
- Get copies of test results done to find and measure hazards in your workplace.
- Review records of work-related injuries and illnesses.
- Get copies of your medical records.
- File a confidential complaint asking OSHA to inspect your workplace if you believe there is a serious hazard or OSHA rules are not being followed. When requested, OSHA will keep all identities confidential.
- Use your rights under the law without retaliation or discrimination. Your employer cannot fire or punish you if you file a complaint.

For more information, visit OSHA's website at www.osha.gov and OSHA's Workers page at www.osha.gov/workers.

Contact OSHA

For questions or to get information or advice, report an emergency, fatality or catastrophe, order publications, file a complaint, or request OSHA's Free On-Site Consultation Program, contact your nearest office through OSHA's website at www.osha.gov, or call 1-800-321-OSHA (6742); TTY 1-877-889-5627. We will keep your information confidential. We are here to help you.

Twenty-seven states, Puerto Rico, and the Virgin Islands operate their own OSHA-approved safety and health program. For a list of all of the states and further information, please visit OSHA's State Occupational Safety and Health Plans page at www.osha.gov/stateplans.

For More Information

Resources on Chemical Exposures in Nail Salons

Nail Technicians: Workplace Safety and Health, NIOSH Workplace Safety and Health Topics, www.cdc.gov/niosh/nail-technicians. Lists research and publications helpful to preventing injuries and illnesses while working in nail salons.

Controlling Chemical Hazards During the Application of Artificial Fingernails, NIOSH (Publication No. 99-112), www.cdc.gov/niosh/docs/99-112. Describes how workers can prevent some of the potentially harmful health effects of applying artificial fingernails.

Tips on Worker Safety, Labor Occupational Health Program (LOHP) and California Healthy Nail Salon Collaborative. Provides general tips for staying safe and healthy while working in nail salons (English) (Vietnamese). lohp.berkeley.edu/materials/nail-salon-workers

Safety and Health Hazards in Nail Salons, Oregon OSHA Fact Sheet, osha.oregon.gov/OSHAPubs/factsheets/fs28.pdf. Describes the potential hazards of chemicals used in nail salons and what workers and nail salon owners can do to minimize exposure.

How to Be Safe at Work, Oregon Healthy Nail Salon Collaborative, osha.oregon.gov/OSHAPubs/4783e.pdf. Gives tips on how to prevent overexposure to chemicals in nail salons.

Summary of Data and Findings from Testing of a Limited Number of Nail Products, California Environmental Protection Agency, Department of Toxic Substances Control, dtsc.ca.gov/wp-content/uploads/sites/31/2017/05/NailSalon_Final.pdf. Report assessing chemical composition of a limited assortment of nail salon products.

Safe Nail Salon Training, Boston Public Health Commission, www.boston.gov/sites/default/files/file/2021/03/Nail%20Salon%20Regulation%20Training_ENG_Revised%2010.4.16.pdf. English language training presentation that teaches nail salon owners and workers how to recognize workplace hazards, protect health, make improvements to eliminate hazards, and properly use and store hazardous chemicals (English) (Vietnamese).

California Health Nail Salon Collaborative, www.cahealthynailsalons.org. The California Healthy Nail Salon Collaborative's mission is to improve the health, safety, and rights of the nail and beauty care workforce to achieve a healthier, more sustainable, and just industry. This website lists research and outreach publications related to its mission.

Resources on How to Prevent Muscle Strains (Ergonomic Hazards)

Ergonomic Basics for Nail Salon Professionals, International Nail Technicians Association and Nail Manufacturers Council of the Professional Beauty Association, files.nailsmag.com/Handouts/INTA_NMC_ErgonomicBasics.pdf. Gives basic tips on how to prevent aches and pains while working in nail salons.

Ergonomics Safety and Health Topics Page, OSHA, www.osha.gov/ergonomics. Gives information about ergonomic hazards at work and how to reduce them.

Ergonomics and Musculoskeletal Disorders, NIOSH Workplace Safety and Health Topics, www.cdc.gov/niosh/ergonomics. Gives information about ergonomic hazards at work and how to reduce them.

Resources on How to Prevent Exposure to Biological Hazards

Bloodborne Pathogens Safety and Health Topics Page, OSHA, www.osha.gov/bloodborne-pathogens. Gives information on the hazards of bloodborne diseases and how to prevent infection.

Bloodborne Infectious Diseases: HIV/AIDS, Hepatitis B, and Hepatitis C, NIOSH Workplace Safety and Health Topics, www.cdc.gov/niosh/topics/bbp. Gives information on specific bloodborne diseases and how to prevent exposure.

Selected EPA-Registered Disinfectants, EPA, www.cdc.gov/niosh/topics/bbp. Lists EPA-registered disinfectants that are effective against certain bloodborne diseases.

OSHA Worker Resources

OSHA's Page for Workers, www.osha.gov/workers. Gives information on workers' rights.

OSHA Regional and Area Offices, www.osha.gov/contactus/bystate. Gives contact information for OSHA Regional and Area Offices.

OSHA-Approved State Plans, www.osha.gov/stateplans. Lists states with their own occupational safety and health programs, standards and policies.

NIOSH Health Hazard Evaluation Program

Getting Help with Health Hazards

The National Institute for Occupational Safety and Health (NIOSH) is a federal agency that conducts scientific and medical research on workers' safety and health. At no cost to employers or workers, NIOSH can help identify health hazards and recommend ways to reduce or eliminate those hazards in the workplace through its Health Hazard Evaluation (HHE) Program.

Workers, union representatives and employers can request a NIOSH HHE. An HHE is often requested when there is a higher than expected rate of a disease or injury in a group of workers. These situations may be the result of an unknown cause, a new hazard, or a mixture of sources. To request a NIOSH Health Hazard Evaluation go to www.cdc.gov/niosh/hhe/request.

Materials contained in this agenda are proposed topics for discussion and are not to be construed as final recommendations of the agenda.



For more information



www.osha.gov (800) 321-OSHA (6742)



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Subject

Public Comment and Regulatory Recommendation – Permanent Cosmetic Licensure Experience Requirements

January 30th, 2026

To Whom It May Concern,

Please accept the attached public comment and regulatory recommendation for consideration by the Virginia Department of Professional and Occupational Regulation and the Board of Barbers and Cosmetology.

This submission proposes experience-based eligibility and documentation standards for Master Permanent Cosmetic Technician and Master Permanent Cosmetic Tattoo Instructor licensures, with the intent of strengthening public safety, regulatory clarity, and enforcement consistency.

Thank you for your time and consideration. I appreciate the Board's continued efforts to ensure professional competency and consumer protection within the permanent cosmetic tattoo industry.

Respectfully,

Danielle Good
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DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion and are not to be certified as regulatory or official Board position.
DRAFT AGENDA



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To Whom It May Concern,

Pursuant to the Board's authority to establish qualifications necessary to protect public health, safety, and welfare, I respectfully submit the following regulatory recommendation regarding advancement eligibility for Master Permanent Cosmetic Technician and Master Permanent Cosmetic Tattoo Instructor licensure.

Permanent cosmetic tattooing involves invasive procedures, implantation of pigments into the dermal layer of the skin, and associated risks including infection, scarring, and permanent disfigurement. Licensure at the master and instructor levels should therefore require verifiable professional experience in addition to education and examination.

Proposed Experience-Based Eligibility Standards

A. Master Permanent Cosmetic Technician License

An applicant for a Master Permanent Cosmetic Technician license should be required to:

1. Hold an **active Permanent Cosmetic Technician license** for a minimum period of **one (1) year immediately preceding application**; and
2. Submit **documented evidence of active professional practice**, as defined and approved by the Board.

Acceptable documentation may include, but is not limited to:

- Client service or procedure logs
- Employment or independent contractor verification
- Business records, tax filings, or insurance documentation
- Other Board-approved records demonstrating lawful practice

Experience obtained while holding an **expired, inactive, suspended, or revoked license** should not be eligible for consideration.

B. Master Permanent Cosmetic Tattoo Instructor License

An applicant for a Master Permanent Cosmetic Tattoo Instructor license should be required to:

1. Hold an **active Master Permanent Cosmetic Technician license**; and
2. Demonstrate a minimum of **three (3) years of documented professional experience** as a licensed permanent cosmetic technician prior to instructor eligibility.

Instructor licensure should be contingent upon the applicant maintaining **current and active licensure in all required classifications** throughout the instructional period.



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Documentation, Verification, and Enforcement

To ensure uniform application and enforceability, I further recommend that the Board:

- Require all experience documentation to be **subject to Board review, verification, and audit.**
- Deny eligibility where documentation is incomplete, unverifiable, or inconsistent with licensure status.
- Prohibit counting experience accrued during periods of **license expiration, suspension, or inactivity;** and
- Require licensees teaching or advertising master-level instruction to maintain **continuous active licensure** in the applicable discipline.

Clarification Regarding Rank and Misclassification

To avoid public confusion and improper representation, I recommend the Board clarify that:

- Licensure “rank” or title must directly correspond to **current, active licensure held.**
- An individual holding only an instructor license without a current master practitioner license should not be represented, ranked, or advertised as a Master Permanent Cosmetic Technician or Master Instructor; and
- Teaching authority at the master level should be limited to individuals who meet **all eligibility, experience, and licensure requirements at the time instruction is provided.**

Regulatory Purpose and Public Benefit

Adoption of these standards would:

- Enhance public safety by ensuring advanced practitioners and instructors possess adequate real-world experience
- Promote consistency and transparency in licensure determinations
- Reduce consumer risk associated with inexperienced instruction or practice
- Align permanent cosmetic regulation with established DPOR enforcement principles applied to other regulated professions

Thank you for your consideration of this recommendation. I appreciate the Board’s commitment to maintaining professional integrity and protecting the public within the permanent cosmetic tattoo profession.

Respectfully submitted,

Danielle Good

Exam Statistics (scores through December 31, 2025)

Barber

- The Barber theory exam pass rates for 2025 **increased** from 2024, averaging 78% (2024 46%).
- The Barber practical exam pass rates for 2025 **decreased** from 2024 averaging 53% (2024 96%).

Master Barber

- The Master Barber theory exam pass rates for 2025 **decreased** from 2024 averaging 30% (2024 40%)
- The Master Barber practical exam pass rates for 2025 **increased** from 2024 averaging 99% (2024 82%)

Cosmetology

- The Cosmetology theory exam pass rates for 2025 **increased** from 2024 averaging 54% (2024 49%)
- The Cosmetology practical pass rates for 2025 **decreased** from 2024 averaging 71% (2024 95%).

Nail Technician

- The Nail Technician theory exam pass rates for 2025 are **consistent** with 2024 averaging 56% (2024 55%)
- The Nail Technician practical pass rates for 2025 **decreased** from 2024 averaging 75% (2024 86%).

Esthetician

- The Esthetician theory exam pass rates for 2025 **increased** from 2024 averaging 64% (2024 60%).
- The Esthetician practical pass rates for 2025 **decreased** from 2024 averaging 86% (2024 97%).

Master Esthetics

- The Master Esthetics theory exam pass rates for 2025 **increased** from 2024 averaging 87% (2024 76%).
- The Master Esthetics practical pass rates for 2025 **decreased** with 2024 averaging 85% (2024 99%)

Tattoo

- The Tattoo theory exam pass rates for 2025 are **consistent** with 2024 averaging 90% (2024 92%)

Permanent Cosmetic Tattooer

- The Permanent Cosmetic Tattooer theory exam pass rates for 2025 are **increased** from 2024 averaging 51% (2024 45%)

Master Permanent Cosmetic Tattooer

- The Master Permanent Cosmetic Tattooer theory exam pass rates for 2025 average 18% (no data for 2024)

Body Piercer

- The Body Piercer theory exam rates for 2025 **decreased** from 2024 averaging 38% (2024 85%)

Wax Technician

- The Wax Technician theory exam pass rates for 2025 are **increased** from 2024 averaging 74% (2024 69%)
- The Wax Technician practical exam pass rates for 2025 are **consistent** with 2024 averaging 82% (2024 84%)

High School Exam Statistics (scores through December 31, 2025)

Barber

- The Barber theory exam pass rates for 2025 decreased from 2024, ranging 50% (2024 100%).
- The Barber practical exam pass rates for 2025 are consistent with 2024 averaging 100% (2024 100%).

Master Barber

- The Master Barber theory exam pass rates for 2025 average 4% (No scores provided for 2024)
- The master Barber Practical exam rates for 2025 average 63% (No scores provided for 2024)

Cosmetology

- The Cosmetology theory exam pass rates for 2025 increased from 2024 averaging 59% (2024 50%)
- The Cosmetology practical pass rates for 2025 increased from 2024 averaging 90% (2024 86%).

Nail Technician

- The Nail Technician theory exam pass rates for 2025 are consistent with 2024 averaging 49% (2024 50%)
- The Nail Technician practical pass rates for 2025 are consistent with 2024 averaging 84% (no scores reported through October 2024).

Materials contained in this agenda are proposed topics for discussion and are not
DRAFT AGENDA
DRAFT AGENDA

VA - Virginia Barbers and Cosmetology Board First Time Test Takers

01/02/25 - 12/31/25



Name	First Time Pass	First Time Total	First Time Pass Rate	Repeater Pass	Repeater Total	Repeater Pass Rate	Total Pass	Total	Total Pass Rate
Barber (English)	36	92	39%	15	40	37%	51	132	38%
Barber (Korean)	5	8	62%	3	7	42%	8	15	53%
Barber (Spanish)	1	6	16%	1	12	8%	2	18	11%
Barber (Vietnamese)	1	2	50%	0	7	0%	1	9	11%
Barber Practical	41	78	52%	18	39	46%	59	117	50%
Cosmetology (English)	503	708	71%	77	282	27%	580	990	58%
Cosmetology (Korean)	10	12	83%	2	7	28%	12	19	63%
Cosmetology (Spanish)	18	57	31%	7	66	10%	25	123	20%
Cosmetology (Vietnamese)	19	31	61%	4	18	22%	23	49	46%
Cosmetology Practical	552	713	77%	98	198	49%	650	911	71%
Esthetician Practical	865	963	89%	64	114	56%	929	1077	86%
Esthetics (English)	746	986	75%	106	305	34%	852	1291	65%
Esthetics (Korean)	0	2	0%	2	2	100%	2	4	50%
Esthetics (Spanish)	13	26	50%	4	19	21%	17	45	37%
Esthetics (Vietnamese)	3	12	25%	0	7	0%	3	19	15%
Instructor (English)	11	19	57%	2	4	50%	13	23	56%
Instructor (Vietnamese)	0	1	0%	0	0	0%	0	1	0%
Master Barber (English)	2	5	40%	1	5	20%	3	10	30%
Master Barber Practical	3	5	60%	0	0	0%	3	5	60%
Master Esthetician (English)	306	340	90%	24	41	58%	330	381	86%
Master Esthetician (Spanish)	1	4	25%	1	6	16%	2	10	20%
Master Esthetician Practical	333	335	99%	2	3	66%	335	338	99%
Master Permanent Cosmetic Tattooer (English)	4	13	30%	3	26	11%	7	39	17%

Name	First Time Pass	First Time Total	First Time Pass Rate	Repeater Pass	Repeater Total	Repeater Pass Rate	Total Pass	Total	Total Pass Rate
Master Permanent Cosmetic Tattooer (Spanish)	0	1	0%	0	0	0%	0	1	0%
Nail Technician (English)	340	458	74%	42	186	22%	382	644	59%
Nail Technician (Russian)	8	16	50%	6	18	33%	14	34	41%
Nail Technician (Spanish)	18	45	40%	7	29	24%	25	74	33%
Nail Technician (Vietnamese)	148	256	57%	48	252	19%	196	508	38%
Nail Technician Practical	536	651	82%	81	161	50%	617	812	75%
Permanent Cosmetic Tattooer (English)	102	175	58%	37	89	41%	139	264	52%
Permanent Cosmetic Tattooer (Spanish)	0	5	0%	1	3	33%	1	8	12%
Permanent Cosmetic Tattooer (Vietnamese)	4	7	57%	2	7	28%	6	14	42%
Pernament Cosmetic Tattooer (Korean)	0	1	0%	1	2	50%	1	3	33%
Practical_Esthetics (1-6,9)(NIC)(EN) 2020	3	4	75%	0	0	0%	3	4	75%
Tattooer (English)	27	30	90%	2	2	100%	29	32	90%
Wax Technician (English)	60	79	75%	10	15	66%	70	94	74%
Wax Technician (Vietnamese)	1	2	50%	1	1	100%	2	3	66%
Wax Technician Practical	59	72	81%	8	9	88%	67	81	82%

VA - Virginia Barbers and Cosmetology Board First Time Test Takers

01/02/25 - 12/31/25



Name	First Time Pass	First Time Total	First Time Pass Rate	Repeater Pass	Repeater Total	Repeater Pass Rate	Total Pass	Total	Total Pass Rate
Barber (English)	5	9	55%	0	1	0%	5	10	50%
Barber Practical	6	6	100%	0	0	0%	6	6	100%
Cosmetology (English)	750	1156	64%	135	327	41%	885	1483	59%
Cosmetology Practical	1056	1142	92%	31	54	57%	1087	1196	90%
Master Barber (English)	0	33	0%	2	16	12%	2	49	4%
Master Barber Practical	21	32	65%	0	1	0%	21	33	63%
Nail Technician (English)	61	108	56%	11	37	29%	72	145	49%
Nail Technician Practical	96	112	85%	1	3	33%	97	115	84%
Theory - Cosmetology (VA) 2022 English	0	2	0%	0	0	0%	0	2	0%
Theory_Nail Technology (VA)(EN) 20	0	1	0%	0	0	0%	0	1	0%

Board for Barbers and Cosmetology
Current Regulatory Actions
as of February 23, 2026

In the Governor's Office:

None

In the Secretary's Office:

None

At Department of Planning and Budget (DPB)/OAG:

None

Public Comment:

VAC	Stage	Subject Matter	Review	Notes
18 VAC 41-60	Proposed to Final	General review of Body-Piercing Regulations	The public comment period began on February 9, 2026, and ends on March 11, 2026. Expected effective date is March 16, 2026	A general review of the body piercing regulations was necessary due to Executive Directive Number One (2022). The regulatory review committee ensured the regulations provide minimum burdens on regulants while still protecting the public.

Completed Public Comment and awaiting Final Regulatory Stage:

VAC	Stage	Subject Matter	Review	Notes
18 VAC 41-20	Proposed	Cosmetology Compact Amendment	The public comment period ended on February 13, 2026	The Board for Barbers and Cosmetology adopted emergency regulations to enable Virginia's participation in the Cosmetology Compact. This allows cosmetologists to obtain a multistate license and enables them to work in or transfer to other compact states with no additional requirements.

Approved Regulatory Actions:

VAC	Stage	Subject Matter	Effective Date	Notes
18 VAC 41-60	Fast-Track	HB 2680/SB 1419 Amendment (Ear-Piercer Licensure)	December 18, 2025	Body-piercing regulations are amended to comply with the changes to Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia, effective July 1, 2025. These regulations create new ear-piercing ear-piercing earlobe only individual licenses, ear-piercing salon licenses and create an ear-piercing apprenticeship.
18 VAC 41-70	Final	General review of Esthetic Regulations	December 1, 2025	A general review of the esthetics regulations was necessary due to Executive Directive Number One (2022). The regulatory review committee ensured the regulations provide minimum burdens on regulants while still protecting the public.
18 VAC 41-20	Final	General review of Barbering and Cosmetology Regulations	December 1, 2025	A general review of the barber and cosmetology regulations was necessary due to Executive Directive Number One (2022). The regulatory review committee ensured the regulations provide minimum burdens on regulants while still protecting the public.
18 VAC 41-50	Final	General review of Tattooing Regulations	January 5, 2026	A general review of the tattoo regulations was necessary due to Executive Directive Number One (2022). The regulatory review committee ensured the regulations provide minimum burdens on regulants while still protecting the public.

TO: Board for Barbers and Cosmetology
FROM: Stephen Kirschner, Director Licensing and Regulatory Programs
SUBJECT: Director Licensing and Regulatory Programs Report
DATE: February 9, 2026

Application Statistics

The table below outlines the number of various application types opened per calendar year (Jan. 1 – Dec. 31) since 2019 for Barbers and Cosmetology.

2025 ¹	2024	2023	2022	2021	2020	2019
68,126	60,763	60,137	60,163	58,994	50,949	58,080

Call Center Telephone Statistics

The table below outlines the number of telephone calls received through BCHOP's call center per fiscal year (July 1 – June 30).

2026 ²	2025	2024	2023	2022	2021	2020
23,116	31,750	19,778	33,894	43,063	36,074	41,837

Call Center Summary – 12/01/25 – 12/31/25

	Average Wait Time	Average Speed of Answer	Average Abandonment Time	Average Staff	Number of Calls	Call Duration
BCHOP	00:00:00	00:00:00	00:00:00	1.49	968	
BCHOP – B	00:01:26	00:01:35	00:03:27	1.49	3003	
SUMMARY	00:01:26	00:01:35	00:03:27	2.94	3971	00:05:51

Call Center Summary – 1/01/2026-1/31/2026

	Average Wait Time	Average Speed of Answer	Average Abandonment Time	Average Staff	Number of Calls	Call Duration
BCHOP	00:00:00	00:00:00	00:00:00	0.95	1037	
BCHOP – B	00:00:55	00:01:05	00:05:13	0.95	3436	
SUMMARY	00:00:55	00:01:05	00:05:13	1.9	4473	00:05:23

¹ As of 12/31/25

² As of 01/31/2026

Email Statistics

The table below outlines the number of emails received through BCHOP's email addresses per calendar year (Jan 1 – Dec 31) since 2019 for Barbers and Cosmetology.

2026	2025	2024	2023	2022	2021	2020	2019
1,806 ³	26,485	21,319	22,638	28,441	18,164	14,580	11,071

Board Case Statistics

Since 2020, the Board has adjudicated 547 cases: 367 Disciplinary and 180 Licensing

Disciplinary

Cases - 367: Final Orders - 257; Consent Orders – 110

367 disciplinary cases resulted in the sanctions below:

Revocations - 29
Suspensions - 1
Probation - 6
Fines - \$1,388,800
Board cost - \$16,850

Licensing

Cases – 180
Denied – 24
Conditional approvals – 1

³ As of 01/31/2026



Department of Professional and Occupational Regulation

Board for Barbers and Cosmetology

GUIDANCE DOCUMENT

Effective: **April 1, 2026**

Implementation of Cosmetology, Barber, Master Barber, Dual Barber/Master Barber, Nail, and Wax, **Tattoo, Permanent Cosmetic Tattoo, and Master Permanent Cosmetic Tattoo Curricula**

Background

On July 21, 2025, the Board for Barbers and Cosmetology ("Board") approved the final stage of the General Review of Barbering and Cosmetology Regulations, which amended the Barbering and Cosmetology Regulations (18VAC41-20). The regulatory change (i) revised the cosmetology curricula while keeping the minimum training requirement of 1,000 hours; (ii) revised the barber curricula and reduced the minimum required training hours from 1,100 hours to 750 hours; (iii) revised the master barber curricula and reduced the minimum required training hours from 400 hours to 250 hours; and (iv) revised the dual barber/master barber curricula and reduced the minimum required training hours from 1,500 hours to 1,000 hours.

The Board also approved revised standards for performances for cosmetology, barber, master barber, dual barber/master barber, nail and waxing programs. The revised curricula ensures that training is no more burdensome than necessary while preparing students to be minimally competent practitioners.

The Barbers and Cosmetology regulatory changes **became** effective December 1, 2025. **The Tattooing regulatory changes became effective on January 5, 2026.** The Board adopted a guidance document for cosmetology, barber, nail, and waxing, **tattooing, and permanent cosmetic tattooing** schools to follow for student training and meeting the new program requirements. Schools are not permitted to train students on the new curricula until their program has been approved by the Board.

Applicable Regulations

Schools are mandated by 18 VAC 41-20-200 to submit their curricula to the Board for approval. 18 VAC 41-20-210 amended the cosmetology, barber, master barber, dual barber/master barber, nail and waxing curricula in the regulations. The outline included the required courses that align with the respective scopes of practice outlined in the Code of Virginia definitions. The regulatory changes to 18 VAC 41-20-220 updated the mandatory minimum performances students must perform in the cosmetology, barber, master barber, dual barber/master barber, nail and waxing programs. 18 VAC 41-20-20.B.1 is relevant because any student enrolled in a Board approved program before December 1, 2025, is considered to have met the training requirements to qualify for the licensing examination. This applies to the 1,000-hour cosmetology program, the 1,100-hour barber program, the 400-hour master barber program and the 1,500-hour dual barber/master barber program. The guidance document outlines the timeline for

schools to discontinue the prior cosmetology, barber, master barber, dual barber/master barber, nail and waxing training and transition to offering the new training programs beginning December 1, 2025.

Schools are mandated by 18 VAC 41-50-230 to submit their curricula to the Board for approval. 18 VAC 41-50-280 amended the tattooing, permanent cosmetic tattooing, and master permanent cosmetic tattooing curricula in the regulations. The outline included the required courses that align with the respective scopes of practice outlined in the regulations and Code of Virginia definitions. The regulatory changes to 18 VAC 41-50-290 updated the mandatory minimum performances students must perform in the tattooing, permanent cosmetic tattooing, and master permanent cosmetic tattooing programs. 18 VAC 41-50-20.B.1 is relevant because any student enrolled in a Board approved program before January 5, 2026, is considered to have met the training requirements to qualify for the licensing examination. This applies to the 1,000-hour tattooing program, the 200-hour permanent cosmetic tattooing program, and the 200-hour master permanent cosmetic tattooing program. The guidance document outlines the timeline for schools to discontinue the prior tattooing, permanent cosmetic tattooing, and master permanent cosmetic tattooing training and transition to offering the new training programs beginning January 5, 2026.

Consideration of Board Policy

during the Board meeting on February 23, 2026, the Board for Barbers and Cosmetology approved the below guidance document for students completing 1500-hour cosmetology program effective prior to September 1, 2024; the 1000-hour program effective on September 1, 2024; the 1,100-hour barber program; the 400-hour master barber program; and the 1,500-hour dual barber/master barber program. The Board aims to establish protocols for students already enrolled in the above programs and outline school responsibilities in meeting the minimum hour program requirements.

Guidance Document

Implementation of Cosmetology, Barber, Master Barber Dual Barber/Master Barber, Nail and Wax Curricula

Cosmetology schools currently licensed by the Board must meet the new minimum standards for curriculum in 18 VAC 41-20-210.A and E and performances in 18 VAC 41-20-220.D. All cosmetology schools must submit updated school packets, including instructional hours, course syllabus, detailed course outline, and breakdown of hours and performances to the Board no later than March 1, 2026.

Students enrolled in the 1,500-hour cosmetology program prior to September 1, 2024, must complete the program no later than August 31, 2026, in order for the Board to accept this training.

Cosmetology schools approved by the Board to teach the 1,000-hour program effective September 1, 2024, may continue to enroll new students until November 30, 2025. Students taking a board-approved September 1, 2024, minimum 1,000-hour cosmetology program must complete the program no later than July 31, 2026 December 31, 2026.

Barber schools currently licensed by the Board must meet the new minimum standards for curriculum in 18 VAC 41-20-210.A and B and performances in 18 VAC 41-20-220.A. All barber schools must submit updated school packets, including instructional hours, course syllabus, detailed course outline, and breakdown of hours and performances to the Board no later than March 1, 2026.

Barber schools approved by the Board to teach the 1,100-hour barbering program may continue to enroll new students until November 30, 2025. Students taking the minimum 1,100-hour barber program must complete the program no later than July 31, 2026 December 31, 2026, in order for the Board to accept this training.

Licensed barber schools with a master barber program currently approved by the Board must meet the new minimum standards for curriculum in 18 VAC 41-20-210.A and C. and performances in 18 VAC 41-20-220.B. All barber schools must submit updated school packets, including instructional hours, course syllabus, detailed course outline, and breakdown of hours and performances to the Board no later than March 1, 2026.

Barber schools with a master barber program approved by the Board to teach the 400-hour master barber program may continue to enroll new students until November 30, 2025. Students taking the minimum 400-hour master barber program must complete the program no later than ~~February 28, 2026~~ **June 30, 2026**, in order for the Board to accept this training.

Licensed barber schools with a dual barber/master barber program currently approved by the Board must meet the new minimum standards for curriculum in 18 VAC 41-20-210.A and D and performances in 18 VAC 41-20-220.C. All barber schools must submit updated school packets, including instructional hours, course syllabus, detailed course outline, and breakdown of hours and performances to the Board no later than March 1, 2026.

Barber schools with a dual barber/master barber program approved by the Board to teach the 1,500-hour dual barber/master barber program may continue to enroll new students until November 30, 2025. Students taking the minimum 1,500-hour program must complete the program no later than ~~August 31, 2026~~ **December 31, 2026**, in order for the Board to accept this training.

Nail schools currently licensed by the Board must meet the new minimum standards for curriculum in 18 VAC 41-20-210.A and F and performances in 18 VAC 41-20-220.E. All nail schools must submit updated school packets, including instructional hours, course syllabus, detailed course outline, and breakdown of hours and performances to the Board no later than March 1, 2026.

Nail schools currently approved by the Board may continue to enroll new students until November 30, 2025. Students enrolled on or before November 30, 2025, must complete the program no later than ~~February 28, 2026~~ **June 30, 2026**.

Wax schools currently approved by the Board must meet the new minimum standards for curriculum in 18 VAC 41-20-210.A and G and performances in 18 VAC 41-20-220.F. All wax schools must submit updated school packets, including instructional hours, course syllabus, detailed course outline, and breakdown of hours and performances to the Board by March 1, 2026.

Wax schools currently approved by the Board may continue to enroll new students until November 30, 2025. Students enrolled on or before November 30, 2025, must complete the program no later than ~~February 28, 2026~~ **June 30, 2026**.

Tattoo schools currently approved by the Board must meet the new minimum standards for curriculum in 18 VAC 41-50-280.B and C and performances in 18 VAC 41-50-290.A. All tattooing schools must submit updated school packets, including instructional hours, course syllabus, detailed course outline, and breakdown of hours and performances to the Board by April 1, 2026.

Tattoo schools currently approved by the Board may continue to enroll new students until January 4, 2026. Students enrolled on or before January 4, 2026, must complete the program no later than December 31, 2026.

Permanent cosmetic tattoo schools currently approved by the Board must meet the new minimum standards for curriculum in 18 VAC 41-50-280.B and D and performances in 18 VAC 41-50-290.C and E. All permanent Cosmetic tattooing schools must submit updated school packets, including instructional hours, course syllabus, detailed course outline, and breakdown of hours and performances to the Board by April 1, 2026.

Permanent cosmetic tattoo schools currently approved by the Board may continue to enroll new students until January 4, 2026. Students enrolled on or before January 4, 2026, must complete the program no later than June 30, 2026.

Master permanent cosmetic tattoo schools currently approved by the Board must meet the new minimum standards for curriculum in 18 VAC 41-50-280.B and E and performances in 18 VAC 41-50-290.D and E. All master permanent cosmetic tattooing schools must submit updated school packets, including instructional hours, course syllabus, detailed course outline, and breakdown of hours and performances to the Board by April 1, 2026.

Master permanent cosmetic tattoo schools currently approved by the Board may continue to enroll new students until January 4, 2026. Students enrolled on or before January 4, 2026, must complete the program no later than June 30, 2026.

The programs for cosmetology and barbering outlined in the table below will no longer be authorized, however schools may continue to train existing students until the program deadline or until the program is completed, whichever date is the earliest.

Type of Program	Curriculum Hours	Deadline: All students must complete the training by the date listed below:
Cosmetology	1,500-hour program; 360 performance requirements (if enrolled prior to September 1, 2024)	August 31, 2026
Cosmetology	1,000-hour program; 367 performance requirements (if enrolled prior to November 30, 2025) *With straight razor shaving and body treatments	July 31, 2026 December 31, 2026
Barber	1,100-hour program; 370 performance requirements (if enrolled prior to November 30, 2025) *Without minimum hours of instruction requirements	July 31, 2026 December 31, 2026
Barber schools with a master barber program	400-hour program; 120 performance requirements (if enrolled prior to November 30, 2025) *Without minimum hours of instruction requirements	February 28, 2026 June 30, 2026
Barber schools with a dual barber/master barber program	1,500-hour program; 490 performance requirements (if enrolled prior to November 30, 2025) *Without minimum hours of instruction requirements	August 31, 2026 December 31, 2026
Nail	150-hour program; 275 performance requirements (if enrolled prior to November 30, 2025) *Without minimum hours of instruction requirements	February 28, 2026 June 30, 2026

Waxing	115-hour program; 36 performance requirements (if enrolled prior to November 30, 2025) *Without minimum hours of instruction requirements	February 28, 2026 June 30, 2026
Tattoo	1,000-hour program; 100 performance requirements (if enrolled prior to January 4, 2026) *Without minimum hours of instruction requirements	December 31, 2026
Permanent Cosmetic Tattoo	200-hour program; 60 performance requirements (if enrolled prior January 4, 2026) *Without minimum hours of instruction requirements	December 31, 2026
Master Permanent Cosmetic Tattoo	200-hour program; 55 performance requirements (if enrolled prior January 4, 2026) *Without minimum hours of instruction requirements	December 31, 2026

SCHEV Certified schools may receive preliminary approval of the new cosmetology, barber, master barber or dual barber/master barber curricula upon submission of the revised syllabus and detailed course outline showing conformance to the Board's regulatory requirements.

Schools may not teach the new cosmetology, barber, master barber, dual barber/master barber, nail and wax curricula until December 1, 2025. Schools may not teach the new tattooing, permanent cosmetic tattooing, and master permanent cosmetic tattooing curricula until January 5, 2026.

Schools may not teach the new minimum hour cosmetology, barber, master barber, dual barber/master barber nail, and wax, tattooing, permanent cosmetic tattooing, and master permanent cosmetic tattooing curricula until approved by the Board.

The new program requirements for cosmetology, barber, nail, and waxing schools will become effective on December 1, 2025. These requirements are outlined below. Schools may begin teaching their new board-approved program no earlier than December 1, 2025.

Type of Program	Updated Curriculum Hours and Performances
Cosmetology	1,000-hour program; 365 performance requirements *Without straight razor shaving and body treatments
Barber	750-hour program; 332 performance requirements *With minimum hours of instruction requirements
Barber schools with a master barber program	250-hour program; 100 performance requirements

	*With minimum hours of instruction requirements
Barber schools with a dual barber/master barber program	1,000-hour program; 432 performance requirements *With minimum hours of instruction requirements
Nail	150-hour program; 255 performance requirements *With minimum hours of instruction requirements
Waxing	115-hour program; 30 performance requirements *With minimum hours of instruction requirements

The new program requirements for tattooing, permanent cosmetic tattooing, and master permanent cosmetic tattooing will become effective on January 5, 2026. These requirements are outlined below. Schools may begin teaching their new board-approved program no earlier than January 5, 2026.

Type of Program	Updated Curriculum Hours and Performances
<u>Tattoo</u>	<u>1,000-hour program; 100 performance requirements</u> <u>*With minimum hours of instruction requirements</u>
<u>Permanent Cosmetic Tattoo</u>	<u>200-hour program; 60 performance requirements</u> <u>*With minimum hours of instruction requirements</u>
<u>Master Permanent Cosmetic Tattoo</u>	<u>200-hour program; 55 performance requirements</u> <u>*With minimum hours of instruction requirements</u>

Schools failing to meet any of the required deadlines or follow other provisions established in this guidance will be out of compliance with the Board's regulations and may face disciplinary action.

Board for Barbers and Cosmetology | Revise §54.1-704.1; Business Licenses

Proposal Title: Amend §54.1-704.1. License required for barbershop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing salon, ear-piercing salon, esthetics spa, permanent cosmetic tattoo salon, and ear-piercing earlobe only salon.

Proposal Short Description: Amend § 54.1-704.1 to authorize the Board to issue licenses to permanent cosmetic tattooing salons and ear-piercing earlobe only salons.

Summary of current language:

This amendment updates the Code to reflect current Board practices. While the Board presently licenses permanent cosmetic tattoo and ear-piercing salons that offer earlobe-only services, these specific salons are not listed in the existing statute. This revision is necessary to align the Code of Virginia with the Board's established administrative practices and procedures.

Summary of proposed amendment:

This revision adds permanent cosmetic tattooing and ear-piercing earlobe only salons to the list of businesses required to hold a license. Adding these categories to § 54.1-704.1 ensures statutory consistency and clarifies that these specific businesses must meet the same licensing standards as other Board-regulated salons, shops, spas, and parlors.

Draft amendment:

§ 54.1-704.1. License required for barbershop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing salon, ear-piercing salon, ~~and~~ esthetics spa, permanent cosmetic tattoo salon, and ear-piercing earlobe only salon.

No individual or entity shall operate a barbershop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing salon, ear-piercing salon, ~~or~~ esthetics spa, permanent cosmetic tattoo salon, or ear-piercing earlobe only salon without a valid license issued by the Board.

The provisions of this section shall not apply to a licensed barber, cosmetologist, nail technician, waxing technician, tattooer, body-piercer, ear-piercer, or esthetician who does not have an ownership interest in a licensed barbershop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing salon, ear-piercing salon, ~~or~~ esthetics spa, permanent cosmetic tattoo salon, or ear-piercing earlobe only salon in which he is employed.

Board for Barbers and Cosmetology | Revise §54.1-700; Definitions

Proposal Title: Amend §54.1-700 Definitions

Proposal Short Description: Amend § 54.1-700 regulatory definitions to establish the specific statutory authority needed to bring the Code of Virginia into compliance with the Board's present regulation.

Summary of current language:

The Board for Barbers and Cosmetology has regulated several professions and business types that are defined in regulation but are not acknowledged in the Code of Virginia. These professionals and businesses have been licensed for five to ten years in accordance with regulatory standards; yet the underlying statutory authority for these licenses is uncoded. Incorporating these terms into the statute will resolve this discrepancy and provide the necessary legislative mandate for continued oversight of the following licenses:

Barber school

Master permanent cosmetic tattooer

Master permanent cosmetic tattooing

Master permanent cosmetic tattooing instructor

Master permanent cosmetic tattooing

Permanent cosmetic tattooer

Permanent cosmetic tattooing

Permanent cosmetic tattooing instructor

Permanent cosmetic tattooing school

Tattooing instructor

The Code of Virginia currently mandates that licensed schools maintain a board-approved curriculum; however, certain school definitions within the regulations lack this requirement. To resolve this inconsistency, the statute should be amended to ensure all school definitions align with the necessary requirement for offering Board-approved curricula.

Recommend stylistic changes to master permanent cosmetic tattooing definition for clarity.

Summary of proposed amendment:

Incorporating these definitions into the Code of Virginia is essential to reinforce the Department's legal standing and provide statutory authority for existing regulatory oversight. While the Board has successfully regulated these professions for years, establishing these definitions in statute protects the Commonwealth from potential challenges. These amendments will also ensure that all school definitions are consistent, which requires schools to have a board-approved curriculum. The result provides much-needed clarity for school owners and ensures a uniform standard across all Board-regulated schools. Revising the terms 'School of cosmetology' to 'Cosmetology school' and 'School of esthetics' to 'Esthetics school' reflects modern industry terminology and Board practice.

The scope of practice for master permanent cosmetic tattooing requires clarification. The definition is amended to specify that the master scope of practice encompasses all procedures included in the permanent cosmetic tattooing in addition to master permanent cosmetic tattooing.

Draft amendment:

Incorporating existing regulatory definitions into the Code of Virginia:

"Barber school" means a place or establishment licensed by the board to accept and train students and that offers a barber, master barber, or dual barber/master barber curriculum approved by the board.

"Master permanent cosmetic tattooer" means any person who for compensation practices permanent cosmetic tattooing ~~known in the industry as~~ and advanced permanent cosmetic tattooing, including eye shadow and breast and scar repigmentation or camouflage.

"Master permanent cosmetic tattooing instructor" means a person who has been certified by the board and who meets the competency standards of the board as an instructor of master permanent cosmetic tattooing.

"Permanent cosmetic tattooer" means any person who for compensation practices permanent cosmetic tattooing known in the industry as basic permanent cosmetic tattooing, including eyebrows, microblading, scalp micropigmentation, eyeliner, lip coloring, lip liners, or full lips.

"Permanent cosmetic tattooing" means placing marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the skin on the face, including eyebrows, eyeliner, lip coloring, lip liners, full lips, cheek blush, eye shadow, forehead and scalp micropigmentation, and on the body for breast and scar repigmentation or camouflage, also known as permanent makeup or micropigmentation.

"Permanent cosmetic tattooing instructor" means a person who has been certified by the board who meets the competency standards of the board as an instructor of permanent cosmetic tattooing.

"Permanent cosmetic tattooing school" means a place or establishment licensed by the board to accept and train students and that offers a permanent cosmetic tattooing or master permanent cosmetic tattooing curriculum approved by the board.

"Tattooing instructor" means a person who has been certified by the board who meets the competency standards of the board as an instructor of tattooing.

Revising existing statutory definitions:

"Body-piercing school" means a place or establishment licensed by the Board to accept and train students ~~in body-piercing~~ and which offers a body-piercing curriculum approved by the Board.

~~"School of cosmetology~~ "Cosmetology School" means a place or establishment licensed by the Board to accept and train students and which offers a cosmetology curriculum approved by the Board.

"Ear-piercing school" means a place or establishment licensed by the Board to accept and train students ~~in ear-piercing~~ and which offers an ear-piercing curriculum approved by the Board.

~~"School of esthetics~~ "Esthetics School" means a place or establishment licensed by the Board to accept and train students and which offers an esthetics curriculum approved by the Board.

"Tattoo school" means a place or establishment licensed by the Board to accept and train students ~~in tattooing~~ and which offers a tattooing curriculum approved by the Board.

"Waxing school" means a place or establishment licensed by the Board to accept and train students in waxing and which offers a waxing curriculum approved by the Board.

"Nail school" means a place or establishment licensed by the ~~board~~ Board to accept and train students in nail care and which offers a nail care curriculum approved by the Board.

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

DRAFT AGENDA
DRAFT AGENDA

Board for Barbers and Cosmetology | Revise §54.1-704.2; School Licenses

Proposal Title: Amend §54.1-704.2. License required for schools of barbering, cosmetology, nail care, waxing, tattooing, body-piercing, ear-piercing, or esthetics

Proposal Short Description: Amend § 54.1-704.2 to authorize the Board to issue licenses to permanent cosmetic tattooing schools.

Summary of current language:

This amendment updates the Code to reflect current Board practices. While the Board presently licenses permanent cosmetic tattoo schools, this specific school is not listed in the statute. This revision is necessary to align the Code of Virginia with the Board's established administrative practices and procedures.

Summary of proposed amendment:

This revision adds permanent cosmetic tattooing schools to the list of businesses required to hold a license. Adding this category to § 54.1-704.2 ensures statutory consistency and clarifies that this specific business type must meet the same licensing standards as other Board-regulated schools.

Draft amendment:

§54.1-704.2. License required for schools of barbering, cosmetology, nail care, waxing, tattooing, permanent cosmetic tattooing, body-piercing, ear-piercing, or esthetics

Except as provided in § [54.1-701](#), no person, firm, or corporation shall operate or attempt to operate a school of barbering, cosmetology, nail care, waxing, tattooing, permanent cosmetic tattooing, body-piercing, ear-piercing, or esthetics unless licensed by the Board pursuant to its regulations.