BOARD FOR BARBERS AND COSMETOLOGY

TENTATIVE AGENDA

Department of Professional and Occupational Regulation Board Room 1, Second Floor 9960 Mayland Drive Richmond, Virginia 23233

	BOARD FOR BARBERS AND COS	SMETOLOGY
•	TENTATIVE AGENDA	A
Orion	December 7, 2023, 9:00 a	.m.
CO	December 7, 2023, 9:00 a Department of Professional and Occupa Board Room 1, Second Fl 9960 Mayland Drive Richmond, Virginia 232	oor
I.	CALL TO ORDER	PAGES
II.	EMERGENCY EGRESS	3
***	ADDROVAL OF ACTOR	
III.	APPROVAL OF AGENDA	enda, November 13, 2023 1-2
	Board for Barbers and Cosmetology Board Meeting Tentative Age	enda, November 13, 2025
IV.	APPROVAL OF MINUTES	
	Board for Barbers and Cosmetology Meeting Draft Minutes from	September 25, 2023 4-11
	2. Board for Barbers and Cosmetology Regulatory Review Committ	
	September 25, 2023	
	3. Board for Barbers and Cosmetology Regulatory Advisory Ranel C	committee Draft Minutes from 181-182
	September 29, 2023	7
	4. Board for Barbers and Cosmetology Regulatory Review Committee November 13, 2023	ee Draft Minutes from 183-308
	November 13, 2023	Disciplinary
V.	PUBLIC COMMENT PERIOD *	5
VI.	CASES	Cons
	1. 2021-01788 Zahra Ali Lakhani (Roberts and LaPierre)	Disciplinary
	2. 2022-02526 AVI Career Training Inc t/a AVI Day Spa	Consent Order
	3. 2023-01740 CA Nails & Spa	Consent Order
	4. 2023-03114 Salon PS Virginia LLC	Licensing
	5. 2023-03115 Salon PS Virginia LLC	Licensing
	6. 2023-03116 Salon PS Virginia LLC	Licensing
	7. 2024-00001 Salon PS Virginia LLC	Licensing
	8. 2024-00002 Salon PS Virginia LLC	Licensing
	9. 2024-00003 Sean Weiss	Disciplinary Consent Order Consent Order Licensing Licensing Licensing Licensing Licensing Licensing Licensing Licensing Licensing
	10. 2024-00102 Jaquade Carty	Licensing

Licensing

Licensing

11. 2024-00181 Chadale Dye Withrow

12. 2024-00204 Gross Ink LLC

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CO	1. Examination Statistics	309
7	Examination Statistics Regulatory Report MIC Annual Conference	310-312
	3. NIC Annual Conference	
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VIII.	NEW BUSINESS	
	1. Approval Of Final Cosmetology Reduction Hour Regulations	313-333
	2. Remote Participation Policy	334-335
	Qr.	
IX.	RESOLUTIONS	

X.

Renee Gilanshah

XI.

* 5-minute public comment, with the exception of any open disciplinary files. Persons desiring to attend the meeting and requiring special accommodations and/or interpretive services should contact the Board Office at (804) 367-8590 at least ten ade fo.

The contract as requisition or official Board position. requiring special accommodations and/or interpretive/services should contact the Board Office at (804) 367-8590 at least ten (10) days before the meeting so that suitable arrangements can be made for appropriate accommodation. The Department and Board fully comply with the Americans with Disabilities Act.

2024 MEETING DATES:

January 29, 2024

March 25, 2024

May 6, 2024

July 8, 2024

September 30, 2024

November 18, 2024

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 exent 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

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, parn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the half.

Upon exiting the building, proceed straight ahead through the parting 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 and of the lot. Wait there

Training Room 2

. Follow the corridor Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**.

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

BOARD FOR BARBERS AND COSMETOLOGY

MINUTES OF THE Board for Barbers and Cosmetology met at 9:00 a.m. on Monday, September 25, 2023, at the Department of Professional and Occupational Regulation Offices, 9960 Mayland Drive, 2nd Floor, Department of Professional and Occupational Regulation Offices, 9960 Mayland Drive, 2nd Floor, Board

The following board members were present:

Matthew D. Roberts

Margaret B. LaPierre

Oanh "Tina" Pham Kim Dang

Marques Blackmon

Gregory Edwards

Emmanuel Gayot

Claudi Espinoza

Kailey Blakeney

The following board members were not present

Bo Machayo

Sandra G. Smith

DPOR staff present for all, or part of the meet

Demetrios Melis, Director

Kishore Thota, Chie Deputy Director

Stephen Kirschner, Depaty Director, Licensing & Regulatory Programs

Kelley Smith, Executive Oirector 7 Tamika Rodriguez, Regulatory Operations Administrator

Wendy Duncan, Licensing Operations Administrator

Heather Garnett, Administrative Coordinator

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

Mr. Roberts, Chair, determined a quorum was present and called the meeting.

Ms. Smith, Executive Director, explained the emergency evacuation procedures for board room 2.

Ms. Smith introduced new Board member, Ms. Kailey Blakeney. Board and Board staff welcomed Ms. Blakeney.

ORDER

INTRODUCTIO

Board for Barbers and Cosmetology Minutes of Meeting September 25, 2023 Page 2 of 8

APPROVAL OF **AGENDA**

The Board took the agenda under consideration.

Conson a motion by Mr. Edwards and second by Ms. LaPierre, the Board voted foot the agenda.

Conson a motion by Mr. Edwards and second by Ms. LaPierre, the Board voted foot the agenda. Blakeney. There were no negative votes. The motion passed unanimously.

> The Board took the minutes of the Board meeting on August 14, 2023, and the Regulatory Review Committee meetings on August 14, 2023, and September 11, 2023, under consideration as a block.

APPROVAL OF MINUTES AS A **BLOCK**

Upon a motion by Ms. LaPiere and seconded by Mr. Edwards, the Board voted to approve the minutes.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Ms. Espinoza, Marques Blackmon, Gregory Edwards, Emmanuel Gayot, and Kailey Blakeney. There were no negative votes. The motion passed unanimously.

Ms. Dang arrived at 9:17 a.m.

Matt England addressed the Board with concerns about changes in the esthetics regulations. Mr. England informed the Board of the difficulties students have

Arrival of Board Member

Matt England addressed the Board with PSI online registration, exam scheduling, exam cancelation, and conquestions.

CASES

Mr. Roberts asked if anyone was present to speak on any of the Consent Order cases.

Consent Orders

Consent Orders

File Number 2023
Matt England addressed the Board with PSI online registration, exam scheduling, exam cancelation, and consent orders

CASES

Consent Orders

File Number 2023
Matt England addressed the Board with PSI online registration, and consent orders

CASES

Mr. Roberts asked if anyone was present to speak on any of the Consent Orders

Consent Orders

A members reviewed the Matter than 1985 and 19

School Booking

The representative of Chong Lee from C & S Beauty School was present at the meeting and identified himself as Sung Min Oh, the son of Chong Lee, addressed the Board.

Upon motion by Ms. LaPierre and seconded by Mr. Edwards, the Board voted to adopt the Consent Order violations which cites:

Board for Barbers and Cosmetology Minutes of Meeting September 25, 2023 Page 3 of 8

Count 1: 18 VAC 41-20-280.9	\$2,000.00
Count 2: 18 VAC 41-20-280.15	\$5,000.00
(4xiolations @ \$1,250.00 ea.)	
Count 3: 18 VAC 41-20-280.6	\$2,200.00
Count 4: 18 VAC 41-20-280.4	\$1,300.00
Count 5:28 VAC 41-20-280.4	\$1,300.00
Count 6: 18 VAC 41-20-260.A	\$ 100.00
Count 7: 18 A C 41-20-270.E.1	\$ 100.00
Count 8: 18 VA6-41-20-270.I	\$ 50.00
Count 9: 18 VAC 41-20-270.B.1	\$ 300.00
Count 10: 18 VAC 49-20-270.C.2	2 \$ 150.00
Count 11: 18 VAC 41-29-270.E.2	2 \$ 100.00
Count 12: 18 VAC 41-20-270.E.3	\$ 150.00
Count 13: 18 VAC 41-20-209.6	\$ 100.00
Count 14: 18 VAC 41-20-200.	\$ 800.00
Count 15: 18 VAC 41-20-280.1	\$ 800.00
Sub-Total (monetary penalties)	\$14,450.98
Board Costs	\$ 150.06%
Total	\$14,800.00
	On Cyc

In addition, for violation of Counts 1, and 1615, Chong Lee agrees to

The members voting "yes" were Mr. Roberts Ms. Larierre, Ms. Espinoza, Marques Blackmon, Gregory Edwards, Emmanuel Gayo, and Kailey Blakeney. There were no negative votes. The motion passed unanimously.

In the matter of <u>File Number 2023-02082, Chong Suk Lee</u>, Mo Dang recused herself from the case. Board members reviewed the record of the Consent <u>File Number 2023-02082, Chong Suk</u> Order as seen and agreed to by Chong Suk Lee.

Lee

The representative of Chong Suk Lee was present at the meeting and identified himself as Sung Min Oh, the son of Chong Lee, and addressed the Board.

Upon motion by Ms. LaPierre and seconded by Mr. Blackmon, the Board voted to adopt the Consent Order violations which cites:

```
Count 1: 18 VAC 41-20-260.A $100.00
Count 2: 18 VAC 41-20-270.E.1 $100.00
Count 3: 18 VAC 41-20-270.I
                             $ 50.00
Count 4: 18 VAC 41-20-270.B.1 $300.00
Count 5: 18 VAC 41-20-270.C.2 $150.00
Count 6: 18 VAC 41-20-270.E.2 $100.00
```

Board for Barbers and Cosmetology Minutes of Meeting September 25, 2023 Page 4 of 8

Count 7: 18 VAC 41-20-270.E.3 \$150.00 Sub-Total (monetary penalties) \$950.00 Board Costs \$150.00 Total \$1,100.00

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Ms. Espinoza, Marques Backmon, Gregory Edwards, Emmanuel Gayot, and Kailey Blakeney. There were no negative votes. The motion passed unanimously.

With no one present to speak on Consent Order agenda items 3, 4, and 5 Ms. LaPierre moved to acopt the Consent Order agenda items 3, 4, and 5 as a block. Mr. Blackmon seconded the motion, which was unanimously approved by Board members, Mr. Roberts, Ms. LaPierre, Ms. Espinoza, Marques Blackmon, Ms. Dang, Gregory Edwards, Emmanuel Gayot, and Kailey Blakeney.

Consent Orders Considered as a **Block**

In the matter of File Number 2023-02108, Eamloan LLC, t/a Express Nail Spa Board members reviewed the record of the Consent Order as seen and agreed to by Loan Thi Lai, responsible manager of Express Nail Spa.

File Number 2023-02108, Lamloan LLC, t/a Express Nail Spa

, , ,	On Chi	CA TO	1
A representative of Lamloan L	LC, ta Exp	res Nail Sina	was not present a
the meeting.		18 O	7
	70		
Upon motion by Ms. LaPierre a	nd seconded	by Mr. Blackn	non, the Board
voted to adopt the Consent Orde	er violation v	which cites:	
G 1 . 10 XX	41.25 0.00		ő
Count 1: 18 VAC 41-20-280.4			0
Sub-Total (monetary penalties)	•		CO
Board Costs Testal	\$ 150.00		The same
Total	\$1,500.00		70 0
T1	D -1 M	I - D' M -	

The members voting "yes" Mr. Roberts, Ms. LaPierre, Ms. Espinoza, Marques Blackmon, Ms. Dang, Gregory Edwards, Emmanuel Gayot, and Kailey Blakeney. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2023-02490, Devan Brown Board members reviewed the record of the Consent Order as seen and agreed to by Devan Brown.

Devan Brown did not appear at the meeting in person, by counsel, or by any other qualified representative.

Upon motion by Ms. LaPierre and seconded by Mr. Blackmon, the Board voted to adopt the Consent Order violation which cites:

Fige Number 2023-Brown Sol Board for Barbers and Cosmetology Minutes of Meeting September 25, 2023 Page 5 of 8

Count 1: 18 VAC 41-70-280.4 \$700.00 Sub-Total (monetary penalties) \$700.00 Board Costs \$150.00 Total \$850.00

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Ms. Espinoza, Marques Backmon, Ms. Dang, Gregory Edwards, Emmanuel Gayot, and Kailey Blakes. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2023-01982, Jennifer Rahlan t/a Tulip Nails Board members reviewed the record of the Consent Order as seen and agreed to by Jennifer Rahlan.

File Number 2023-01982, Jennifer Rahlan t/a Tulip **Nails**

A representative of **Jennifer Rahlan t/a Tulip** Nails was not present at the meeting.

Upon motion by Ms. LaPierre and seconded by Mr. Blackmon, the Board

Upon motion by Ms. LaPierre and seconded by Mr. Blackmon, the Board voted to adopt the Consent Order violations which cites:

Count 1: 18 VAC 41-20-280.14 \$950.00 Count 2: 18 VAC 41-20-270.D.6 \$200.00 Count 3: 18 VAC 41-20-270.E.1 \$100.00 Count 4: 18 VAC 41-20-270.E.2 \$100.00 Count 5: 18 VAC 41-20-270.I \$50.00 Sub-Total (monetary penalties) \$1,400.00 Board Costs \$150.00 Total \$1,550.00 Total \$1,550.00 Total \$1,550.00 Count 5: 18 VAC 41-20-270.I \$100.00 Count

The members voting "yes" were Mr. Roberts, Ms. L...

Marques Blackmon, Ms. Dang, Gregory Edwards, Emmanuel Gayot, angular Blakeney. There were no negative votes. The motion passed unanimously.

Licensing

The Number 2023
Control of the Number 202

reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

Evelyn Boone was present at the meeting and addressed the Board.

Boone O Stiller

Board for Barbers and Cosmetology Minutes of Meeting September 25, 2023 Page 6 of 8

Upon a motion by Ms. LaPierre and seconded by Mr. Edwards, the Board voted Oto accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Evelyn Boone's application for wax technician license

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Ms. Espinoza, Marques Blackmon, Ms. Dang, Gregory Edwards, Emmanuel Gayot, and Kailey Blakeney. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2023-01130, Minh Phuc Thach t/a Q Nails

Prima Facia

Board members reviewed the Prima Facia record, which consisted of the investigative file, Report of Finengs, and exhibits,

File Number 2023-01130, Minh Phuc Thach t/a Q Nails

A representative of Minh Phuc Thack Va Q Nats was not present at the meeting.

Upon motion by Mr. LaPierre and seconded by Mr. Blackmon, the Board voted to find a violation and impose the recommended sanctions which cites:

Count 1: 18 VAC 41-20-260.C \$ 350.20

Count 2: 18 VAC 41-20-280.4 \$1,300.00

Count 3: 18 VAC 41-20-280.4 \$1,300.00

Count 4: 18 VAC 41-20-270.I \$ 50.00

Count 3: 18 VAC 41-20-270.E.2 \$ 100.00

Total \$3,100.00

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Ms. Espinoza, Margues Blackmon, Ms. Dang Gregory Edwards, Emmanuel Gayot, and other contents of the recommended sanctions which cites:

Total

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Ms. Espitoza,
Marques Blackmon, Ms. Dang, Gregory Edwards, Emmanuel Gayot, and
Voiley Blakeney. There were no negative votes. The motion passed

REPORTS

Mr. Roberts requested the Board review the examination statistics provided in the electronic agenda. The Board did not have any questions concerning the examination statistics.

Mr. Roberts requested the Board review the regulatory report provided in the electronic agenda. The Board did not have any questions concerning the regulatory report.

Regulatory Report

Board for Barbers and Cosmetology Minutes of Meeting September 25, 2023 Materials contain Page 7 of 8

NEW BUSINESS

Rodriguez informed the Board that school applications reviewed by Board Staff have a high deficiency rate. Ms. Rodriguez proposed as subject matter experts, the Board form an AD HOC committee to approve or deny school applications.

AD HOC Committee on School **Applications**

Board and Board staff discussed the committee requirements.

Upon a motion by Me Edwards and seconded by Ms. Espinoza to form an AD HOC committee on school applications.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Ms. Espinoza, Marques Blackmon, Ms. Dang Gregory Edwards, Emmanuel Gayot, and Kailey Blakeney. There were no regative votes. The motion passed unanimously.

vison the AD HOC committee on Board members who volunteered to serv school applications are:

Ms. Espinoza, Ms. Blakeney, Mr. Gayot, and o

Ms. Smith informed the Board the PSI Exam contract will end in December 2024 and is not eligible for an extension. Ms mith reviewed the Request for Proposal (RFP) process. Ms. Smith requested the Board form an exam committee for the RFP process.

Request for Proposal for Written and **Practical Examinations**

Board and Board staff discussed the committee requirements.

Upon a motion by Mr. Blackmon and seconded by Mr. Edwards to form an exam committee.

rierre.

Responses to Cosmetology The members voting "yes" were Mr. Roberts, Ms. LaPierre, Ms. Espinoza Marques Blackmon, Ms. Dang, Gregory Edwards, Emmanuel Gayot, and Kailey Blakeney. There were no negative votes. The motion passed unanimously.

Board members who volunteered to serve on the exam committee are: Mr. Blackmon, Mr. Edwards, Ms. Blakeney, Ms. Espinoza, and Ms. LaPierre.

Ms. Smith reviewed the public comments and Staff proposed responses that were in the electronic agenda concerning the reduction of cosmetology hours.

Board for Barbers and Cosmetology Minutes of Meeting September 25, 2023 Page 8 of 8 Upon a motion by Ms. LaPierre and seconded by Mr. Blackmon, the Board **Hours Public** bers voting "ye.
Blackmon, Ms. D.
Ablemey. There were in.
1004

Roberts reinteded the Board the next se.
11 ember 13: 2022

1. Melis, agency director announced Governor Young
12 rev as Commissioner of the Virginia Employment Comm.
13 etc.
14 feeting Monday. October 23:023. Governor Youngkin has ap.
15 Kishore Thota as Agency Director of DPOR. Mr. Melis thanked th.
16 their commitment, time, and dedication.

There being no further business to be brought before the Board, Mr. Roberts
adjourned the meeting at 10:26 a.m.

16 the desired of the Board Oyoted to adopt the proposed responses as written.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Ms. Espinoza, Comment

BOARD FOR BARBERS AND COSMETOLOGY

REGULATORY REVIEW COMMITTEE

REGULATORT REVIEW COMMITTEE	
MINUTES OF MEETING	
The Board for Barbers and Cosmetology, Regulatory Review Committee met on Monday, September 25, 20 Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2 nd Floor, Board Room 2, R	23, at the Offices of the ichmond, Virginia.
The following board members were present: Matthew Roberts Margaret LaPierre Emmanuel Gayot Oanh "Tina" Pham Kim Dang Marques Blackmon Gregory Edwards	
DPOR staff present for all, or part of the meeting included: Kelley Smith, Executive Director Tarrika Rodriguez, Regulatory Operations Administrator Stephes Kirschner, Deputy Director, Licensing and Regulatory Programs Wendy Wuncan, Licensing Operations Administrator Heather Genett, Administrative Coordinator	
A representative from the Office of the Attorney General was not present for the meeting.	
Mr. Roberts, Board Chair, called the Board for Bobers and Cometology, Regulatory Review Committee meeting to order at 11:08 a.m.	Call to Order
Upon a motion by Ms. LaPierre and second by Mr. Edwards the Board voted to adopt the agenda.	Approval of Agenda
The members voting "yes" were Mr. Roberts, Ms. aPierre, Mr. Gayot, Md. Dang, Mr. Blackmon, and Mr. Edwards. There were no negative votes. The motion passed unanimously	
Mr. Roberts opened the Public Comment period of the Rocalatory Review Committee Meeting.	Public Comment
Matt England addressed the Committee concerning the difficulties students have with PSI online registration.	
The Committee continued the review of the Barber and Cosmetology Regulation Esthetics, Tattoo Regulations, and Body-Piercing Regulations to determine if the regulation is necessary to protect the health, welfare, and safety of the public. The regulation was amended or removed if it does not currently meet those requirements.	Continued Review of Barbers and Cosmetology, Esthetics, Tattoo, and Body- Piercing Regulations
There being no further business, the meeting adjourned at 1:11 p.m.	Adjourn
Matthew Roberts, Board Chair	Adjourn Ston Of Official Board Dosition
Kishore Thota, Board Secretary	Sition

Malerials contained in this RARBERS AND COSMILITOR OF THE ORIGINAL REPORT OF THE ORIGINAL R Oracia de Contro de Contro

Last Updated September

STATUTES

Title 54.1, Chapter 7



Perimeter Center, Suite 400 9960 Mayland Drive Richmond, Virginia 23233 (804) 367-8500 www.dpor.virginia.gov

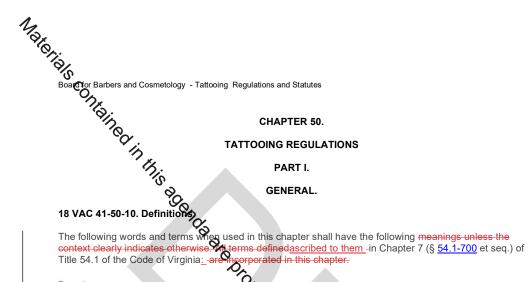
STATEMENT OF PURPOSE.

Social of Signs the information you will reset to obtain your biserse search is fault by the Confidence of Prignal, 1906, a semented, in Title 54.1, to separative of a Physics of the Original, 1906, a semented, in Title 54.1, to separative of the Physics of the Confidence of Prignal, 1906, a semented in Title 54.1, to separative of the Physics of the Confidence of Prignal, 1906, a semented in Title 54.1, to separative of the Physics of the Confidence of Prignal, 1906, and the Prignal of the Pri

18 VAC 41-50-220 18 VAC 41-50-230 18 VAC 41-50-240 18 VAC 41-50-250 18 VAC 41-50-260 18 VAC 41-50-270	Applicants for Tattooing School License	
18 VAC 41-50-280	Tattooing School Curriculum Requirements	19
18 VAC 41-50-290	Hours of Instruction and Performances	22

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yaical Find the state of the stat Part VIII - Standards of Practice 18 VAC 41-50-390 18 VAC 41-50-400 18-VAC-41-50-410 18 VAC 41-50-420 Statutes Code of Virginia Title 54.1 Chapter 7....



Board

Tattoo parlor

Tattoo school

Tattooer

Tattooing

"Apprenticeship program" means an approved tattooing training program training program approved tattooing training train y an approved apprenticeship sponsor.

"Apprenticeship sponsor" means an individual approved to contact tattooing apprentice raining who meets the qualifications in 18VAC41-50-70.

"Aseptic technique" means a hygienic practice that prevents and hin we the direct consfer of microorganisms, regardless of pathogenicity, from one person or place another person or place.

"Business entity" means a sole proprietorship, parties.......

"Clock hour" or "contact hour" means a minimum of 50 minutes of supervised or directed instruction and appropriate breaks...

"Clock hour" or "contact hour" means a minimum of 50 minutes of supervised or directed instruction and appropriate breaks...

"Direct supervision" means (i) that a Virginia licensed tattooer shall beis present in the tattoo parlor at all times when services are being performed by an apprentice; (ii) that a Virginia licensed and certified if imposing school at all times when services are being a school at all times when services are being the permanent cosmetic tattooer services are being a school at all times when services are being the permanent cosmetic tattooer services are being to permanent cosmetic tattooer to permanent cosmetic tatto permanent cosmetic tattooer services are being performed by a student; or (v) that a Virginia licensed tattooer shall beis present in the tattoo parlor at all times when services are being performed by a guest tattooer.

"Endorsement" means a method of obtaining a license by a person who is currently licensed in another state or jurisdiction of the United States.

Commented [A1]: Changes made to reflect changes already made to BC and Esthetics regulations

Formatted: Font: (Default) Arial, 10 pt

Commented [A2]: Added definitions from guidance document in order to repeal guidance document

Commented [A3]: RAM comment - This definition is written as if imposing a requirement and should be changed to "is"

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Commente [44]: RAM comment - Can we remove this definition? The section on licensure by endorsement (-30) may be sufficient to provide the aning. If remove here should we remove in BC and Esthetics?

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Board or Barbers and Cosmetology - Tattooing Regulations and Statutes

and tatto parlor" means a tattoo parlor temporary location

parlor" means a tattoo parlor temporary location licensed to operate for a maximum of five

"Firm" means any business entity recognized under the laws of the Commonwealth of Virginia.

Lesed in § 54.1-700.5 of the Code Virginia means providing tattooing services "Gratuitous services without receiving compensation or reward, or obligation. Gratuitous services do not include services provided at no charge where goods are purchased.

"Guest tattooer" means a tattooop permanent cosmetic tattooer, or master permanent cosmetic tattooer residing outside of Virginia to be is licensed only to work for a two-week period at a specified tattoo parlor or permanent cosmetic totoo salon.

"Guest tattooer sponsor" means a license attoo parlor or permanent cosmetic tattooing salon that is sponsoring and providing direct supervision to a guest tattooer.

of proprietorship, partnership, corporation, limited "Licensee" means any individual or firm person, liability company, limited liability partnership, or any oper form of organization permitted by law holding a license issued by the Board for Barbers and Cosmeto by, as defined in § 54.1-700 of the Code of Virginia. $\mathcal{C}_{\mathcal{C}}$

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

" Master permanent cosmetic tattooing instructor" means ne board who meets the competency standards of the board as an instructor attooing.

"Permanent cosmetic tattoo salon" means any place in which permanent cosm offered or practiced for compensation.

"Permanent cosmetic tattooer" means any person who for compensati manent cosmetic tattooing known in the industry as basic permanent cosmetic tattooing in microblading, scalp micropigmentation, eyeliners, lip coloring, lip liners, or full lips.

"Permanent cosmetic tattooer" means any person who for compensation practices permanent cosmetic tattooing, including eyebrows, microblading, scalp micropigmentation, eyeliners, 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, eyeliners, 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 offers a permanent cosmetic tattooing curriculum approved by the board.

"Pigments" means tattooing ink designed for use on human skin.

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Commented [A5]: See Kelley- 54.1-701- see the appropriate statute. It is sentence 5. Apply to all professions (barber/cosmo, esthetic, tattoo, body piercing)

Commented [A6]: Changed to mirror changes already made in BC and Esthetics regulations

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ink or the ws. ation, or as regulation of official Board bosition.

Page 2

Board or Barbers and Cosmetology - Tattooing Regulations and Statutes

**Secondary educational level" means an accredited co

**Secondary educational level means an accredited co

**Secondary educational level means an accredited by the U.S

ary educational level" means an accredited college or university that is approved or accredited by an accrediting agency recognized by the U.S. Department of Education.

"Reasonable Hours "Reasonable Hours" means the hours between 9:00 a.m. and 5:00 p.m; however, if the licensee generally is not open to the public substantially during the same hours, "reasonable hours" shall mean the business hours when the licensee is open to the public.

"Reinstatement" means having a license restored to effectiveness after the expiration date has passed.

"Renewal" means continuing the effectiveness of a license for another period of time.

"Responsible management" means to following individuals:

0

- 1. The sole proprietor of a sole proprietorship;
- The partners of a general partnership
- The managing partners of a limited partners of 3.
- The officers of a corporation;
- The managers of a limited liability company;
- The officers or directors of an association or both; and
- Individuals in other business entities recognized nwealth as having 7. a fiduciary responsibility to the firm.

own name

"Sterilization area" means a separate room or area separate from works ted client

"Substantially equivalent exam" means an examination administered by the licensing entity with covers

<u>"Substantially equivalent training" means at least 80% of the required hou</u>rs in Virginia and curricul content covering Virginia's scope of practice for that profession

"Tattoo convention" means an event where Virginia and out-of-state tattooers gather for no more than five consecutive days to offer tattooing services to the public.

"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.

"Temporary location" means a fixed location at which tattooing is performed for a specified length of time of not more than five days in conjunction with a single event or convention.

Historical Notes

Derived from Volume 22, Issue 25, eff. October 1, 2006; amended, Virginia Register Volume 39, Issue 22, eff. September 1, 2023.

Commented [A7]: Mirrors BC

Commented [A8]: Added definitions from guidance document

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Page 3

Board for Barbers and Cosmetology - Tattooing Regulations and Statutes

PART II.

12 VAC 41-50-15 Gratoitous Services

2 in tattooing, guest tattoo

2 ut receiving company for Any individual who engues in tattooing, guest tattooing, permanent cosmetic tattooing or master permanent cosmetic tattooing without receiving compensation, reward or obligation is considered to be performing gratuitous services and is exempt from the provisions of this chapter. Gratuitous services do not include services provided at no charge when goods are purchased. s provided at no charge when goods are purchased. Formatted: Left 18 VAC 41-50-20. General Requirements for Tattooer, Guest Tattooer, Permanent Cosmetic Tattooer, or Master Permanent Cosmetic Tattooer. ENTRY. A. Any individual wishing to engage in tattooing, est tattooing, permanent cosmetic tattooing, or master permanent cosmetic tattooing shall obtain a license compliance with § <u>54.1-703</u> of the Code of Virginia, and applicant must meet the following qualifications: 1. The applicant must be in good standing as a tattooer, 1. The applicant must be in good standing as a tattooer, grest tattooer germanent cosmetic tattooer, or master permanent cosmetic tattooer in every jurisdiction where licenses certified, or registered. The applicant shall disclose to the board at the time of application in licensure by disciplinary action taken in Virginia or any other jurisdiction in cosmetic with the context of the cosmetic with the cos in Virginia or any other jurisdiction in connection with the applicant's practice as a tattooer, guest tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer. This disclosure includes monetary penalties, fines, suspensions, revocations, suspender of authense in connection with a disciplinary action pertaining to services within the respensive scope of authense. Commented [A9]: Mirrors BC and Esthetics regulations. termination of a license. The applicant shall disclose to the e of applicat if the applicant has been previously licensed in Virginia as a tattooer, gue ttooer, pe cosmetic tattooer, or master permanent cosmetic tattooer Commented [A10]: Mirrors BC and Esthetics changes. Ipon review of the applicant or part of the applicant or any applicant wherein the board deems

Juest tattooing, permanent cosmetic tattooing, or master part of the circumstant or comparable plea shall be considered a disciplinary action for the purposes or the applicant shall provide a certified copy of a final order, decree, or case decision by a court, respectively agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

2. The applicant shall disclose the applicant's physical address. A post office box is not acceptable may be provided as a secondary address.

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The shall sign, as part of the application, a statement certifying that the applicant has read tattooing license laws and this chapter.

The applicant shall disclose the following increase intrinsical contents of the applicant shall disclose the following increase intrinsical contents of the applicant shall disclose the following intrinsical contents of the applicant shall disclose the following intrinsical contents of the applicant shall disclose the following intrinsical contents of the applicant shall disclose the following intrinsical contents of the applicant shall disclose the following intrinsical contents of the applicant shall disclose the following intrinsical contents of the applicant shall disclose the following intrinsical contents of the applicant shall disclose the following intrinsical contents of the applicant shall disclose the following intrinsical contents of the applicant shall disclose the following intrinsical contents of the applicant shall disclose the following intrinsical contents of the applicant shall disclose the following intrinsical contents of the applicant shall disclose the following intents of the applicant shall disclose the following intrinsical contents of the applicant shall disclose the following intrinsical contents of the applicant shall disclose the following intrinsi Commented [A11]: Mirrors BC and Esthetics changes. Commented [A12]: Mirrors BC and Esthetics changes. Commented [43]: Mirrors BC and Esthetics changes the date of the application; and Commented [A14]: Moors BC and Esthetics changes.

b. All felony convictions within 20-10 years of the date of application.

Board or Barbers and Cosmetology - Tattooing Regulations and Statutes

The please of nolo contendere shall be considered a conviction received from a court shall be accommod in its discretion, may deny Any plean f noto contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding or guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

- 5. The applicant sharp provide evidence satisfactory to the board that the applicant has passed the board approved examination, administered either by the board or by a designated testing service.
- -Sproved examination. B. Eligibility to sit for board
 - 1. Training in the Commonwealth be approved for the examination of Virginia. Any person completing one of the following programs can
 - a. An an approved tattooing a penticeship program in a Virginia licensed tattoo parlor:
 - An or completing an approved to ping training program in a Virginia licensed tattoo school:_-,
 - c. Acompleting a permanent cosmetic tattooing or master permanent cosmetic tattooing training program, completing a permanent cosmetic tattooing training program in a Virginia licensed permanent cosmetic tattooing school shall be eligible to sit for the applicable examination.

 2 Training outside of the Commonwealth of Virginia. but within the Used States or jurisdiction of the

United States.

A. Any person completing a tattooing, permanent cosmetic tattooing, master permanent cosmetic tattooing training program, or tattooing apprenticeship that is substantially equivalent to the Virginia program but is outside of the Commonwealth of Virginia must submit to the board occumentation of the successful completion of training or apprenticeship to be eligible for examination.

acceptable to the board verifying the completion of a substantially equivalent to doing training, tattooing apprenticeship, permanent cosmetic tattooing training, of tattooing or documentation of three years. tattooing apprenticeship, permanent cosmetic tattooing training, of exter permanent cosmetic tattooing or documentation of three years of work experience within the preceding five years as a tattooer and (ii) documentation of completion of a minimum of five hour of health education to include (a) bloodborne pathogens, sterilization, and aseptic techniques related to tytooing; and (b) first aid; and (c) CPP that is acceptable to the board in order to be eligible for examination and (c) CPR that is acceptable to the board in order to be eligible for examination

Derived from Volume 22, Issue 25, eff. October 1, 2006; amended, Virginia Register Volume 38 eff. December 1, 2021; Volume 39, Issue 22, eff. September 1, 2023.

18 VAC 41-50-30. License by Endorsement.

Upon proper application to the board, any person currently licensed to practice as a tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer in any other state or jurisdiction of the United States and who has completed a training or apprenticeship program and an examination that is substantially equivalent to that required by this chapter may be issued a tattooer license, permanent cosmetic tattooer license, or master permanent cosmetic tattooer license, respectively, without an examination. The applicant must also meet the requirements set forth in 18VAC41-50-20 A 1 through A 4.

Historical Notes

Derived from Volume 22, Issue 25, eff. October 1, 2006; amended, Virginia Register Volume 39, Issue 22, eff. September 1, 2023.

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Board or Barbers and Cosmetology - Tattooing Regulations and Statutes

The Company of the Compan

A. Applicants for initial licensure shall pass an examination approved by the board. The examinations may be administered by the board or by a designated testing service.

B. Any candidate failing Sppp ppear as scheduled for examination shall forfeit the examination fee.

CB. The applicant shall follows procedures established by the board with regard to conduct at the examination. Such procedures shall include any written instructions communicated prior to the examination date and any instructions communicated at the site, either written or oral, on the date of the examination. Failure to comply with approcedures established by the board and the testing service with

Board or Barbers and Cosmetology - Tattooing Regulations and Statutes

Annier Schip sponsors shall ensure compliance with the compliance ship standards.

eship sponsors shall ensure compliance with the 1500 hour tattooing apprenticeship program

Historical Notes

Derived from Volum 22 Issue 25, eff. October 1, 2006.

18VAC41-50-80. Gener Requirements for a Tattoo Parlor, Event Tattoo Parlor, or Permanent Cosmetic Salon Licens

A. Any firm wishing to operate cattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon shall obtain a tattoo parlor license, event tattoo parlor license, or permanent cosmetic tattoo salon lice shall obtain a tattoo parlor license, event tattoo parlor license, or permanent cosmetic tattoo salon license in compliance with § 54.1-704.1 of the Code of Virginia and shall meet the following qualifications in order to receive a license:

1. The applicant and all members of the esponsible management shall be in good standing as a licensed parlor or salon in Virginia and all Operevery jurisdictions jurisdiction where licensed, certified or registered. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure and disciplinary action taken in Virginia and all other in the interest of the configuration of any tatton parlor, event tattoo parlor, or jurisdictions in connection with the applicant's operation of any tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon or practice of the pression. This disclosure includes monetary penalties, fines, probation, suspensions, revocations, Gyrender of a license in connection with a disciplinary action pertaining to services within the respective scope of actice, or voluntary termination of a license. The applicant shall disclose to the locard at the large of application for licensure if the applicant or any member of the responsible management has been in viously licensed in Virginia

any action, ton of a license, policant of any deny idensity, and the policant's and all members.

The board, in its discretion, may deny idensity, and the policant's and all members, and the discretion, may deny idensity, and the policant's and all members, and the policant's and all members, and the policant in the portation of a tattop to melic tatto salon. The board will decide each case by the policant in the policant of a tattop to melic tatto salon. The board will decide each case by the policant of the purposes of this subdivision. The applicant shall printiple a demonstration of the purposes of this subdivision. The applicant shall printiple a demonstration of the purposes of the subdivision. The applicant shall disclose the applicant's physical address. A post office box is not act before the case decision by a court, regulatory agency, or board with the purposes of the applicant half disclose the following and understands the Virginia tattooing license laws and this chapter.

4. In accordance with § 54.1.204 of the Code of Virginia, each applicant shall disclose the following ment in a polication within two years of the date of application involving ment in a virginia and all other jurisdictions:

***Ordinary and the disclose the application involving ment in a polication involving m

Board or Barbers and Cosmetology - Tattooing Regulations and Statutes

5. The applicant shall disclose the firm's responsible management.

Ovent tattoo parlor license, or permanent contained and address of the building the board in writing applying a polying and address of the building applying a polying and address of the second address of the building applying a polying a B. A tattoo parlor license, event tattoo parlor license, or permanent cosmetic tattoo salon license shall not be transferable, and stall bear the same name and address of the business. Any changes in the name, or address of the parlor or on shall be reported to the board in writing within 30 days of such changes. The new responsible many sment shall be is responsible for applying for a new license within 30 days of the changes.

C. Whenever the legal business entity holding the license is dissolved or altered to form a new business entity, the original license becomes vaid and The firm must notify the Bboard within 30 days of the change and destroy the license, shall be returned to the board within 30 days of the change. Additionally, the firm shall apply for a new license within 30 days of the change in the business entity. Such changes include:

1. Death of a sole proprietor;

- 2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and limited partnership; and
- 3. Conversion, formation, or dissolution of a corporation, admitted liability company, an association, or any other business entity recognized under the laws of the commonwealth of Virginia.
- D. Any change in the officers of a corporation, managers of a limited liability company, or officers or directors of an association shall be reported to the board in writing within 30 days of the change.
- E. Any tattoo parlor or permanent cosmetic tattoo salon wishing to host a grest tattooer just identify itself as the guest tattooer sponsor and must provide direct super vision of any tattooing by the guest tattooer. tattooer.
- F. Any firm wishing to operate a tattoo parlor in a temporary location st have a totoo parlor license or event tattoo parlor license issued by the board.
- G. An event tattoo parlor license is effective for five consecutive days prior to the expirational date.
- H. A firm may obtain a maximum of five event tattoo parlor licenses within a calendar year.

Historical Notes

Derived from Volume 22, Issue 25, eff. October 1, 2006; amended, Virginia Register Volume 39, Issue 39, Issue 25, eff. October 1, 2006; amended, Virginia Register Volume 39, Issue 39, Is 22, eff. September 1, 2023.

18 VAC 41-50-90. Limited Term Tattooer License. Repealed.

Historical Notes

Derived from Volume 22, Issue 25, eff. October 1, 2006; amended, Virginia Register Volume 39, Issue 22, eff. September 1, 2023.

18VAC41-50-91. Guest Tattooer License.

- A. A guest tattooer license is effective for 14 days prior to the expiration date.
- B. An out-of-state resident may obtain up to five guest tattooer licenses per calendar year.

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Board or Barbers and Cosmetology - Tattooing Regulations and Statutes

C. A guest attooer applicant must meet the following qualifications:

set forth in 18VAC41-50-20 A 1 through A 4.

' of-state residency.

- health education knowledge to include (i) bloodborne disease, sterilization, and aseptic techniques related to tattooing; (ii) and first aid; and (iii) CPR that is acceptable to the board.
- 4. Documentation showing st tattooer sponsor, including signature of sponsor parlor s responsible management.
- D. A guest tattooer must provide the same and license number of the guest tattooer s sponsor and the duration of the guest tattooer s tattooer all guest tattooer locations.

E. A guest tattooer applicant is not required to complete 18VAC41-50-20 A 5.

Derived from Volume 39, Issue 22, eff. September

18VAC41-50-92. Guest Tattooer Sponsor.

A. The licensed tattoo parlor sponsoring a guest tattooer shall ensure that the uest tattooer:

- Has a valid, current guest tattooer license for the entire duration of the guesparlor. ooer tattooing at the
- 2. Is directly supervised by a licensed tattooer.
- 3. Complies with all Virginia regulations relating to health, standards of practice.
- B. The licensed permanent cosmetic tattoo salon sponsoring a guest tattooer shall energy that the guest tattooer:
 - 1. Has a valid, current guest tattooer licensed for the entire duration of the guest tattooer at
 - 2. Is directly supervised by a licensed tattooer or permanent cosmetic tattooer.
 - 3. Complies with all Virginia regulations relating to health, sanitation, client qualifications, and standards of practice.
- C. With the exception of tattoo conventions, a member of the guest tattooer sponsor"s responsible management must sign the guest tattooer application certifying the sponsor will ensure the requirements of subsections A and B of this section.
- D. The guest tattooer sponsor shall be responsible for the acts or omissions of the guest tattooer in the performance of tattooing or permanent cosmetic tattooing.

Historical Notes

Derived from Volume 39, Issue 22, eff. September 1, 2023.

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- Board for Barbers and Cosmetology Tattooing Regulations and Statutes

 CALC 4150-100. General Requirements for a School I A. Any firm wishing to operate a tattooing school or permanent cosmetic tattooing school shall obtain a school license in compliance with § 54.1-704.2 of the Code of Virginia and shall meet the following qualifications in order to receive a license:
 - 1. The applicant and all members of the responsible management shall be in good standing as a licensed parlor or sales to Virginia and all other every jurisdictions where licensed. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant. So operation of any tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon or practice of the profession. This declosure includes monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action pertaining to services in the respective scope of practice, or volunt by termination of a license. The applicant shall disclose to the board at the time of application for license in the pertaining to services in the management has been previously license in Virginia as a tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon.

 Upon review of the applicant and all members of the responsible management is prior disciplinary

Upon review of the applicant"s and all members of the responsible management"s prior disciplinary action, the board, in its discretion, may deny licensors to any applicant wherein it deems the applicant is unfit or unsited to engage in the operation of a tatto parlor, event tattoo parlor, or permanent cosmetic tattoo salon. The board will decide each case by taking into account the totality of the cosmetic tattoo salon. The board will decide each case by taking into secount the totality of the circumstances. Any plea of nolo contendere or comparato plea shall be considered a discipling circumstances. Any plea of nole contendere or comparate plea shall be considered a disciplinary action for the purposes of this subdivision. The applicant shall provide a vertified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order decree or case decision, and such copy shall be convened to the copy of the such order, decree, or case decision, and such copy shall be a missible as prima facie evidence of such disciplinary action.

- 2. The applicant shall disclose the applicant sphysical appress. A popperfice box acceptable may be provided as a secondary address.
- 3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia tattooing license laws and this paper.
- 4. In accordance with § <u>54.1-204</u> of the Code of Virginia, each applicators hall disclose the following information about the firm and all members of the responsible management regarding oriminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions within two years of the date of the application involving foral turpitude, sexual offense, non-marijuana drug distribution, or physical injury within two y the date of the application; and
 - b. All felony convictions within 20-10 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

- 5. The applicant shall disclose the firm"s responsible management.
- B. A tattooing school license or permanent cosmetic tattooing school license shall not be transferable. and shall bear the same name and address as the school. Any changes in the name or address of the school shall be reported to the board in writing within 30 days of such change. The name of the school must indicate that it is an educational institution. All signs or other advertisements must reflect the name as indicated on the license issued by the board and contain language indicating it is an educational institution.

sion. The i a conviction cordance with §

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Board for Barbers and Cosmetology - Tattooing Regulations and Statutes

C. Whenever the legal business entity holding the license is dissolved or altered to form a new business the original license becomes void. The firm must notify the Bibpard within 30 days of the change license, and shall be returned to the beard within 30 days of the change. Additionally, the change within 30 days of the change in the business entity. Such changes ense. and shall be returned to the board within 30 days of the change. Additionally, the

- 2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and
- 3. Conversion, formation, or dis station of a corporation, a limited liability company, an association, or

any other business entity recognized under the laws of the Commonwealth of Virginia.

D. Within 30 days of the closingceasing to perate, whether through dissolution or alteration of the business entity, the school shall return the lesses to the board and must notify the Board within 30 days of the change and destroy the license, provide written report to the board on performances, and hours of each student who has not completed the program

E. Any change in the officers of a corporation, managers of a limited liability company, or officers or directors of an association shall be reported to the board writing within 30 days of the change.

The board or any of its agents shall be allowed to inspect uring reason hours, any licensed school for compliance with provisions of Chapter 7 (§54 or this chapter

Historical Notes

Derived from Volume 22, Issue 25, eff. October 1, 2006; ar ne 39, Issue 22, eff. September 1, 2023.

A. Upon filing an application with the Board for Barbers and Cosmetology by person injecting the set forth in this section shall be eligible for a tattooing instructor certificate in the person:

1. Holds a current Virginia tattooer license;
2. Provides documentation of legally tattooing in the United States for at least five three years; and
3. Passes a course on teaching techniques in a post-secondary education level or train under a tattoon. instructor for 12 months.

B. Tattooing instructors shall be required to maintain a tattooer license Underlying tattooer license are not required to be renewed if the respective instructor license is currently active

Historical Notes

Derived from Volume 22, Issue 25, eff. October 1, 2006; amended, Virginia Register Volume 39, Issue 22, eff. September 1, 2023.

18 VAC 41-50-120. Permanent Cosmetic and Master Permanent Cosmetic Tattooing Instructor Certificate.

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revoked licenses and cannot enforce? Formatted: Strikethrough

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Page 11

Board for Barbers and Cosmetology - Tattooing Regulations and Statutes

Thon filling an application with the Board for Barbers and

Forth in this section shall be eligible for a p qualification set forth in this section shall be eligible for a permanent cosmetic tattooing instructor certificate or master permanent cosmetic tattooing instructor certificate if the content of the cosmetic tattooing instructor certificate if the cosmetic tattooing instructor certificate.

- 1. Holds a current irginia permanent cosmetic tattooer license or master permanent cosmetic tattooer license;
- 2. Provides documenta of legally tattooing in the United States for at least five three years; and
- 3. Passes a course on teaching techniques at the post-secondary education level or train under a tattoo instructor, permanent cosmetic tattoo instructor or master permanent cosmetic tattoo instructor. etic tattoo instructor or master permanent cosmetic tattoo instructor for 12 months.

B. Permanent cosmetic tattooing instructor chall be required to maintain a Underlying permanent cosmetic tattooer license or master permanent cosmetic tattooer license are not required to be renewed if

Historical Notes
Derived from Volume 22, Issue 25, eff. October 1, 2000 amended, Virginia Register Volume 39, Issue

18 VAC 41-50-125 Student Instructor Temporary Permit

241-50-125 Stu...

censed tattooer, permanent cos...
ad a twelve (12) month student instruct...
ad a twelve (12) month student instruct...
ad a twelve (12) month student instruct...
ad a twelve (12) month student instruct.

filed instructor in a technician which who died supervision over the student instructor temporary permit shall be issued.

The student instructor temporary permit shall be issued.

The student instructor temporary permit shall main in force for not have than 10 one of issuance and shall be nontransferable and nonrenewable.

C. No applicant for examination shall be issued more than one student instructor temporary permit.

D. B. Student instructors may teach in any profession in which they hold the underlying it censes. Before to maintain a barber, cosmetology, and technician or wax technician licenses hall disorbity, an individual from holding a student instructor temporary permit.

F. C. Temporary permits shall not be issued where arounds may exist to deny a license pursuant to \$

PART III.

FEES.

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Ong.	AMOUNT DUE	AMOUNT DUE		
Boar for Barbers and Cosmetology	September 1, 2022, through August 31, 2024	September 1, 2024, and after	WHEN DUE	
individuals.				
Application &	\$90	\$105	With application	
License by Endorsement	\$90	\$105	With application	
Renewal	\$90 \$90 \$90	\$105	With renewal card prior to expiration date	
Reinstatement	\$90 *includes \$90 enewal fee and \$90 reinstanment fee	\$210* *includes \$105 renewal fee and \$105 reinstatement fee	With reinstatement application	
Instructors:	, , , , , , , , , , , , , , , , , , ,			
Application	\$110	\$125	With application	
Renewal	\$110	50, \$125 P	With renewal card prior to expiration date	
Reinstatement	\$220* * includes \$110 renewal fee and \$110 reinstatement fee	*includes \$725 renewal fee and \$25 reinstatement fee	VC.E.V.	
Parlors or Salons:		N Ph	A	
Application	\$165	\$9	With application	
Renewal	\$165	\$190	With renewal card prior to piration date	
Reinstatement	\$330* *includes \$165 renewal fee and \$165 reinstatement fee	\$380* *includes \$190 renewal fee and \$190 reinstatement fee	With refigatement application	
Schools:			17	
Application	\$185	\$220	With application	(%)
Renewal	\$185	\$220	With renewal card prior to expiration date	S. Co.
Reinstatement	\$370* *includes \$185 renewal fee and \$185 reinstatement fee	\$440* *includes \$220 renewal fee and \$220 reinstatement fee	With reinstatement application	Sulation of
Historical Notes	Page 1	3		red as fedulation of official Board pos

Board for Barbers and Cosmetology - Tattooing Regulations and Statutes

Parity of from Volume 22, Issue 25, eff. October 1, 2006; arr

her 1, 2011; Volume 30, Issue 10, eff. March

34, Issue 22, eff. June 25, 201

Ther 1, 2022; Volume

Volume 22, Issue 25, eff. October 1, 2006; amended, Virginia Register Volume 27, Issue 23, eff. September 1, 2016; Volume 34, Issue 22, eff. June 25, 2018; Volume 36, Issue 21, eff. September 1, 2020; Volume 38, Issue 25, eff. September 1, 2022; Volume 39, Issue 22, eff. September 1, 2023.

18 VAC 41-50-140. Refedds. Repealed

All fees are nonrefundable and shall not be prorated.

Historical Notes

Derived from Volume 22, Issue 20, eff. October 1, 2006.

PART IV.
RENEWAL AND REINSTATEMENT.

18 VAC 41-50-150. License Renewal Required.

- A. Tattooer licenses, tattoo parlor licenses, tattooing impuctors certificates, tattooing schools licenses, permanent cosmetic tattooer licenses, master permanent cosmetic tattooer licenses, permanent cosmetic tattooing instructor certificates, master permanent cosmetic tattooing instructor certificates, and permanent cosinguic tattooing schools licenses shall expire two years from the last day of the month in which they ware issued.

 B. Guest tattooer licenses will expire 14 days after the effective date of the license and may not be renewed.

 Historical Notes

 Derived from Volume 22, Issue 25, eff. October 1, 2006; amended, Virginia Register Volume 39, Issue 22, eff. September 1, 2023.

All licensed tattooers, permanent cosmetic tattooers, and master permanent cosmetic tattooers shall be required to satisfactorily complete health education to include (i) bloodborne disease, sterilization, and aseptic techniques related to tattooing; and (ii) first aid and (iii) CPR-during their licensed term. Opcumentation of training completion shall be provided at the time of renewal along with the required

Historical Notes

Derived from Volume 22, Issue 25, eff. October 1, 2006; amended, Virginia Register Volume 39, Issue 22, eff. September 1, 2023.

18 VAC 41-50-170. Notice of Renewal.

The Department of Professional and Occupational Regulation will mail a renewal notice to the licensee outlining the procedures for renewal. Failure to receive this notice, however, shall not relieve the licensee of the obligation to renew. If the licensee fails to receive the renewal notice, a copy of the old license may be submitted as evidence of intent to renew, along with the required fee.

Historical Notes

Derived from Volume 22, Issue 25, eff. October 1, 2006.

Commented [A24]: Combined with prior section to mirror BC.

Ned fee.

Continued as regulation of Official Board Position.

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Board for Barbers and Cosmetology - Tattooing Regulations and Statutes

AC 4150-180. Failure to Renew.

The licensee showing the licens A. When a licensed or certified individual or business entity fails to renew its license within 30 days following the explication date of the license, the licensee shall meet the renewal requirements as prescribed in 18VAC1.50-170 and apply for reinstatement of the license by submitting to the Department of Professional and Oppupational Regulation a reinstatement application along with the required renewal and reinstatement fees.

B. When a licensed or certified an individual or business entity firm Ifails to renew its license within two years following the expiration day reinstatement is no longer possible. To resume practice:

1. __tThe former licensee shapapply for licensure or certification as a new applicant, shall meet all current application entry requirements for each respective license or certificate, shall pass the board's current examination, and shall receive a few license or certification.

2. An individual previously licensed in Virginia for a minimum of three (3) years shall submit a new application showing the individual met the sourcements of the applicable examination or training waiver provision and pass the required examinat

C. The application for reinstatement for a school license chall provide (i) the reasons for failing to renew prior to the expiration date, and (ii) a notarized statement that all students currently enrolled or seeking to enroll at the school have been notified in writing that the school's license have expired. All of these materials shall be called the application package. Reinstatement will be considered by the board if the school consents to and satisfactorily passes an inspection of the school and if the school's records are maintained in accordance with 18VAC41-50-250 and 18VAC41-50-250. Pursuant to 18VAC41-50-100, 18VAC41-50-230, and 18VAC41-50-310 upon receipt of the reinstatement fee, application package, and inspection results, the board may reinstate the school's license or require requalification package and reinstatement fee are for received by the board within six months. Is shall.

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PART V.

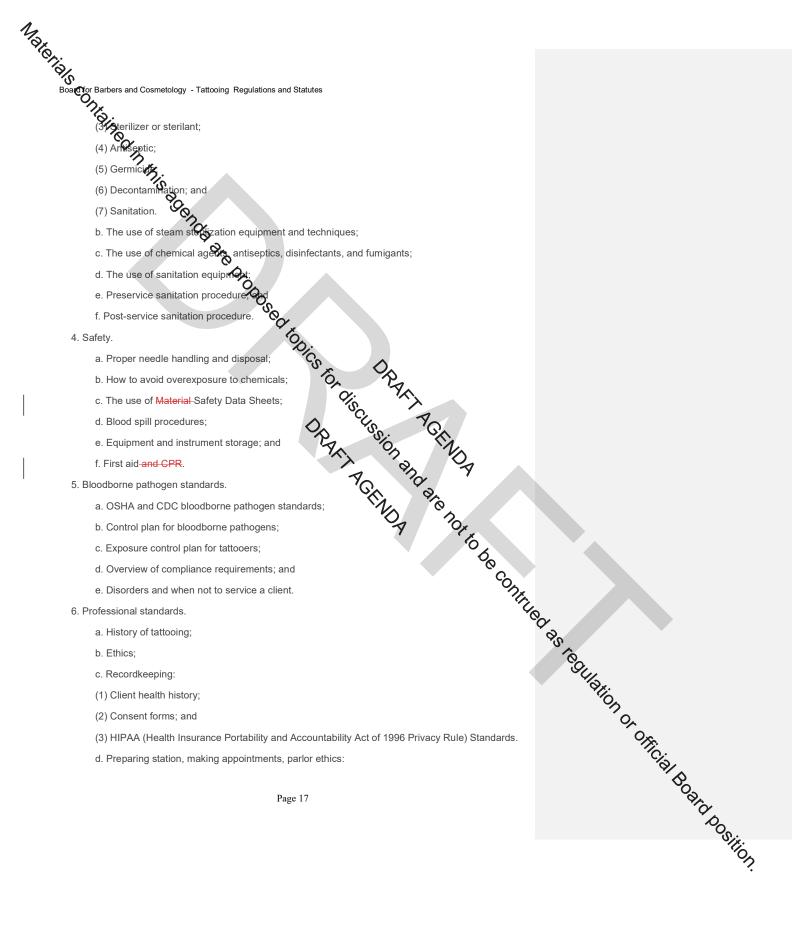
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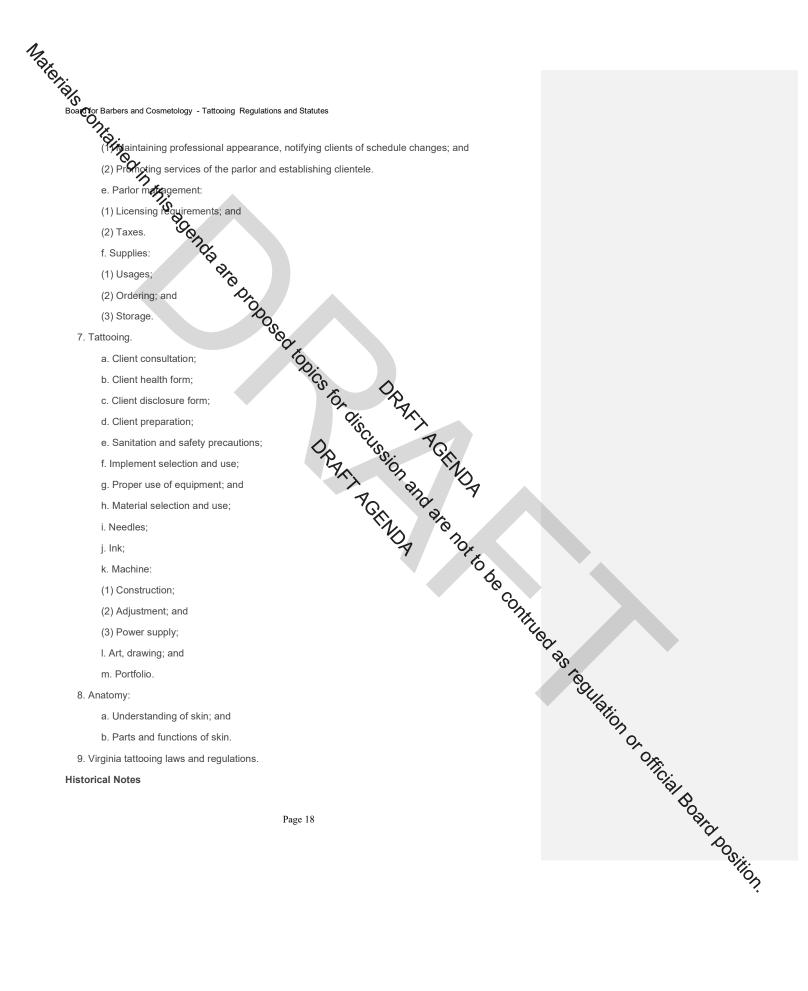
18 VAC 41-50-190. General Requirements.

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ston desiring to be full in the containing to be found in the containing to be desired approval to person the cubes on John approximation of additional program that into the footbook of the footbook of the containing approval to person that into the footbook of the footbook of the containing approval to person that into the footbook of the containing approval to person that into the containing approval to person that it is a station of the containing approval to person the containing approval to person





Hours of Instruction and Performances.

A. Curriculum requirements specified in 18VAC41-50-200 shall be taught over a minimum of 1500 hours as follows:

- to theory pertaining to subdivisions 1, 2, 4, 5, 6, 8, and 9 of 18VAC41-1. 350 hours shall be devot 50-200;
- 2. 150 hours shall be devoted to theory pertaining to subdivision 3 of 18VAC41-50-200; and
- 3. The remaining 1000 hours shall be oted to practical training to include apprenticeship curriculum mances pertaining to subdivision 7 of 18VAC41-50-200. requirements and a minimum of 100 pe
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 A 7 of this sects B. An approved tattooing apprenticeship programmay conduct an assessment of an apprentice's competence in the theory and practical requirements for tattooing and, based on the assessment, give a maximum of 700 hours of credit toward the requirements in subdivisions A 1 and A 3 of this section. No credit shall be allowed for the 150 hours required in subdivision A 2 of this section.

Historical Notes
Derived from Volume 22, Issue 25, eff. October 1, 2006; amended, Virginia 2, 2006

TATTOOING SCHO

18 VAC 41-50-220. Applicants for Tattooing School License

Any person or entity desiring to operate a tattooing school shall submi 60 days prior to the date for which approval is sought.

Historical Notes

Derived from Volume 22, Issue 25, eff. October 1, 2006

18VAC41-50-230. General Requirements.

A tattooing school shall:

- 1. Hold a tattooing school license for each and every location.
- 2. Hold a tattoo parlor license.
- 3. Employ a staff of licensed and certified tattooing instructors. Any change in instructors must be reported to the board within 30 days of the change.
- 4. Develop individuals for entry-level competency in tattooing.
- 5. Submit its curricula for board approval. All changes to curricula must be resubmitted and approved by the board.

- Board for Barbers and Cosmetology Tattooing Regulations and Statutes

 Inform the public that all services are performed by sturing for services provided in its clinic by posting the public. he public that all services are performed by students if the tattooing school receives compensation for services provided in its clinic by posting a notice in the reception area of the shop or salon in plain view of the public.
 - 7. Conduct classing instruction in an area separate from the area where practical instruction is conducted and services are provided.
 - 8. Conduct all instruction and training of students under the direct supervision of a licensed and certified tattooing instru

Historical Notes

Derived from Volume 22, Issue 25 October 1, 2006; amended, Virginia Register Volume 39, Issue 22, eff. September 1, 2023.

18VAC41-50-240. School Identification.

Historical Notes

2006; amended, Virginia Register Volume 39, Issue Derived from Volume 22, Issue 25, eff. October 22, eff. September 1, 2023.

18VAC41-50-250. Records.

A. Schools are required to keep upon graduation, termination on the horawal, which records of hours and performances showing what instruction a student has received for period of five years after the student terminates or completes the curriculum of the school. These records shall be available for inspection by the Department of Professional and Occupation Regulation All records have be kepter the premises of each school.

- B. For a period of five years after a student completes the curriculum, terminals or withdraw from the school, schools are required to provide documentation of hours and performances completed by a student upon receipt of a written request from the student.
- C. Schools shall within 21 days upon receipt of a written request from a stident provide occumentation of hours and performances completed by the student as required to be maintained by subsection A of this section. Ó
- written

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 Arial, 10 pt D. Prior to a school changing ownership or a school closing, the schools are required to provide to students documentation of hours and performances completed.

E. For a period of one year after a school changes ownership, schools are required to provide documentation of hours and performances completed by a current student upon receipt of a written request from the student

Historical Notes

Derived from Volume 22, Issue 25, eff. October 1, 2006; amended, Virginia Register Volume 39, Issue 22, eff. September 1, 2023.

18VAC41-50-255. Reporting

A. Each school must provide student rosters to the board no later than January 15, April 15, July 15, and October 15 of every year;

Boactor Barbers and Cosmetology - Tattooing Regulations and Statutes

1. Froster of all enrolled students and a roster of st months prior to the reporting deadline.

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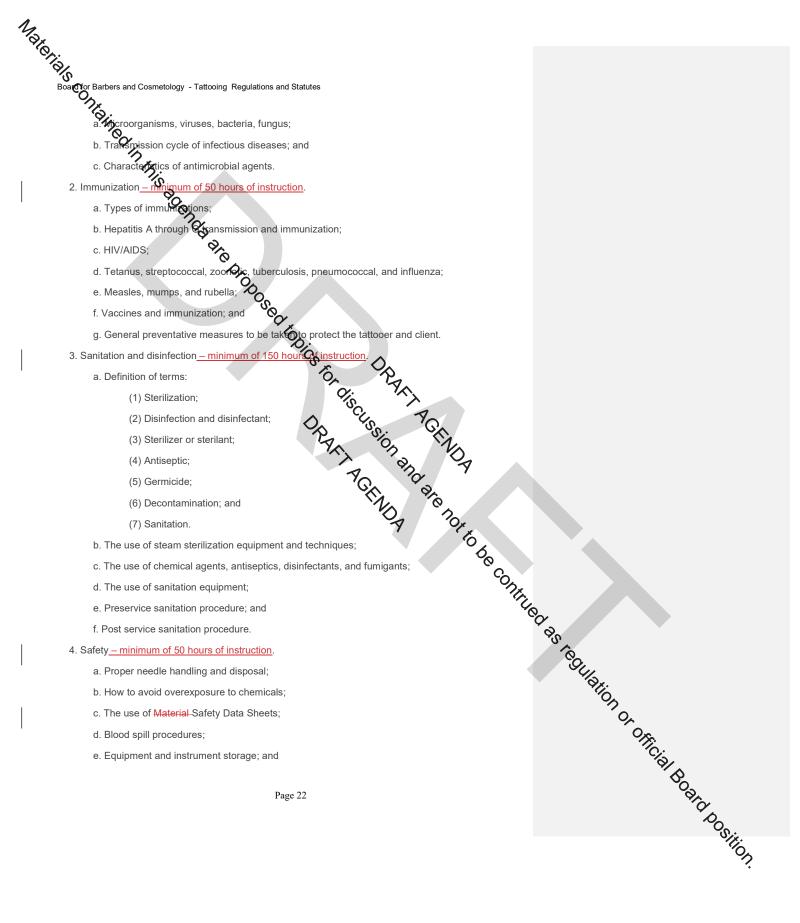
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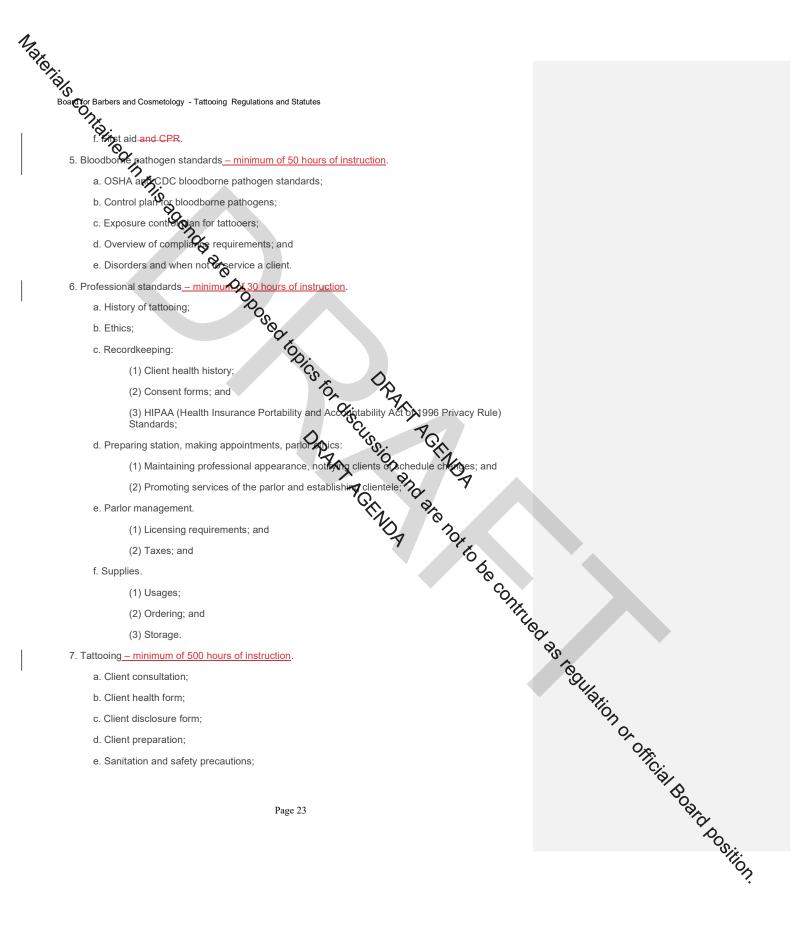
5. Rosters must be submitted via Square link provided by the Board on the submitted to the board on bulk accuracy of each of its students with the submitted with the s

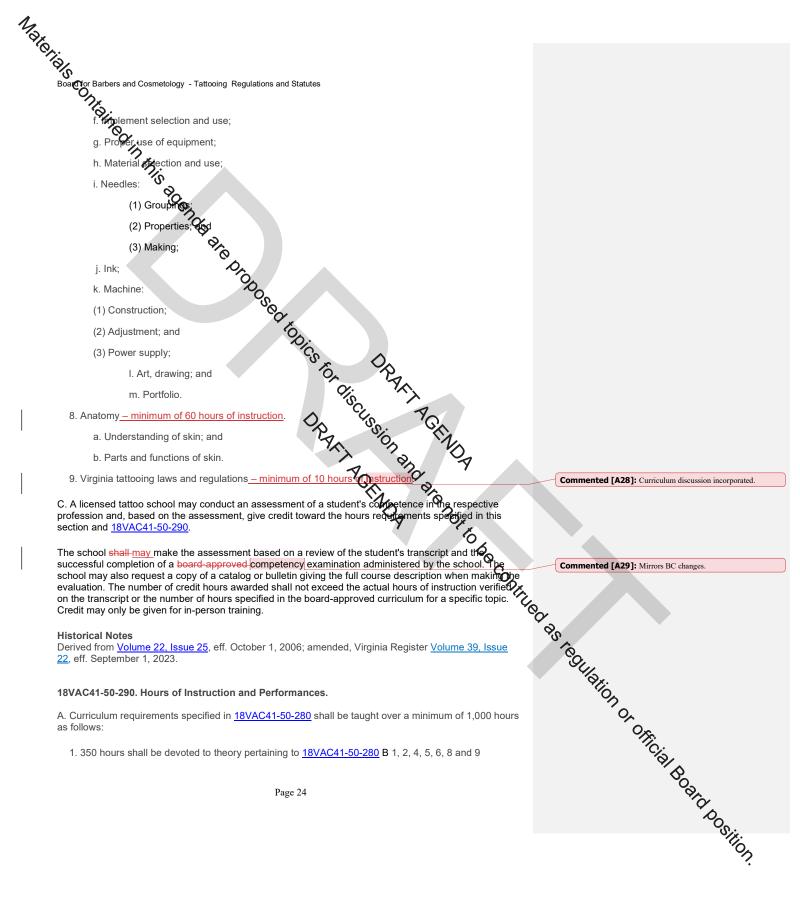
Commented [A27]: Fix reporting language. Add rosters will be provided on a Board supplied spreadsheet, which will include the students full name, date of birth, program type, date enrolled, the total number of hours to-date, and the date completed, terminated, or

Or Official Board Position.



4. Safety - minimum of 50 hours of instruction.





Board for Barbers and Cosmetology - Tattooing Regulations and Statutes

150 Hours shall be devoted to theory pertaining to of 1

rs shall be devoted to theory pertaining to of 18VAC41-50-280 B 3; and

3. The remaking 500 hours shall be devoted to practical training to include tattooing curriculum requirements and a minimum of 100 performances pertaining to 18VAC41-50-280 B 7.

B. An approved tattoring school may conduct an assessment of a student's competence in the theory and practical requirements for tattooing and, based on the assessment, give a maximum of 700 hours of credit toward the requirements in subdivisions A 1 and A 3 of this section. No credit shall be allowed for the 150 hours required in subdivision A 2 of this section.

C. Individuals enrolled in a program prior to July September 1, 20232, may complete the program at the hours in effect at the time they enrolled

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- tot classroom instruction in an area separate from the area where practical instruction is
- Board or Barbers and Cosmetology Tattooing Regulations and Statutes

 7 Condition classroom instruction in an area separate from the services are provided. 8. Conduct all pstruction and training of permanent cosmetic tattooers under the direct supervision of a licensed and certified permanent cosmetic tattooing instructor or a licensed and certified master permanent cosmet attooing instructor.
 - 9. Conduct all instruction and training of master permanent cosmetic tattooers under the direct supervision of a licensed and certified master permanent cosmetic tattooing instructor.

Historical Notes

Derived from Volume 22, Issue 25 October 1, 2006; amended, Virginia Register Volume 39, Issue 22, eff. September 1, 2023.

18VAC41-50-320. School Identification. Repealed.

2006; amended, Virginia Register Volume 39, Issue Derived from Volume 22, Issue 25, eff. October 22, eff. September 1, 2023.

18VAC41-50-330. Records.

A. Schools are required to keep upon graduation, termination or Mhdrawal, whiten records of hours and performances showing what instruction a student has received for period of five years after the student terminates or completes the curriculum of the school. These records shall be available for inspection by the department. All records must be kept on the premises speach school.

B. For a period of five years after a student completes the curriculum, terminates or withdraws from the school, schools are required to provide documentation of hours and performances completes the curriculum. Sche formances s... minates or completes ... a department. All records must ...

For a period of five years after a student complete... chool, schools are required to provide documentation of house. tudent upon receipt of a written request from the student.

C. Prior to a school changing ownership or a school closing, schools are required to provide documentation of hours and performances completed.

D. For a period of one year after a school changes ownership, schools are required to provide documentation of hours and performances completed by a current student upon receipt of a written request from the student.

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- - 2. Students who are enrolled but have not begun classes must be included in the report

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Board or Barbers and Cosmetology - Tattooing Regulations and Statutes

3. Systems will be provided on a Board supplied spreadsheet, which will include the student full name, date of birth, program type, date enrolled, the total number of hours to-date and the date completed, terminated, or withdrawn.

Students enrolled, but the intention of operating, must submit a report todents enrolled that no longer wish to operate should and regulations.

- 4. Schools with no students enrolled, but the intention of operating, must submit a report
- 5. Rosters must be su

be subhitted via a secure link provided by the Board. B. Within 30 days of ceasing to operate, thether through dissolution or alteration of the business entity, the school shall provide a written report to be board on performances and hours of each of its students who have not completed the program.

18VAC41-50-340. Hours Reported. Repealed.

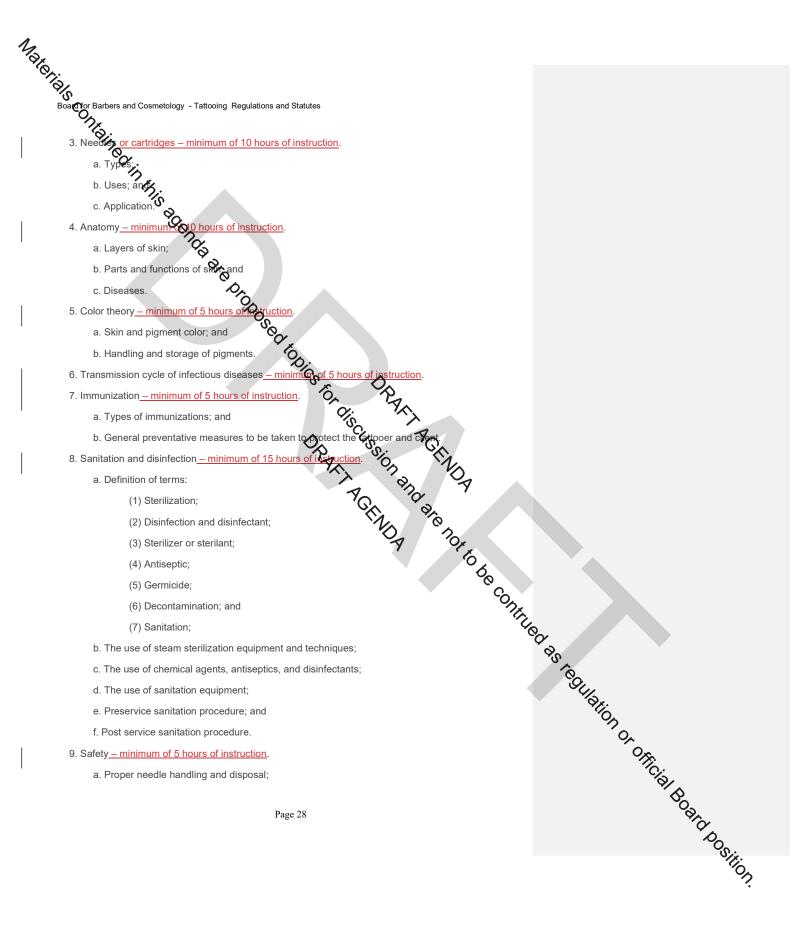
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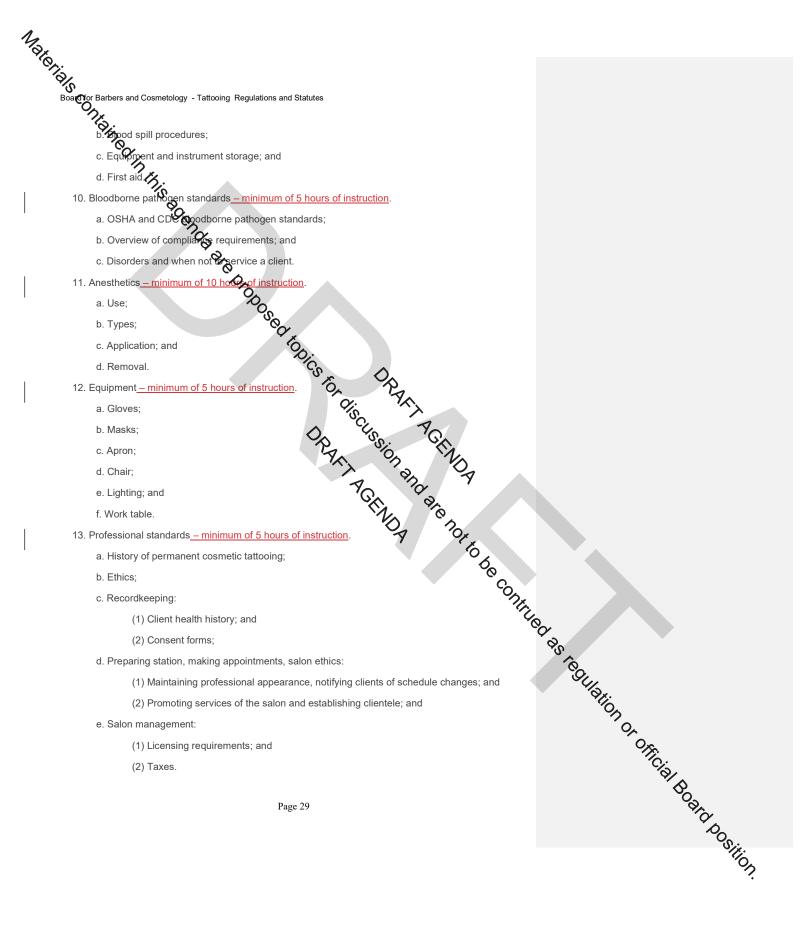
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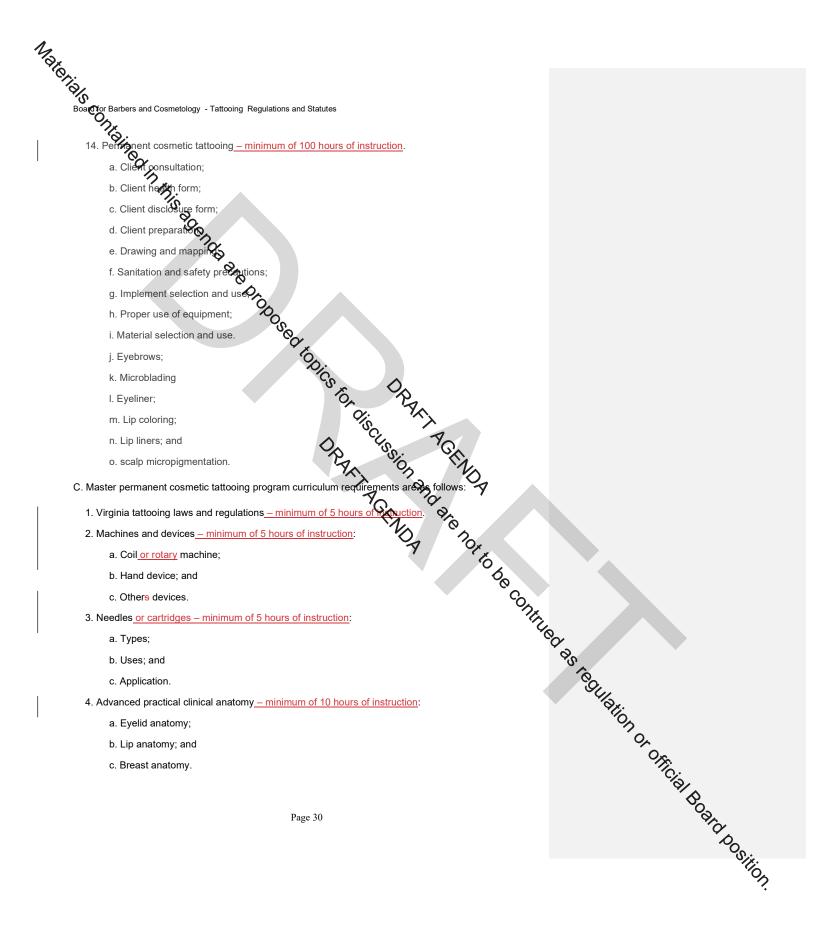
18VAC41-50-350. Health Education. Repealed.

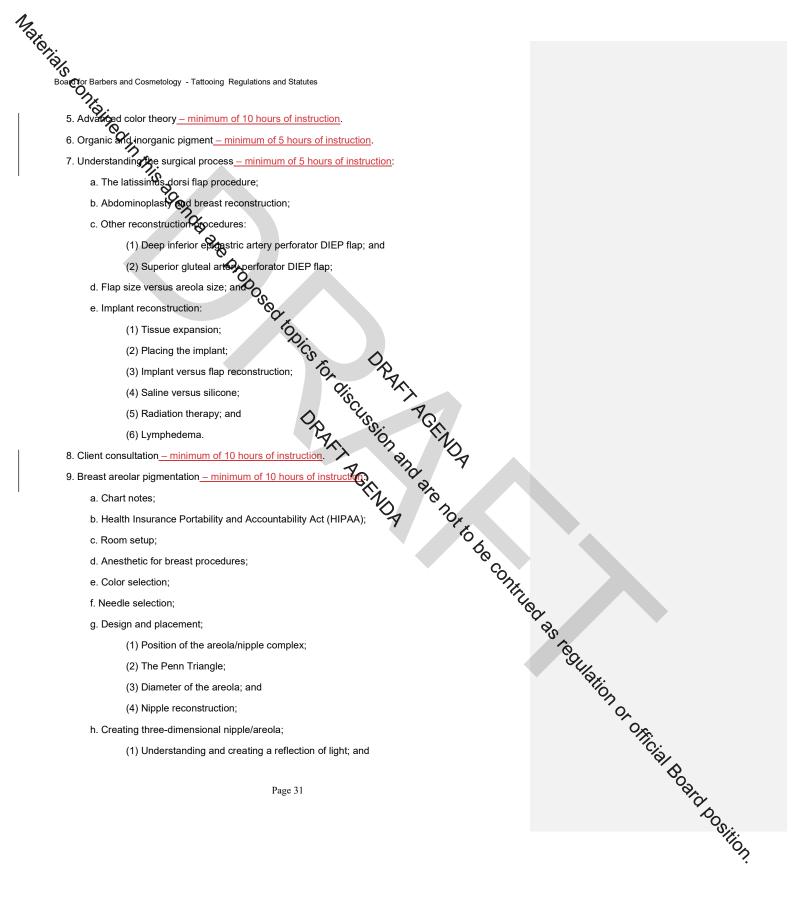
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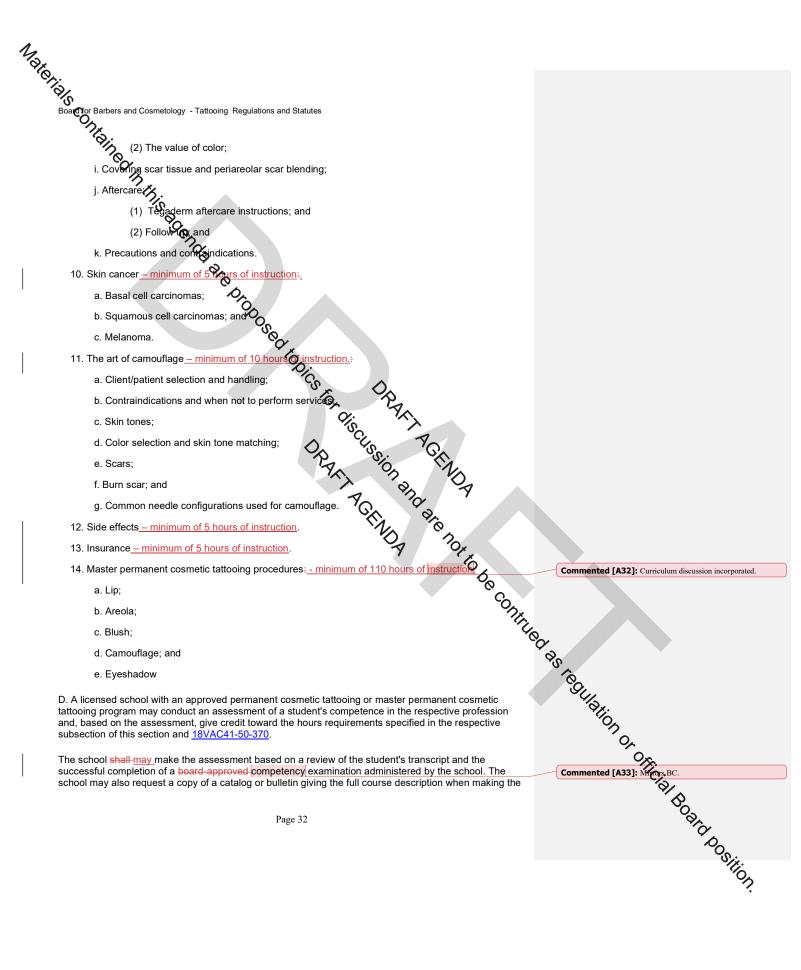
Derived from Volume 22, Issue 25, eff. October 1, 2006; amended, Virginia Register Volume 39, Issue 22, eff. September 1, 2023.











Board or Barbers and Cosmetology - Tattooing Regulations and Statutes

The number of credit hours awarded shall not expect the number of hours specified by be given for in-person training

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Areola 10	
Blush application 10	
Camouflage 10	
Scar repigmentation 10	
Eyeshadow 10 pairs	

Board or Barbers and Cosmetology - Tattooing Regulations and Statutes

3. One complete lip liner constitutes one performance.

E. Individuals enrolled in a program prior to September July 1, 20223, may complete the program at the hours in effect at the time they enrolled. Formatted: Strikethrough SPANDARDS OF PRACTICE. 18 VAC 41-50-380. Display of License. A. The responsible management for each tattoo arior or permanent cosmetic tattoo salon shall ensure that all current licenses issued by the board shall be displayed at the licensee's station or in plain view of Commented [A34]: Should we add "responsible management" for BC and Esthetics or remove? the public. Duplicate licenses shall be posted in a likenanner in every parlor or salon or location where the licensee provides services. B. The responsible management for each tattoo parlor owner or activities as citydent performs any set osmetic tattoo salon shall vice beyorld ensure that no licensee, apprentice, or student performs any scope of practice for the applicable license. C. The responsible management for each tattoo parlor Ion shall offer to licensees the full series of Hepatitis B vaccine. D. The responsible management for each tattoo parlor or per a record for each licensee of one of the following: 1. Proof of completion of the full series of Hepatitis B vaccine; st be in a all be no Promatted: Indent: Lett 0.5"

Formatted: Indent: Lett 0.5" 2. Proof of immunity by blood titer; or 3. Written declaration of refusal of the responsible management's offer of E. All licensees shall operate under the name in which the license is issued. **Historical Notes** Derived from Volume 22, Issue 25, eff. October 1, 2006; amended, Virginia Register Volume 39, Issue 22, eff. September 1, 2023. 18 VAC 41-50-390. Physical Facilities. A. A parlor or salon must be in a permanent building or portion of a building, which must be in a

Page 34

access to living quarters.

location permissible under local zoning codes, if any. If applicable, the parlor or salon shall be separated from any living quarters by complete floor to ceiling partitioning and shall contain no Board or Barbers and Cosmetology - Tattooing Regulations and Statutes

Mobile shops and salons must have a shop or salor

18 VAC 41-50-260 and 18 VAC 41-50-2

see ions 18 VAC 41-50-260 and 18 VAC 41-50-270 and provide a physical address. shops and salons must have a shop or salon license, comply with all requirements found

B. C The Any parlor, selon, or temporary location where services are delivered to the public shall be maintained in a clean an orderly manner.

G. <u>D</u>All facilities <u>must shall have a blood spill clean-up kit in the work area have a blood spill clean-up kit in the work area that contains a plinimum latex gloves, two 12-inch by 12-inch towels, one disposable</u> trash bag, bleach, one empty sprace ottle, and one mask with face shield or any Occupational Safety and SHA) approrod blood spill clean-up kit

D.E. Work surfaces shall be cleaned with D.S. Environmental Protection Agency (EPA) registered, hospital grade disinfectant. Surfaces that come in contact with blood or other body fluids shall be immediately disinfected with an EPA registered permicide solution. Appropriate personal protective equipment shall be worn during cleaning and districting procedures.

E.F. Cabinets for the storage of instruments, pigments single-use articles, stencils and other utensils shall be provided for each operator and shall be maintained in a sanitary manner.

F.G Bulk single-use articles shall be commercially packaged and handled in ch a way as to protect them from contamination.

GH. All materials applied to the human skin shall be from single-use criticles or traccontainers to single-use containers and shall be disposed after each see. erred from bulk

H_I. The walls, ceilings, and floors shall be kept in good repair. The tattooing area shall be constructed of smooth, hard surfaces that are nonporous, free of open holes or cracks, light socred, and early cleaned. New parlors shall not include any dark-colored surfaces in the tattooing area. Excing parlors or salons with dark-colored surfaces in the tattooing area shall replace the dark cored surfaces with light-colored surfaces whenever the facilities are extraorisely area darks are also as a contraction. surfaces whenever the facilities are extensively remodeled or upon relocation of the facilities.

Parlors, salons, or temporary locations shall have adequate lighting of at past 50-foot andles of illumination in the tattooing and sterilization areas.

J K. Adequate mechanical ventilation shall be provided in the parlor.

mode.

Continued as $\ensuremath{\mathsf{K}}\xspace_{\ensuremath{\mathsf{L}}}$ Each parlor, salon, or temporary location shall be equipped with hand-cleaning facilities for its personnel with unobstructed access to the tattooing area such that the tattooer can return to the area without having to touch anything with the tattooer's hands. Hand-cleaning facilities shall be equipped either with hot and cold or tempered running water under pressure and liquid germicidal soap or with a sanitizing solution to clean hands. Hand-cleaning facilities shall be equipped with single-use towels or mechanical hand drying devices and a covered refuse container. Such facilities shall be kept clean and in good repair. All facilities must have running water and soap accessible for cleaning of hands contaminated by body fluids.

<u>L M</u>. Animals are not permitted in the parlor, salon, or temporary location except for guide or service animals accompanying persons with disabilities, or nonmammalian animals in enclosed glass containers such as fish aquariums, which shall be outside of the tattooing or sterilization areas. No animals are allowed in the tattooing or sterilization areas.

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Board for Barbers and Cosmetology - Tattooing Regulations and Statutes

N Use Probacco products and consumption of alcoholic

obacco products and consumption of alcoholic beverages shall be prohibited in the tattooing

NO. No food or drink will be stored or consumed in the tattooing or sterilization areas except for client's use in order to sustain optimal physical condition; such food and drink must be individually packaged.

O.P. If tattooing is performed w that is separate and enclosion where cosmetology services are provided, it shall be performed in an area

PQ. All steam sterilizers shall be iological spore tested at least monthly.

0) QR. Biological spore tests shall be von ed through an independent laboratory.

RS. Biological spore test records shall be ined for a period of three years and made available upon

SI. Steam sterilizers shall be used only for instruments used by the parlor's employees.

Historical Notes

Derived from Volume 22, Issue 25, eff. October 1, 2006 Register Volume 39, Issue 22, eff. September 1, 2023.

C 41-50-400. Tattooer oer Responsibilities.

I tattooers shall provide to the responsible managements offer the full series of Hepatitis B vaccing.

Proof of completion of the full series of Hepatitis B vaccing.

Proof of immunity by blood titler; or

3. Written declaration of refusal of the responsible managements offer the full series vaccine.

3. All tattooers shall wear clean outer garments, maintain a high degree of personal cleanlines and conform to hygienic practices while on duy.

C. All tattooers shall clean their hands thoroughly using hot or tempered water with a liquid germicide scap or use sanitizing solution to clean hands before and after tattooing and as necessary to remove contaminants.

**attooers must wear single-use examination gloves while assembling tattooing instruments and

**arruption in the service, the gloves become torn or perforated, or whenever the

**a barrier is compromised:

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Board or Barbers and Cosmetology - Tattooing Regulations and Statutes

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shall use standard precautions while tattooing. A tattooer diagnosed with a communicable disease shall provide to the Department of Professional and Occupation Regulation a written statement from a health care practitioner that the tattooer's condition no longer poses a threat to public health.

- G. Tattooers with disping lesions on their hands or face will not be permitted to work until cleared by a
- to be tattooed shall be cleaned with an approved germicidal soap H. The area of the client's according to label directions.
- I. Tattooing pigments shall be plack in a single-use disposable container for each client. Following the procedure, the unused contents and Ontainer will be properly disposed of.
- J. If shaving is required, razors shall be single-use. After use, razors shall be recapped and properly disposed of.
- K. Each tattooer performing any tattooing procedings in the parlor or salon shall have the education, training, and experience, or any combination thereof practice aseptic technique and prevent the transmission of bloodborne pathogens. All procedure shall be performed using aseptic technique.
- L. Multiuse instruments, equipment, furniture, and surfaces that may be caraminated during the tattooing process should be covered or wrapped in a nonporous disposable barrier. s barrier should be removed and disposed of after each service.

- as Sinus possed of a...

 er the disposable barrier is ...
 onmental Protection Agency regis...

 set of individual, sterilized needles shall be useu .

 Il be disposable instruments, such as stainless steel tubes the support of the protection of the

Board or Barbers and Cosmetology - Tattooing Regulations and Statutes

Seales puncture proof dirty tube receptacle with cool,

room.

puncture proof dirty tube receptacle with cool, liquid sterilant should be maintained in the

W. Sharps containers should be located within reach of the tattooing area.

ale and single-use items shall be disposed of in accordance with federal and X Contaminated dispo state regulations regarding lisposal of biological hazardous materials.

Y. The manufacturer's written for ructions of the autoclave shall be followed.

Historical Notes

October 1, 2006; amended, Virginia Register Volume 39, Issue Derived from Volume 22, Issue 25, 22, eff. September 1, 2023.

18 VAC 41-50-410. Client Qualifications, Discosures, and Records.

A. Except as permitted in § 18.2-371.3 of the Code of Virginia, a client must be a minimum of 18 years of age and shall present at the time of the tattooing or parmanent cosmetic tattooing a valid, government issued, positive identification card including a driver's lietuse, passport, or military identification. The identification must contain a photograph of the individual and a printed date of birth.

B. The tattooer, permanent cosmetic tattooer, or master permane document in the permanent client record the client's age, date of and the provided,

C. No person may be tattooed or permanent cosmetic tatto e influence of alcohol or drugs.

D. Tattooing or permanent cosmetic tattooing shall not be performed on any evidence of unhealthy conditions such as rashes, boils, infections n any skingurface that manifests brasions, coon any asymmetrical, irregular, blurred, or multicolored mole.

E. Before receiving a tattoo or permanent cosmetic tattoo, each client and for fient's pare for guardian, if applicable, shall be informed verbally and in writing, using the client disclosure form prescribe by the board, about the possible risk and dangers associated with the application of each tattoo. Signatures of both the client and/or client's parent or guardian and the tattooer shall be required on the client delosure form to acknowledge receipt of both the verbal and written disclosures.

F. The tattoo parlor or temporary location or permanent cosmetic tattoo salon shall maintain proper records for each client. The information shall be permanently recorded and made available for examination by the Department of Professional and Occupation Regulation or authorized agent. Records shall be maintained at the tattoo parlor or permanent cosmetic tattoo salon for at least two years following the date of the last entry. The temporary location client records shall be maintained by the license holder. The permanent records shall include the following:

1. The name, address, and telephone number of the client and/or client's parent or guardian;

2. The date tattooing or permanent cosmetic tattooing was performed;

3. The client's age, date of birth, and a copy of the positive identification provided to the tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer;

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er rids as regulation of official Board Position.

Board for Barbers and Cosmetology - Tattooing Regulations and Statutes

The specific color or colors of the tattoo or permanent recatalogue or identification number of each tattooing or permanent tattooing or permanent

cific color or colors of the tattoo or permanent cosmetic tattoo and, when available, the manufactor's catalogue or identification number of each color used;

- 5. The location in the body where the tattooing or permanent cosmetic tattooing was performed;
- 6. The name of the attooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer;
- 7. A statement that the dient and/or client's parent or guardian has received a copy of applicable written care instructions, and that the client has read and understands the instructions; and 8. The signature of the client and if applicable parent or guardian.

Historical Notes

October 1, 2006; amended, Virginia Register Volume 39, Issue Derived from Volume 22, Issue 25, 22, eff. September 1, 2023.

18VAC41-50-420. Grounds for License or Conficate Revocation, Suspension or Probation; Denial of Application, Renewal or Reinstatement; or Poposition of a Monetary Penalty.

The board may, in considering the totality of the circumstances, fine any licensee or certificate holder and suspend, place on probation or revoke or refuse to issue, some or reinstole any license; impose a management place of license on probation with such target and consider any for such time as it monetary penalty, place a license on probation with such monetary penalty, place a license on probation with such terms and conditions may designate, suspend a license for a stated period of time. The revoke, a logical conditions are considered to the conditions and the conditions are conditionally as a condition of the conditions are conditionally as a condition of the conditions are conditionally as a condition of the condition of se issued or certificate, or deny any application issued under the provisions of Chapter 7 (24.1-700 et 26.) of Title 54.1 of the Code of Virginia and this chapter if it finds that the licensee, certificate holder, or applicant:

Virginia an.

1. Is incompetent, exneglige...
unable to practice with skill or sales...
are generally understood in the profession...
permanent cosmetic latboors, or master permanes...
permanent cosmetic latboors, or in school;
Is convicted of fraud or deceit in the practice or instruction of tall the practice of instruction of tall the practice of instruction of the permanent of the profession of the permanent of the permanent

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Board for Barbers and Cosmetology - Tattooing Regulations and Statutes

Fails to produce, upon request or demand of the board thereof in a licensee's or responsible manner addresses and the statutes and the statutes are selected to the statutes and the statutes are selected to the statutes are selected to the statutes and the statutes are selected to the statute

roduce, upon request or demand of the board or any of its agents, any document, book, record, or each thereof in a licensee's or responsible management's possession or maintained in accordance with this chapter;

- 9. Fails to notify of board of a change of name or address in writing within 30 days of the change for each and every license.
- 10. Makes any misrepresentation or publishes or causes to be published any advertisement that is false, deceptive, or mislesting;
- 11. Fails to notify the board in riting within 30 days of the suspension, revocation, or surrender of a license or certificate in connection with a disciplinary action in any other jurisdiction or of any license or certificate that has been the subject of disciplinary action in any other jurisdiction; of final action, of any disciplinary action taken against a live se, registration, certificate or permit in any jurisdiction by a
- 12. Has been convicted or found guilty, regardless of the manner of adjudication in Virginia or any other jurisdiction of the United States, of a misdemeanor involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury or an felony, there being no appeal pending therefrom or the time for appeal having elapsed. Review of convoluents shall be subject to the requirements of § 54.1-204 of the Code of Virginia. Any plea of nolo convoluence shall be considered a conviction for purposes of this subdivision. The record of a conviction confified or attempticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such conviction or guilt;

Historical Notes

Derived from Volume 22, Issue 25, eff. October 1, 2006; amended, Virginia Register Volume 38, Issue 4, eff. December 1, 2021; Volume 39, Issue 22, eff. September 1, 2023.

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Jet of found guilty regardles.
Jet of Included in this booklet for your convenience are relevant excerpts from the Code of Virginia. Please note that the Virginia General Assembly, not the Board for Barbers and Cosmetology, is responsible for creating and amending the statutes contained in the Code of Virginia. It is your responsibility to stay informed of revisions to the regulations and the statutes governing your profession or occupation. Please consult the General Assembly or your local library for annual changes.

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Board for Barbers and Cosmetology - Tattooing Regulations and Statutes

Code of Virginia

Title 54.1 - PROFESSIONS AND OCCUPATIONS.

Chapter 7 - Barbers and Cosmetologists

1 700. Definitions.

Chapter 7 - Barbers and Cosmetologists

"Barber" means any person who shave shapes or trims the beard; cuts, singes, or dyes the hair or applies lotions thereto; applies, treats or ressages the face, neck or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, clays or our preparations in connection with shaving, cutting or trimming the hair or beard, and practices barbering for compensation and when such services are not performed for the treatment of disease. performed for the treatment of disease.

"Barbering" means any one or any combination of the following acts, when done on the human body for compensation and not for the treatment of disease, sweling, shaping and trimming the beard; cutting, singeing, or dyeing the hair or applying lotions thereto; applications, treatment or massages of the face, neck or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, ways, or other preparations in connection with shaving, cutting or trimming the hair or a bear. The term "barbering" shall not apply to the acts described hereinabove when performed by any person this home is some in some in the service is not offered

Board or Barbers and Cosmetology - Tattooing Regulations and Statutes

singeing, wax of, tweezing, shaving, bleaching, coloring, relaxing, straightening, or similar work, upon human hair, or a rig or hairpiece, by any means, including hands or mechanical or electrical apparatus pliances, but shall not include hair braiding upon human hair, or a wig or hairpiece, or such acts as a mind. A rushing prestyled wigs or hairpieces when such acts do not alter the prestyled heen certified by the Board as having completed a ref of the Board as an instructor of human hair, or a g or hairpiece, by any means, including hands or mechanical or electrical apparatus or

"Cosmetology salon" means any compercial establishment, residence, vehicle or other establishment, place or event wherein cosmetology is offered or practiced on a regular basis for compensation and ma place or event wherein cosmetology is offered or practiced on a regular basis for compensation and may include the training of apprentices under a gulations of the Board.

"Esthetician" means a person who engages to the practice of esthetics for compensation.

"Esthetics" includes, but is not limited to, the following practices of administering cosmetic treatments to enhance or improve the appearance of the skin: clear sing, toning, performing effleurage or other related movements, stimulating, exfoliating, or performing any other similar procedure on the skin of the human body or scalp by means of cosmetic preparations, treatments, or any nonlaser device, whether by electrical, mechanical, or manual means, for care of the skin; applying real-e-up or eyelashes to any person, tinting or perming eyelashes and eyebrows, and lightening hair on the body except the scalp; and removing unwanted hair from the body of any person by the use of any noninger device, by tweezing, or by use of chemical or mechanical means. However, "esthetics" is not a healing at and shall not include any practice, activity, or treatment that constitutes the practice of medicine, osteopathic medicine, or chiropractic. The terms "healing arts," "practice of medicine," "practice of sosteopathic medicine," and "practice of chiropractic" shall mean the same as those terms are defined in 8.54.1.2000.

ng United Chemica actice, activity, or united to control the control to the control to control to the control to control control to control control to control c

"Nail technicial means any person who for compensation manicures or pedicures natural nails, or who performs artificial pail services for compensation, or any combination thereof.

"Nail technician instructor having completed an app ' means a licensed nail technician who has been certified by the Board as proved curriculum and who meets the competency standards of the Board as an instructor of nail care.

"Physical (wax) depilatory" means the wax depilatory product or substance used to remove superfluous hair.

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

"School of esthetics" 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 parlor" means any place in which tattool of offered or practiced.

"Tattoo school" means a place or establishment licel by the Board to accept and train students in tattooing

"Tattooer" means any person who for remuneration practice attooing

ard means the placing of destable the skin of any person with ink or any including permanent make-up or permanent in the skin.

It lechnician means any person licensed by the Board Market in the skin.

It lechnician instructor means a licensed wax technician who have been certified to the skin of any person licensed by the Board of the skin of any person licensed by the Board of the skin of any person licensed wax technician who have been certified to the skin of any person licensed wax technician who have been certified to the skin of any person licensed wax technician who have been certified to the skin of any person licensed wax technician who have been certified to the skin of any person licensed wax technician who have standard of the human body through the use of a physical (wax) depilatory or by tweezing.

Waxing a means the temporary removal of superflucus hair from the hair force on any advoid the human body through the use of a physical (wax) depilatory or by tweezing.

Waxing a means the temporary removal of superflucus hair from the hair force on any advoid the human body through the use of a physical (wax) depilatory or by tweezing.

Waxing means the temporary removal of superflucus hair from the hair force on any advoid the human body through the use of a physical (wax) depilatory or by tweezing.

Waxing and means a place or establishment, residence, wehicle or other establishment blace or event wherein waxing is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Waxing school" means a place or establishment person and may include the training of apprentices under regulations of the Board.

"Waxing school" means a place or establishment person and may include the training of apprentices under regulations of the Board.

"Waxing school" means applied to the board of the school the human beautiful to the properties under the board of the boa

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 2. Registered Offses licensed to practice in the Commonwealth;

 Persons employed in state or local penal or correctional institutionare and treatment of individuals with mental illness as barbers, cosmetologists, wax to as barbers, cosmetologists, wax to as barbers as the commonwealth;

 The second of the commonwealth;

 The 3. Persons employed in state or local penal or correctional institutions, rehabilitation centers, sanatoria, or institutions for care and treatment of individuals with mental illness or intellectual disability, or for care and treatment of geriatric patients, as barbers, cosmetologists, wax technicians, nail technicians, estheticians, barber instructors, cosmology instructors, wax technician instructors, nail technician instructors, or esthetics instructors who practice only on inmates of or patients in such sanatoria or institutions;
 - 4. Persons licensed as funeral exctors or embalmers in the Commonwealth;
 - 5. Gratuitous services as a barber, at technician, cosmetologist, wax technician, tattooer, body piercer,
 - 6. Students enrolled in an approved school sking a course in barbering, nail care, cosmetology, waxing, tattooing, body-piercing, or esthetics;
 - 7. Persons working in a cosmetology salon who duties are expressly confined to the blow drying, arranging, dressing, curling, or cleansing of human by
 - 8. Apprentices serving in a barbershop, nail salon, waxing salon, cosmetology salon, or esthetics spa licensed by the Board in accordance with the Board's regulations;
 - 9. Schools of barbering, nail care, waxing, or cosmetology in ablic schools
 - 10. Persons whose activities are confined solely to applying make po including such activities that are

arsons whose, any to applying make.

2, c. 639, § 4, § 54-83.5; 1968, c. c.

5, c. 829, 2012, co. 476, 507, 803, 838; ...

3 chapters of the acts of assembly referenced in the his... natitute a comprehensive list of such chapters and may exclude pired.

54.1-702. Board for Barbers and Cosmetology; membership; office quioritin.

The Board for Barbers and Cosmetology shall be composed of 10 members of follows: (**Logical Comprehensive list of such chapters of 10 membership; office quioritin.

The Board for Barbers and Cosmetology shall be composed of 10 membership; office quioritin.

The Board for Barbers and Cosmetology shall be composed of 10 membership; office quioritin.

The Board for Barbers and cosmetology shall be composed of 10 membership; office quioritin.

The Board for Barbers and cosmetology shall be composed of 10 membership; office quioritin.

The Board for Barbers and cosmetology shall be composed of 10 membership of 10 membership; office quioritin.

The Board hall be licensed cosmetologists, at least one of whom shall have been licensed in their respective professions for at least three years immediately prior to appointment; one of 10 membership of 10 membership

body-piercing, of sthetics without a valid license issued by the Board, except as provided in § 54.1-701.

1; 1988, c. 765; 2000, c. 726; 2002, cc. 797, 869; 2003, c. 600; 2005, c. 829;

No person shall offer to engage in or engage in barbering, cosmetology, nail care, waxing, tattooing, body-piercing, of sthetics without a valid license issued by the Board, except as provided in § 54.1.7

\$ 54-83.2:1; 1988, c. 765; 2000, c. 726; 2002, cc. 797, 869; 2003, c. 600; 2005, c. 82 The chapters of the acts be sembly referenced in the historical citation at the end of this section may not constitute a comprehensive life of such chapters and may exclude chapters whose provisions have

§ 54.1-703.1. Waiver of examination; wax technicians. The Board shall waive the examination requirements for li The Board shall waive the examination requirements for licensure as a wax technician for any individual who (i) makes application for licensure between July 1, 2002, and July 1, 2003; (ii) otherwise complies who (i) makes application for incensure between day 1, 200, and (iii) meets any of the following conditions:

- 1. Has at least three years of documented work experience as a wax technician that is deemed satisfactory by the Board; 0
- 2. Has completed a training program that is deemed sisfactory by the Board; or
- 3. Holds an unexpired certificate of registration, certification, or license are wax technician issued to him on the basis of comparable requirements by a proper author of a state, writery, or possession of the United States or the District of Columbia.

United States or the District of Columbia.

2002, c. 797.

The chapters of the acts of assembly referenced in the historical citation at the end of his section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

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C. 7917.

Applers of the acts of assembly refers... (titue a comprehensive list of such chapters ... red.

4.1-703.2. Repealed. pealed by Acts 2012, oz. 803 and 835, cl. 54.

10 chapters of the acts of assembly referenced in the historical citation by the end. ... onstitute a comprehensive list of such chapters and may exclude chapter by the end. ... onstitute a comprehensive list of such chapters and may exclude chapter by the end. ... onstitute a comprehensive list of such chapters and may exclude chapter by the end. ... onstitute a comprehensive list of such chapters and may exclude chapter by the end. ... onstitute a comprehensive list of such chapters and may exclude chapter by the end. ... onstitute a comprehensive list of such chapters and may exclude chapter by the end. ... onstitute a comprehensive list of such chapters and may exclude chapter by the end. ... onstitute a comprehensive list of such chapters who exclude the examination requirements for licensure as an esthetician or master esthetician for any individual who (i) makes application for incessors by July 31. 2008; (ii) otherwise complex who beard to require regulations refulsing to moral turpitude; and (iii) meets any of the following conditions:

1. Has at least three years of documented work experience as an esthetician or a master subject to the end of the section of the United States, or the District of Columbia.

1. And a training program prior to July 1, 2008, that is deemed satisfactory by the Board; or "and a training program prior to July 1, 2008, on the basis of comparable requirements by a proper luly 1, 2008, on the basis of comparable requirements by a proper luly 1, 2008, on the basis of comparable requirements by a proper luly 1, 2008, on the basis of comparable requirements by a proper luly 1, 2008, on the basis of comparable requirements by a proper luly 1, 2008, on the basis of comparable requirements by a proper luly 1, 2008, on the basis of comparable requirements by a proper luly 1, 2008, on the

Board or Barbers and Cosmetology - Tattooing Regulations and Statutes

Parary licenses.

Parary license to any person with the second statutes and Statutes.

The Board may 💫 a temporary license to any person who is eligible for examination. Persons issued a temporary license stall be subject to the regulations of the Board.

The Board shall promugate regulations consistent with this section to permit individuals to be granted

§ 54.1-704.1. License required for barboshop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing salon, and semetics spa.

No individual or entity shall operate a barbersia cosmetology salon, nail care salon, waxing salon, individual or entity shall operate a barbersia cosmetology salon, nail care salon, waxing salon, and the salon salo

tattoo parlor, body-piercing salon, or esthetics sporthout 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, or esthetician who does not have an ownership interest in a licensed barbershop, cosmetology salon, nail care salon, waxing salon, tattoo paro, body-piercing salon, or esthetics spa in which he is employed.

2000, c. <u>726</u>; 2002, cc. <u>797</u>, <u>869</u>; 2003, c. <u>600</u>; 2005, c. <u>829</u>; 20

The chapters of the acts of assembly referenced in the historical cite at the end of this section may not visions have clude chaptars whose in constitute a comprehensive list of such chapters and may expired

§ 54.1-704.2. License required for schools of barbering, cospectology, ing tattooing, body-piercing, or esthetics.

, naticare, waxing, tattooi rate or attempt to operate a ng, or estimatos unless licen Except as provided in § 54.1-701, no person, firm or corporation shall ics unless licensed school of barbering, cosmetology, nail care, waxing, tattooing, bodyby the Board pursuant to its regulations.

2000, c. <u>726</u>; 2002, cc. <u>797</u>, <u>869</u>; 2003, c. <u>600</u>; 2005, c. <u>829</u>; 2012, cc. <u>803</u>, <u>85</u>.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have

§ 54.1-705. Inspections.

A. Inspectors and sanitarians of the State Department of Health, or an affiliated local health department, may inspect each barbershop, cosmetology salon, waxing salon, nail care salon, tattoo parlor, bodypiercing salon, and esthetics spa in the Commonwealth regularly. Any infractions shall be immediately reported to the Health Department and the Director of the Department of Professional and Occupational Regulation for disciplinary action.

- B. The Board may inspect barbershops, barber schools, cosmetology salons and schools, waxing salons and schools, nail care salons and schools, tattoo parlors and schools, body-piercing salons and schools, and esthetics spas and schools for compliance with regulations promulgated by the Board.
- C. The Board shall specify procedures for enforcement of compliance with the disease control and disclosure requirements of § 18.2-371.3, including unannounced inspections by appropriate personnel.

Page 46

Board of the Virginia Department of Health, or an affiliated local health department, may regulate the sanitary condition of the personnel, equipment and premises of tattoo parlors and body-piercing closs.

1. 1. 2. 27; 1974, c. 534; 1988, c. 765; 1993, c. 499; 2000, c. 726; 2002, cc. 797, 861, 835.

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/ 26. § \$4.33 27: 1074. c.b.
2005. c. 68/2012 co. 803. 85.

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Last Updated September

STATUTES

Title 54.1, Chapter 7



Perimeter Center, Suite 400 9960 Mayland Drive Richmond, Virginia 23233 (804) 367-8500 www.dpor.virginia.gov

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Code of Virginia Title 54.1 Chapter 7.....

CHAPTER 60.
BODY-PIERCING REGULATIONS
PART I.
GENERAL.

The following words and tendewhen used in this chapter shall have the following meanings unless the centest clearly indicates effect. All terms defined as cribed to them in Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia as incorporated in this chapter.

Board

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netes the qualifications in _____

Jic technique" means a hygienic practice ...
Jorganisms, regardless of pathogenicity, from on...

dy piercer ear only" means any person who uses only a mechant penetrates the outer perimeter or lobe of the ear or both for complete
ody piercing ear only means the use of a mechanized, presterilized ear perimeter or lobe of the ear or both.

Body-piercing ear only salon" means any place in which a fee is charged for the act of using a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both.

"Business entity" means a sole proprietorship, partnership, corporation, limited liability company, limited liability artnership, or any other form of organization permitted by law.

"Cndorsement" means a method of obtaining a license by a person who is currently licensed in another
"Irrisdiction of the United States.

"A 201.5 of the Code Virginia means providing hody-piercing
"ward, or obligation. Gratuitous services do not include hased.

"A 201.5 of the Code Virginia means providing hody-piercing
"ward, or obligation. Gratuitous services do not include hased.

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Board or Barbers and Cosmetology - Body-Piercing Regulations and Statutes

license issued by the Board for Barbers and Cosmetology, as every means the hours between 9:00 a.m. and for the same hours, in t d by the Board for Barbers and Cosmetology<u>.</u> as defined in § <mark>54.1-700</mark> of the Code of "Reasonable hours" means the hours between 9:00 a.m. and 5:00 p.m.; however, if the licensee generally is not open to the posic substantially during the same hours, "reasonable hours" shall mean the business "Reinstatement" means having a license restored to effectiveness after the expiration date has passed. "Renewal" means continuing the effectiveness of a license for another period of time. "Responsible management" means the following individuals: 1. The sole proprietor of a sole proprietor 2. The partners of a general partnership; 3. The managing partners of a limited partner he managers of a limiteo ..

The officers or directors of an associa...

Individuals in other business entities recognized unduciary responsibility to the firm.

Jel proprietor" means any individual, not a corporation, who is trading down under an assumed or fictitious name pursuant to the provisions of \$\frac{8}{2}\frac{507}{209}\text{ him.}

ode of Virginia.

Sterilization area" means a separate room or area separate from work and suffice stricted client access in which body-piercing instruments are cleaned, disinfected, and arrived to the continuous means a fixed location at which body piercing is performed for a specified length of time of not more than seven days in conjunction with a single event or convention.

"Temporary location" means a fixed location at which body piercing is performed for a specified length of time of not more than seven days in conjunction with a single event or convention.

"ear only without receiving compensation.

"as and is exempt from the provisions charge when goods are

Formatted: Formatted: Formatted: Formatted: Left Organization. 4. The officers of a corporation;

Official Board Position.

Page 2

A. Any individual wishing to engage in body-piercing shall obtain a license in compliance with § 54.1-703 of the Code Cylinginia and meet the following qualifications:

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As a point of the Code Cylinginia and meet the following qualifications:

As a point of the Code Cyli as a body piercer. The disclosure-includes monetary penalties, fines, probation, suspensions, revocations, surrender license in connection with a disciplinary action pertaining to services within the respective scope of probles, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if the applicant has been previously licensed in Virginia as a hody piercer. as a body piercer.

Upon review of the applicant's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein the board deeps the applicant is unfit or unsuited to engage in body piercing and or body piercing ear only. The boar will decide each case by taking into account the totality of the circumstances. Any please of nole center or comparable plea shall be considered a disciplinary action for the purposes of this subdivision. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory ency, or board with the lawful authority to issue such order, decree, or case decision, and such copy stall be admissible as prima facie evidence of such disciplinary action.

- 2. The applicant shall disclose the applicant's physical add ess. A post fice box is not acceptable may be provided as a secondary address
- 3. The applicant shall sign, as part of the application, a stater state certifying and understands the Virginia body-piercing license laws and this chapter. that the applicant has read

- B. Eligibility to sit for board-approved body piercer examination.
- applicant shan _ iderstands the Virgini.

 accordance with § 54.1.204 of the _ nation regarding oriminal convictions in v._

 1. All misdemeanor convictions within two years of the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution, or physical _ the aexual offense, non-marijuans drug distribution of the _ or physical _ the aexual _ the aex

Board or Barbers and Cosmetology - Body-Piercing Regulations and Statutes

apprenticuship or documentation of three years of work expended (ii) documentation of completion of a mining and (iii) documentation, and aseptic tectors to the board in order ship or documentation of three years of work experience within the preceding five years as a body pier and (ii) documentation of completion of a minimum of five hours of health education to include (a) broodborne disease, sterilization, and aseptic techniques related to body piercing; and (b) first aid; and (c) CPR-that is acceptable to the board in order to be eligible for examination.

- C. Any individual wishing to engage in body-piercing ear only shall obtain a license in compliance with § 54.1-703 of the Code of Orginia and meet the following qualifications in order to receive a license as a body piercer ear only, an indicant must meet the following qualifications:

 1. The applicant shall have completed a minimum of three hours of health education to include
 - bloodborne disease and first aid that is acceptable to the board and provide verification of training on a mechanized, presterilized ear-pier in g system that penetrates the outer perimeter or lobe of the ear or both and aftercare of piercing.
 - both and aftercare of piercing.

 21. The applicant shall be in good stand on in every jurisdiction where licensed, certified, or registered. The applicant shall disclose to the board at the application for licensure any disciplinary action taken in another jurisdiction in connection with the applicant's licensed, certified, or registered practice. The applicant shall disclose to the board at the time of application for licensure whether he has been previously licensed in Virginia in any profession regulated by the board. This includes monetary penalties, fines, probation, suspensions, revocations surrender of a license in connection with a disciplinary action pertaining to services within the respective scope of practice, or voluntary termination of a license.
 - 32. The applicant shall disclose the applicant's physical addres acceptablemay be provided as a secondary address
 - 43. The applicant shall sign, as part of the application a statement extifying that read and understands the Virginia body-piercing license laws and the card's body regulations this chanter. applicant has regulations this chapter.
 - 54. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other institutions.
 - involving **R**oral turpitude, a. All misdemeanor convictions within two years of the dates of appli sexual offense, [-non-marijuana-] drug distribution, or physical injury-wit date of the application; and

b. All felony convictions within 20-10 years or the decomposition for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-20-sf the Code of Virginia.

5. The applicant shall have completed a minimum of three hours of health education to include bloodborne disease and first aid that is acceptable to the board and provide verification of training on a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both and aftercare of piercing.

Historical Notes

Derived from Volume 23, Issue 12, eff. April 1, 2007; amended, Virginia Register Volume 38, Issue 4, eff. December 1, 2021.

18 VAC 41-60-30. License by Endorsement.

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Board or Barbers and Cosmetology - Body-Piercing Regulations and Statutes

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"Yamination. The app Upon propapapplication to the board, any person currently licensed to practice as a body piercer in any other state of prisolation of the United States and who has completed a training or apprenticeship program and an examination that is substantially equivalent to that required by this chapter may be issued a body piecer license without an examination. The applicant must also meet the requirements set forth in 18VAC41-6000 A 1 through A 4.

I so the Examination groupers as a check of the contract of th

- Board or Barbers and Cosmetology Body-Piercing Regulations and Statutes

 Provides documentation indicating that he is in good standing is regulated. s documentation indicating that he is in good standing in all jurisdictions where the practice
 - B. Apprenticeship spensors shall be required to maintain a body piercer license.
 - C. Apprenticeship spors shall ensure compliance with the 1500-hour Body-Piercing Apprenticeship Program and Body-Pierce Apprenticeship Standards.

Historical Notes

eff. April 1, 2007. Derived from Volume 23, Issue

18VAC41-60-80. General requirements for a Salon License.

A. Any firm wishing to operate a body-pietong salon or body-piercing ear only salon shall obtain a salon license in compliance with § <u>54.1-704.1</u> of 163 Code of Virginia and shall meet the following qualifications

1. The applicant and all members of the responsible management shall be in good standing as a licensed salon in Virginia and all otherevery jurisdictions where ticensed, certified or registered. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisditions in connection with the applicant's operation of any body-piercing salon or body-piercing ear only salon of gractice of incorofession. This disclosure includes monetary penalties, fines, suspensions, revocations, corrender of a trense in connection with a disciplinary action pertaining to services within the scope of practice, or voluntary termination of a license. The applicant shall disclose to the board at the time of application of the responsible management has been previously licensure in Virginia as a body piercing salon

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5. The applicant shall disclose the firm's responsible management.

Boactor Barbers and Cosmetology - Body-Piercing Regulations and Statutes

B. A bBoot piercing salon licenses or body-piercing ear only salon licenses are issued to firms as defined this chapte and shall not be transferable, and shall bear the same name and address of the business in the name or address of the salon shall be reported to the board in writing within 30 metals and shall not be responsible for the licensee's, certificate holder's or permit reported to the board in writing of any change of name to have responsible management shall.

B. A Book piercing salon licenses or body-piercing ear only salon licenses are issued to firms as defined in this chapitogo dishall not be transferable, and shall bear the same name and address of the business entity. Any chapter in the name or address of the salon shall be reported to the board in writing within 30 days of such charles. The board shall not be responsible for the licensee's, certificate holder's or permit holder is failure to row live notices, communications, and correspondence caused by the licensee's, certificate holder's or permit holder is a failure to promptly notify the board in writing of any change of name or address or for any or the reason beyond he control of the board. New responsible management shall be responsible for apply for a new license within 30 days of the changes. C. Whenever the legal business antity holding the license is dissolved or altered to form a new business entity, the original license becomes yeld. The firm must notify the board within 30 days of the change and destroy the license, original license becomes yeld and shall be returned to the board within 30 days of the change in the business entity. Such changes include: 1. Death or withdrawal of a general partner in a geograph partnership or the managing partner in a limited partnership; and 3. Conversion, formation, or dissolution of a corporation glinited liability company, an association, or any other business entity recognized under the laws of the Configured liability company, or officers or directors of an association shall be reported to the board in writing within 30 days of the change. E. Any firm wishing to operate a body-piercing salon in a temporal vication must have a body-piercing salon license issued by the board. F. The board or any of its agents shall be allowed to insper furing reasonable hours shall be reported from Yolume 23, issue 12, eff. April 1, 2007. PART III. FEES.	Board for Barbers and Cosmetology	- Body-Piercing Regulations and	Statutes			
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Board for Barbers and Cosmetology - Body-Piercing Regulations and Statutes

*includes \$90 renewal fee *includes \$90 renewal fee re

%.			
Reinstatement	\$180* *includes \$90 renewal fee and \$90 reinstatement fee	\$210* *includes \$105 renewal fee and \$105 reinstatement fee	With reinstatement application
Salons:			
Application Q	\$165	\$190	With application
Renewal	\$165	\$190	With renewal card prior to expiration date
Reinstatement	*include 3465 renewal fee ar \$3165 reinstatement fee	\$380* *includes \$190 renewal fee and \$190 reinstatement fee	With reinstatement application

Historical Notes

Derived from Volume 23, Issue 12, eff. April 1, 2007, Prended, Volume 27, Issue 23, eff. September 1, 2011; Volume 30, Issue 10, eff. March 1, 2014; Volume 23, Issue 24, eff. September 1, 2016; Volume 34, Issue 22, eff. June 25, 2018; Volume 36, Issue 21, eff. September 1, 2020, Volume 38, Issue 25, eff. September 1, 2020, Volume 38, Issue 26, eff. September 1, 2020, eff. September 2, ef

which it was issued.

Historical Notes

Derived from Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 41-60-120. Continuing Education Requirement.

All licensed body piercers shall be required to satisfactorily complete a minimum of five hours of health education to include (i) bloodborne disease, sterilization, and aseptic techniques related to body piercing; and (ii) first aid; and (iii) CPR during their licensed term. All licensed body piercers ear only shall be required to satisfactorily complete a minimum of three hours of health education to include bloodborne disease and first aid during their licensed term. Documentation of training completion shall be provided at the time of renewal along with the required fee.

Historical Notes

Derived from Volume 23, Issue 12, eff. April 1, 2007.

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Board for Barbers and Cosmetology - Body-Piercing Regulations and Statutes

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The Department of Professional and Occupational Regulation will mail a renewal notice to the licensee outlining the procedures for renewal. Failure to receive this notice, however, shall not relieve the licensee of the obligation to the w. If the licensee fails to receive the renewal notice, a copy of the old license may be submitted as evidence of intent to renew, along with the required fee.

Historical Notes

Derived from Volume 23 12, eff. April 1, 2007.

18 VAC 41-60-140. Failure to Renew.

A. When a <u>licensed</u>n individual or bush A. When a <u>licensed</u>n individual or <u>business entityfirm</u> <u>business entity</u> fails to renew its license within 30 days following its expiration date, the license shall meet the renewal requirements prescribed in <u>18 VAC41-60-120</u> and <u>18VAC41-60-130</u> and 18VAC41-60-130 and 18VAC41-60-130 and 18VAC41-60-130 and 18VAC41-60-130 and 18VAC41-60-130 required renewal and reinstatement fees.

B. When a <u>licensed n-individual</u> or business entity factor renew its license within two years following the expiration date, reinstatement is no longer possible. To esume practice, the former licensee shall apply for licensure as a new applicant, shall meet all current approximation requirements, shall pass the board's current examination, if applicable, and shall receive a new lightse

C. The date a renewal fee is received by the Department of Procesional and its agent, will be used to determine whether the requirement for reversatement of a supational Regulation, or license is applicable and an additional fee is required.

D. When a license is reinstated, the licensee shall have the same license Omber and an expiration date two years from the date of the last day of the month of reinstatement. be assigned

E. A licensee that reinstates its license shall be regarded as having from continuously licensed without interruption. Therefore, a licensee shall be subject to the authority of the soard for spivities performed prior to reinstatement.

F. A licensee that fails to reinstate its license shall be regarded as unlicensed from the expragion date of the license forward. Nothing in this chapter shall divest the board of its authority to discipline oicensee for a violation of the law or regulations during the period of time for which the individual was lice sed

Historical Notes

Derived from Volume 23, Issue 12, eff. April 1, 2007.

PART V.

BODY-PIERCING APPRENTICESHIP PROGRAMS

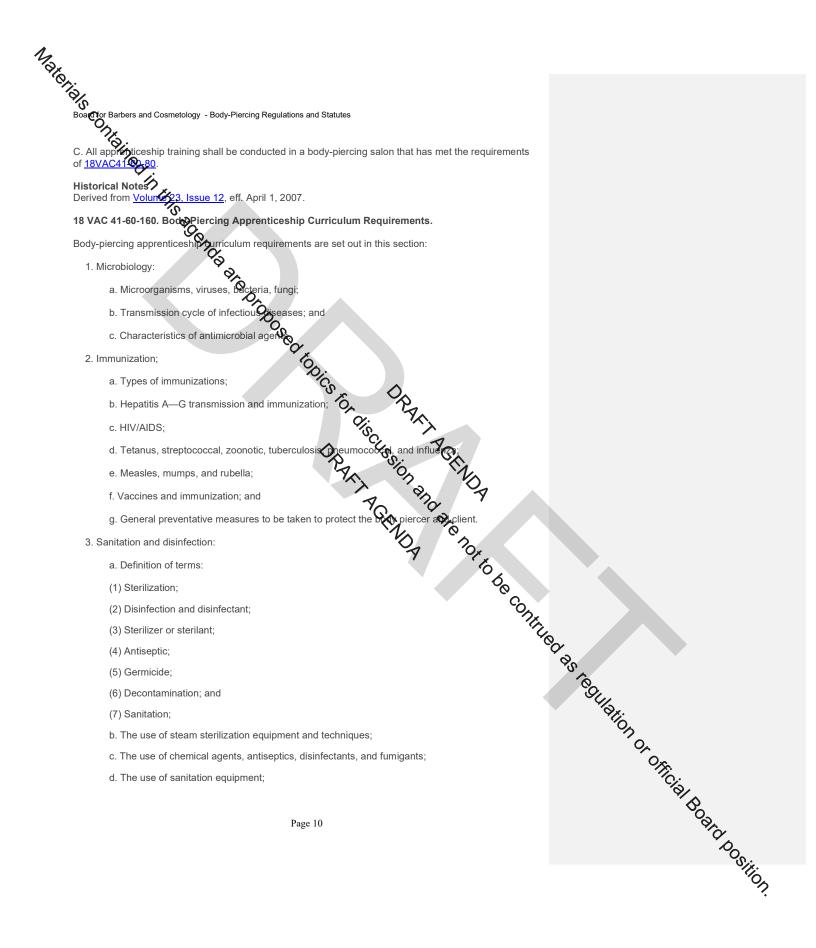
18 VAC 41-60-150. Applicants for Board Approval General Requirements.

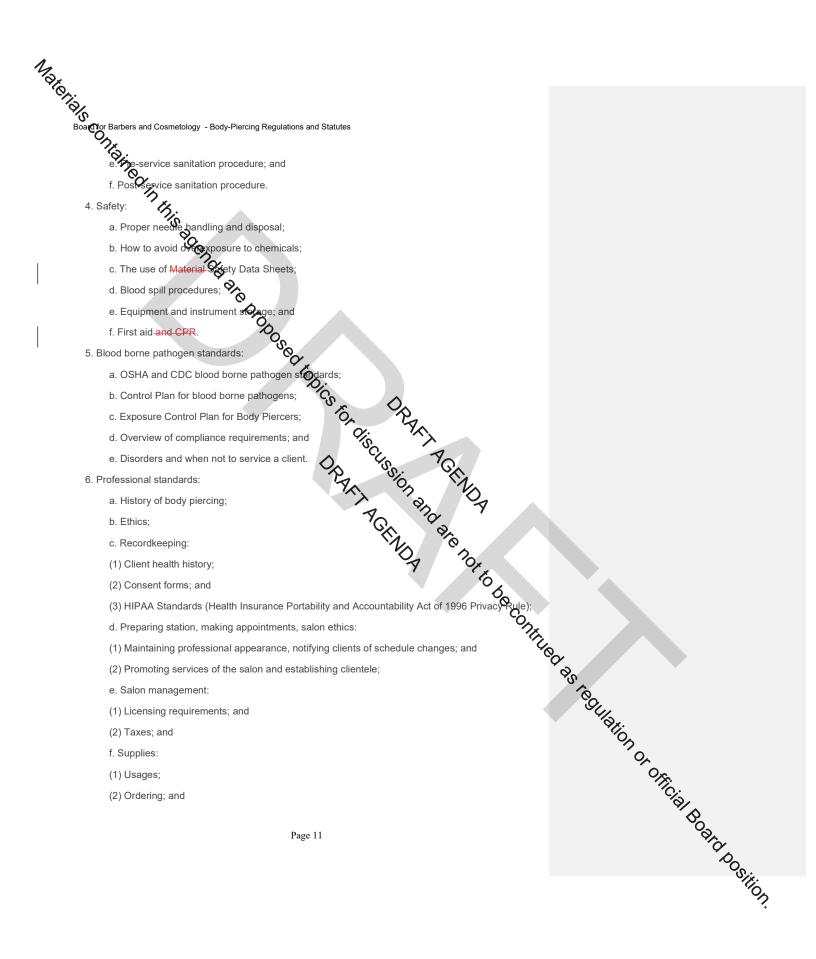
A. Any person desiring to enroll in the body-piercing apprenticeship program shall be required to provide documentation of satisfactory completion of a minimum of five hours of health education to include but not limited to blood borne disease, sterilization, and aseptic techniques related to body piercing, and first aid

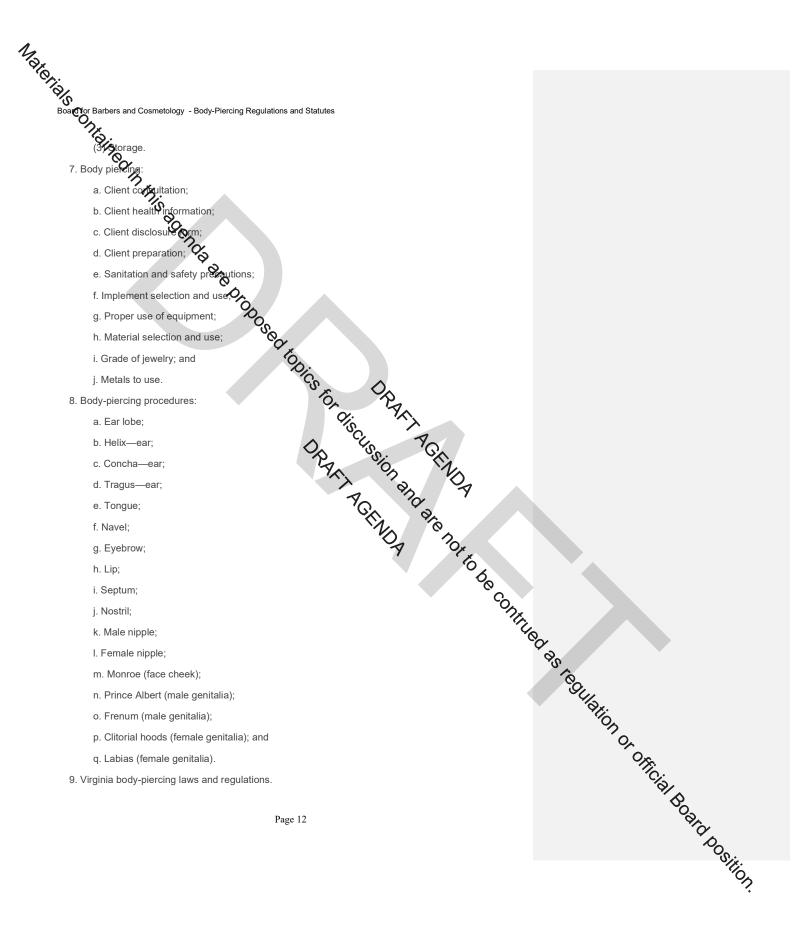
B. Any body piercer desiring approval to perform the duties of an apprenticeship sponsor and offer the board's body-piercing apprenticeship program shall meet the requirements in 18VAC41-60-70.

Contributed as tegulation of official Board Position.

Page 9







Board or Barbers and Cosmetology - Body-Piercing Regulations and Statutes

**Cotorical April 23, Issue 12, eff. April 1, 2007.

**Ticeship Hours of

18 VAC 41-60-178. Body-Piercing Apprenticeship Hours of Instruction and Performances

A. Curriculum requirements specified in 18VAC41-00-100 as follows:

1. 350 hours shall be devoted to theory pertaining to subdivisions 1, 2, 4, 5, and 6 of 18VAC41-60-160;

and a subdivision 3 of 18VAC41-60-160; and

- 3. The remaining 1,000 hours shall be devel ed to practical training and the following performances pertaining to subdivision 7 of 18VAC41-60-

Body-Piercing Performances

, 5		0;			
ear lobe		minimum of 5	20		
helix - ear		minimum 6/5	7		
concha - ear		minnum of 5	O. POA		
tragus - ear		minimum of 5	On No		
tongue		minimum of 5	and a		
navel		minimum of 5	1, %		
eyebrow		minimum of 5	A JOY		
lip		minimum of 5	Obe		
septum		minimum of 5	CO)2x	
nostril		minimum of 5		TURK	
additional piercing	gs of choice	minimum of 50		8	
Total		100		COU,	
etence in the theory and p	oractical requirements of credit towards the re yed for the 150 hours	m may conduct an a for body piercing al equirements in subdi required in subdivis	issessment of an apprentice's nd, based on the assessment, ivisions A 1 and A 3 of this on A 2 of this section.	dion	or official Board Position.
					Sition.

B. An approved body-piercing apprenticeship program may conduct an assessment of an apprentice's competence in the theory and practical requirements for body piercing and, based on the assessment, give a maximum of 500 hours of credit towards the requirements in subdivisions A 1 and A 3 of this section. No credit shall be allowed for the 150 hours required in subdivision A 2 of this section.

Historical Notes

Board or Barbers and Cosmetology - Body-Piercing Regulations and Statutes

Derived from Volume 23, Issue 12, eff. April 1, 2007.

PART VI.

STANDARDS OF PRAC

STANDARDS OF PRACTICE.

A. Each body-piercing salon ower or body-piercing ear only salon owner shall ensure that all current licenses issued by the board shall be displayed in the reception area of the salon in plain view of the public. Duplicate licenses shall be provides services

- B. Each body-piercing salon or body-piercine ear only salon owner shall ensure that no licensee performs any service beyond the scope of practice for the applicable license.
- any service beyond the scope ...

 C. Each body-piercing salon or body-piercing ear only sa salon owner shall offer to licensees the full series
- D. Each body-piercing salon or body-piercing ear only salon aintain a record for each licensee of:
 - 1. Proof of completion of the full series of Hepatitis B vaccine,

series of Honatitis B valoure.

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Board or Barbers and Cosmetology - Body-Piercing Regulations and Statutes

a body-piercing salon, body-piercing ear only salon, or terments, single-use articles, and other utens

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piercing salon, body-piercing ear only salon, or temporary location, cabinets or containers for the storage enstruments, single-use articles, and other utensils shall be provided for each operator and shall be maintained in a sanitary manner.

F. In a body-piercing alon, body-piercing ear only salon, or temporary location, bulk single-use articles shall be commercially ackaged and handled in such a way as to protect the articles from contamination.

G. In a body-piercing salon, ody-piercing ear only salon, or temporary location, all materials applied to the human skin shall be from angle-use articles or transferred from bulk containers to single use containers and shall be dispose of after each use.

H. In a body-piercing salon or body-percing ear only salon, the walls, ceilings, and floors shall be kept in H. In a body-piercing sation or body-piercing ear only sation, the waits, ceilings, and noors shall be kept in good repair. The body-piercing area shall be constructed of smooth, hard, surfaces that are nonporous, free of open holes or cracks, light colored and easily cleaned. New physical facilities shall not include any dark-colored surfaces in the body-piercing area shall replace the dark-of ored surfaces with light-colored surfaces whenever the facilities are extensively remodeled or upon relocation of the business entity.

I. A body-piercing salon, body-piercing ear only salon temporary location shall have adequate lighting of at least 50 foot-candles of illumination in the body-piercing and sterilization areas.

J. In a body-piercing salon, body-piercing ear only salon, or exporary location adequate mechanical ventilation shall be provided.

K. A body-piercing salon, body-piercing ear only salon, or temporary ocation shall be equipped with hand-cleaning facilities for its personnel with unobstructed scess to ful body-piercing area or body-piercing ear only area such that the body piercer or body piercer ear only an return to the area without having to touch anything with his hands. Hand-cleaning facilities shall be entipped either with hot and cold or tempered running water under pressure and liquid germiculal soap or with a sanitizing solution to clean hands. Hand-cleaning facilities shall be equipped with single use towels of mechanical hand drying devices and a covered refuse container. Such facilities shall be kept clean and in good repair. All facilities must have running water and soap accessible for cleaning of hands contaminated by sody fluids.

L. Animals are not permitted in the body-piercing salon, body-piercing ear only salon, or temporary location except for guide or service animals accompanying persons with disabilities or nonmammalian animals in enclosed glass containers such as fish aquariums, which shall be outside of the be-piercing area or sterilization area. No animals are allowed in the body-piercing area, body-piercing ear of area or sterilization area.

M. In a body-piercing salon, body-piercing ear only salon, or temporary location, the use of tobacco products and consumption of alcoholic beverages shall be prohibited in the body-piercing area, bodypiercing ear only area or sterilization area.

N. In a body-piercing salon, body-piercing ear only salon, or temporary location, no food or drink will be stored or consumed in the body-piercing area, body-piercing ear only area, or sterilization area.

O. In a body-piercing salon, body-piercing ear only salon, or temporary location, if body-piercing or bodypiercing ear only is performed where cosmetology services are provided, it shall be performed in an area that is separate and enclosed.

P. All steam sterilizers shall be biological spore tested at least monthly.

Q. Biological spore tests shall be verified through an independent laboratory.

Commented [A1]: Is this requirement necessary to protect the health, safety and welfare of the public?

Commented [A2R1]: Florida requires walls, floors and procedure surfaces to be made of smooth non-absorbent and washable materials and wooden floors must have a commercial water repelling coating.

Connecticut does not require floors, walls, etc. to be light-colored, only easily cleaned and kept in good repair.

Association of Professional Piercers - don't recommend light-colored surfaces

Commented [A3R1]: Revisit--staff will work on language

CONTITUE OF SEQUENTION OF ORICIAL BOARD POSITION.

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Piological spore test records shall be retained for a period of

pore test records shall be retained for a period of three years and made available upon

S. Steam sterilizers hall be used only for instruments used by the salon's employees.

Historical Notes

Derived from Volume 23 sue 12, eff. April 1, 2007.

18 VAC 41-60-200. Body Piercer and Body Piercer Ear Only Responsibilities.

A. All body piercers and body pier ear only shall provide to the responsible management one of the following:

- 1. Proof of completion of the full series of Hepatitis B vaccine;
- 2. Proof of immunity by blood titer; or
- 3. Written declaration of refusal of the responsible management<u>'s</u> offer of a full series of Hepatitis B vaccine.
- B. All body piercers and body piercers ear only shall wear lean outer gaments, maintain a high degree of personal cleanliness, and conform to hygienic practices wile on duty
- C. All body piercers and body piercers ear only shall clean their wids thorough using hot or tempered

- with a liquid germicu.

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 ambling instruments and another pair of single-use civices.

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Board or Barbers and Cosmetology - Body-Piercing Regulations and Statutes

"If shaving is required, razors shall be single-use. After use, a disposed of in a puncture resistant container.

J. If shaving is required, razors shall be single-use. After use, razors shall be recapped and properly

KJ. Each body piercer or body piercer ear only performing any piercing procedures in the salon shall have the education, training and experience, or any combination thereof, to practice aseptic technique and prevent the transmission of bloodborne pathogens. All procedures shall be performed using aseptic technique.

LK. An individual, single-use, as sterilized piercing needle shall be used for each client. Single-use disposable instruments shall be apposed of in a puncture-resistant container.

ML. Used, nondisposable instrument hall be kept in a separate, puncture-resistant container until brush scrubbed in hot water and soap and the sterilized by autoclaving. Contaminated instruments shall be handled with disposable gloves.

NM. Used, nondisposable instruments that are ultrasonically cleaned shall be rinsed under running hot water prior to being placed in the used instruments that are ultrasonically cleaned shall be rinsed under running hot

ON. Used nondisposable instruments that are not ultra onically cleaned prior to being placed in the used instrument container shall be kept in a germicidal or soap plution until brush scrubbed in hot water and

PO. The ultrasonic unit shall be sanitized daily with a germicidal plution.

QP. Nondisposable instruments shall be sterilized and shall be handled and stored in a manner to prevent contamination. Instruments to be sterilized shall be sealed in been made specifically for the purpose of autoclave sterilization and shall include the datelog terilization of nontransparent bags utilized, the bag shall also list the contents. nt bags are

RQ. Autoclave sterilization bags with a color code indicator that change color up proper sterilization shall be utilized during the autoclave sterilization process.

SR. Nondisposable instruments shall be placed in the autoclave in a manuarito allow live steam to circulate around them.

TS. Contaminated disposable and single-use items shall be disposed of in accordance with federal and state regulations regarding disposal of biological hazardous materials.

UT. The manufacturer's written instruction of the autoclave shall be followed.

Historical Notes

Derived from Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 41-60-210. Body-Piercing Client Qualifications, Disclosures, and Records.

A. Except as permitted in § 18.2-371.3 of the Code of Virginia, a client must be a minimum of 18 years of age and shall present at the time of the body piercing a valid, government-issued, positive identification card including, but not limited to, a driver's license, passport, or military identification. The identification must contain a photograph of the individual and a printed date of birth.

B. The body piercer shall verify and document in the permanent client record the client's age, date of birth, and the type of identification provided.

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Board or Barbers and Cosmetology - Body-Piercing Regulations and Statutes

C. No person may be body pierced who appears to be under the influence of alcohol or drugs.

D. Body piercing hall not be performed on any skin surface that manifests any evidence of unhealthy conditions such as risches, boils, infections, or abrasions.

Pafore receiving a body piercing, each client and client's parent or guardian, if applicable, shall be and in being, using the client disclosure form prescribed by the board, about the and the body piercing. Signatures of the client and the body piercer shall be required on the client disclosures. Each client and client's parent or guardian, if applicable, shall be and the body piercing. Signatures of the client and the body piercer shall be required on the client disclosures. Each client and client's parent or guardian, if applicable, shall be and the body piercing. Signatures of the client and the body piercer shall be required on the client disclosures. Each client and client's parent or guardian, if applicable, shall be and the body piercing. Signatures of the client and the body piercer shall be required on the client disclosures. Each client and client's parent or guardian, if applicable, shall be and the body piercing. E. Before receiving a body piercing, each client and client's parent or guardian, if applicable, shall be informed verbally and in thing, using the client disclosure form prescribed by the board, about the possible risk and dangers appeared with the application of each body piercing. Signatures of the client, the client's parent or guardian tapplicable, and the body piercer shall be required on the client disclosure form to acknowledge receipt of with the verbal and written disclosures. Each client and client's parent or guardian, if applicable, shall be informed verbally and in writing of aftercare for each piercing.

F. The body-piercing salon or temporary ocation shall maintain proper records for each client. The information shall be permanently recorded and made available for examination by the department or authorized agent. Records shall be maintained at the body-piercing salon for at least two years following the date of the last entry. The temporary locality client records shall be maintained by the license holder. The permanent records shall include the following

- 1. The name, address, and telephone number of the lient;
- 2. The date body piercing was performed;
- 3. The client's age, date of birth, and a copy of the positive mentification provided to the body piercer;
- 3. The client's age, date of birth, and a copy of the positive identification provided to the piercing and, when available, the manufacturer's catalogue or identification number for the type of jewelry used;
 5. The location on the body where the body piercing was performed;

- 7. A statement that the client has received a copy of applicable client has read and understands the instructions; and
- 8. The signature of the client and, if applicable, parent or guardian.

Historical Notes

Derived from Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 41-60-220. Grounds for License revocation Revocation, or suspensionSuspension probationProbation; denial Denial of applicationApplication, renewal Renewal or reinstatementReinstatement; or imposition Imposition of a monetary Monetary penaltyPenalty

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All productions and that the value of the visit of the v The board may, in considering the totality of the circumstances, refuse to issue, renew or reinstate a license; fine any licenseeimpose a monetary penalty; and suspend, place a license on probation with such terms and conditions and for such time as it may designate; suspend a license for a stated period of time; oror -revoke, or refuse to renew or reinstate anya license, or deny any application issued under the provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia and this chapter if the board finds that the licensee or applicant:

1. Is incompetent or negligent in practice, or incapable mentally or physicallyunable to practice with skill or safety as a result of any mental or physical condition, as those terms are generally understood in the profession, to (i) practice as a body piercer or body piercer ear only, or (ii) operate a body piercing salon;

2. Is convicted of fraud or deceit in the practice body piercing or body piercing ear only;

- ed Attempts to obtain, obtained obtains, renewed renews, or reinstated reinstates a license by
- Boach or Barbers and Cosmetology Body-Piercing Regulations and Statutes

 Attempts to obtain, obtained obtains, renewed in the presentation; 4. Violates or violates others to violate, or cooperates with others in violating, any of the provisions of this chapter or Coupter 7 (§ $\underline{54.1-700}$ et seq.) of Title 54.1 of the Code of Virginia or any local ordinance or regulation governing standards of health and sanitation of the establishment in which body piercers or body piercers ear only may practice or offer to practice;
 - 5. Offers, gives, or promise anything of value or benefit to any federal, state, or local employee for the purpose of influencing that employee to circumvent in the performance of [his-the employee's-] duties, any condinance governing body piercing as defined in § 54.1-700 of the federal, state, or local law, regulation, or ordinance governing body piercing as defined in § 54.1-700 of the Code of Virginia:
 - 6. Fails to respond to the board or any 6. Fails to respond to the board or any of its agents or provides false, misleading, or incomplete information to an inquiry by the board or any of its agents;
 - 7. Fails or refuses to allow the board or any jits agents to inspect during reasonable hours any licensed salon for compliance with provisions of Chapter; (§ 54.1-700 et seq.) or this chapter;
 - 8. Fails to produce, upon request or demand of the board or any of its agents, any document, book, record, or copy thereof in a licensee's or responsion management possession or maintained in accordance with this chapter;
 - 9. Fails to notify the board of a change of name or addressor writing 30 days of the change for each and every license;-
 - 10. Makes any misrepresentation or publishes or causes to be imblished any evertisement that is

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 als to notify the board in writing w...
 anst a license, registration, certificate of proc...
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 nese, certificate, or permit which has been the subject of discipling in the control of the United States, of a misdemensor involving moral turpitude and process of the susp...
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Board or Barbers and Cosmetology - Body-Piercing Regulations and Statutes

Only Volume 23, Issue 12, eff. April 1, 2007; amended

Only Volume 38, Issue 4, eff. December 1,

Volume 23, Issue 12, eff. April 1, 2007; amended, Virginia Register Volume 29, Issue 26, 2013; Volume 38, Issue 4, eff. December 1, 2021.

Included in this booklevior your convenience are relevant excerpts from the Code of Virginia. Please note that the Virginia General essembly, not the Board for Barbers and Cosmetology, is responsible for creating and amending the entures contained in the Code of Virginia. It is your responsibility to stay informed of revisions to the regulations and the statutes governing your profession or occupation. Please consult the General Assembly of your local library for annual changes.

> Code of Virginia PROFESSIONS AND OCCUPATIONS.

Chapter 7 - Bargers and Cosmetologists

§ 54.1-700. Definitions.

As used in this chapter, unless the context requires a preparent meaning:

"Barber" means any person who shaves, shapes or trims the beard; cuts singles, or dyes the hair or applies lotions thereto; applies, treats or massages the face, beck or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, clays or other preparations in connection with chaving, cutting or trimming the hair or beard, and practices barbering for compensation and when such services are not

means any, lotions thereto; aplos, aniseptics, powders,
ig the hair or beard, and practicmed for the treatment of disease,

pering" means any one or any combination of the ispensation and not for the treatment of disease, sharing;
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k or scalp with oils, creams, lotions, cosmetics, antiseptics, powers, comection with sharing, cutting or trimming the hair or a beard. The term "barnmection with sharing, cutting or trimming the hair or a beard. The term "barnmection with sharing, cutting or trimming the hair or a beard. The term "barnmection with sharing, cutting or trimming the hair or a beard. The term "barnmection with sharing, cutting or trimming the hair or a beard. The term "barnmection with sharing, cutting or trimming the hair or a beard. The term "barnmection with sharing, cutting or trimming the hair or a beard. The term "barnmection with sharing, cutting or trimming the hair or a beard. The term "barnmection with sharing, cutting or trimming the hair or a beard.

Barber instructor" means any person who has been certified by the Board's an instructor of barbering

"Barbershop" means any establishment or place of business within which the practice of barbering bardparticular in a carried on by one or more barbers.

"Board" means the Board for Barbers and Cosmetology.

"arcer" means any person who for remuneration penetrates the skin of a person to make a hole,
"anerally permanent in nature.

"act of penetrating the skin of a person to make a hole,
"anerally permanent in nature.

"act of penetrating the skin of a person to make a hole, mark, or scar, generally

"hich a fee is charged for the act of penetrating the skin of a

"manent in nature.

"act of penetrating the skin of a person to make a hole, mark, or scar, generally

"hich a fee is charged for the act of penetrating the skin of a

"manent in nature."

"Cosmetologist means any person who administers cosmetic treatments; manicures or pedicures the nails of any person; arranges, dresses, curls, waves, cuts, shapes, singes, waxes, tweezes, shaves, colors, releves, straightens, or performs similar work, upon human hair, or a wig or hairpiece including hands or mechanical or electrical apparatus or appliances unless such acts a prestyled wigs or hairpieces do not alter the prestyled nature of the windown process of the means and cosmetic treatmer in the means and cosmetic treatments. bleaches, colors, respect, straignteris, or periorns similar work, upon numerical rial, or a wig or nair prece, by any means, including hands or mechanical or electrical apparatus or appliances unless such acts as adjusting, combing, or brushing prestyled wigs or hairpieces do not alter the prestyled nature of the wig or hairpiece, and practices cometology for compensation. The term "cosmetologist" shall not include hair braiding upon human hair, a wig or hairpiece.

"Cosmetology" includes, but is no limited to, the following practices: administering cosmetic treatments;

manicuring or pedicuring the nails any person; arranging, dressing, curling, waving, cutting, shaping, singeing, waxing, tweezing, shaving, teaching, coloring, relaxing, straightening, or similar work, upon human hair, or a wig or hairpiece, by appleaning, coloring, relaxing, straightening, or similar work, upon human hair, or a wig or hairpiece, by appleaning, including hands or mechanical or electrical apparatus or appliances, but shall not include hair branding upon human hair, or a wig or hairpiece, or such acts as adjusting, combing, or brushing prestyled was or hairpieces when such acts do not alter the prestyled nature of the wig or hairpiece.

"Cosmetology instructor" means a person who has been certified by the Board as having completed an

approved curriculum and who meets the competence tandards of the Board as an instructor of

"Cosmetology salon" means any commercial establishment, residence, whicle or other establishment, place or event wherein cosmetology is offered or practiced on regular basis for compensation and management of the Board. for compensation and may include the training of apprentices under regulations of the Boar

"Esthetician" means a person who engages in the practice of esthetos for compensation.

"Esthetics" includes, but is not limited to, the following practices of admiristering cosmic treatments to enhance or improve the appearance of the skin: cleansing, loging, perforting effleurage to other related movements, stimulating, exfoliating, or performing any other similar procedure on the skin of the human body or scalp by means of cosmetic preparations, treatments, or any nonlased evice, whether by electrical, mechanical, or manual means, for care of the skin; applying make-up or eyelashes to any person, tinting or perming eyelashes and eyebrows, and lightening has an the body except the scalp; and removing unwanted hair from the body of any person by the use of any include any practice, activity, or treatment that constitutes the practice of medicine, exceptable medicine, or hydrogenical. The terms "healing art." "practice of medicine, exceptable medicine, or participed of extensions and the state of medicine, and the process of the exceptable medicine, or process of the practice of medicine, exceptable medicine, or process of the exceptable medicine, and the exceptable medicine, or process of the exceptable medicine, or process of the exceptable medicine, and the exceptable medicine, and the excep any practice, activity, or treatment that constitutes the practice of medicine, "practice of steopathic medicine," "practice of osteopathic medicine," "practice osteopathic medicine," "practice osteopathic medi "practice of chiropractic" shall mean the same as those terms are defined in $\S 54.1-2900$.

"Esthetics instructor" means a licensed esthetician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of esthetics.

"Esthetics spa" means any commercial establishment, residence, vehicle, or other establishment, place, or event wherein esthetics is offered or practiced on a regular basis for compensation under regulations of the Board.

"Master barber" means a licensed barber who, in addition to the practice of barbering, performs waving, shaping, bleaching, relaxing, or straightening upon human hair; performs similar work on a wig or hairpiece; or performs waxing limited to the scalp.

"Master esthetician" means a licensed esthetician who, in addition to the practice of esthetics, offers to the public for compensation, without the use of laser technology, lymphatic drainage, chemical exfoliation, or microdermabrasion, and who has met such additional requirements as determined by the Board to practice lymphatic drainage, chemical exfoliation with products other than Schedules II through VI controlled substances as defined in the Drug Control Act (§ 54.1-3400 et seq.), and microdermabrasion of the epidermis.

Contitued as regulation of official Board Position.

Page 21

Board or Barbers and Cosmetology - Body-Piercing Regulations and Statutes

"Nail care" means any commercial establishment, residence, vehicle or other establishment cape is offered or practiced on a regular basis for compensation and may by the board to accept and train stud

"Nail salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein nail case is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

establishment licensed by the board to accept and train students in nail

"Nail technician" means any person who for compensation manicures or pedicures natural nails, or who performs artificial nail services for compensation, or any combination thereof.

"Nail technician instructor" means a licensed nail technician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of nail care.

"Physical (wax) depilatory" means the wax depilary product or substance used to remove superfluous hair.

"School of cosmetology" means a place or establishment licensed by the Board to accept and train "School of cosmetology" means a place or establishing procedule by the students and which offers a cosmetology curriculum approved by the Book

"School of esthetics" means a place or establishment license by the Boar accept and train students and which offers an esthetics curriculum approved by the Board

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o parlor" means any plac..
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oo school" means a place or establish...
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attooing" means the placing of designs, letters, scrolls, figures, synday in the control of the control of

Board or Barbers and Cosmetology - Body-Piercing Regulations and Statutes

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have

- 2. Registered nurses licensed to practice in the Commonwealth;
- 3. Persons employed in state or local policy or correctional institutions, rehabilitation centers, sanatoria, or institutions for care and treatment of individuals with mental illness or intellectual disability, or for care and treatment of geriatric patients, as barbers, cosmetologists, wax technicians, nail technicians, estheticians, barber instructors, cosmetology instructors, way echnician instructors, nail technician instructors, or esthetics instructors who practice only on inmatter of or patients in such sanatoria or institutions;
- 4. Persons licensed as funeral directors or embalmed the Commonwealth;
- 5. Gratuitous services as a barber, nail technician, cosme nician, tattooer, body piercer, or esthetician: 0
- 6. Students enrolled in an approved school taking a course in b

ents enrolled in an.

1g. body-plercing, or estin.

sons working in a cosmetology salor.

ging, dressing, curling, or cleansing of huma..

pprentices serving in a barbershop, nail salon, waxing \$a...

1sed by the Board in accordance with the Board's regulations.

3chools of barbering, nail care, waxing, or cosmetology in public services.

1. Persons whose activities are confined solely to applying make-up, including to applying make-up.

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Board or Barbers and Cosmetology - Body-Piercing Regulations and Statutes

1962, c. 639, 321, § 54-83.22; 1974, c. 534; 1979, c. 327; 1981, c. 447; 1988, cc. 42, 765; 2000, c. 726; 2000, c. 945; 2005, c. 829; 2010, c. 91.

The chapters of the arts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have

§ 54.1-703. License required

No person shall offer to engage or engage in barbering, cosmetology, nail care, waxing, tattooing, and the state without a valid license issued by the Board, except as provided in § 54.1body-piercing, or esthetics without valid license issued by the Board, except as provided in $\S 54.1-701$.

1979, c. 408, § 54-83.22:1; 1988, c. 2000, c. <u>726</u>; 2002, cc. <u>797</u>, <u>869</u>; 2003, c. <u>600</u>; 2005, c. <u>829</u>; 2012, cc. 803, 835.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have

3. Holds an unexpired certificate of registration, certification, or license as an esthetician or a master esthetician issued to him prior to July 1, 2008, on the basis of comparable requirements by a proper thority of a state pritory, or possession of the United States, or the District of Columbia.

The chapters of the acts seembly referenced in the historical citation at the end of this section may not

§ 54.1-704. Temporary licenses.

§ 54.1-704. Temporary licenses. The Board may issue a temporary license to any person who is eligible for examination. Persons issued a temporary license shall be subject to the agulations of the Board.

The Board shall promulgate regulations consident with this section to permit individuals to be granted temporary licenses for a specified period of time

1984, c. 220, § 54-83.22:2; 1988, c. 765; 2000, c

The chapters of the acts of assembly referenced in the instorical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

§ 54.1-704.1. License required for barbershop, cosmetology@lon, nail & salon, waxing salon,

B. The Board Gay, inspect barbershops, barber schools, cosmetology salons and schools, waxing salons and schools, nail are salons and schools, tattoo parlors and schools, body-piercing salons and schools, and esthetics spas and schools for compliance with regulations promulgated by the Board.

A chall specify procedures for enforcement of compliance with the disease control and \$18,2-371.3, including unannounced inspections by appropriate personnel.

A or an affiliated local health department, may regulate increase of tattoo parlors and body-piercing

1962, c. 639, § 26, § 54-83.27; 1974, c. 534; 1988, c. 765; 1993, c. 499; 2000, c. <u>726</u>; 2002, cc. <u>797</u>, <u>869</u>; 2003, c. <u>600</u>; 2005, c. <u>829</u>; 2012, cc. <u>803-835</u>.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

§ 54.1-706. Different requirements for licensure.

A. The Board shall have the discretion to impose difference requirements for licensure for the practice of barbering, cosmetology, nail care, waxing, tattooing, bodyniercing, and eithetics.

B. The Board shall issue a license to practice as a master barber in the Col

Jen certics.

Integration wealth:

by the Board prior to a required by the a Board and (iii) pasted the second (iii) pasted (ii 1. An individual who holds a valid, unexpired license as a barber layed by the Board programment is a programment of the Board, (ii) completed the experience requirements as required by the Board, (iii) page 1. The Board of t examination approved by the Board.

2000, c. 726; 2002, cc. 797, 869; 2003, c. 600; 2005, c. 829; 2012

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OF THE STATE OF Formatted: Font: (Default) Arial REGULATIONS

TATUTES

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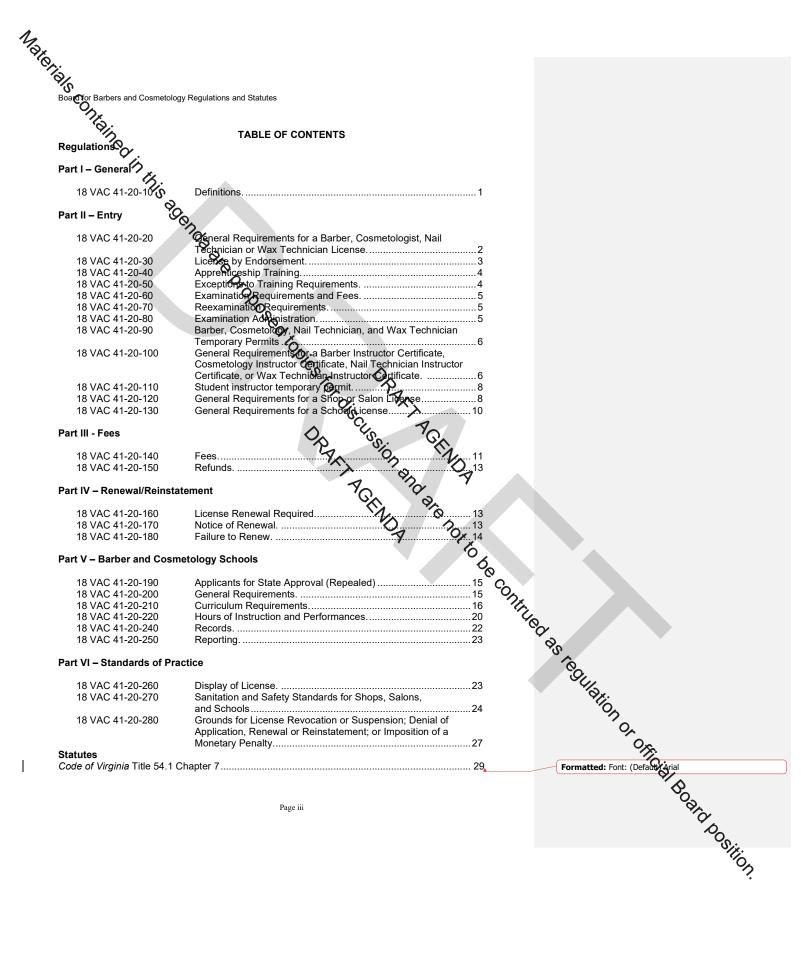
STATEMENT OF PURPOS.

Joseph Control (1997) to the Information Joseph College (1997) to Control (1997) to the Information Joseph College (1997) to Control (This booklet contains the information you will need to obtain your license. The law that governs your profession is found in the Code of Virginia, 1950, as amended, in Title 54.1, Chapter 7. That law permits the Department of Professional and Occupational Regulation to issue regulations that tell you more about what is expected of virginia, our profession. This booklet contains a copy of the regulations that you will need to know and obey toget and keep your license.

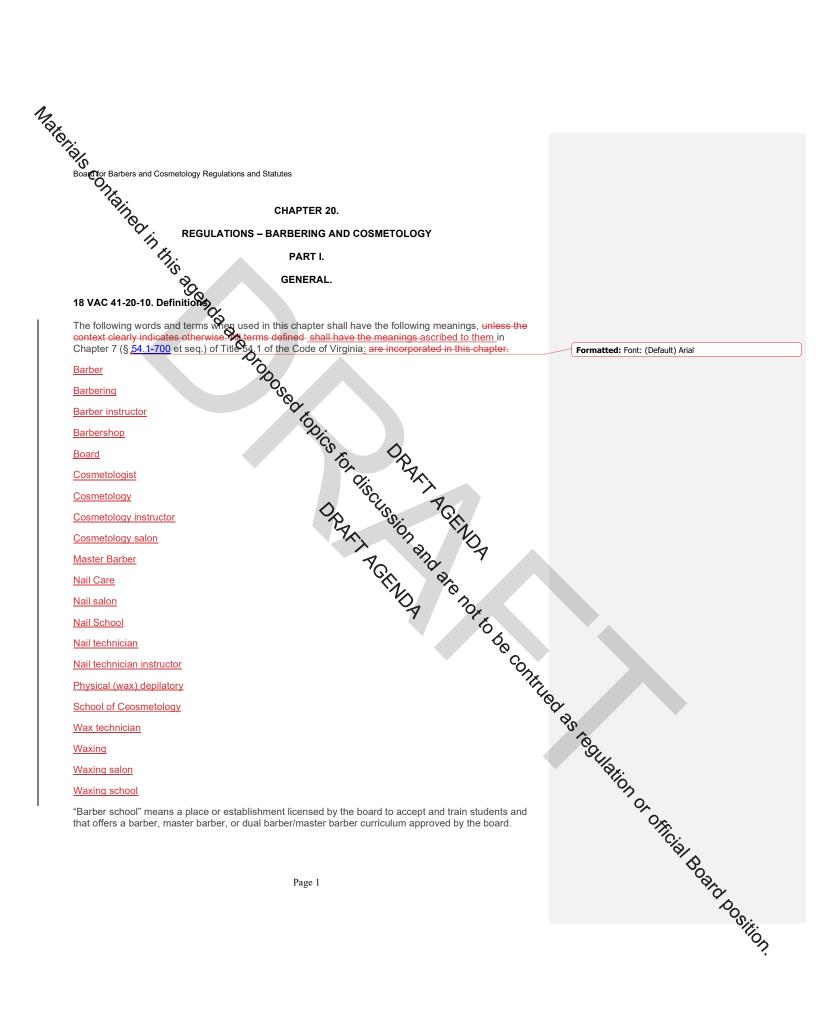
BE SURE YOU READ AND UNDERSTAND THE STANDARDS OF PRACTICE AND CONDUCT.

TAILURE TO OBEY THOSE STANDARDS COULD RESULT IN A MONETARY PENALTY OR

Scional and Occupational Regulation to provide you with the coulations. If you have a question and cannot find the



Statutes



Board or Barbers and Cosmetology Regulations and Statutes

iness intity" means a sole proprietorship, particle, or any other form of organiza tity" means a sole proprietorship, partnership, corporation, limited liability company, limited liability partneship, or any other form of organization permitted by law.

ns a minimum of 50 minutes of supervised or directed instruction and appropriate breaks.

"Direct supervision" meass that a Virginia licensed barber, cosmetologist, nail technician, or wax technician shall be preserved the barbershop, cosmetology salon, nail salon, or waxing salon at all times when services are being per samed by a temporary permit holder or registered apprentice.

licensure"- a single location is one that enclosed under one roof and "Each and every location all classrooms/suites are within 508 set of the main office. For the purposes of schools with multiple suites or classrooms, a single local on is one that is enclosed under one roof and all the sthe main office. Any suites or classrooms the classrooms/suites are within 500 fe the main office. Any suites or classrooms that are located in a different building or are further than 500 feet from the main office are considered a separate location, and require the an additional license.

nse transperson who is currently licensed in another "Endorsement" means a method of obtaining a licens

"Firm" means any business entity recognized under the laws

neans any busine.

diffours services" as used a...
ces without receiving compense...
nelude services provided at no charge.

ensee" means any individual or firm person-sole-proprieties...
iitiy company, limited idability partnership, or any other form of a nacuna is issued by the Board for Barbers and Cosmetology, as defined as S4-1, ginia:

Post-secondary educational level" means an accredited college or universal that is approved to corrective they the Southern Association of Colleges and Schools Commission of Colleges by an accrediting agency that is recognized by the U.S. Secretary of Education.

"Reasonable hours" means the hours between 9 a.m. and 5 p.m.; however, if the licensee general is not poen to the public substantially during the same hours. "reasonable hours" shall mean the business nous when the licensee is open to the public.

"reiprocity" means a conditional agreement between two or more states that will recognize one
"regulations and laws for equal privileges for mutual benefit.

"hences of a license or certificate restored to effectiveness after the expiration date

"hences of a license or certificate for another period of time.

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- anaging partners of a limited partnership;
- 5. The managers a limited liability company;
- 6. The officers or dile ors of an association or both; and
- 7. Individuals in other b ess entities recognized under the laws of the Commonwealth as having a fiduciary responsibility to the firm.
- "Sole proprietor" means any individual, not a corporation, who is trading under his own name, or under an assumed or fictitious name pursuants, the provisions of §§ 59.1-69 through 59.1-76 of the Code of
- "Substantially equivalent exam" means are partially amination administered by the licensing entity which covers Virginia's scope of practice for that profession
- "Substantially equivalent training" means at least 60% of the required hours in Virginia and curriculum content covering Virginia's scope of practice for that profession.

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phruary 1, 2017; Volume 35, Issue 18, eff. July 1, 2003; amended, Whinia Registry Volume 3.
phruary 1, 2017; Volume 35, Issue 19, eff. July 1, 2003; amended with the protection of the following of the protection of the protection

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Board or Barbers and Cosmetology Regulations and Statutes

includes ponetary penalties, fines, suspension action pertaining to services with The applicant shall di onetary penalties, fines, suspensions, revocations, surrender of a license in connection with a discipline vaction pertaining to services within the respective scope of practice, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if he has been reviously licensed in Virginia as a barber, master barber, cosmetologist, nail if he has been previously technician, or was sechnician. Upon review of the applicant's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant where the board deems the applicant is unfit or unsuited to engage in barbering, cosmetology, nail care, or axing. The board will decide each case by taking into account the totality of the circumstances. Any pleat note contendere or comparable plea shall be considered a disciplinary action for the purposes of this section. The applicant shall provide a certified copy of a final order, decree, or case decision by a cosmetoly regulatory agency, or board with the lawful authority to issue such corpus and provided a comparable pleas prima force or case decision and such consultant and provided a certified copy of a final order, decree, or case decision by a cosmetology, and because of case decision and comparable pleas prima force or case decision are comparable pleas prima force or case decision and comparable pleas prima force or case decision and comparable pleas prima force or case decision and comparable pleas Formatted: Strikethrough order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action. disciplinary action.

2. The applicant shall disclose the applicant's physical address. A post office box may be provided as a secondary address, is not acceptable. 3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia barber and cosmetory license laws and this chapter. 4. In accordance with § 54.1-204 of the Code of Virginia each applicant shall disclose the following Formatted: Font: (Default) Arial information regarding criminal convictions in Virginia and other juri a. All misdemeanor convictions within two years of the date of application involving moral turpitude, sexual offense, non-marijuana drug distribution or physical in my within two years of Formatted: Strikethrough b. All felony convictions within 10-20 years of the ecord of a conviction received from a principle of guilt. The board, in its discretion, the state of the Code of Virginia.

5. The applicant shall provide evidence satisfactory to the board that the applicant may board-approved examination, administered either by the board or by independent examplers.

6. Any changes in the name or address of the licensee shall be reported to the board in wrong within 30 days of such changes. Any plea of nolo contendere shall be considered a conviction purposes of this subscion. The prima face syldence of a conviction any applicant in accordance with § Formatted: Font: (Default) Arial Formatted: Strikethrough

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Official Board Dosition. B. Eligibility to sit for board-approved examination. A. Any person completing an An approved barber, master barber, cosmetology, nail technician, or wax technician training program in a Virginia licensed barber, cosmetology, nail technician, or wax technician school, respectively, or a B.A Virginia public school's barber, master barber, cosmetology, nail technician, or wax technician program approved by the Virginia Department of Education. shall be eligible for examination.

C. Completing a A registered apprienticeship.

D. Any barryr, master barber, cosmetologist, nail technician, or wax technician applicant having a minimum of a years experience in barbering, master barbering, cosmetology, nail care, or waxing in the United States arrived forces and having provided documentation satisfactory to the board of that experience shall be eligible for the respective examination.

Society examination.

F. Any barber, master barber, cosmotologist, nail technician, or wax technician applicant having been trained as a barber, master barber, cosmotologist, nail technician, or wax technician in any Virginia state institution shall be eligible for the respective examination.

Training outside of the Commonwealth of Engine and the United States and its territories.

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A state of the Commonwealth of Engine and Its territories.

2. Training outside of the Commonwealth of the Virginia program but is outside of the Commonwealth of the Substantially equivalent training to be engined examination.

B. Applicants who completed a training program that is not substantially experience for training. Including out of country training, may substitute three gears of work experience for training. Applicants should provide their work history demonstrating three gives years of experience as a licensed barber, master barber, cosmetologist, nail technician, on wax technique in any of the state or jurisdiction of the United States on a form provided by the poard. Applicants who have earned a degree from an institution outside the United States must have the degree training authorized and evaluated by an education evaluation service if credit is soughn for the education. The coard reserves the right to reject an evaluation submitted by an applicant.

Derived from Volume 19, Issue 18, eff. July 1, 2003; amended, Virginia Register Volume 33, Issue February 1, 2017; Volume 35, Issue 12, eff. April 1, 2019, Volume 37, Issue 26, eff. October 1 2021; Volume 38, Issue 4, eff. December 1, 2021; Errata, 38:6 VA.R. 752 Novemer 8, 2021;

18 18 VVAC 41-20-30. License by Endorsement.

 -A. Upon proper application to the board, any person currently licensed to practice as a barber, master barber, cosmetologist, nail technician, or wax technician or who is a licensed instructor in the respective profession in any other state or jurisdiction of the United States and who has completed both a training program and a written and practical examination that is substantially equivalent to that required by this chapter, may be issued a barber, master barber, cosmetologist, nail technician, or wax technician license or the respective instructor certificate without an examination. The applicant must also meet the requirements set forth in 18VAC41-20-20 A and 18VAC41-20-100.

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Board or Barbers and Cosmetology Regulations and Statutes

Applicants for licensure by endorsemer

utilizes one licensing examin ants for licensure by endorsement who completed both a training program and whose Formatted: Strikethrough by utilizes one licensing examination (written or practical) that is substantially equivalent to that required by this chapter may take the other examination (written or irginia to qualify for licensure, Formatted: Font: (Default) Arial, 10 pt, Font color: Custom Color(RGB(68,68,68)), Pattern: Clear Formatted: List Paragraph, Space After: 0 pt, No bullets or B. An individual applying licensure by endorsement under whose state only utilizes one exam (written or practical) that is substantally equivalent to that required by this chapter may take the other numbering, Font Alignment: Auto in Virginia to qualify for licensure. B. Applicants for licensure by endowement who completed an equivalent training program and whose state only utilizes one licensing examination (written or practical) that is substantially equivalent to that required by this chapter may take the other examination (written or practical) in Virginia to qualify for licensure. BC. Applicants for licensure by endorsement with completed a training program that is not substantially equivalent to Virginia's training but otherwise meeting the requirements listed in subsection A of this Formatted: Strikethrough equivalent to Virginia's training but otherwise med all the requirements listed in subsection A or this section, may substitute three-five years of work experience for training. Applicants should provide their work history demonstrating three five-years of licensed experience in any other state or jurisdiction of the United States on a form provided by the board.

Statutory Authority

§ 54.1-201 of the Code of Virginia. Formatted: Font: (Default) Arial **Historical Notes** Derived from Volume 19, Issue 18, eff. July 1, 2003; amended Virginia February 1, 2017; Volume 35, Issue 12, eff. April 1, 2019, Volume 37, Issue 12, eff. April 1, 2019, Volume 37, Issue 10, eff. April 1, eff. Apr Issue 09, eff Formatted: Font: (Default) Arial Formatted: Font: (Default) Arial Formatted: Font: (Default) Arial 18 VAC 41-20-40. Apprenticeship Training. A. A. Licensed barbers, master barbers, cosmetologists, and native hnicians train apprentices shall comply with the standards for apprenticeship, training established by the Division of Formatted: Font: (Default) Arial Formatted: Font: (Default) Arial Formatted: Font: (Default) Arial, Font color: Custom irginia Board Apprenticeship Training of the Virginia Department of Labor and I Color(RGB(68,68,68)) for Barbers and Cosmetology. Formated: Font: (Default) Arial

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Font (Default) Arial 6 Formatted: Font: (Default) Arial, Font color: Custom Formatted: Font: (Default) Arial, Font color: Custom B. Responsible management Owners of barbershops, cosmetology salons, and nail salons w apprentices shall comply with the standards for apprenticeship training established by the Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5" Division of Apprenticeship Training of the Virginia Department of Labor and Industry. B. Any person completing the Virginia apprenticeship program in barbering, master barbering, cosmetology, or nail care shall be eligible for examination.

Statutory Authority

§ 54.1-201 of the Code of Virginia.

Historical Notes

Derived from Volume 19, Issue 18, eff. July 1, 2003; Volume 35, Issue 12, eff. April 1, 2019.

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Page 6

Boactor Barbers and Cosmetology Regulations and Statutes

18 VAC 4 30-50. Exceptions to Training Requirements.

A. Virginia license if cosmetologists with a minimum of two years of work experience shall be eligible for the master barber examination; likewise, a Virginia licensed master barber with a minimum of two years of work experience shall be eligible for the cosmetology examination.

Any barber, master barber, cosmetologist, nail technician, or wax technician applicant having been harber, master barber, cosmetologist, nail technician, or wax technician in any Virginia state in a for the respective examination.

In all technician, or wax technician applicant having a harbering, cosmetology, nail care, or waxing in the religion of the cosmetology. United States armed forces and having evided documentation satisfactory to the board of that experience shall be eligible for the respective examination.

D. Any licensed barber or barber student enrolling in a master barber training program in a licensed barber school shall be given educational credit to the training and performances completed in a barbering program at a licensed barber school. ded, Villania Register Vine 38 cissue 11, et barbering program at a licensed barber school. **Statutory Authority** § 54.1-201 of the Code of Virginia Formatted: Font: (Default) Arial ical Notes
ad from Volume 19...
jary 1, 2017; Volume 35...

AC 41-20-60. Examination Requireme...

Applicants for initial licensure shall pass both a practical amination approved by the board. The examinations may be administed an applicant who passes one part of the examination shall not be required to take the provided both parts are passed within one year of the initial examination date.

C. Any candidate failing to appear as scheduled for examination shall forfeit the examination feet or examination or reexamination is subject to contracted charges to the board by an experience of the vendor. These contracts are competitively negotiated and bargained for in compliance with the Virginia Public Procurement Act (§ 22-4300 et seq. of the Code of Virginia). Fees may be adjusted and charged to the candidate failing to apply for initial licensure within five years of passing both a practical vilon and a and a written portions of an written examination shall be required to retake both visc of examinations. Records of examinations shall be maintained for a maximum of five

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Derived firm Volume 19, Issue 18, eff. July 1, 200 February 1, 2017.

10. 41-20-70 Reexamination Requirement on pass a reexamination and examination and exami 18 VAC 41-20-76 Reexamination Requirements.

Any applicant who this not pass a reexamination within one year of the initial examination date shall be required to submit a new application and examination fee.

Statutory Authority

§ 54.1-201 of the Code of Virg

Historical Notes

Derived from Volume 19, Issue 18,

18 VAC 41-20-80. Examination Administration.

A. The examinations shall be administered by the board or the designated testing service. The practical examination shall be supervised by a chief examiler.

B. Every barber, master barber, cosmetology, nail technology, nor wax technician examiner shall hold a current Virginia license in his respective profession, have bree or more pars of active experience as a licensed professional, and be currently practicing in that profession. Examples shall attend training workshops sponsored by the board or by a testing service acting on behalf the board.

C. No certified barber, master barber, cosmetology, nail technician wax technician instructor who is currently teaching or is a school owner or is an apprentice

D. Each barber, master barber, cosmetology, nail technician, yed wax technician chief examiner shall hold a current Virginia license in his respective profession, have fixe or more years of active experience in that profession, have three years of active experience as an examiner, and be exprently practicing in his respective profession. A licensed cosmetology my serve as an examiner for any dense type that is included in the cosmetology profession. Chief examiners shall attend ing work pps sponsored by

the board or by a testing service acting.

E. The applicant shall follow all procedures established by the board with regard to consexamination. Such procedures shall include written instructions communicated prior to the examination date and instructions communicated at the site, either written or oral, on the date of the examination. Failure to comply with all procedures established by the board and the testing service with regard conduct at the examination may be grounds for denial of application.

Historical Notes

Derived from Volume 19, Issue 18, eff. July 1, 2003; amended, Virginia Register Volume 33, Issue 09, eff. February 1, 2017; Volume 35, Issue 12, eff. April 1, 2019.

18 VAC 41-20-90. Barber, Master Barber, Cosmetology, Nail Technician, and Wax Technician Temporary Permits.

A. A temporary permit to work under the supervision of a currently licensed barber, master barber, cosmetologist, nail technician, or wax technician may be issued only to applicants for initial licensure who the board finds eligible for examination. There shall be no fee for a temporary permit.

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Board for Barbers and Cosmetology Regulations and Statutes

The termograpy permit shall remain in force for ring the examination date. The examination date. The examination date. The examination date. B. The temporary permit shall remain in force for 45-90 days and no subseiguent temporary permit be issued for wing the examination date. The examination date shall be the first test date after the applicant has successfully submitted an application to the board that an examination is offered to the grary permit shall remain in force for 45-<u>90</u> days and no subseiquent temporary permit shall applicant by the board essfully submitted an application to the board that an examination is offered to the C. Any person continuog to practice barbering, master barbering, cosmetology, nail care, or waxing services after a tempora permit has expired may be prosecuted and fined by the Commonwealth under §§ 54.1-111 A 1 and 54.1-262 of the Code of Virginia. on all be issued more than one temporary permit. D. No applicant for examination 204 of the Code of Virginia or 18 VAC 10 **Statutory Authority** § 54.1-201 of the Code of Virginia

E. Temporary permits shall not be isseed where grounds may exist to deny a license pursuant to § 54.1-

Derived from Volume 19, Issue 18, eff. July 1, 2003; amended, Virginia Register Volume 33, Issue 09, eff. February 1, 2017; Volume 35, Issue 12, eff. April 1, 2019.

18 VAC 41-20-100. General Requirements for a an Barber Instructor Certificate, Cosmetok Instructor Certificate, Nail Technician Instructor Certificate, Wax Technician Instructor icate, Cosmetology Certificate instructor certificate.

A. Any individual wishing to engage in parbering instruction in barbaration or waying instruction in barbaration. cosmetology instruction, nail care instruction, or waxing instruction in bar care, or waxing shall meet the following qualifications:

1. The applicant shall be in good standing as a licensed barber, matter barber cosmetologist, nail technician, or wax technician, and instructor, respectively, in Virginic and all other every jurisdiction every jurisdictions where licensed. The applicant shall disclose to the board at the time of application of licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant"s practice as a barber, master barber, cosmetologist, nail technician, or wax technician, or in the practice of teaching any of those professions. This includes monetary penalties, fines, suspensions, foocations,

to any applicant wherein the board deems the applicant is unfit or unsuited to engage in the instruction of barbering, cosmetology, nail care, or waxing. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this section. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action;

- 2. The applicant shall hold a current Virginia barber, master barber, cosmetology, nail technician, or wax technician license, respectively;
- 3. The applicant shall:

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Soullastion Or Official Board Position.

Board or Barbers and Cosmetology Regulations and Statutes

a. Ass a course in teaching techniques at the post-secondary educational level; or

b. Complete an instructor training course approved by the Virginia Board for Barbers

cosmetology under the supervision of a certified barber, master barber, cosmetology

wax technician instructor in a barber, cosmetology, nail technician, or

citively; or

master barber, cosmetology, nail technician service. te an instructor training course approved by the Virginia Board for Barbers and Cosmeto gy under the supervision of a certified barber, master barber, cosmetologist, nail technician, oxwax technician instructor in a barber, cosmetology, nail technician, or wax tor examination in barber, master barber, cosmetology, nail technician, or wax espectively, administered by the board or by a testing service acting on behalf of the board; and Formatted: Strikethrough Formatted: Underline 4. In accordance with § $\underline{54.1-20}$ of the Code of Virginia, each applicant shall disclose the following information regarding criminal conditions in Virginia and all other jurisdictions: Formatted: Font: (Default) Arial a. All misdemeanor convictions whin two years of the date of application involving moral turpitude, sexual offense, non-mandana drug distribution, or physical injury within two years of the date of the application; and Formatted: Strikethrough Formatted: Underline, Font color: Red Any plea of nolo contendere shall be considered a priction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny icansure to an applicant in accordance with pplicant in accordance with § 54.1-204 of the Code of Virginia. Formatted: Font: (Default) Arial 5. Any changes in the name or address ard in writing within 30 days of such changes B. Instructors shall be required to maintain a barber, master parber, technician license, respectively. Underlying barber, master barber, hnician, or wax Formatted: Strikethrough cian. or wax technician license, are not required to be renewed if the respectively ently active. C. Certified instructors may teach in any profession in which they Formatted: Font: 10 pt **Statutory Authority** § 54.1-201 of the Code of Virginia Formatted: Font: (Default) Arial **Historical Notes** Derived from Volume 19, Issue 18, eff. July 1, 2003; amended, Virginia Register Volume 33, Formatted: Font: (Default) Arial February 1, 2017; Volume 35, Issue 12, eff. April 1, 2019, Volume 38, Issue 4, eff. December 1, Formatted: Font: (Default) Arial Formatted: Font: (Default) Arial 18 VAC 41-20-110. Student Instructor Temporary Permit. atted: Fc.
natted: Striket.

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Official Board Position. Formatted: Font: (Default) Arial A. A licensed barber, master barber, cosmetologist, nail technician, or wax technician may be granted a twelve (12) month student instructor temporary permit to function under the direct supervision of a barber Formatted: Strikethrough instructor, master barber instructor, cosmetology instructor, nail technician instructor, or wax technician instructor respectively a certified instructor in a licensed school ... A licensed nail technician or wax technician may also be granted a student instructor permit to function under the direct supervision of a

B. The student instructor temporary permit shall remain in force for not more than 12 months after the

C. No applicant for examination shall be issued more than one student instructor temporary permit.

cosmetology instructor. No subsequent student instructor temporary permit shall be issued.

date of issuance and shall be nontransferable and nonrenewable.

Board for Barbers and Cosmetology Regulations and Statutes

Student instructors may teach in any profeser. master barber, cosmetology, restudent instructor ter instructors may teach in any professiion in which they hold the underlying license. Failure to Formatted: Strikethrough maintain a beer, master barber, cosmetology, nail technician, or wax technician license shall disqualify an individual from holding a student instructor temporary permit. E. C. Temporary permits shall not be issued where grounds may exist to deny a license pursuant to § 54.1-204 of the Code & Virginia or 18 VAC 41-20-100. Formatted: Strikethrough Formatted: Font: (Default) Arial Formatted: Font: (Default) Arial **Statutory Authority** § 54.1-201 of the Code of Virgi Formatted: Font: (Default) Arial Jyly 1, 2003; amended, Virginia Register Volume 33, Issue 09, eff. Derived from Volume 19, Issue 18, eff. **Historical Notes** Formatted: Font: (Default) Arial February 1, 2017; Volume 35, Issue 1 Formatted: Font: (Default) Arial Formatted: Font: (Default) Arial 18 VAC 41-20-120. General Requirements 2 a Shop or Salon License. Formatted: Font: (Default) Arial A. Any firm wishing to operate a barbershop, coshetology salon, nail salon, or waxing salon shall obtain a shop or salon license in compliance with § 54.1-704 of the Code of Virginia and shall meet the following qualifications in order to receive a license: Formatted: Font: (Default) Arial qualifications in order to receive a license: 1. The applicant and all members of the responsible management shall be in good standing as a licensed shop or salon in Virginia and all other jurisdictions where licensed. The applicant and all members of the responsible management shall disclose to the coard at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's operation of any barbershop, cosmetology alon, nail scion, or waxing salon or practice of the profession. This includes monetary penalties, fines, as pensions because the license in connection with a disciplinary action, pertaining a service within the respective scope of C ers of the ure any disciplin.

Jan'ts operation of any works of the applicant or any member-wices in connection with a disciplinary au.

Joo or voluntary termination of a license of the responsible management sprice of the special or disciplinary and the applicant or any member-wices in connection with a disciplinary au.

Joon review of the applicant's and all members of the responsible management sprice of the special or the applicant or any member-wices in the special or any member-wices in the special or any special or any applicant who first in the special or any special or any applicant who first in the special or any special or any applicant who first in the special or any special Board or Barbers and Cosmetology Regulations and Statutes

b. At felony convictions within 20 10 year

*andere shall be consider

*from a court st felony convictions within 20 10 years of the date of application. Formatted: Font color: Red, Strikethrough Any plea of op contendere shall be considered a conviction for purposes of this subsection. The record of a confiction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt the board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Council Virginia. Formatted: Font: (Default) Arial 5. The applicant shall colore the firm's responsible management. B. Shop or salon licenses are 18 ded to firms as defined in this chapter and shall not be transferable, and shall bear the same name and address of the business. Any changes in the name or address of the shop or salon shall be reported to the board in writing within 30 days of such changes. The board shall not be responsible for the licensee's, certificate holder's, or permit holder's failure to receive notices, communications, and correspondence as used by the licensee's, certificate holder's, or permit holder's Formatted: Strikethrough failure to promptly notify the board in writing of any change of name or address or for any other reason beyond the control of the board. C. Whenever the legal business entity holding the cense is dissolved or altered to form a new business entity, the original license becomes void. The firm most notify the Board within 30 days of the change and destroy the license, and shall be returned to the board within 30 days of the change. Additionally, the firm shall apply for a new license, within 30 days of the change in the business entity. Such changes include: Formatted: Not Highlight Formatted: Strikethrough 1. Death of a sole proprietor; 2. Death or withdrawal of a general partner in a general partner in a limited partnership; and 3. Conversion, formation, or dissolution of a corporation, association, or any other business entity recognized under the laws of the commonwed of Virgini D. Any change in the officers of a corporation, managers of a limited liability condition of an acceptation about the condition of the conditi ny, or officers or directors of an association shall be reported to the board in writing with 30 days of E. Mobile shops and salons must have a shop or salon license ar EF. The board or any of its agents shall be allowed to make or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or salon for compliance with provisions of Chapter 7 (§ 54.1-7 Historical Notes Formatted: Font: (Default) Arial Derived from Volume 19, Issue 18, eff. July 1, 2003; amended, Virginia Register Volume 33, Issue 09, eff February 1, 2017. Volume 38, Issue 4, eff. December 1, 2021. Formatted: Font: (Default) Arial
Formatted: Font: (Default) Arial ot (De. OFFICIAL BOARD DOSITION. 18 VAC 41-20-130. General Requirements for a School License. A. Any firm wishing to operate a barber, cosmetology, nail technician, or wax technician school shall

submit an application to the board at least 60 days prior to the date for which approval is sought, obtain a

Board for Barbers and Cosmetology Regulations and Statutes

Cool liceties in compliance with § 54.1-704.2 of order to receive a license: e in compliance with § 54.1-704.2 of the Code of Virginia, and meet the following Formatted: Font: (Default) Arial 1. The applicant and all members of the responsible management shall be in good standing as a licensed school in Virginia and all other jurisdiction where licensed. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure any disciplinary action_tale in Virginia and all other jurisdictions in connection with the applicant's operation of any barbean cosmetology, nail, or waxing school or practice of the profession. This includes to monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action penalting to services in the respective scope of practice, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if the applicant or any member of the responsible management has been previously licensed in Virginia as a barbering, cosmetology, nail, or maxing school. Upon review of the applicant's and all maybers of the responsible management's prior disciplinary action, the board, in its discretion, may deep licensure to any applicant wherein the board deems the applicant is unfit or unsuited to engage in the peration of a barbering, cosmetology, nail, or waxing school. The board will decide each case by taking into account the totality of the circumstances. Any Formatted: Font color: Red, Strikethrough school. The board will decide each case by tarting into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this section. The applicant shall provide a certification oppy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful afteriority to issue such order, decree, or case decision, and such copy shall be admissible as prima facia evidence of such disciplinary action.

2. The applicant shall disclose the applicant's physical address. A post office box is not acceptable may be provided as secondary address. Formatted: Font color: Red Formatted: Strikethrough acceptable may be provided as secondary address. 3. The applicant shall sign, as part of the application, statement extifying that and understands the Virginia barber and cosmetology the se laws are this chapter. applicant has read 4. In accordance with § 54.1-204 of the Code of Virginia, exchapplicant shall disclose Formatted: Font: (Default) Arial information about the firm and all members of the responsible management egarding criminal convictions in Virginia and all other jurisdictions: cation in dying moral a injuryinjary within two years a. All misdemeanor convictions within two years of the turpitude, sexual offense, non-marijuana drug distribution, or p Formatted: Strikethrough b. All felony convictions within 20 10 years of the date or approximately pleased in the conviction within 20 10 years of the date or approximately pleased in the conviction within 20 10 years of the date or approximately pleased in the conviction of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with 54 1-204 of the Code of Virginia. of the date of the application; and Formatted: Font color: Red. Strikethrough Fromatted: Strikethrough

Official Board Position B. Barber, cosmetology, nail technician, and wax technician school licenses are issued to firms as defined

in this chapter, shall not be transferable and shall bear the same name and address as the school. Any changes in the name or the address of record or principal place of business of the school shall be reported to the board in writing within 30 days of such change. The board shall not be responsible for the licensee's, certificate holder's, or permit holder's failure to receive notices, communications, and correspondence caused by the licensee's, certificate holder's, or permit holder's failure to promptly notify the board in writing of any change of name or address or for any other reason beyond the control of the board. The name of the school must indicate that it is an educational institution. All signs, or other advertisements, must reflect the name as indicated on the license issued by the board and contain language indicating it is an educational institution.

Board or Barbers and Cosmetology Regulations and Statutes

C. Whenever the legal business entity holding the license is dissolved or altered to form a new business entity, the original license becomes void, the original license becomes void and shall be returned to the board within 36 days of the change. The firm must notify the Bbpard within 30 days of the change and destroy the license. Additionally, the firm shall apply for a new license within 30 days of the change in siness entity. Such changes include:

- 1. Death of a sole propertor;
 2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and

 2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and
- 3. Conversion, formation, or dis stion of a corporation, a limited liability company, an association, or any other business entity recognized under the laws of the Commonwealth of Virginia.
- D. Any change in the officers of a corporate managers of a limited liability company, or officers or directors of an association shall be reported of the board in writing within 30 days of the change.
- E. Barber schools, cosmetology schools, nail schools or waxing schools under the Virginia Department of Education shall be exempted from licensure requirements.
- F. The board or any of its agents shall be allowed to inspect during reasonable hours any licensed school for compliance with provisions of Chapter 7 (§ 54.1-700 et ses) of Title 54.0 of the Code of Virginia or this chapter. For purposes of a board inspection, "reasonable neurs" means the hours between 9 a.m. and 5 p.m.; however, if the licensee generally is not open to the Oblic substantially during the same hours, "reasonable hours" shall mean the business hours when the licensee is open to the public.

 Statutory Authority

 § 54.1-201 of the Code of Virginia.

 Historical Notes

 Derived from Volume 19, Issue 18, eff. July 1, 2003; amended, Virginia Register Vehime 33, Issue 09, eff. February 1, 2017. Volume 38, Issue 4, eff. December 1, 2021.

 Part III

 Fees

 18VAC41-20-140. Fees.

 The following fees are nonrefundable and shall not be prorated apply:

 AMOUNT DUE

 AMOUNT DUE

FEE TYPE	AMOUNT DUE September 1, 2022, through August 31, 2024	AMOUNT DUE September 1, 2024, and after	WHEN DUE							
Individuals:	Individuals:									
Application	\$90	\$105	With application							
License by Endorsement			With application							
Renewal:										
Barber	\$90	\$105	With renewal card prior to expiration date							

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THEO AS REGULATION OF OFFICIAL BOOK POSITION.

Most Rayber S90 \$105 With renewal card prior to expiration date with renewal card prior to expiration reinstatement fee with renewal card prior to expiration with renewal card prior to expir	Board or Barbers and Cosmetology	/ Regulations and Statutes			
Same content of the expiration date	Master Barber	\$90	\$105	prior to expiration	
Reinstatement **includes \$90 renewal fee and \$105 reinstatement fee and \$10	. '2:		\$105	prior to expiration	
Reinstatement *includes \$90 renewal fee and \$105 reinstatement fee Instructors: Application License by Endorsement Renewal Reinstatement *includes \$110 \$125 With application With renewal card fee and \$105 reinstatement *includes \$110 \$125 With application With renewal card fee and \$100 \$125 With application With renewal card fee and \$110 \$125 Reinstatement *includes \$110 \$125 With application With renewal card fee and \$110 reinstatement fee and \$150	Nail Technician	\$90	\$105	prior to expiration	
Reinstatement *includes \$90 fewal fee and \$105 reinstatement fee and \$105	Wax Technician	9,0,590	\$105	prior to expiration	
Renewal \$110 \$150 for to expiration date. \$220*	Reinstatement	\$189 *includes \$90 renewal fee and \$90	*includes \$105 renewal fee and \$105		
Reinstatement \$110 \$150 date \$220* *includes \$110 renewal fee and \$110 reinstatement fee Facilities: \$100	Instructors:	, <u>, , , , , , , , , , , , , , , , , , </u>		l	1
Reinstatement \$110 \$150 To reception \$220* *includes \$110 renewal fee and \$110 reinstatement fee reinstatement fee reinstatement fee Facilities: \$100 To repriation With reinstatement application With cortication	Application	\$110	\$125	With application	1
Reinstatement \$110 \$150 To reception \$220* *includes \$110 renewal fee and \$110 reinstatement fee reinstatement fee reinstatement fee Facilities: \$100 To repriation With reinstatement application With cortication		\$110	Q\$125 P		
Reinstatement *includes \$110 renewal fee and \$110 reinstatement fee and \$150 reinstatement application reinstatement fee *includes \$150 renewal fee and \$150 reinstatement application reinstatement fee *includes \$150 renewal with reinstatement application reinstatement reinstateme	Renewal		Op \$1505.	With renewal card prior to expiration date	
Facilities:	Reinstatement	*includes \$110 renewal fee and \$110	*includes \$150 renewal fee and \$150	With reinstatement application	
Application \$165 \$190 With application Renewal \$165 \$190 With application With renewal card prior to expiration date *includes \$165 renewal fee and \$190 reinstatement fee reinstatement fee and \$190 reinstate	Facilities:	1	1/2	0	
Reinstatement \$165 \$190 With renewal card prior to expiration date *includes \$165 renewal fee and \$190 reinstatement fee and \$185 reinstatement fee reinstatement fee fee and \$190 reinstatement fee and \$190 reinstatement fee reinstatement fee fee and \$190 reinstatement fee reinstatement fee fee and \$190 reinstatement fee with application **Schools: Application \$185 \$220 With application Add Program \$100 \$100 With application Renewal \$185 \$220 With reinstatement application With reinstatement application With reinstatement application With reinstatement application **Includes \$185 renewal **Includes \$220 renewal **I	Application	\$165	\$190	With application	
Reinstatement \$330* \$380* \$380* With reinstatement replication reinstatement fee and \$165 reinstatement fee and \$190 reinstatement fee Schools: Application \$185 \$220 With application Add Program \$100 \$100 With application Renewal \$185 \$220 With reinstatement application Reinstatement \$370* \$440* With reinstatement application Reinstatement *includes \$185 renewal *includes \$220 rene	Renewal	\$165	\$190	With renewal card prior to expiration date	
Application \$185 \$220 With application Add Program \$100 \$100 With application Renewal \$185 \$220 With renewal card prior to expiration date Reinstatement \$370* \$440* with reinstatement application Page 15	Reinstatement	*includes \$165 renewal fee and \$165	\$380* *includes \$190 renewal fee and \$190 reinstatement fee	With reinstatement application	
Application \$185 \$220 With application Add Program \$100 \$100 With application Renewal \$185 \$220 With renewal card prior to expiration date Reinstatement \$370* *includes \$185 renewal *includes \$220 renewa		1	T	T	
Add Program \$100 \$100 With application Renewal \$185 \$220 With renewal card prior to expiration date Reinstatement \$370* \$440* With reinstatement application Page 15	* *		\$220	With application	
Renewal \$185 \$220 With renewal card prior to expiration date Reinstatement \$370* * * * * * * * * * * * * * * * * * *	Add Program	\$100	\$100	With application	- Var.
Reinstatement \$370* * \$440* with reinstatement application Page 15 With reinstatement application	Renewal	\$185	\$220	With renewal card prior to expiration date	Onor
Page 15	Reinstatement	\$370* *includes \$185 renewal	\$440* *includes \$220 renewal	With reinstatement application	Officia.
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Board or Barbers and Cosmetology Regulations and Statutes

fee and \$185
reinstatement fe

Statutory Authority

§ 54.1-201 of the Code of Virginia.

Idetorical Notes

Volume 19, Issue 18, eff. July 1,
**Volume 30, Sue 10, eff.

**Volu fee and \$220 reinstatement fee reinstatement fee Historical Notes
Derived from Volume 19, Issue 18, etc.
September 1, 2011; Volume 30, Desue 10, etc.
September 1, 2015; Volume 30, Desue 10, etc.
September 1, 2022

18 VAC 41-20-150. Refunds.
All face are nonrefundable and shall not be 10 type 10.
Statutory Authority
\$ 54.1-201 of the Code of Virginia.
Historical Notes
Derived from Volume 19, Issue 18, etc. July 1, 2003.

PART IV.
RENEWAL/REINSTATE/SENT.

18 VAC 41-20-150. License Renewal Required.
A license or certificate issued under this chapter shall expire two young from the Set didy of the month in which it was issued.

Statutory Authority
\$ 54.1-201 of the Code of Virginia.
Historical Notes
Derived from Volume 19, Issue 18, etc. July 1, 2003; amended, Virginia Register Volume 33, Issue 3, Issue 4, Issue 18, etc.
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Ferbruary 1, 2017.

18 VAC 41-20-170. Notice of Renewal.

**Analytical Professional and Occupational Regulation will mail a renewal notice to the licensee or "Analytical Professional and Occupational Regulation will mail a renewal notice to the licensee or "Analytical Professional and Occupational Regulation will mail a renewal notice to the licensee or "Analytical Professional and Occupational Regulation will mail a renewal notice to the licensee or "Analytical Professional and Occupational Regulation will mail a renewal notice to the licensee or "Analytical Professional and Occupational Regulation will mail a renewal notice to the licensee or certificate holder fails "Analytical Professional and Occupational Regulation will mail a renewal notice to the licensee or certificate holder fails "Analytical Professional and Occupational Regulation will mail a renewal notice to the licensee or certificate holder fails "Analytical Professional and Occupational Regulation will mail a renewal notice to the licensee or certificate holder fails "Analytical Professional and Occupational Regulation will mail a renewal notice to the licensee or certificate holder fails "Anal Formatted: Font: (Default) Arial ormatted: Font: (Default) Arial

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VAC 4120-180. Failure to Renew.

A. When a licensed or certified individual or business entity fails to renew its license or certificate within 30 days following its expiration date, the licensee or certificate holder shall apply for reinstatement of the license or certificate submitting to the Department of Professional and Occupational Regulation a reinstatement application and renewal fee and reinstatement fee.

B. When a licensed or certifical individual or business entity fails to renew its license within two years following the expiration date, reinstatement is no longer possible. To resume practice, the former licensee or certificate holder shall apply for licensure or certification as a new applicant and shall meet all current entry requirements for each espective license or certificate.

1. The former licensee or certificate older shall apply for licensure or certification as a new applicant and shall meet all current entry require onts for each respective license or certificate; or-

2. An individual previously licensed in Virging for a minimum of three years initially granted licensure under or any of the following examination or longing waiver provisions, known as grandfathering, shall submit a new application showing the individual met the requirements of the applicable examination or training waiver provisions. met the requirements of the applicable examination or energy experience, and pass the required training waiver provision, demonstrate five years examination:,

a. Any person who was exempted from examination an application with the practice on an application with the board on or before is.

In person exempted from examination as a registered principle substantially engaged as a hairdresser in Virginia for at least spine me.

962, and such person filed an application satisfactory to the board of at before in the board for examination as a mail technician, and such person applied to the board for examination by October 1, 1991.

**Torvide (i) the reasons for failing to renew prior to sense of the sen

C. The application for reinstatement for a school shall provide (i) the reasons for failing to renew prior to the expiration date and (ii) a notarized statement that all students currently enrolled or seeking to enroll at the school have been notified in writing that the school's license has expired. All of these materials shall be called the application package. Reinstatement will be considered by the board if the school consents to and satisfactorily passes an inspection of the school and if the school's records are maintained in

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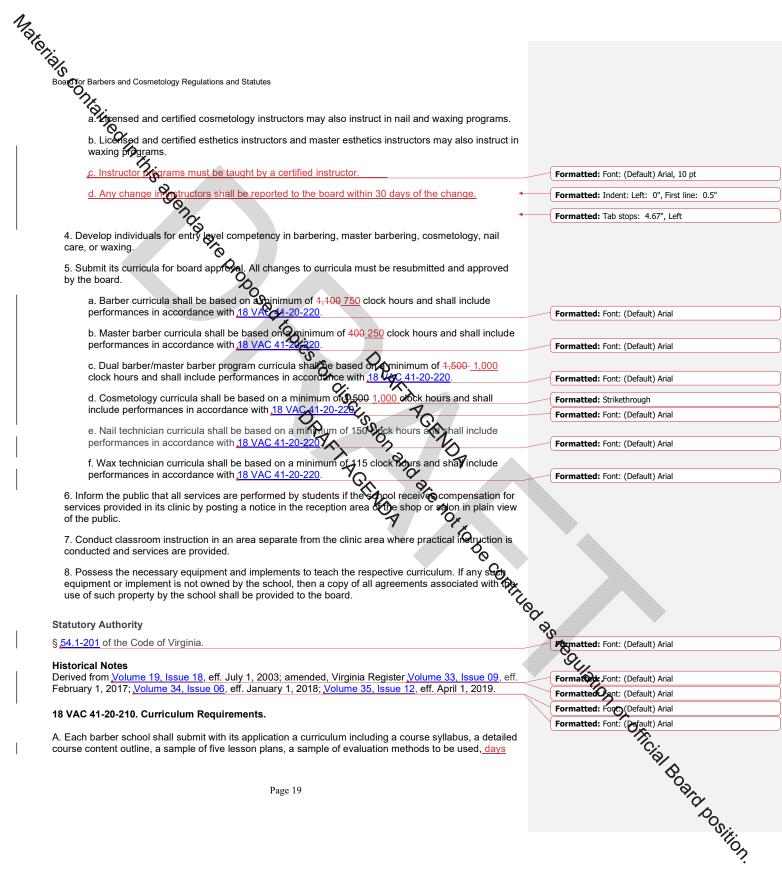
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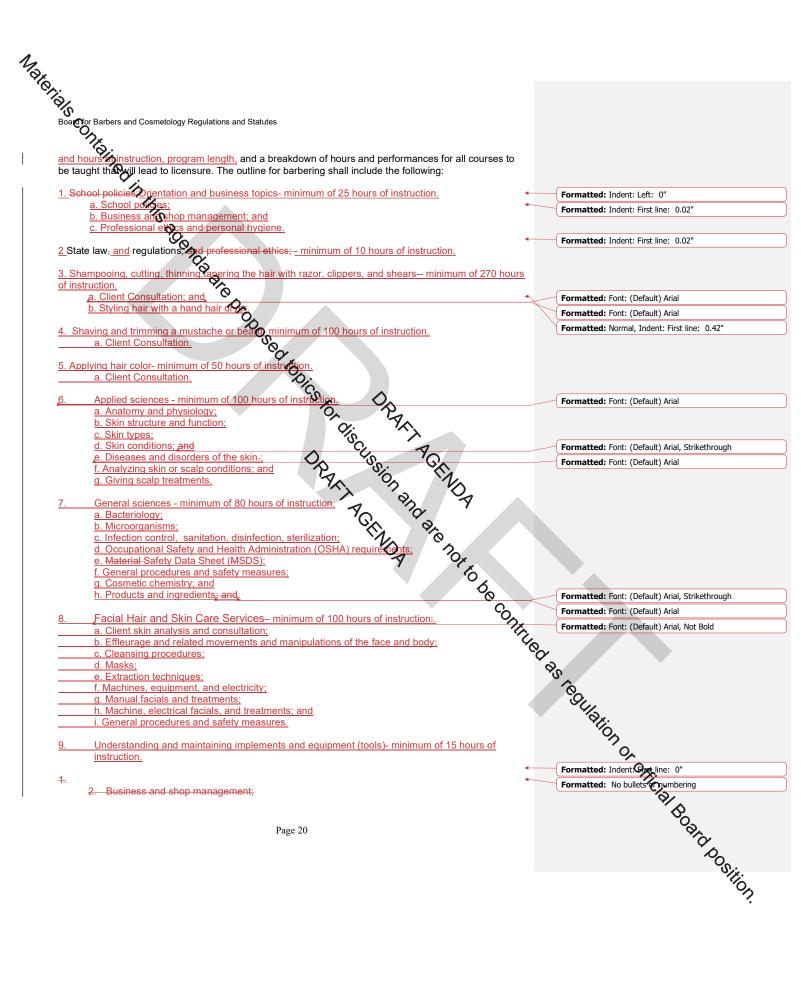
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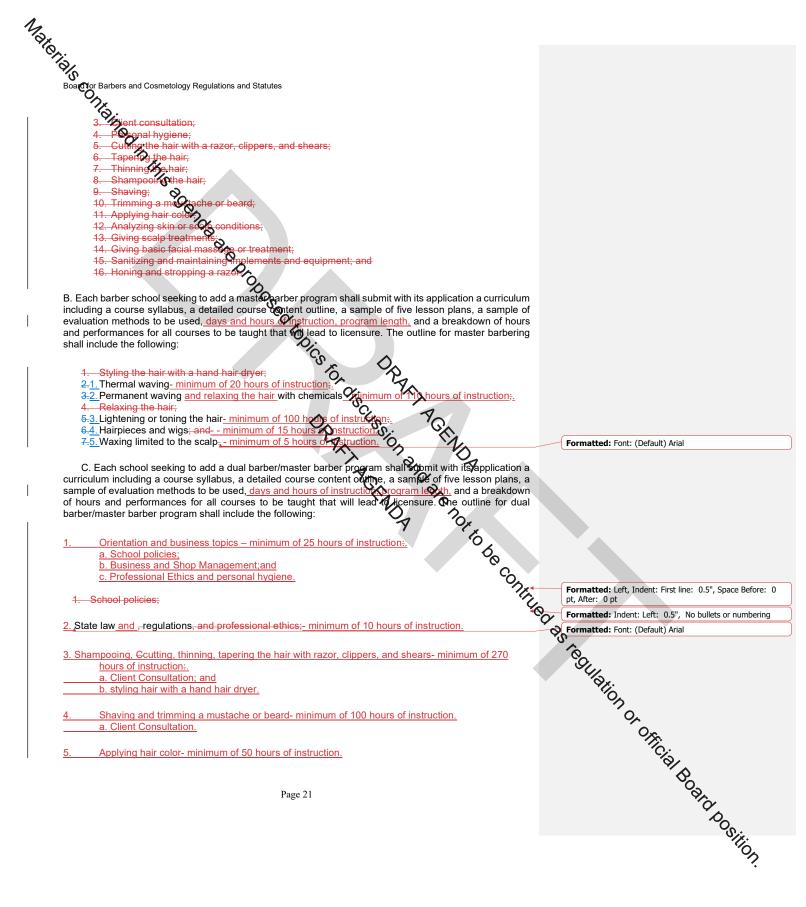
Board or Barbers and Cosmetology Regulations and Statutes

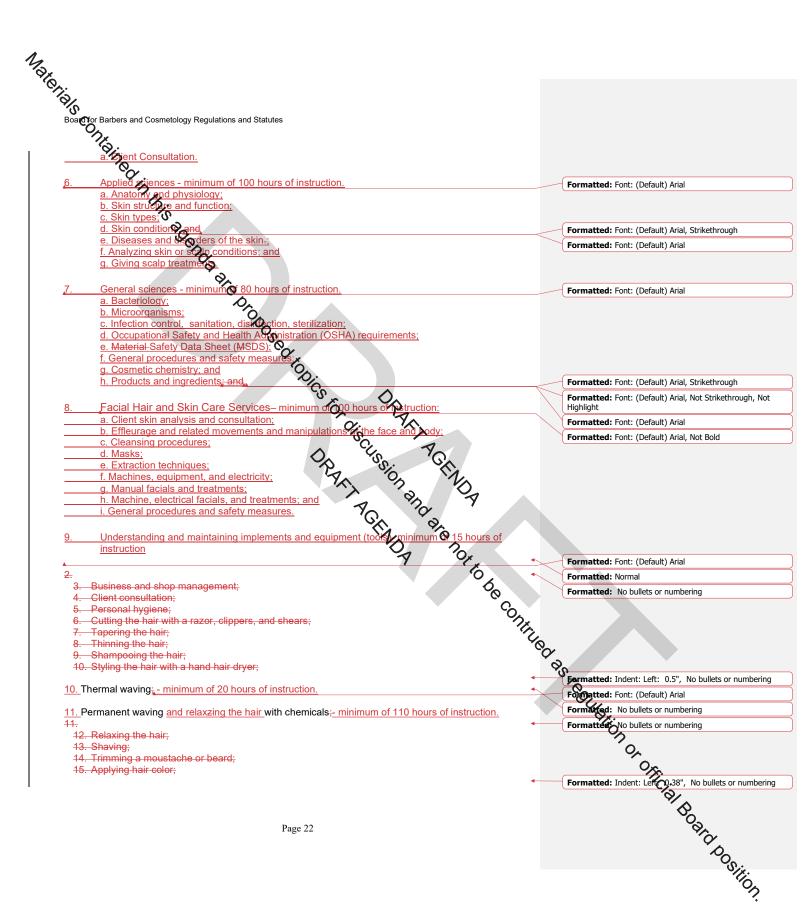
ordance with 18 VAC 41-20-240 and 18 VAC 41 and 18 VAC 41 inspection results, the inspection results, the inspection results. vith 18 VAC 41-20-240 and 18 VAC 41-20-250 by the Department of Professional and Occupational Regulation. Pursuant to 18 VAC 41-20-130, upon receipt of the reinstatement fee, application package, and inspection results, the board may reinstate the school's license or require requalification or both. If the reinstatement application package and reinstatement fee are not received by the board within six months following the expiration date of the school's license, the board will notify the testing service that prospective graduates of the unlicensed school are not acceptable candidates for the examination. Such notification will be sent to the school and must be displayed in a conspicuous manner intal, a school behavior in the control of the cont by the school in an area that is accessible to the public. No student shall be disqualified from taking the examination because the school was not licensed for a portion of the time the student attended if the school license is reinstated by the board.

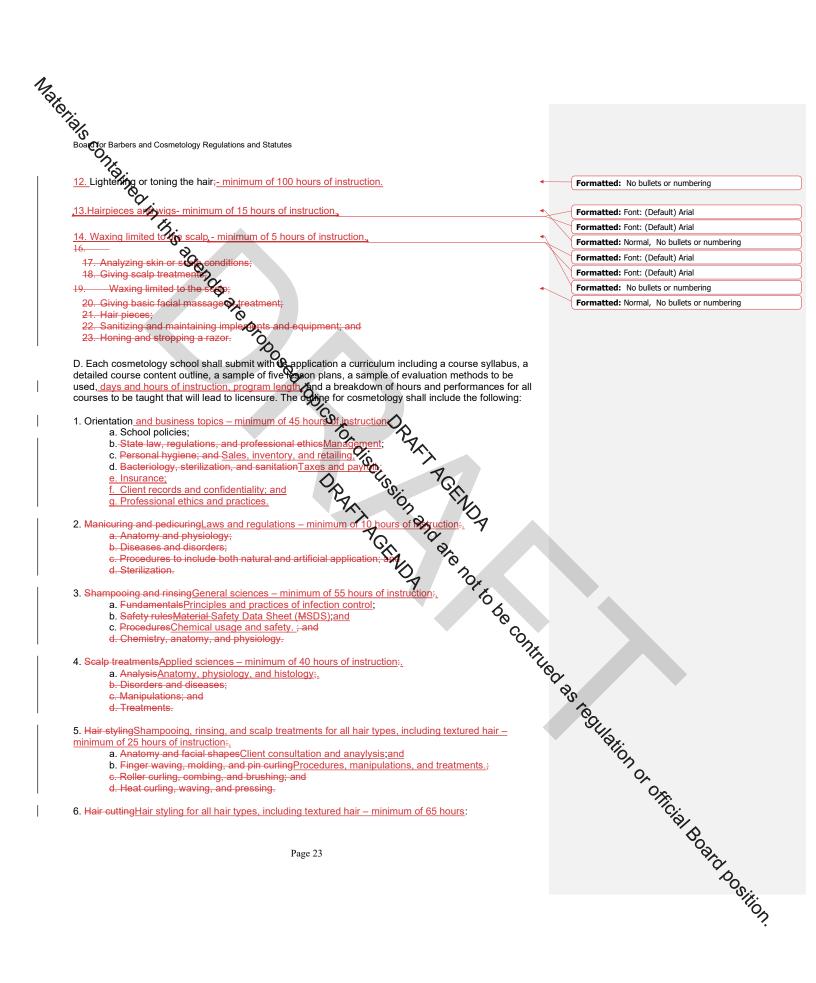
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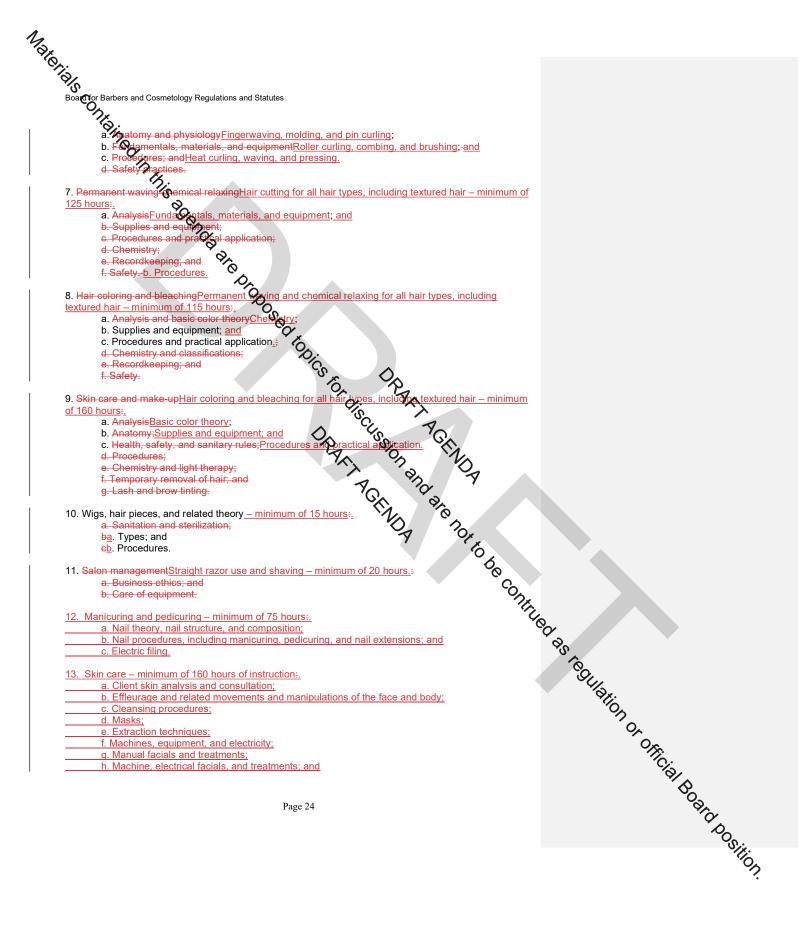


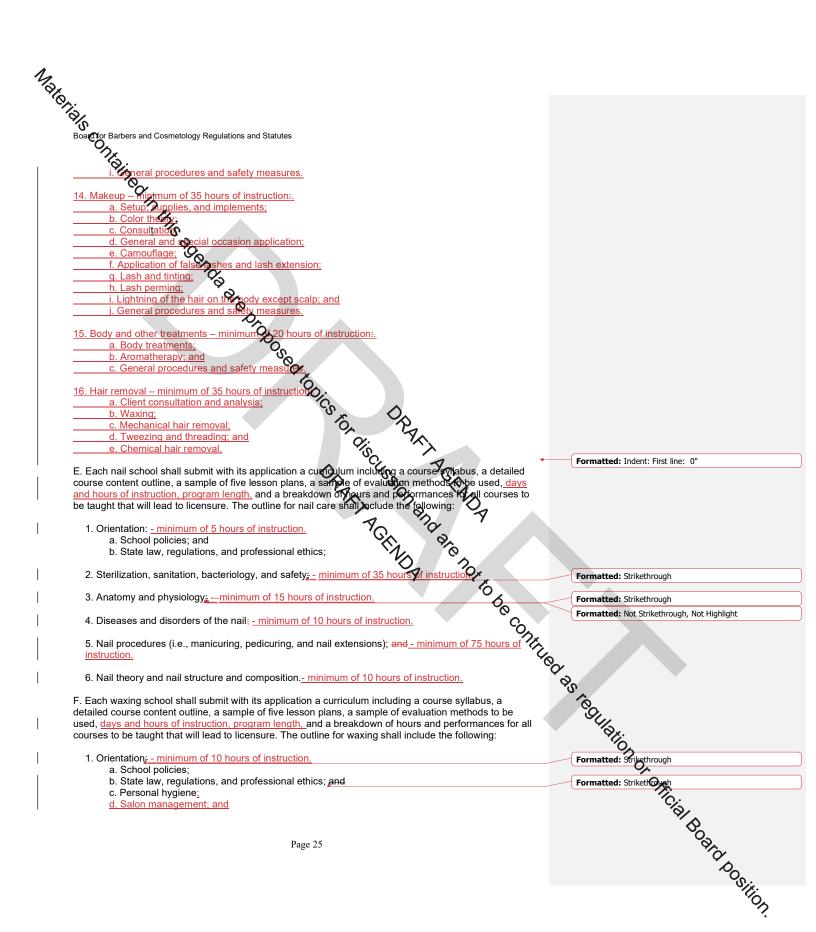


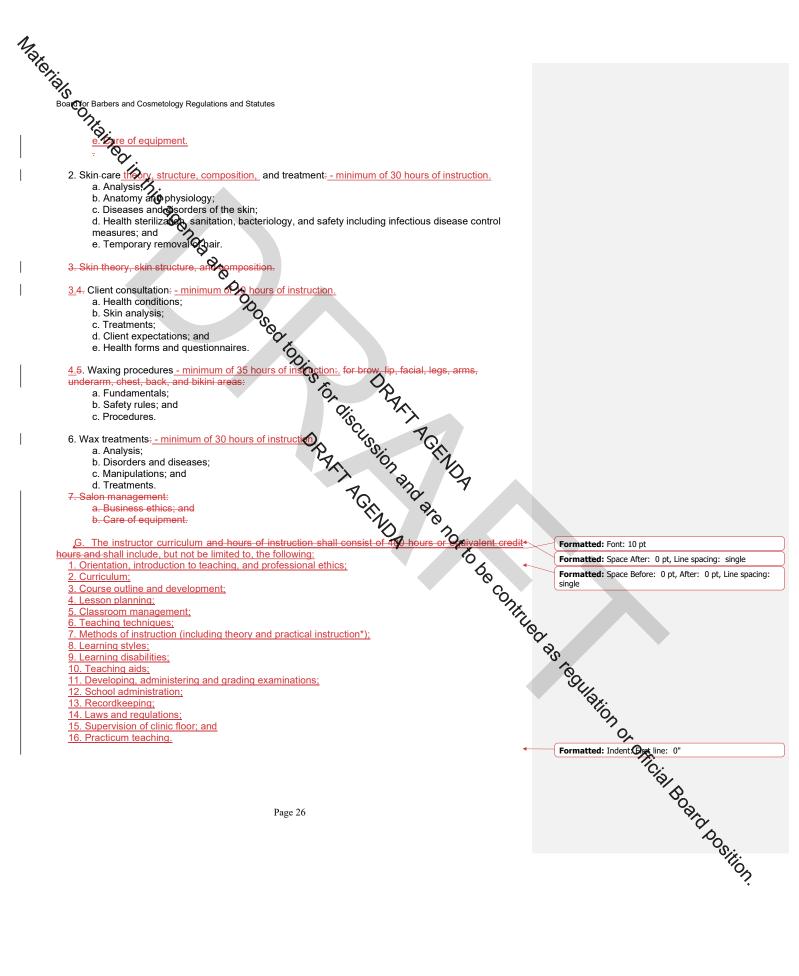


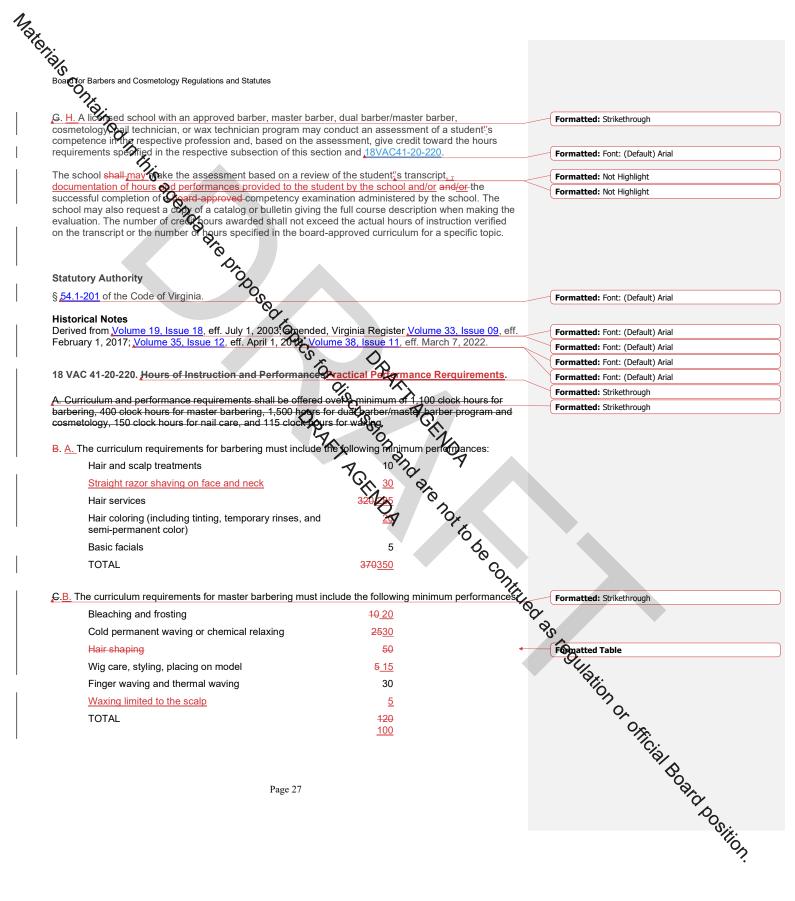




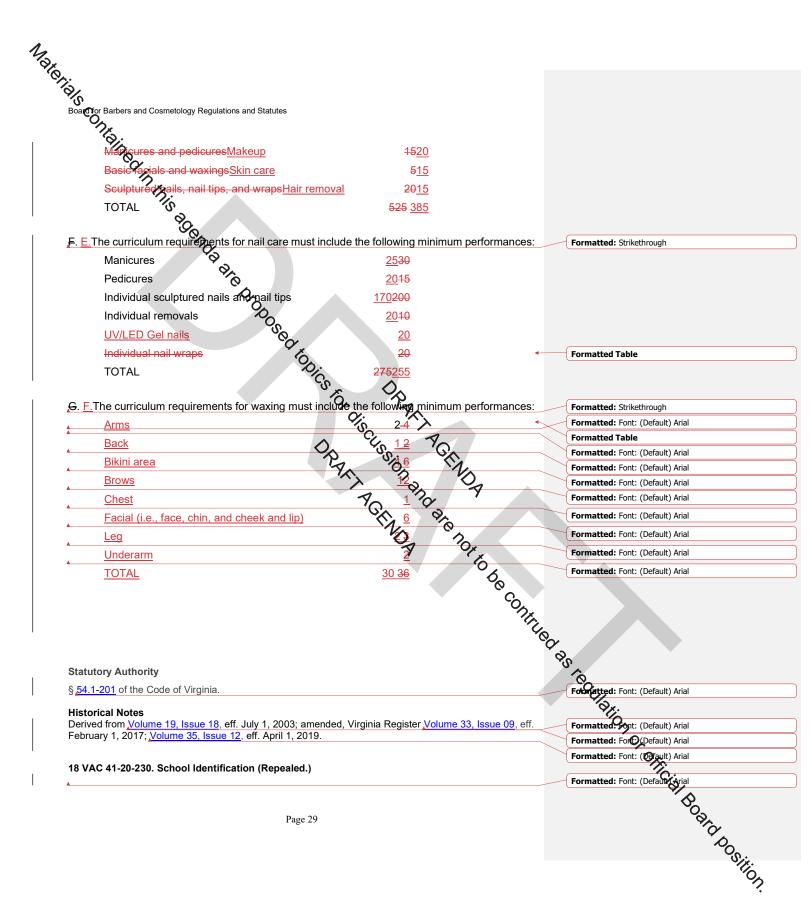








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	Board or Barbers and Cosmetology Regulations and Statutes			
	D.C. The priculum requirements for dual barber/master barb	ber program must include the	e following	
·	minimum per mances:			
1	Hair and scalp treatments Hair styling sprvices	10 320		
		<u>285</u>		
	Straight razor and having on face and neck Bleaching and frosting	<u>30</u> 2010		
	Hair coloring (including thing, temporary rinses, and	35		
	semi-permanent color)	<u>20</u>		
	- Hair shaping	<u>30 25</u> 50	Formatted Table	
	Wig care, styling, placing on model	<u>15</u> 5		
1	Finger waving and thermal waving	30		
	Basic facials and waxings	5		
	TOTAL	2 50		
		% ************************************		
	E. D. The curriculum requirements for cosmetology must in performances:	nclude the following minimum	n	
	Cold permanent waving or chemical relaxing Hair shaping Wig care, styling, placing on model Finger waving and thermal waving Basic facials and waxings Waxing limited to the scalp TOTAL E. D. The curriculum requirements for cosmetology must imperformances: Hair and scalp treatments Shampooing, rinsing, and scalp treatments for all hair types, including textured hair	0,1 <u>020</u>		
	Hair styling, for all hair types, including textured hair	32060 A		
	TintingHair cutting, for all hair types, including textured hair	101560 O		
	Bleaching and frostingPermanent waving and chemical relaxing, for all hair types, including textured hair	1060	be contined as regulation of	
	Temporary rinses Hair coloring and bleaching, for all hair types, including textured hair	<u>l</u> 1050	Congr	
	Semi-permanent color Wigs, hair pieces, and related theory	10 <u>5</u>	Cop S	
	Cold permanent waving or chemical relaxing Straight razor shaving on face and neck	25 20	** CO	
	Hair shaping Manicuring and pedicuring	50 <u>15</u> procedures	Sul Stic	
	Wig care, styling, placing on modelSculptured nails, nail tips, and wraps	30 Individual	op of	•
	Finger waving and thermal wavingBody and other treatments	30 5		Official
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Historical Notes
Derived from Salume 19, Issue 18, eff. July 1, 20

Derived from Solume 19, Issue 18, eff. July 1, 2003; repealed, Virginia Register Volume 33, Issue 09, eff.

A. Schools shall maintain in the premises of each school and available for inspection by the board or any of its agents the following words for the period of a student's enrollment through five years after the student's completion of the conjugulum, termination, or withdrawal:

- 1. Enrollment application containing student's signature and a two-inch by two-inch color head and shoulders photograph;
- 2. Daily record of attendance containing student's signature;
- 3. Student clock hours containing student signature and method of calculation;
- 4. Practical performance completion sheets compaining student's signature;
- 5. Final transcript; and
- 6. Course descriptions, and
- 7. All other relevant documents that account for a student Saccrued close ours and practical
- applications.

 B. Schools shall produce to the board or any of its agents within 10 days of the request any document, book, or record concerning any student, or for which the increase is required to maintain records, for inspection and copying by the board or its agents. The board pay extend such timefrance upon a show of extenuating circumstances prohibiting delivery within such to day period. pon a showing
- C. Schools shall, within 21 days upon receipt of a written request from a student provide documentation of hours and performances completed by the student as required to chain aintained a subsection A of this section.
- D. Prior to a school changing ownership or a school closing, the school is required to provide to current

D. Prior to a scrious of students documentation of hours and performances.

E. For a period of one year after a school changes ownership, the school shall provide, within 21 days upon receipt of a written request from a student, documentation of hours and performances completed by current student. E. For a period of one year after a school changes ownership, the school shall provide, within 21 to the provide within 2

§ 54.1-201 of the Code of Virginia

Historical Notes

Derived from Volume 19, Issue 18, eff. July 1, 2003; amended, Virginia Register Volume 33, Issue 09, eff. February 1, 2017.

18 VAC 41-20-250. Reporting.

A. Schools shall provide, in a manner, format, and frequency prescribed by the board, a roster of all current students and a roster of students who attended in the preceding six months prior to the reporting deadline.

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Board for Barbers and Cosmetology Regulations and Statutes

Alithin Stodays of ceasing to operate, whether provide a written report to the boat the program. days of ceasing to operate, whether through dissolution or alteration of the business entity, the school stall provide a written report to the board on performances and hours of each of its students who have not completed the program. Statutory Authority § <u>54.1-201</u> of the Code Formatted: Font: (Default) Arial sue 3, eff. July 1, 2003; amended, Virginia Register Volume 33, Issue 09, eff. **Historical Notes** Derived from Volume 19 Formatted: Font: (Default) Arial February 1, 2017. Formatted: Font: (Default) Arial PART VI STANBARDS OF PRACTICE. 18 VAC 41-20-260. Scope of Practice and Display of License. A. Each shop, salon, or school shall ensure that all expent licenses, certificates or permits issued by the board shall be displayed in plain view of the public elber in the reception area or at individual work stations of the shop, salon, or school. Duplicate licenses certificates, or permits shall be posted in a like manner in every shop, salon, or school location where the featurant provides services. A. B. Each shop, salon, or school shall ensure that no employee licensee, student, or apprentice performs any service beyond the scope of practice for the applicable license. B. Each shop, salon, or school shall ensure that all current rmits issued by the board shall be displayed in plain view of the public either in idual work stations of the shop, salon, or school. Duplicate licenses, c sted in a like manner in every shop, salon, or school location where the regu oder the name in which the license, C. All licensees, certificate holders, and permit holders shall operate certificate, or permit is issued. D. Unless also licensed as a cosmetologist, a barber or master barber is E. Proof of apprenticeship issued by the Department of Labor and mouse, view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the public either in the reception area or at individual work stations of the shop or existing displayed in plain view of the shop or ex a separate nail Formatted: Strikethrough Formatted: Font: (Default) Arial Formatted: Font: (Default) Arial § 54.1-201 of the Code of Virginia. Formatted: Font: (Default) Arial
Formatted: Font: (Default) Arial **Historical Notes** Derived from Volume 19, Issue 18, eff. July 1, 2003; amended, Virginia Register Volume 33, Issue 09, eff. February 1, 2017; Volume 35, Issue 12, eff. April 1, 2019. De (Default.)
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Board or Barbers and Cosmetology Regulations and Statutes

18 VAC 4 30-270. Sanitation and Safety Standards for Shops, Salons, and Schools.

Itation and safety standards. Any shop, salon, school, or facility where barber, mast after waxing services are delivered to the public must be clean and sanitation and regulations as they apply to business opera the salth. Licensees shall take sufficient management of the salth. A. Sanitation and safety standards. Any shop, salon, school, or facility where barber, master barber, cosmetology, or neillor waxing services are delivered to the public must be clean and sanitary at all times. Compliance with the prules does not confer compliance with other requirements set forth by federal, state, and local laws, rules does not confer compliance with other requirements set forth by federal, state, and local laws, rules and regulations as they apply to business operation, physical construction and mainted pice, safety, and public health. Licensees shall take sufficient measures to prevent the transmission communicable and infectious diseases and comply with the sanitation standards identified in this section and shall ensure that all employees likewise comply.

A. Sanitation and safety standards

- 1. Any spa or school where esthetica services are delivered to the public must be clean and sanitary at all times.
- 2. Compliance with these rules does not confer compliance with other requirements set forth by federal, state, and local laws, codes, ordinands, and regulations as they apply to business open physical construction and maintenance, safety, and public health. and regulations as they apply to business operation,
- rever the transmiss. 3. Licensees shall take sufficient measures to pre diseases and comply with the sanitation standards i on and shall ensure that all employees likewise comply.
- B. Disinfection and storage of implements.

hold disinfectable water 1. A wet disinfection unit is a container large er which the objects to be disinfected are completely immersed. A wet disinfection unit must have a cover to prevent contamination of the settion. The solution must be an Environmental Protection Agency (EPA) registered dishafectant that is bactericidal,

- - predisinfected, and dry cabinet, drawer, or ponairtight sealed covered container, or leave instruments in an EPA-registered wet disinfection unit storage solution used according to manufacturer's directions.

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Board or Barbers and Cosmetology Regulations and Statutes

ingle-use items designed by the manufacture use on each individual client, in the use of sir items designed by the manufacturer for use on no more than one client should be discarded immediately the ruse on each individual client, including but not limited to powder puffs, lip color, cheek color, sponges, syptic pencils, or nail care-implements, or disposable razors. The disinfection and reuse of these items is not permitted and the use of single-use items on more than one client is prohibited. Formatted: Strikethrough 4. For the purpose threcharging, rechargeable clippers may be stored in an area other than in a closed cabinet or container. This area shall be clean and the cutting edges of any clippers are to be disinfected. 5. Electrical clipper blades and be disinfected before and after each use. If the clipper blade cannot be recoved, the use of a spray or foam used according to the manufacturer's instructions will be acceptable provided that the disinfectant is an EPA-registered disinfectant that is bactericidal, vircida, and fungicidal, and that the entire handle is also disinfected by wiping with the disinfectant solution. 6. All wax pots shall be cleaned and disinfleded with an EPA-registered disinfectant that is bactericidal, virucidal, and fungicidal with no sticks left state ing in the wax at any time. The area immediately surrounding the wax pot shall be clean and free of clutter, waste materials, spills, and any other items the wan as a hazard.

ber, master barber, cosmount tunit at his station.

1d- bowls, Jubs, whirlpool units, air-jetted baperformance of nail care shall be maintained in accordance with manufacturers recommendation.

Drain all water and remove all debris;

2. Clean the surfaces and walls with soap or detergent to remove all Mobile debris, and a comproduct residue and then rinse with water;

c. Disinfect by spraying or wiping the surface with an EPA-registered disinfect and that is bactericidal, virucidal, and fifungicidal in accordance with manufacturer's recommendation. They shall be maintained in accordance with manufacturer's recommendation. They immediately after each client in the following manner:

**debris:*

**detergent to remove all visible debris, oils, and fungicidal in determination. They immediately after each client in the following manner:

**detergent to remove all visible debris, oils, and fungicidal in the following manner:

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**detergent to remove all visible debris, oils, and the funcional in the following manner:

**detergent to remove all visible debris, oils, and the funcional in the that may pose a hazard. 7. Each barber, master barber, cosmetologist, nail tedatician, and wax technician must have a wet disinfection unit at his station. 7.8. Sinks and, bowls, tubs, whirlpool units, air-jetted basins, pipe less units, and non-whirlpool basins used in the performance of nail care shall be maintained in accordance with manufacturer's recommendations. They shall be cleaned and disinfected immediately after each client in the following manner:

a. Drain all water and remove all debris; , Foot tubs, whirlpool units, air-jetted basins, pipe-less units, and non-whirlpool basins used performance of nail care shall be maintained in accordance with manufacturer's recommendation shall be cleaned and disinfected immediately after each client in the following manner: Or Official Board Position.

C. General sanitation and safety requirements.

Board or Barbers and Cosmetology Regulations and Statutes

Service chairs, wash basins, shampoo sinks

- chairs, wash basins, shampoo sinks, workstations and workstands, and back bars shall be
- 2. The floor surface in all work areas must be of a washable surface other than carpet. The floor must be kept clean and fee of hair, nail clippings, dropped articles, spills, clutter, trash, electrical cords, other waste materials, and any other items that may pose a hazard;
- 3. All furniture, fixtures coalls, floors, windows, and ceilings shall be clean and in good repair and free of water seepage and directly mats shall be secured or shall lie flat;
- 4. A fully functional bathroom the same building with a working toilet and sink must be available for clients. There must be hot and cold running water. Fixtures must be in good condition. The bathroom must be lighted and sufficiently verilated. If there is a window, it must have a screen. There must be must be lighted and sufficiently verblated. If there is a window, it must have a screen. There must be soap and clean single-use towels of hand air-drying device for the client's use. Laundering of towels is allowed, space permitting. The bathroom must not be used as a work area or for the open storage of chemicals. For facilities newly occupied the January 1, 2017, the bathroom shall be maintained exclusively for client use or shared with other businesses in the same building. If the bathroom is shared, the bathroom shall be available for client use and within 200 feet of the entrance and must adhere to all sanitation requirements of this chapter;

 5. General areas for client use must be neat and clear with a waste receptacle for common trash;
- 6. Electrical cords shall be placed to prevent entanglement licensee, and electrical outlets shall be covered by plates:
- 7. All sharp tools, implements, and heat-producing appliances chall be in safe working order at all

- D. Articles, tools, and products.
- shall be v.

 Aharp tools, implements safely stored, and placed so e salon area shall be sufficiently ventilis.

 nicals, and to allow the free flow of air; and dequate lighting shall be provided.

 Licles, tools, and products.

 Clean towels, robes, or other linens shall be used for each patron. Clean lowels, robes, and products.

 Clean towels, robes, or other linens shall be stored in a clean, predisinfected, and dry cabinet, drawer, of nonairight before container. Solled towels, robes, or other linens shall be stored in a clean shall be stored in a container enclosed on existing the container. Solled towels, robes, or other linens shall be stored in a container enclosed on existing the container. Whenever a haircloth is used, a clean towel or neck strip shall be placed around the neck of the patron to prevent the haircloth from touching the skin;

 3. Solled implements must be removed from the tops of work stations immediately after use;

 "In the patron to prevent the haircloth from touching the skin;

 "On the patron to prevent the haircloth from touching the skin;

 "In the patron to prevent the haircloth from touching the skin;

 "On the patron to prevent the haircloth from touching the skin;

 "In the patron to prevent the haircloth from touching the skin;

 "On the patron to prevent the haircloth from touching the skin;

 "In the patron to prevent the haircloth from touching the skin;

 "On the patron to prevent the haircloth from touching the skin;

 "In the sanitary container shall be labeled the shall be carried out in

Board or Barbers and Cosmetology Regulations and Statutes

No substance other than a sterile styptic pand applied with a sterile single-limited contact

- ubstance other than a sterile styptic powder or sterile liquid astringent approved for homeostal and applied with a sterile single-use applicator shall be used to check bleeding; and
- 8. 7. Any disposable material making contact with blood or other body fluid shall be disposed of in a sealed plastic backand removed from the shop, salon, school, or facility in accordance with the guidelines of the Viginia Department of Health.manner compliant with the Occupational Safety and SHA") Bloodborne Pathogens standard (29 CFR 1910.1030).
- E. Chemical storage and emergency information.
 - 1. Shops, salons, schools, and facilities shall have in the immediate working area a binder with all Safety Data Sheets (SDS) provided by manufacturers for any chemical products used;
 - 2. Shop, salons, schools, and facilities shall have a blood spill clean-up kit in the work area that contains at minimum latex gloves, two princh by 12-inch towels, one disposable trash bag, bleach, one empty spray bottle, and one mask with accessible or any Occupational Safety and Health Administration (OSHA) approved blood spill an-up kit;
 - 3. Flammable chemicals shall be labeled and stored in a nonflammable storage cabinet or a properly
 - ventilated room; and

 4. Chemicals that could interact in a hazardous manner e.g., atalysts, and solvents) shall
- Client health guidelines.

 1. All employees providing client services shall cleanse their hands with a soap product prior to providing services to each client. Licensees shall require that clients for pail care services shall
- all employees providing client services shall cleanse their han yolding services to each client. Licensees shall require that clienty oviding services to each client. Licensees shall require that clienty oviding services to each client. Licensees shall require that clienty is a shall care service;

 An artificial nail shall only be applied to a healthy natural nail;

 A not shop, saton, school, or facility providing cosmetology or nail care services shall have on the premises consention products containing hazardous substances that have been banned by the U.S. Food and Drug Administration (FDA) for use in cosmetic products;

 5. No product shall be used in a manner that is disapproved by the FDA; and

 "vlated services must be performed in a facility that is in compliance with current local building

 "sale forth in this section, all licensees and temporary permit holders

 "sale stabilished by the Virginia Department of Health and the

 "livision of the Virginia Department of Labor and Industry.

 "report the results of any inspection of the

 "vired by § 54.1-705 of the Code of

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Board for Barbers and Cosmetology Regulations and Statutes

All shops alons, schools, and facilities shall me and kept for five years, so that it me alons, schools, and facilities shall maintain a self-inspection form on file to be updated on an annual basis and kept for five years, so that it may be requested and reviewed by the board at its Statutory Authority § 54.1-201 of the Code of Virginia. Formatted: Font: (Default) Arial Historical Notes

Derived from Volume 19, Issue 18, eff. July 1, 2003; amended, Virginia Register Volume 33, Issue 09, eff. February 1, 2017; Volume 35, Seve 12, eff. April 1, 2019; Volume 36, Issue 9, eff. February 10, 2020; Volume 39, Issue 4, eff. December 1, 2022. **Historical Notes** Formatted: Font: (Default) Arial cember 1, 2022. Formatted: Font: (Default) Arial Formatted: Font: (Default) Arial Formatted: Font: (Default) Arial 18 VAC 41-20-280. Grounds for Licenty, Revocation or Suspension; Denial of Application, Renewal or Reinstatement; or Imposition of a Montant Penalty.c

18 VAC 41-60-220. Grounds for License Resocation, Suspension, or Probation; Denial of Formatted: Font: (Default) Arial Formatted: Strikethrough Application, Renewal or Reinstatement; or Proposition of a Monetary Penalty. The board may, in considering the totality of the circumstances, fine any licensee, certificate holder, or Formatted: Strikethrough permit holder; suspend or revoke or refuse to issue, renew or reinstate any license; impose a monetary penalty, place a license on probation with such terms and conditions and such time as it may sued certificate, or permit: designate, suspend a license for a stated period of time Formatted: Strikethrough or deny any application issued under the provisions of Chapter 75,54.1-700 (seq.) of Title 54.1 of the Code of Virginia and this chapter if it finds that the licensee, certificate holder, permit holder, or applicant: Formatted: Font: (Default) Arial 1. Is incompetent, or negligent in practice, or incapal the profession, (i) to practice as a barber, master barber, cost etologist, fail technicial technician, or te (ii) operate a shop, salon, or school: understood in 2. Is convicted of fraud or deceit in the practice or teaching of barrening, master barbering, cosmetology, nail care, or waxing or fails to teach the board-approved curriculum as provide provided for in this 3. Attempts to obtain, obtained, remains false or fraudulent representation;

4. Violates or induces others to violate, or cooperates with others in violating, any of the provision. This chapter or Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia or any local ordinance or regulation governing standards of health and sanitation of the establishment in which any harber, master barber, cosmetologist, nail technician, or wax technician may practice or offer to Formatted: Font: (Default) Arial Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial or local law, regulation, or ordinance governing barbering, master barbering, cosmetology, nail care, or waxing as defined in § 54.1-700 of the Code of Virginia; 6. Fails to respond to the board or any of its agents or provides false, misleading, or incomplete information to an inquiry by the board or any of its agents;

7. Fails or refuses to allow the board or any of its agents to inspect during reasonable hours any licensed shop, salon, or school for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or this

chapter;

Board or Barbers and Cosmetology Regulations and Statutes

Fails to produce, upon request or demand of the thereof in a licensee's or owne each and every licese, certificate, or permit;

produce, upon request or demand of the board or any of its agents, any document, book, record, or poy thereof in a licensee's or owner's possession or maintained in accordance with these regulations;

9. Fails to notify the board of a change of name or address in writing within 30 days of the change for

10. Makes any misrepresentation or publishes or causes to be published any advertisement that is false, deceptive, or mislesting;

11. Fails to notify the board if riting within 30 days of the suspension, revocation, or surrender of a license, certificate, or permit in connection with a disciplinary action in any jurisdiction or of any license, certificate, or permit that has been be subject of disciplinary action in any jurisdiction; of final action, of any disciplinary action taken against alicense, registration, certificate or permit in any jurisdiction by a

12. Has been convicted or found guilty, regardless of the manner of adjudication in Virginia or any other jurisdiction of the United States, of a misdemeanor involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury or an felony, there being no appeal pending therefrom or the time for appeal having elapsed. Review of convolions shall be subject to the requirements of § 54.1-204 of the Code of Virginia. Any plea of nolo corrected shall be considered a conviction for purposes of this subdivision. The record of a conviction confified or attempticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such conviction or guilt;

13. Fails to inform the board in writing within 30 days of acconditions convicted or found guilty regardless of adjudication of any convictions. 13. Fails to inform the board in writing within 30 days of pleading Guilty or nolo contendere or being convicted or found guilty regardless of adjudication of any convictions as stated in subdivision 12 of

14. Allows, as responsible management of a shop, salon, or school, a person who has no obtained a license or a temporary permit to practice as a barber, master barber, cosmer dogist, nail technician, or wax technician unless the person is duly enrolled as a registered apprentice; wax technician unless the person is duly enrolled as a registered apprentice;

15. Allows, as responsible management of a school, a person who has not obtained an instructor certificate or a temporary permit to practice as a barber, master barber, cosmetologist, nail technician, or wax technician instructor;

16. Fails to take sufficient measures to prevent transmission of community fails to comply with sanitary requirements provided for in this chapter or any local, state, or teasurements or regulation governing the standards of health and sanitation for the practices of barbering, master barbering, cosmetology, nail care, or waxing, or the operation of barbershops, cosmetology salons or waxing salons; or

conduct at any board examination.

Statutory Authority

§ 54.1-201 of the Code of Virginia.

Derived from Volume 19, Issue 18, eff. July 1, 2003; amended, Virginia Register Volume 29, Issue 26, eff November 1, 2013; Volume 33, Issue 09, eff. February 1, 2017; Volume 35, Issue 12, eff. April 1, 2019. Volume 38, Issue 4, eff. December 1, 2021.

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All for your convenience are what in the Board is

Included in this booker for your convenience are relevant excerpts from the Code of Virginia. Please note that the Virginia General Assembly, not the Board for Barbers and Cosmetology, is responsible for creating and amending the statutes contained in the Code of Virginia. It is your responsibility to stay informed of revisions to the equilations and the statutes governing your profession or occupation. Please consult the General Assembly or your local library for annual changes.

Code of Virginia Title 54.1 - PROFESSIONS AND OCCUPATIONS. Chapter 7 - Barbers and Cosmetologists

§ 54.1-700. Definitions.

CO § 54.1-700. Definitions.
As used in this chapter, unless the context requires Different meaning:

"Barber" means any person who shaves, shapes or trime the beard; cuts singes, or dyes the hair or applies lotions thereto; applies, treats or massages the face neck or scale with oils, creams, lotions, cosmetics, antiseptics, powders, clays or other preparations in connection with shaving, cutting or trimming the hair or beard, and practices barbering for compensation and when such services are not performed for the treatment of disease.

"Barbering" means any one or any combination of the following acts, when done on the human body for compensation and not for the treatment of disease, shaving shaping and rimming the beard; cutting, singeing, or dyeing the hair or applying lotions thereto; applications, treatment or massages of the face, neck or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, clays or other pregrations in connection with shaving, cutting or trimming the hair or a beard. Therefore "barbeling" shall not apply to the acts described hereinabove when performed by any person in his flome if such service is not offered to the public

"Barber instructor" means any person who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board is an instructor of barbering

"Barbershop" means any establishment or place of business within which the practice of barbering is engaged in or carried on by one or more barbers.

"Board" means the Board for Barbers and Cosmetology.

"Body-piercer" means any person who for remuneration penetrates the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing" means the act of penetrating the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing salon" means any place in which a fee is charged for the act of penetrating the skin of a person to make a hole, mark, or scar, generally permanent in nature.

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

"Cosmetologist" means any person who administers cosmetic treatments; manicures or pedicures the nails of any person; arranges, dresses, curls, waves, cuts, shapes, singes, waxes, tweezes, shaves,

The continued as regulation of official Board Position.

Page 38

adjusting, combing to brushing prestyled wigs or hairpieces do not alter the prestyled nature of the wig or hairpiece, and practices cosmetology for compensation. The term "cosmetologist" shall not include hair braiding upon human hair, or a wig or hairpiece.

bleaches, color, relaxes, straightens, or performs similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances unless such acts as administring, combing to brushing prestyled wigs or hairpieces do not alter the prestyled nature of the wig practices; cosmetology for compensation. The term "cosmetologist" shall not include hair the following practices: administering cosmetic treatments are such acts as a straightening, or similar work, upon a straightening, or similar work, upon a straightening. human hair, or a wig or hairpiece, any means, including hands or mechanical or electrical apparatus or appliances, but shall not include hair gaiding upon human hair, or a wig or hairpiece, or such acts as adjusting, combing, or brushing prestyled wigs or hairpieces when such acts do not alter the prestyled nature of the wig or hairpiece.

"Cosmetology instructor" means a person who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of cosmetology

"Cosmetology salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein cosmetology is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Beard.

"Esthetician" means a person who engages in the practice of esthetics for compensation.

"Esthetician" means a person who engages in the practice of esthetics of commensation.

"Esthetics" includes, but is not limited to, the following practices of comministering cosmetic treatments to enhance or improve the appearance of the skin: cleansing toning, performing efficiency or other related movements, stimulating, exfoliating, or performing any other similar procedure on the skin of the human body or scalp by means of cosmetic preparations, treatments or any nonlaser device, whether by electrical, mechanical, or manual means, for care of the skin; applying make up or eyelastics to any person, tinting or perming eyelashes and eyebrows, and lightening hair on the loady except the scalp; and removing unwanted hair from the body of any person by the use of apy nonlaser device, by tweezing, or by use of chemical or mechanical means. However, "esthetics" is not a healing art and shall not include any practice, activity, or treatment that constitutes the practice of medicine, osteopathic medicine, or chiropractic. The terms "healing arts," "practice of medicine," "practice of betoopathic medicine," and "practice of chiropractic" shall mean the same as those terms are defined in \$54.1-2900.

Board or Barbers and Cosmetology Regulations and Statutes

Provided in the February Commercial establishment of the F

"Nail salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein name are is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Nail school" means a place or establishment licensed by the board to accept and train students in nail care.

"Nail technician" means any person who for compensation manicures or pedicures natural nails, or who performs artificial nail services compensation, or any combination thereof.

"Nail technician instructor" means a gensed nail technician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of nail care.

"Physical (wax) depilatory" means the wax depilatory product or substance used to remove superfluous

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

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

"Tattoo parlor" means any place in which tattooing is offered or pecticed.

"Tattoo school" means a place or establishment licensed by the Board train students in tattooing

"Tattooer" means any person who for remuneration practices

"Tattooing" means the placing of designs, letters, scrolls, figures, symbols or any other mark upon or under the skin of any person with ink or any other substance, resulting in the perpenent coloration of the skin, including permanent make-up or permanent jewelry, by the aid of the skin of th designed to touch or puncture the skin.

"Wax technician" means any person licensed by the Board who removes hangrom the had collicle using a physical (wax) depilatory or by tweezing. 6

"Wax technician instructor" means a licensed wax technician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of waxing.

"Waxing" means the temporary removal of superfluous hair from the hair follicle on any area of the human body through the use of a physical (wax) depilatory or by tweezing.

"Waxing salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein waxing is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Waxing school" means a place or establishment licensed by the Board to accept and train students in

1962, c. 639, § 1, § 54-83.2; 1966, c. 610; 1973, c. 86; 1974, c. 534; 1988, c. 765; 2000, c. 726; 2002, cc. 797, 869; 2003, c. 600; 2005, c. 829; 2012, cc. 803, 835; 2017, c. 390; 2018, cc. 219, 231, 237, 404

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§ 54.1-701. Exemptions

The provisions of this charter shall not apply to:

- ws of the Commonwealth to practice medicine and surgery or osteopathy 1. Persons authorized by the or chiropractic;
- 2. Registered nurses licensed to practice in the Commonwealth;
- 3. Persons employed in state or local popul or correctional institutions, rehabilitation centers, sanatoria, or institutions for care and treatment of individuals with mental illness or intellectual disability, or for care and treatment of geriatric patients, as barbers, cosmetologists, wax technicians, nail technicians, estheticians, barber instructors, cosmetology instructors, wax echnician instructors, nail technician instructors, or esthetics instructors who practice only on inmates of or patients in such sanatoria or institutions;
- 4. Persons licensed as funeral directors or embalmed the Commonwealth;
- 5. Gratuitous services as a barber, nail technician, cosmetologist, wax tech nician, tattooer, body-piercer, or esthetician: 0
- 6. Students enrolled in an approved school taking a course in backering, nail was cosmetology, waxing, tattooing, body-piercing, or esthetics;
- 7. Persons working in a cosmetology salon whose duties arranging, dressing, curling, or cleansing of human hair;
- 8. Apprentices serving in a barbershop, nail salon, waxing salon, licensed by the Board in accordance with the Board's regulations;
- 9. Schools of barbering, nail care, waxing, or cosmetology in public s
- 10. Persons whose activities are confined solely to applying make-up, inc ancillary to applying make-up.

1962, c. 639, § 4, § 54-83.5; 1968, c. 622; 1988, c. 765, 2000, ...
2005, c. 829; 2012, cc. 476, 507, 803, 835; 2018, c. 404.

The chapters of the acts of assembly referenced in the historical citation at the end of this section mannot constitute a comprehensive list of such chapters and may exclude chapters whose provisions have

The Board for Barbers and Cosmetology shall be composed of 10 members as follows: two members shall be licensed barbers, one of whom may be an owner or operator of a barber school; two members shall be licensed cosmetologists, at least one of whom shall be a salon owner and one of whom may be an owner or operator of a cosmetology school; one member shall be a licensed nail technician or a licensed cosmetologist engaged primarily in the practice of nail care, each of whom shall have been licensed in their respective professions for at least three years immediately prior to appointment; one member shall be either a licensed tattooer or a licensed body-piercer; two members shall be licensed estheticians, at least one of whom shall be an esthetics salon owner and one of whom may be an owner, operator, or designated representative of a licensed esthetics school; and two citizen members. The terms of Board members shall be four years. No member shall serve for more than two full successive terms. The Board shall elect a chairman and a vice-chairman. A majority of the Board shall constitute a quorum.

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8 54-83.22; 1974, c. 534; 197

2005, c. 829; 2010, c

1962, c. 639, \$21, § 54-83.22; 1974, c. 534; 1979, c. 327; 1981, c. 447; 1988, cc. 42, 765; 2000, c. <u>726;</u> 2002, c. <u>869</u>; 20**6**, c. <u>945</u>; 2005, c. <u>829</u>; 2010, c. <u>91</u>.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

§ 54.1-703. License required

No person shall offer to engage or engage in barbering, cosmetology, nail care, waxing, tattooing, by the Board, except as provided in § 54.1body-piercing, or esthetics without availd license issued by the Board, except as provided in § 54.1-701

1979, c. 408, § 54-83.22:1; 1988, c. 2000, c. <u>726</u>; 2002, cc. <u>797</u>, <u>869</u>; 2003, c. <u>600</u>; 2005, c. <u>829</u>; 2012, cc. 803, 835.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have

§ 54.1-703.1. Waiver of examination; wax technices.

The Board shall waive the examination requirements for icensure as a wax technician for any individual who (i) makes application for licensure between July 1, 2002, and July 2003; (ii) otherwise complies with Board regulations relating to moral turpitude; and (iii) mosts any of the billowing conditions: censure as a wax technician for any individual

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2005, c. 829, 2009, cc. 166, 328.

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§ 54.1-704. Temporary lieenses.

The Board may issue a temporary license to any person who is eligible for examination. Persons issued a temporary license shall be subject to the regulations of the Board.

The Board shall promulgate regulators consistent with this section to permit individuals to be granted temporary licenses for a specified period of time.

1984, c. 220, § 54-83.22:2; 1988, c. 765; 2000, c. <u>726</u>

The chapters of the acts of assembly references in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

§ 54.1-704.1. License required for barbershop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing salon, and esthetics sparo

No individual or entity shall operate a barbershop, cosmetol sy salon, nature salon, waxing tattoo parlor, body-piercing salon, or esthetics spa without a valid license is good by the Board. salon, nate are salon, waxing salon,

The provisions of this section shall not apply to a licensed barber, to smetologist, nail technician, waxing technician, tattooer, body-piercer, or esthetician who does not have an ownership regress in a licensed barbershop, cosmetology sales, pail care sales, waxing barbershop, cosmetology salon, nail care salon, waxing salon, tattoo pallor, body-ples esthetics spa in which he is employed. g salon, or esthetics spa in which he is employed.

2000, c. <u>726</u>; 2002, cc. <u>797</u>, <u>869</u>; 2003, c. <u>600</u>; 2005, c.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose povisions have

§ 54.1-704.2. License required for schools of barbering, cosmetology, natically care, waxing, tattooing, body-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, body-piercing, or esthetics unless consecutive.

by the Board pursuant to its regulations.

2000, c. <u>726</u>; 2002, cc. <u>797</u>, <u>869</u>; 2003, c. <u>600</u>; 2005, c. <u>829</u>; 2012, cc. <u>803</u>, <u>835</u>.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not accompany to the chapters and may exclude chapters whose provisions have constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

§ 54.1-705. Inspections.

A. Inspectors and sanitarians of the State Department of Health, or an affiliated local health department, may inspect each barbershop, cosmetology salon, waxing salon, nail care salon, tattoo parlor, bodypiercing salon, and esthetics spa in the Commonwealth regularly. Any infractions shall be immediately reported to the Health Department and the Director of the Department of Professional and Occupational Regulation for disciplinary action.

B. The Board may inspect barbershops, barber schools, cosmetology salons and schools, waxing salons and schools, nail care salons and schools, tattoo parlors and schools, body-piercing salons and schools, and esthetics spas and schools for compliance with regulations promulgated by the Board.

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C. The Board Pall specify procedures for enforcement of compliance with the disease control and disclosure requirements of § 18.2-371.3, including unannounced inspections by appropriate persor and or the regime Department of Health, or an affiliated local health department, may regular the personnel, equipment and premises of tattoo parlors and body-piercing the personnel, equipment and premises of tattoo parlors and body-piercing the personnel of this section is the personnel of this section.

disclosure requirements of § 18.2-371.3, including unannounced inspections by appropriate personnel.

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STATUTES

Title 54.1, Chapter 7



Perimeter Center, Suite 400 9960 Mayland Drive Richmond, Virginia 23233 (804) 367-8500 www.dpor.virginia.gov

STATEMENT OF PURPOSA.

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RESURE YOU READ AND INDERSTAND THE STANDARDS OF PRACTICE AND CONDUCT.

THE TO OBEY THESE STANDARDS COULD RESULT IN A MONETARY PENALTY OR

Page ii

Statutes

Denial of Application, Renewal, or Reinstatement; or

Imposition of a Monetary Penalty26

Contribed as regulation of Official Board Position.

Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

CHAPTER 70.

ESTHETICS REGULATIONS

PART I.

GENERAL.

18 VAC 41-70-10. Definitions

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise. At terms defined in Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia are incorporated in this chapter.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise. At terms defined in Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia are incorporated in this chapter.

The following words and terms when used othis chapter shall have the following meanings unless the context clearly indicates otherwise. All terms of fined shall have the meanings ascribed to them in Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia: are incorporated in this chapter.

Board

Esthetics

Esthetics instructor

Esthetics spa

Master Esthetician

School of Esthetics

"Business entity" means a sole proprietorship, partnership, corporation, line and liability of pany, limited liability partnership, or any other form of organization permitted by law.

"Clock Hours"- means a minimum of 50 minutes of supervised or directed instruction and appropriate breaks.

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3usiness entity" means a sole proprietorship, partnership, corporation, included liability of the sole of the state of the sole of th

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The location is one that is en ry location for school licensure"- For the purposes of schools with multiple suites or ongle location is one that is enclosed under one roof and all classrooms/suites are within 500 feet of the main office. Any suites or classrooms that are located in a different building or are further than 500 feet from the main office are considered a separate location, and require the school hold an additional license.

"Endorsement" means a method of obtaining a license by a person who is currently licensed in another state or jurisdiction.

"Firm" means any business entity recomized under the laws of the Commonwealth of Virginia.

the Code Virginia means providing services without "Gratuitous services" as used in § 54.1 receiving compensation or reward, or obligaatuitous services do not include services provided at no charge when goods are purchased.

"Licensee" means any individual or firm proprietorship, corporation, limited liability company, limited liability partnership, or any other form of organization permitted by law holding a license issued by as defined in \$ 94.4.700 of the code of Virginia.

"Post-secondary educational level" means an accredited colleges university that is approved or accredited by the Southern Association of Colleges and Schools commission or Colleges or by an accrediting agency that is recognized by the U.S. Secretary of Education. accrediting agency that is recognized by the U.S. Secretary of Educ

"Reasonable hours" means the hours between 9 open to the public substantially during the same hours, when the licensee is open to the public.

"Reinstatement" means having a license restored to effectiveness aft

"Renewal" means continuing the effectiveness of a license for another period of time.

"Responsible management" means the following individuals:

- 1. The sole proprietor of a sole proprietorship;
- 2. The partners of a general partnership;
- 3. The managing partners of a limited partnership;
- 4. The officers of a corporation;
- 5. The managers of a limited liability company;
- 6. The officers or directors of an association or both; and
- Topio de Contined as redulation or Official Board Position. 7. Individuals in other business entities recognized under the laws of the Commonwealth as having a fiduciary responsibility to the firm.

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Board for Barbers and Cosmetology – Esthetics Regulations and Statutes

The property means any individual, not a corporation, we have a second to the provisions of §§

or" means any individual, not a corporation, who is trading under his own name or under an Dittious name pursuant to the provisions of §§ 59.1-69 through 59.1-76 of the Code of

"Substantially equivalent exam" means an examination administered by the licensing entity which covers Virginia's scope of practice for that profession.

Sing" means at least 80% of the required hours in Virginia and curriculum some of practice for that profession. content covering Virginia's

"Virginia state institution" for the Purposes of this chapter means any institution approved by the Virginia Department of Education.

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Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

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Janiesible as prima for plea of top contendere or comparable plea shall be considered a disciplinary action for the purposes of this section. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

- 2. The applicant sha disclose the applicant's physical address. A post office box may be provided as a ot acceptable
- 3. The applicant shall sign as part of the application, a statement certifying that the applicant has read and understands the Virginia sthetics license laws and this chapter.
- 4. In accordance with § $\underline{54.1-20}$ of the Code of Virginia, each applicant shall disclose the following information regarding criminal conditions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions whin two years of the date of the application involving moral turpitude, sexual offense, non-mail turn addition, or physical injury, within two years of the date of the application; and
 - b. All felony convictions within 10 20 year of the date of application.

Any plea of nolo contendere shall be considered.

Frecord of a conviction received from a court shall be accepted as proof inding of guilt. The board, in its discretion, may deny licensure to any applicant in the code of Virginia.

5. The applicant shall provide evidence satisfactory to the board that the applicant has passed the board-approved examination requirement administered either by the board of by independent examiners.

6. Any changes in the name or address of the licensee shall be reported to the board writing with 30 days of such changes. Any plea of nolo contendere shall be considered a priviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny irreassure to an applicant in accordance with \$54.1-204 of the Code of Virginia. applicant in accordance with §

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- - 1. Training in the Commonwealth of Virginia. Any person completing Any person completing one of the following programs can be approved for the examiniations. esthetics program can be approved for the examinations, an approved esthetics training progra master esthetics training program in a Virginia licensed esthetics school shall be eligible for the applicable examination.

A. Any person completing aAn approved esthetics or master esthetics training program in a Virginia licensed esthetic or master esthetics school.

- B. Completing aA registered apprenticeship.
- 2. Training outside of the Commonwealth of Virginia.

A. Any person completing esthetics training that is substantially equivalent to the Virginia program but is outside of the Commonwealth of Virginia must submit to the board documentation of the successful completion of training to be eligible for examination. If less than the required hours of esthetics training was were completed, an applicant must submit a certificate, diploma, or other documentation acceptable to the board verifying the completion of a substantially equivalent esthetics course and documentation of six months of work experience as an esthetician in order to be eligible for the esthetician examination.

One del as tegulation of official Board Position.

Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

Applicants who completed a training program that is rediing out of country training, may substitute their work history demonstrate in any other state or justiced a great and account training and a great a great and account training and a great and account training and a great a great and account training and a great and a grea nts who completed a training program that is not substantially equivalent to Virginia's Buding out of country training, may substitute three years of work experience for training, so would provide their work history demonstrating three years of experience as a licensed ould provide their work history demonstrating three years of experience as a licensed fragter esthetician in any other state or jurisdiction of the United States on a form rd. Applicants who have earned a degree from an institution outside the United States must have their degree translated, authenticated, and evaluated by an education evaluation service if credit is sought for the education. The Board reserves the right to reject an evaluation submitted by an application.

Historical Notes

Derived from Volume 23, Issue 25, et September 20, 2007; amended, Virginia Register Volume 33, Issue 08, February 1, 2017.

18 VAC 41-70-30. License by Endorsemen

A. Upon proper application to the board, any person currently licensed to practice as an esthetician or master esthetician in any other state or jurisdiction of the United States and who has completed both a training program and a written examination and a practical examination that are substantially equivalent to those required by this chapter may be issued an esthetician or master esthetician license without an examination. The applicant must also meet the requirements, set forth in 1) VAC 41-70-20 A.

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required by this che,
dion. The applicant must...

8. Applicants for licensure by endorsemen...
program and whose state only utilizes one licensure,
substantially equivalent to that required by this option,
substantially equivalent to that required by this option.
Applicants for licensure by endorsement who completed a training program by the
Applicants for licensure by endorsement who completed a training program and whose state only utilizes one licensure,
written or practicall in Virginia to quality for hesotroe
Applicants for licensure by endorsement who completed a training program by the
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Applicants for licensure by endorsement who completed a training program by the
Applicant for Virginia training but otherwise meet all the requirem by the program by the

Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

Any person completing the Virginia apprenticeship programination.

completing the Virginia apprenticeship program in esthetics or master esthetics shall be

Historical Notes -Derived from Volume 83

Issue 08, eff. February 1, 2017.

18 VAC 41-70-40. Examination Requirements and Fees.

A. Applicants for initial licensure shall pass both a <u>practical and</u> written <u>portion of the examination and a practical</u> examination approved by see board. The examinations may be administered by the board or by a design test testing convices. a designated testing service.

B. Any applicant who passes one part of the examination shall not be required to take that part again provided both parts are passed within one part of the initial examination date.

examination shall forfeit the examination fee. C. Any candidate failing to appear as scheduled

PC. The fee for examination or reexamination is subble to contracted charges to the board by an outside vendor. These contracts are competitively negotiated and bargained for in compliance with the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia). Feet may be adjusted and charged to the candidate in accordance with these contracts. The feet ghall not except \$225 per candidate. of the intratexamination at established for a medicine.

The practical

The pract

ED. Any candidate failing to apply for initial licensure within five years of passing ooth a practical and a written portions of an the examination and a practical portions of the examinations. Records of examinations

Historical Notes

Derived from Volume 23, Issue 25, eff. September 20, 2007; Issue 08, February 1, 2017.

18 VAC 41-70-50. Reexamination Requirements.

Any applicant who does not pass a reexamination within one year of the required to submit a new application and examination fee.

Historical Notes

Derived from Volume 23, Issue 25, eff. September 20, 2007.

18 VAC 41-70-60. Examination Administration.

A. The examination shall be administered by the board or the designated testing service. The practical examination shall be supervised by a chief examiner.

B. Every esthetics or master esthetics examiner shall hold a current Virginia license in his respective profession, have three or more years of active experience as a licensed professional, and be currently practicing in that profession. Examiners shall attend training workshops sponsored by the board or by a testing service acting on behalf of the board.

C. No certified esthetics or master esthetics instructor who (i) is currently teaching, (ii) is a school owner, or (iii) is an apprentice sponsor shall be an examiner.

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Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

D. Each expetics or master esthetics chief examiner shall (i) hold a current Virginia license in his respective procession, (ii) have five or more years of active experience in that profession, (iii) have of active experience as an examiner, and (iv) be currently practicing in his respective profession all attend training workshops sponsored by the board or by a testing service a description of the examination of respective pession, (ii) have five or more years of active experience in that profession, (iii) have three years of active experience as an examiner, and (iv) be currently practicing in his respective profession. Chief examiners shall attend training workshops sponsored by the board or by a testing service acting on

E. The applicant shall follow all procedures established by the board with regard to conduct at the examination. Such procedures shall include written instructions communicated prior to the examination date and instructions communicated at the site, either written or oral, on the date of the examination. Failure to comply with all procedures established by the board and the testing service with regard to conduct at the examination may be strought for depict of application. conduct at the examination may be grounds for denial of application.

Historical Notes

Segen Derived from Volume 23, Issue 25, eff. ember 20, 2007; amended, Virginia Register Volume 33, Issue 08, February 1, 2017.

Stockician Temporary <u>LicensePermit</u>. 18 VAC 41-70-70. Esthetician and Master E

A. A temporary licensepermit to work under the direct upervision of a currently licensed esthetician or master esthetician may be issued only to applicants in the licensure that the board finds eligible for the applicable examination. There shall be no fee for a temporary license.

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a examination. The:

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a) is issued, following the examination date.
and has successfully submitted an application.

If y person continuing to practice esthetics services all a lem,
rosecuted and fined by the Commonwealth under \$8,554,114.7 initia.

No applicant for examination shall be issued more than one termitary floates.

Temporary permits shall not be issued where grounds may exist to detail license Paraunt, to \$ 54, 100.

Historical Notes
Derived from Yolume 23, Issue 25, eff. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yolum 22, Issue 28, Felf. September 20, 2007; amended, Virginia Register Yol

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Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

Linon region w of the applicant's and all members of the record, in its discretion, may deny licensure to read in the operation of an estimate of the record in the operation of an estimate of the record in the operation of an estimate of the record in the operation of an estimate of the record in the operation of an estimate of the record in the operation of an estimate of the record in the operation of an estimate of the record in the operation of an estimate of the record in the operation of w of the applicant's and all members of the responsible management's prior disciplinary action, the pard, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in the operation of an esthetics spa. The board will decide each case by taking into account the totality of the circumstances. Any plea of nole contendere or comparable plea shall be considered a disciplinary action for the purposes of this section. The applicant shall provide a certified copy of a fall order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of ch disciplinary action.

- 2. The applicant shall disclose the applicant's physical address. A post office-box is not acceptable may be provided as a secondary address.
- 3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia esthetic license laws and this chapter.
- 4. In accordance with § <u>54.1-204</u> of the code of Virginia, each applicant shall disclose the following information about the firm and all members of the responsible management regarding criminal convictions in Virginia and all other jurisdictions
- a. All misdemeanor convictions within two years of the date of application; involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury, within two years of the date of the application; and
- b. All felony convictions within 10 20 years of the date of appulation.

All felony convictions within 10 20 years of the date of application.

Any plea of nolo contendere shall be considered a conviction repurposes of his subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may demolicensure than applicant accordance with \$54.1-204 of the Code of Virginia.

5. The applicant shall disclose the firm's responsible management. accordance with §

Boactor Barbers and Cosmetology – Esthetics Regulations and Statutes

E. . Mobile pas must have a spa license and provide a physical address.

F. E. The board of any of its agents shall be allowed to inspect during reasonable hours any licensed spa for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia or this chapter. For purpages of a board inspection, "reasonable hours" means the hours between 9 a.m. and 5 p.m.; however, the licensee generally is not open to the public substantially during the same hours, "reasonable hours" shall mean the business hours when the licensee is open to the public.

100 June 20, 2007; amended, Virginia Register Volume 33, Issue 07, eff. January 1, 2019; Volume 38, Issue 4, eff.

18 VAC 41-70-90. General Requirements or a School License.

A. Any firm wishing to operate an esthetics school shall submit an application to the board at least 60 days prior to the date for which approval is sought, obtain a school license in compliance with § 54.1-704.2 of the Code of Virginia, and meet the following palifications in order to receive a license:

1. The applicant and all members of the responsible management shall be in good standing as a licensed school in Virginia and all other jurisdictions where censed. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure, any disciplinary action taken in Virginia and all other jurisdictions by connection with the applicant's operation of any esthetics school or practice of the profession. This includes more tary penalties, fines, suspensions, revocations, surrender of a license in conjection with disciplinary estion, pertaining to services in the respective scope of practice or voluntary emination the license. He applicant shall disclose to the board at the time of application for licensury if the applicant or any more per of the responsible management has been previously licensed in Virginia as an estitetics school.

- a. All misdemeanor convictions within two years of the date of application involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury within two years of the date of the application; and
- b. All felony convictions within 10 20 years of the date of application.

Board for Barbers and Cosmetology – Esthetics Regulations and Statutes

note of nolo contendere shall be considered a conviction received from a court shall be accommod in its discretion, may deny of nolo contendere shall be considered a conviction for purposes of this subsection. The record of conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guitt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the code of Virginia.

5. The applicant shall disclose the firm's responsible management.

B. Esthetics school license are issued to firms as defined in this chapter and shall not be transferable.

and shall bear the same name and address as the school. Any changes in the name or the address of record or principal place of business of the school shall be reported to the board in writing within 30 days of such change. The board shall not be responsible for the licensee's, certificate holder's, or permit holder's failure to receive notices, communications, and correspondence caused by the licensee's, certificate holder's, or permit holder's failure to promptly notify the board in writing of any change of name or address or for any other reason beyond the control of the board. The name of the school must indicate that it is an educational institution. All signs or other advertisements must reflect the name as indicated on the license issued by the board and contain inquage indicating it is an educational institution.

C. Whenever the legal business entity holding the cense is dissolved or altered to form a new business

C. Whenever the legal business entity holding the cense is dissolved or altered to form a new business entity, the original license becomes void and The fire must notify the beard within 30 days of the change and destroy the license, and shall be returned the board within 30 days of the change. Additionally, the firm shall apply for a new license within 30 days of the change in business entity. Such changes include:

1. Death of a sole proprietor;

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Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

The applicant shall be in good standing as a licensed overy jurisdiction where licensed. The applicant shall be in good standing as a licensed overy jurisdiction where licensed. The applicant shall be in good standing as a licensed overy jurisdiction where licensed. The applicant shall be in good standing as a licensed overy jurisdiction where licensed. The applicant shall be in good standing as a licensed overy jurisdiction where licensed. The applicant shall be in good standing as a licensed overy jurisdiction where licensed. The applicant shall be in good standing as a licensed overy jurisdiction where licensed. The applicant shall be in good standing as a licensed overy jurisdiction where licensed. The applicant shall be in good standing as a licensed overy jurisdiction where licensed. The applicant shall be in good standing as a licensed overy jurisdiction where licensed. The applicant shall be in good standing as a licensed overy jurisdiction where licensed. The applicant shall be in good standing as a licensed overy jurisdiction where licensed is a licensed over the license of the 1. The applicant shall be in good standing as a licensed esthetician or master esthetician in Virginia and all office every jurisdiction where licensed. The applicant shall disclose to the board at the time of application for icensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's practice as an esthetician or master esthetician. This includes monetary penalties, fines, suspensions revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure whether he is been previously licensed in Virginia as an esthetician or master esthetician.

Upon review of the applicant's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it do me the applicant is unfit or unsuited to engage in esthetics or master esthetics. The board will decise each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this section. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action;

- 2. The applicant shall hold a current Virginia esthetics esthetician or master esthetician license;
- 3. The applicant shall complete one of the following qualifications:

 1. The applicant shall complete one of the following qualifications:
 - stsecondary educational level; or a. Pass a course in teaching techniques at th
 - A CS Cosmetology under the supervision of a certified est Quies instructor or master esthetics in an esthetics school and pass an exemplation of a certified est Quies instructor or master esthetics in an esthetics school and pass an exemplation. master esthetics instructor in an esthetics school and pass an examination in esthetics or by a testing service acting on behalf of the board; and ministered by the board

Senetics.

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c by a testing servic.

2. Pass an instructor examination.

behalf of the board.

accordance with § 54.1-204 of the Code of Virginia,
rmation regarding criminal convictions in Virginia and all locations and by a little flow, convictions within 20-10 years of the date of the application; and

b. All felony convictions within 20-10 years of the date of application.

Any plea of noto contendere shall be considered a conviction for purposes of this subsection of the record of a conviction received from a court shall be accepted as prima facie evidence of a conviction received from a court shall be accepted as prima facie evidence of a conviction received from a court shall be accepted as prima facie evidence of a conviction received from a court shall be accepted as prima facie evidence of a conviction received from a court shall be accepted as prima facie evidence of a conviction received from a court shall be accepted as prima facie evidence of a conviction received from a court shall be accepted as prima facie evidence of a conviction received from a court shall be accepted as prima facie evidence of a conviction received from a court shall be accepted as prima facie evidence of a conviction received from a court shall be accepted as prima facie evidence of a conviction received from a court shall be accepted as prima facie evidence of a conviction received from a court shall be accepted as prima facie evidence of a conviction received from a court shall be accepted as prima facie evidence of a conviction received from a court shall be accepted as prima facie evidence of a conviction received from a convic

- B. Instructors shall be required to maintain a Virginia esthetician or master esthetician license.
- B. Underlying esthetician or master esthetican license, are not required to be renewed if the respective instructor license is currently active.
- C. Certified instructors may teach in any profession in which they hold the underlying license

Historical Notes

Derived from Volume 23, Issue 25, eff. September 20, 2007; amended, Virginia Register Volume 33, <u>Issue 08</u>, February 1, 2017; <u>Volume 38</u>, <u>Issue 4</u>, eff. December 1, 2021.

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18 VAC 41-10-105. Student Instructor Temporary Permit.

19 Vac 41-10-105. Student Instructor Temporary Permit.

10 Vac 41-10-105. Student Instructor Temporary Permit.

11 Vac 41-10-105. Student Instructor Temporary Permit.

12 Vac 41-10-105. Student Instructor Temporary Permit.

13 Vac 41-10-105. Student Instructor Temporary Permit.

14 Vac 41-10-105. Student Instructor Temporary Permit.

A. A licensed esthetician or master esthetician may be granted a-twelve (12) month student instructor temporary permit to postion under the direct supervision of a confided in a confidence of the direct supervision of the direct supervision of a confidence of the direct supervision of ction under the direct supervision of a certified instructor in a licensed school. No ictor temporary permit shall be issued.

B. Student instructors may such maintain an esthetician or make ch in any professiion in which they hold the underlying license. Failure to esthetician license shall disqualify an individual from holding a student instructor temporary permit

C. Temporary permits shall not be is the dwhere grounds may exist to deny a license pursuant to § 54.1-204 of the Code of Virginia or 10 voo

Master Esthetics Instructor Certificate.

A. Any individual wishing to engage in master esth instruction shall meet the following qualifications:

ching to engage.

I chall be in good standing sensere incomed. The applicant shall discovere incomed. The applicant shall discovere incomed the standing sensere incomed the standing sensere incomed the standing sensere incomed the standing sensere income sensere incomed the standing sensere income sensere incomed the standing sensere income sensere inco 1. The applicant shall be in good standing as a licensed master esthetician in Virginia and all other jurisdictions where licensed. The applicant shall disclose to the board of the time of application for license. The applicant shall disclose to the board of the time of application for applicant shall disclose to the board of the time of application for applicant spractice as a master esthetician. This includes many tary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or columnary termination license. The applicant shall disclose to the connection with a disciplinary action, or columnary termination license. license. The applicant shall disclose to the board at the time of has been previously licensed in Virginia as an esthet

Upon review of the applicant's prior disciplinary action, they to any applicant whereight described to any applicant wherein it deems the applicant is unfit or uns plea of nolo contendere or comparable plea shall be considered of this section. The applicant shall be considered. esthetics. The board will decide each case by taking into acc of this section. The applicant shall provide a certified copy of a fine a court, regulatory agency, or board with the lawful authority to issue decision, and such copy shall be admissible as prima facie evidence of

- 2. The applicant shall hold a current Virginia master esthetician license;
- 3. The applicant shall complete one of the following qualifications:
- 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:

Any plea of nolo contendere shall be considered a conviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction

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or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 Who Code of Virginia.

A shalf be required to maintain a Virginia master esthetician license.

Historical Notes
Derived from Volume 23, eue 25, eff. September 20, 2007; amended, Virginia Register Volume 33, Issue 08, February 1, 2017 Volume 38, Issue 4, eff. December 1, 2021.

PART III.

FEES.

The following fees are nonrefundable and shall not be prorated: apply:

AMOUNT DUE

AMOUNT DUE

AMOUNT DUE

FEE TYPE	AMOUNT DUE September 1, 2022, through August 31, 2024	AMOUNT DUE September 1, 2034, and after	WHEN DUE
Individuals:			
Application	\$90		With application
License by Endorsement	\$90	\$105	n application
Renewal	\$90	\$105	With relieval card prior to expiration date
Reinstatement	\$180* *includes \$90 renewal fee and \$90 reinstatement fee	\$210 *includes \$105 prewal fee and \$105 reinstatement fee	With reinstatement
Instructors:			O _R
Application	\$110	\$125	With application
License by Endorsement	\$110	\$125	With application
Renewal	\$110	\$105	With renewal card prior to expiration date
Reinstatement	\$220* *includes \$110 renewal fee and \$110 reinstatement fee	\$210* *includes \$105 renewal fee and \$105 reinstatement fee	With reinstatement application
Spas:			

Boart of Barbers and Cosmetolo	\$165	utes				
Renewal	\$165	\$190	With renewal card prior to expiration date			
Reinstatement 17	\$330* *includes \$165 renewal fee and \$165 reinstatement fee	\$380* *includes \$190 renewal fee and \$190 reinstatement fee	With reinstatement application			
Schools:	in I					
Application	\$185	\$220	With application			
Renewal	3 185	\$220	With renewal card prior to expiration date			
Reinstatement	*includes \$185 Pewal fee and \$185 reinstatement fee	\$440* *includes \$220 renewal fee and \$220 reinstatement fee	With reinstatement application			
Derived from Volume 23, Is September 1, 2011; Volum 2016; Volume 34, Issue 22 38. Issue 25, eff. September 18 VAC 41-70-130. Refund All fees are nonrefundable	essue 25, eff. September 20, 2 e 30, Issue 10, eff. March 1, 2 eff. June 25, 2018; ; Volume er 1, 2022.	2007; amended, Voltage 2 2014; Voltage 32, Issue 3 3 36, Issue 21, eff. Septen	7, Issue 23, eff. 4, eff. September 1, hber 1, 2020; Volume			
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Derived from Volume 23, Is September 1, 2011; Volume 2016; Volume 34, Issue 22 38, Issue 25, eff. September 18 VAC 41-70-130. Refund All fees are nonrefundable. Historical Notes Derived from Volume 23, Is Derived from Volume 24, Is Deriv	\$185 *includes \$185 enewal fee and \$185 reinstatement fee and \$185 reinsta	2007; amended, Voltage 2 2014; Voltage 32, Issue 3 2036, Issue 34, eff. Septen 2007. V. TATEMENT. Illation will mail a renewal r his notice, however, shall the renewal notice, a copy the required fee.	notice to the licensee not relieve the licensee y of the old license may	led as regulation	DO OFFICIAL A	

Board of Barbers and Cosmetology – Esthetics Regulations and Statutes

Derived from Volume 23, Issue 25, eff. September 20, 2007

Eailure to Renew. Volume 23, Issue 25, eff. September 20, 2007.

18 VAC 41-70-160. Failure to Renew.

A. When a licenseelic used of certified individual or business entity fails to renew its license within 30 to the license by submitting t days following its expirate date, the licensee shall apply for reinstatement of the license by submitting to the Department of Professional and Occupational Regulation a reinstatement application and renewal fee and reinstatement fee.

B. When a licensed or certified individual or business entity fails to renew its license within two years.

B. When a licensed or certified individual or business entity fails to renew its license within two years following the expiration date, reinstant ment is no longer possible. To resume practice: When a licensee fails to renew its license within two years following the expiration date, reinstatement is no longer following the expiration date, reinstar spent is no longer possible. To resume practice: When a licensee fails to renew its license within two years following the expiration date, reinstatement is no longer possible. To resume practice;, the former bensee shall apply for licensure as a new applicant and shall meet all current entry requirements for east espective license. Individuals applying for licensure under this section shall be eligible to apply for a tentograry license from the board under 18 VAC 41-70-70.

1. The former licensee or certificate holder shall apply for licensure or certification as a new applicant and shall meet all current entry requirements for the spective license or certificate. Individuals applying for licensure under this section shall be eligible to apply for a temporary license from the board under 18VAC41-70-70.

2. An individual initially granted licensure under an examination pursuant to § 54.1-703.3 of the Code of Virginia shall submit a

individual interests of the application are successful to the application of reinstatement for a school shall provide (i) the reason for interests shall submit a new application of training waiver provision and accordance wars shall submit a new application and application package. Reinstatement will be considered by the school have been notified in writing that the school's license has expired. For interest in a special provision is a submitted in writing that the school's license has expired. For interest in a special provision is a submitted by the school and if the school's records are maintained in accordance with 18 VAC 4.1-70-230 and 18 VAC 4.1-70-240 and 18 VAC 4.1-

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Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

When advense or certificate is reinstated, the licensee of the last day of the last day

nse or certificate is reinstated, the licensee or certificate holder shall be assigned an wo years from the date of the last day of the month of reinstatement.

F. A licensee that einstates its license shall be regarded as having been continuously licensed without interruption. Therefore •a licensee shall be subject to the authority of the board for activities performed prior to reinstatement.

G. A licensee that fails to restate its license shall be regarded as unlicensed from the expiration date of the license forward. Nothing in this chapter shall divest the board of its authority to discipline a licensee for a violation of the law or regulations during the period of time for which the individual or business entity was licensed.

Historical Notes

. Sepember 20, 2007; amended, Virginia Register Volume 33, Derived from Volume 23, Issue 25, eff. Issue 08, February 1, 2017.

ESTHETIC SCHOOLS.

Historical Notes
Derived from Volume 23, Issue 25, eff. September 20, 2007; reported, Virginia Register Volum 08, February 1, 2017.

18 VAC 41-70-180. General Requirements.

An esthetics school shall:

1. Hold a school license for each and every location.

2. Hold a spa license if the school receives compensation for services provided in the clinic.

3. For esthetics courses, employ a staff of licensed and certified aethorical receives compensation for services provided in the clinic.

- **Notes*
 om Volume 23, Issue 25, eff. September 20, 2007».
 Jany 1, 2017.

 41-70-180. General Requirements.
 Hold a school license for each and every location.
 Hold a school license for each and every location.

 **Notes*
 Hold a school license if the school receives compensation for service provided in Golinic.

 3. For esthetics courses, employ a staff of licensed and certified esthetic spirtlyctors organised and certified master esthetics instructors.

 a. Licensed and certified esthetics instructors and master esthetics instructors may also instructors.

 **Ordange in instructors shall be reported to the board within 30 days of the change.

 **hetics courses, employ a staff of licensed and certified master esthetics instructors.

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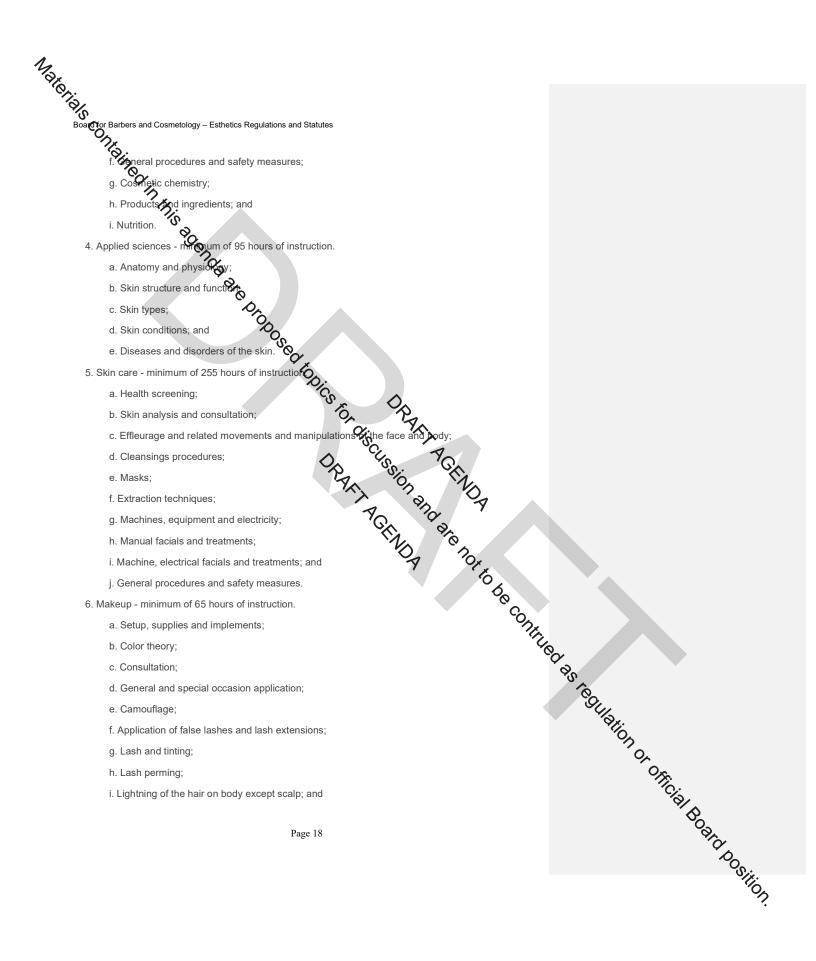
Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

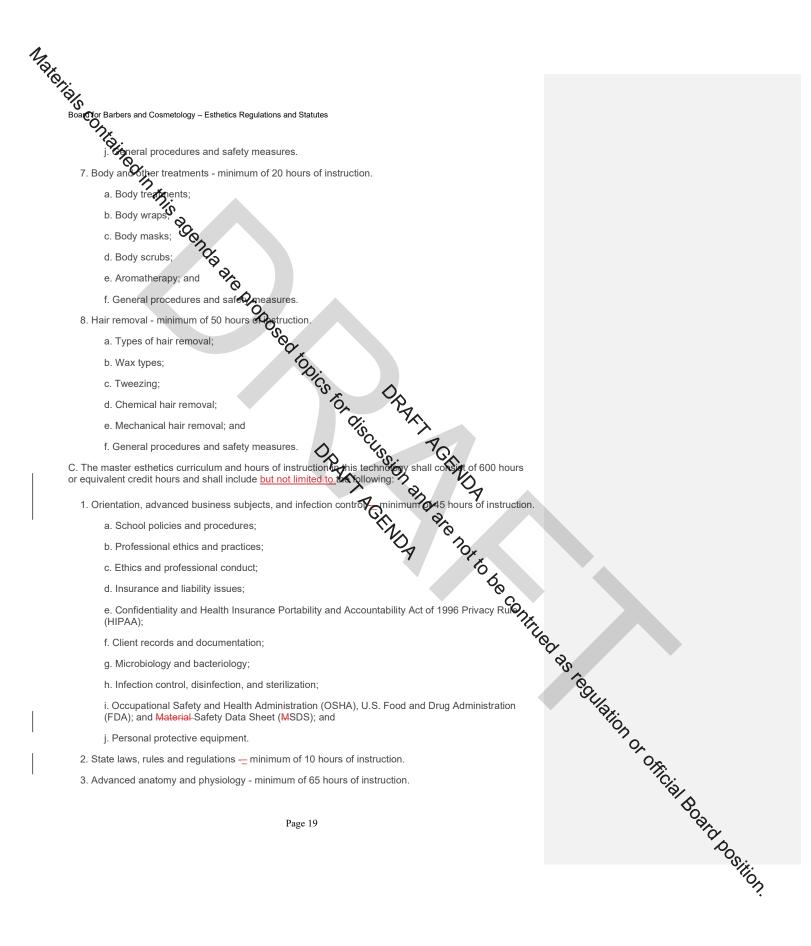
Information public that all services are performed by strated in its clinic by posting a notice in the regrate fr

he public that all services are performed by students if the school receives compensation for services povided in its clinic by posting a notice in the reception area of the spa in plain view of the

- 8. Conduct classifym instruction in an area separate from the clinic area where practical instruction is conducted and services are provided.

Act practical Equation in a state of control of the control of the





- - r existal microdermabrasion; b. Indications and contraindications for
 - c. General procedures and safety measures or crystal microdermabrasion;
 - d. Indications and contraindications for crystal-free microdermabrasion and dermaplaning;
 - e. General procedures and safety measures for crystal free micro abrasion and dermaplaning;
 - f. Equipment safety: crystal and crystal-free microdermab
 - g. Waste disposal, Occupational Safety and Heart Administra
 - h. Introduction to microdermabrasion techniques and poper proto
 - i. Machine parts, operation, protocols, care, waste disposak
 - j. Practical application and consultation for crystal microderm
 - k. Practical application and consultation for crystal-free microderr and
 - I. Pretreatment and posttreatment for microdermabrasion.
- 5. Advanced procedures and chemical exfoliation minimum of 270 hours of instruction.
 - a. Advanced skin analysis and consultation and health screening and documentation;
 - b. Advanced procedures, light treatments, light-emitting diode (LED), intense pulsed light device (IPL);
 - c. Advanced manual, machine, and electric treatments, microcurrent, and ultrasound;
 - d. Introduction to chemical exfoliation and peels of the epidermis;
 - e. Fundamentals of skin care associated with chemical exfoliation and peels and wound healing;
 - f. Pretreatment and posttreatment for chemical exfoliation and peels;
 - g. Assessing suitability and predicting chemical exfoliation efficacy;
 - h. General practical application and consultation protocols;

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Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

i. Practical application and consultation for enzymes, herbal exfoliations, and vitamin-based peels

indications and contraindications for enzymes, herbal exfoliations, and vitamin-based peels

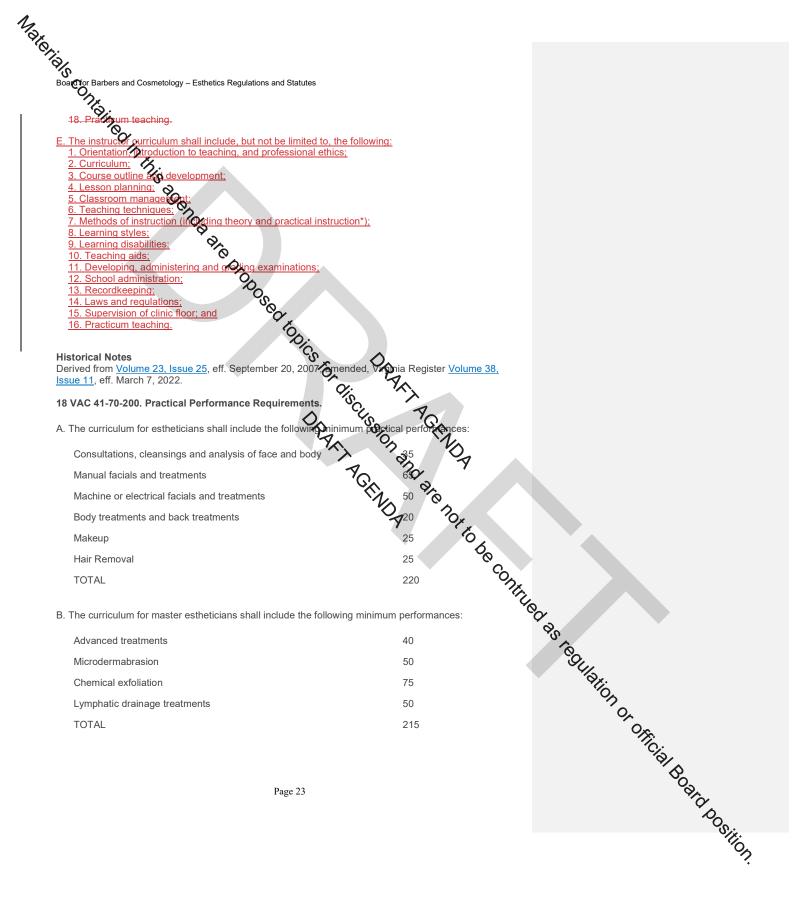
and safety measures for herbal exfoliations, and vitamin-based peels; j. Indicators and contraindications for enzymes, herbal exfoliations, and vitamin-based peels; k. General projectures and safety measures for herbal exfoliations, and vitamin-based peels; m. Practical application and consultation for alpha hydroxy peels; n. Indications and contraindications for alpha hydroxy peels; o. General procedures and salety measures for alpha hydroxy peels; p. Pretreatment and posttreatment or alpha hydroxy peels; q. Practical application and consultation for beta hydroxy peels; r. Indications and contraindications for bein bydroxy peels; s. General procedures and safety measures t. Pretreatment and posttreatment for beta hydroxy u. Practical application and consultation for Jessner and Modified v. Indications and contraindications for Jessner and Modified Jessner Deels; Show are not to be continued as requisition or official Board position. w. General procedures and safety measures for seaner and Modified x. Pretreatment and posttreatment for Jessner and Modified Jessner peels; y. Practical application and consultation for trichloracetic active z. Indications and contraindications for trichloracetic acid pee aa. General procedures and safety measures for trichloracetic bb. Pretreatment and posttreatment for trichloracetic acid peels. 6. Lymphatic drainage - minimum of 120 hours of instruction. a. Introduction to lymphatic drainage;

- b. Tissues and organs of the lymphatic system;
- c. Functions of the lymphatic system;
- d. Immunity;
- e. Etiology of edema;
- f. Indications and contraindications for lymphatic drainage;
- g. Lymphatic drainage manipulations and movements;
- h. Face and neck treatment sequence;
- i. Lymphatic drainage on the trunk and upper extremities;

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described and the second property of the seco



Derived from Solume 23, Issue 25, eff. September 20, 2007.

18 VAC 41-70-210. School Equipment.

A. For an esthetics course, an esthetics school must have at least one treatment table, one magnifier lamp, one steamer, one stustable stool, and one table for instruments and products for each two students enrolled in the class

B. For each procedure taught in each esthetics curriculum, the esthetics school must have at least one set of the applicable equipment for each three students enrolled in the class.

C. For a master esthetics course, an expetics school must have at least one treatment table, one woods lamp, one adjustable stool, and one table of instruments and products for each two students enrolled in the class. the class.

D. For each procedure taught in the master estherins curriculum, the esthetics school must have at least one set of the applicable equipment for each six students enrolled in the class.

Historical Notes

Derived from Volume 23, Issue 25, eff. September 20, 2007.

18 VAC 41-70-220. School Identification (Repealed.)

Historical Notes

Derived from Volume 23, Issue 25, eff. September 20, 2007, repealed Virginia Register Volume 33, Issue 08, February 1, 2017.

18 VAC 41-70-230. Records.

A. Schools shall maintain on the premises of each school and available for inspection by the board or any of its agents the following records for the period of a student's enrollment through five years after the student's completion of the curriculum, termination, or withdrawal:

1. Enrollment application containing the student's signature and a two-inchesy two-inch shoulders photograph of the student,

2. Daily record of attendance containing the student's signature,

3. Student clock hours containing the student's signature and method of calculation,

4. Practical performance completion sheets containing the student's signature,

5. Final transcript,

6. Competency examinations used to award credit,

7. Course descriptions, and

8. All other relevant documents that account for a student's accrued clock hours and practical applications.

B. Schools shall produce to the board or any of its agents, within 10 days of the request, any document, book, or record concerning any student, or for which the licensee is required to maintain records, for inspection and copying by the board or its agents. The board may extend such timeframe upon a showing of extenuating circumstances prohibiting delivery within such 10-day period.

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Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

Chool shall, within 21 days upon receipt of a written re
formances completed by the student as re

all, within 21 days upon receipt of a written request from a student, provide documentation of hours and performances completed by the student as required to be maintained by subsection A of this

D. Prior to a school changing ownership or a school closing, the school is required to provide to current students documentation of hours and performances completed.

Over a school changes ownership, the school shall provide, within 21 days quest from a student, documentation of hours and performances completed E. For a period of one year upon receipt of a written requ rom a student, documentation of hours and performances completed by a current student.

Historical Notes

5, eff September 20, 2007; amended, Virginia Register Volume 33, Derived from Volume 23, Issue 25, Issue 08, February 1, 2017.

18 VAC 41-70-240. Reporting.

A. Schools shall provide, in a manner, format, and frequency prescribed by the board, a roster of all current students and a roster of students who attended in the preceding six months prior to the repo the preceding six months prior to the reporting

n 3u con shall produce to completed us.

rical Notes ed from Volume 23. Issue 25, eff. Septes...
208. February 1, 2017.

PART VI.

STANDARDS OF PRACTICE.

STANDARDS OF PRACTICE.

A. Each licensed spa or school shall ensure that no licensee or student performs any service by and the scope of practice for the esthetician or master esthetician license.

B. For chemical exfoliation of the epidermis by a licensed master esthetician, the standards for use continued by the B. Within 30 days of ceasing to operate, whether through displution or all ion of the business entity, the school shall provide a written report to the board on performances and my who has not completed the program. of each of its students

Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

4 Herbarexfoliators.

23, Issue 25, eff. September 20, 2007.

18 VAC 41-70-260. Display of License.

A. Each licensed spa or supply shall ensure that all current licenses and temporary licenses issued by the board shall be displayed in plan view of the public either in the reception area or at individual work stations of the spa or school. Displayed licenses or temporary licenses shall be posted in a like manner in every spa or school location where the licensee or temporary license holder provides services.

B. All licensees and temporary license halders shall operate under the name in which the license or

temporary license is issued.

C. Proof of apprenticeship registration issued by the Department of Labor and Industry (DOLI) shall be displayed in plain view of the public either in the reception area of tindividual work stations of the shop or salon. The properties expect shall require each apprentice to wear a badge clearly indicating his status as a DOLI registered C. Proof of apprentice general require each apprentice to wear a badge clearly indicating his status apprentice.

C. Proof of apprenticeship registration issued by the Department of Labor and Industry shall be reception area or at individual work actions of the spa.

nd Industry shall be displayed

- Il Notes
 from Volume 23, Issue 25, b...
 j. February 1, 2017.

 241-70-270. Sanitation and Safety Standards
 ...
 alitation and safety standards.

 Any spa or school where esthetics services are delivered to the project must be...
 It times.

 2. Compliance with these rules does not confer compliance with other redifferents self-crip by federal, state, and local laws, codes, ordinances, and regulations as they apply to business operation, physical construction and maintenance, safety, and public health.

 3. Licensees shall take sufficient measures to prevent the transmission of communicable and interview of the self-construction and sufficient measures to prevent the transmission of communicable and interview of the sanitation standards identified in this section and shall ensure that all the self-construction of the salidards in the requirements.

 **Insinfection and storage of implements.

 **Insinfection and storage of i

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- Board or Barbers and Cosmetology Esthetics Regulations and Statutes

 a. Remove all foreign matter from the object, utilizing a brush if needed. Drill bits are to be soaked in acetone and prubbed with a wire brush to remove all foreign matter;

 with hot water and soap;

 and dry thoroughly with a clean paper towel;

 are a minimum of 10 minutes; and

 - d. Fully immerse implements into wet disinfectant solution for a minimum of 10 minutes; and

 e. After immersion, rinse articles dry thoroughly with a clean paper towel, and store in a clean, predisinfected, and dry content, or nonairtight sealed covered container, or leave instruments in an EDA registered wet disinfection unit storage solution used according to manufacture. instruments in an EPA-registered wat disinfection unit storage solution used according to manufacturer's directions.
 - 3. Single-use items designed by the naturacturer for use on no more than one client should be discarded immediately after use on each dividual client, including <u>but not limited to</u> powder puffs, lip color, cheek color, sponges, styptic pencil <u>wood implements, chamois, or skin nail</u> care implements or disposable razors. The disinfection and receipt of these items is not permitted and the use of single-

 - John, check.

 I disposable razors.

 Ise items on more than one check.

 1. For the purpose of recharging, rechargeable toology.

 Ithan in a closed cabinet or container. This area shall be clean.

 5. Disinfection of multiuse implements constructed of hard proportions and crials such as or plastic that the manufacturer designed for use on more than one client. Soluding galvanic electric to be carried out in the following manner prior to servicing a priority and a servicing a priority with hot water and soap:

 And dry thoroughly with a clean report towel:

 I minimum of 10 minutes; and rials such as metal, glass, iding galvanic electrodes
 - Be the third that is the provided of the provi

Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

**Comment dations. They shall be cleaned and disinfected.

dations. They shall be cleaned and disinfected immediately after each client in the following

- b. Clean the surfaces and walls with soap or detergent to remove all visible debris, oils, and product residues and then rinse with water; with water;
- wing the surface with an EPA-registered disinfectant that is bactericidal, and in accordance with manufacturer directions: c. Disinfect by spraying or virucidal, and fungicidal; and
- d. Wipe dry with a clean towel.
- C. General sanitation and safety requirements.
 - 1. Service chairs, workstations and works, and back bars shall be clean;
 - 2. The floor surface in all work areas must be the washable surface other than carpet. The floor must be kept clean and free of debris, nail clippings, dropped articles, spills, clutter, trash, electrical cords, other waste materials, and other items that may pure a hazard;
 - 3. All furniture, fixtures, walls, floors, windows, and certings shall be in sood repair and free of water 3. All turniture, lixtures, wants, needs, seepage and dirt. All mats shall be secured or shall lie flat
 - 4. A fully functional bathroom with a working toilet and sink more be available for clients. There must be hot and cold running water. Fixtures must be in good condition the bathroom must be lighted and sufficiently ventilated. There must be soap and clean single-use levels or hand ar-drying device for the client's use. For facilities newly occupied after January 1, 2017, the bathroom stall be maintained exclusively for client use or shared with other businesses in the same suilding. If the pathroom is shared, the bathroom shall be available for client use and within 200 feet of the entrants and must adhere to all sanitation requirements of this chapter;
 - 5. General areas for client use must be neat and clean with a water eceptacle or common trash;
 - 6. Electrical cords shall be placed to prevent entanglement by the client icenseeond electrical outlets shall be covered by plates;
 - outlets shall be covered by places,

 7. All sharp tools, implements, and heat-producing appliances shall be in safe working order at all times, safely stored, and placed so as to prevent any accidental injury to the client or licensees.
 - 8. The spa area shall be sufficiently ventilated to exhaust hazardous or objectionable airborne chemicals and to allow the free flow of air; and
 - 9. Adequate lighting shall be provided.
- D. Articles, tools, and products.
 - 1. Any multiuse article, tool, or product that cannot be cleansed or disinfected is prohibited from use;
 - 2. Soiled implements must be removed from the tops of work stations immediately after use;
 - 3. Clean spatulas, other clean tools, or clean disposable gloves shall be used to remove bulk substances from containers;
 - 4. Any multiuse article, tool, or product that cannot be disinfected by full immersion as specified in 18VAC41-70-270.B.2 or cleaned according to manufactor's recommendation, including but not limited to natural hair brushes or neck dusters, is prohibited from use.

S CONTRUENT AS TEQUIATION OF OFFICIAL BOARD POSITION.

Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

Continued to comments, creams, and powders shall be active shall be used to remove creams or othe comments, and powders. Comments and powders. Comments and powders. ointments, creams, and powders shall be accurately labeled and kept in closed containers. Formatted: Strikethrough A clean struta shall be used to remove creams or other products from jars. Sterile cotton or sponges shall be used to apply creams, lotions, and powders. Cosmetic containers shall be covered after each use: 56. All appliances soll be safely stored; Formatted: Strikethrough implements, linens, and equipment shall be stored for use in a sanitary 67. Presanitized tools Formatted: Strikethrough receptacle; enclosed cabinet or co 78. Clean towels, robes, or r linens shall be used for each patron. Clean towels, robes, or other Formatted: Strikethrough linens shall be stored in a clean pedisinfected and dry cabinet, drawer, or nonairtight covered container. Soiled towels, robes, or ther linens shall be stored in a container enclosed on all sides including the top, except if stored in peparate laundry room; 89. No substance other than a sterile sixon powder or sterile liquid astringent approved for homeostasis and applied with a sterile single use applicator shall be used to check bleeding; and Formatted: Strikethrough sic bag and repartment of Health ...

J storage and emergency information.

and schools shall have in the immediate working arcoprovided by manufacturers for any chemical products used, as and schools shall have a blood spill clean-up for the working arcoprovided by manufacturers for any chemical products used, gloves, two 12-inch by 12-inch towels, one disposal buriesh bag repach, one was with face sheld or any OSHA-approved blockspoil clean-up in the working arcoproved blocks 910. Any disposable material making contact with blood or other body fluid shall be disposed of in a Formatted: Strikethrough sealed plastic bag and removed from the spa or spool in accordance with the guidelines of the Virginia Department of Health and OSHA (Occupational Safety and Health Administration). E. Chemical storage and emergency information.

F. Client health guidelines.

G. In addition to the requirements set forth in this section, all licensees and temporary license holders shall adhere to regulations and guidelines established by the Virginia Department of Health and the Occupational and Safety Division of the Virginia Department of Labor and Industry.

Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

All spassing schools shall immediately report the results and of Health as required by § 54.1-705 of

and schools shall immediately report the results of any inspection of the spa or school by the Virginia Department of Health as required by § 54.1-705 of the Code of Virginia.

I. All spas and schools shall conduct a self-inspection on an annual basis and maintain a self-inspection form on file for five years so that it may be requested and reviewed by the board at its discretion.

Historical Notes

25, eff. September 20, 2007; amended, Virginia Register Volume 33, Derived from Volume 23 Issue 08, February 1, 2017 ne 36, Issue 9, eff. February 10, 2020; Volume 39, Issue 4, eff. December 1, 2022.

18 VAC 41-70-280. Grounds for License Revocation, Probation, or Suspension, or Probation; Denial of Application, Renewal or Repostatement; or Imposition of a Monetary Penalty.

The board may, in considering the totality one circumstances, fine any licensee, certificate holder, or temporary license holder; suspend, place on probation, revoke, or refuse to issue, renew or reinstate any probation, with such terms and conditions and for license; impose a monetary penalty, place a license on probation with such terms and conditions and for such time as it may designate, suspend a license of a stated period of time; or revoke, a license issued such time as it may designate, suspend a license for a stated period of time; or revoke, a license issued certificate, or temporary license; or deny any application issued under the provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia and the chapter if the board finds that the licensee, certificate holder, permit holder, or applicant:

1. Is incompetent, negligent, in practice, or incapable mentally or physic nable to practice with skill

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Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

Makes any misrepresentation or publishes or causes
or misleading;

any misrepresentation or publishes or causes to be published any advertisement that is

11. Fails to notify the board in writing within 30 days of the suspension, revocation, or surrender of a license or temporary license in connection with a disciplinary action in any jurisdiction or of any license or temporary license that has been the subject of disciplinary action in any jurisdiction; of final action, of

12. Has been convicted or found quilty, regardless of the manner of adjudication, in Virginia or any other jurisdiction of the United States of a misdemeanor involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury or any felony, there being no appeal pending therefrom or the time for appeal having elapsed. Notice wo for convictions shall be subject to the requirements of § 54.1-204 of the Code of Virginia. Any physof nolo contendere shall be considered a conviction for purposes of this subdivision. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the residiction where convicted shall be admissible as prima facie evidence of such conviction or guilt;

13. Fails to inform the board in writing within 30 days of pleading guilty or nolo contendere or being convicted or found guilty regardless of adjudication of convictions as stated in subdivision 12 of this section;

- erson who has not obtained a license or 14. Allows, as responsible management of a spa or school, aperson who as not obtained a temporary permit to practice unless the person is duly enrolled as a registered apprentice;

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Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

Chapter 7 - Barbers and Comments of the Context requires a difference of the Context requires and Context requires

Chapter 7 - Barbers and Cosmetologists

unless the context requires a different meaning:

"Barber" means any person ho shaves, shapes or trims the beard; cuts, singes, or dyes the hair or applies lotions thereto; applies reats or massages the face, neck or scalp with oils, creams, lotions, cosmetics, antiseptics, powders plays or other preparations in connection with shaving, cutting or trimming the hair or beard, and practices barbering for compensation and when such services are not performed for the treatment of disease

"Barbering" means any one or any combination of the following acts, when done on the human body for compensation and not for the treatment of bease, shaving, shaping and trimming the beard; cutting, singeing, or dyeing the hair or applying lotions hereto; applications, treatment or massages of the face, neck or scalp with oils, creams, lotions, cosmetic, antiseptics, powders, clays, or other preparations in connection with shaving, cutting or trimming the hair or a beard. The term "barbering" shall not apply to the acts described hereinabove when performed by the property person in his home if such service is not offered to the sublice. to the public.

"Barber instructor" means any person who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of

"Barbershop" means any establishment or place of business within of barbering is engaged in or carried on by one or more barbers.

"Board" means the Board for Barbers and Cosmetology.

"Body-piercer" means any person who for remuneration penetra mark, or scar, generally permanent in nature.

a hole, may or scar, generally "Body-piercing" means the act of penetrating the skin of a person to n permanent in nature.

ig iffe "Body-piercing salon" means any place in which a fee is charged for the act of penetrating person to make a hole, mark, or scar, generally permanent in nature.

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

"Cosmetologist" means any person who administers cosmetic treatments; manicures or pedicures the nails of any person; arranges, dresses, curls, waves, cuts, shapes, singes, waxes, tweezes, shaves, bleaches, colors, relaxes, straightens, or performs similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances unless such acts as adjusting, combing, or brushing prestyled wigs or hairpieces do not alter the prestyled nature of the wig or hairpiece, and practices cosmetology for compensation. The term "cosmetologist" shall not include hair braiding upon human hair, or a wig or hairpiece.

"Cosmetology" includes, but is not limited to, the following practices: administering cosmetic treatments; manicuring or pedicuring the nails of any person; arranging, dressing, curling, waving, cutting, shaping, singeing, waxing, tweezing, shaving, bleaching, coloring, relaxing, straightening, or similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances, but shall not include hair braiding upon human hair, or a wig or hairpiece, or such acts as adjusting, combing, or brushing prestyled wigs or hairpieces when such acts do not alter the prestyled nature of the wig or hairpiece.

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Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

"Cosmetology Ostructor" means a person who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of an analysis of the Board as an instructor of an any commercial establishment, residence, vehicle or other establishment, and of the Board.

"The compensation." The compensation.

place or event wherein competology is offered or practiced on a regular basis for compensation and may include the training of appropriate under regulations of the Board.

"Esthetics" includes, but is not limited to, the following practices of administering cosmetic treatments to enhance or improve the appearance of the skin: cleansing, toning, performing effleurage or other related movements, stimulating, exfoliating, or performing any other similar procedure on the skin of the human body or scalp by means of cosmetic preparations, treatments, or any nonlaser device, whether by electrical, mechanical, or manual means, for ore of the skin; applying make-up or eyelashes to any person, tinting or perming eyelashes and eyebbys, and lightening hair on the body except the scalp; and removing unwanted hair from the body of any person by the use of any nonlaser device, by tweezing, or by use of chemical or mechanical means. However, asthetics" is not a healing art and shall not include removing unwanted hair from the body of any person by the use or any noniaser device, by tweezing, or by use of chemical or mechanical means. However, esthetics" is not a healing art and shall not include any practice, activity, or treatment that constitutes the pactice of medicine, osteopathic medicine, or chiropractic. The terms "healing arts," "practice of medicine," "practice of osteopathic medicine," and "practice of chiropractic" shall mean the same as those terms are defined by 54.1-2900.

"Esthetics instructor" means a licensed esthetician who has been certified by be Board as having completed an approved curriculum and who meets the competer a standards of the Board as an instructor of esthetics.

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tics instructor" means a Inc...
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ctor of esthetics.

netics spa" means any commercial establishment,
vent wherein esthetics is offered or practiced on a regular
as Board.

aster barber" means a licensed barber who, in addition to the profice of bacjudging, bileaching, relaxing, or straightening upon human hair; perifically similar wey
airplece; or performs waxing limited to the scalp.

Master esthetician" means a licensed esthetician who, in addition to the profice of similar wey
airplece; or performs waxing limited to the scalp.

Master esthetician means a licensed esthetician who, in addition to the profice of similar wey
airplece; or performs waxing limited to the scalp.

Master esthetician" means a licensed esthetician who, in addition to the profice of esthetics, offers in
the public for compensation, without the use of laser technology, lymphatic definage, chemical exploitation with products other than Schedules Il through
roractice lymphatic drainage, chemical exploitation with products other than Schedules Il through
controlled substances as defined in the Drug Control Act (§ 54.1.3400 et seq.), and microdermativation of
the epidermis.

"Nail care" means manicuring or pedicuring natural nails or performing artificial nail services.

"nn" means any commercial establishment, residence, wehicle or other establishment, place or
"nail care is offered or practiced on a regular basis for compensation and may include the
"no under regulations of the Board.

"nail care" means manicuring or pedicuring natural nails, or who
"combination thereof.

"nail care" who means a defined in the Drug Control Act (§ 54.1.3400 et seq.), and microdermativation of
"nail care is offered or practiced on a regular basis for compensation and may include the
"no under regulations of the Board as
"no sequence of the Board as an "no sequence of

Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

onilatory" means the wax depilatory prod

"Physical (waxdepilatory" means the wax depilatory product or substance used to remove superfluous

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

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

which tattooing is offered or practiced. "Tattoo parlor" means any place

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

"Tattooer" means any person who for remularition practices tattooing

"Tattooing" means the placing of designs, letter scrolls, figures, symbols or any other marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the under the skin of any person with ink or any outer skin, including permanent make-up or permanent je by the aid of needles or any other instrument designed to touch or puncture the skin.

"Wax technician" means any person licensed by the Board from the hair follicle using a physical (wax) depilatory or by tweezing

"Wax technician instructor" means a licensed wax technician an who has been certified by the Board as the competency standards of the Board as having completed an approved curriculum and who meets of the Board as an instructor of waxing

"Waxing" means the temporary removal of superfluous hair in of the human body through the use of a physical (wax) depilatory or by tweezing

"Waxing salon" means any commercial establishment, residence, verifie or other stablishment, place or event wherein waxing is offered or practiced on a regular basis for co nsation and may include the training of apprentices under regulations of the Board.

"Waxing school" means a place or establishment licensed by the Board to accept and transitudents in waxing. 6

1962, c. 639, § 1, § 54-83.2; 1966, c. 610; 1973, c. 86; 1974, c. 534; 1988, c. 765; 2000, c. 797, 869; 2003, c. 600; 2005, c. 829; 2012, cc. 803, 835; 2017, c. 390; 2018, cc. 219, 231, 237

The chapters of the acts of assembly referenced in the historical citation at the end of this section may constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

§ 54.1-701. Exemptions.

The provisions of this chapter shall not apply to:

- 1. Persons authorized by the laws of the Commonwealth to practice medicine and surgery or osteopathy or chiropractic;
- 2. Registered nurses licensed to practice in the Commonwealth;
- 3. Persons employed in state or local penal or correctional institutions, rehabilitation centers, sanatoria, or institutions for care and treatment of individuals with mental illness or intellectual disability, or for care and treatment of geriatric patients, as barbers, cosmetologists, wax technicians, nail technicians, estheticians,

n may bittled as regulation of official Board Position.

Page 34

Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

barber instructors, cosmetology instructors, wax technician instructors, nail technician instructors, or esthetics instructors who practice only on inmates of or patients in such sanatoria or institutions;

"ansed as funeral directors or embalmers in the Commonwealth;

"an nail care, cosmetology, was nail care, cosmetology, care, care, care, care, c

- parber, nail technician, cosmetologist, wax technician, tattooer, body-piercer,
- 6. Students enrolled in an approved school taking a course in barbering, nail care, cosmetology, waxing, tattooing, body-piercing, or esthetics:
- 7. Persons working in a cosmetology alon whose duties are expressly confined to the blow drying, arranging, dressing, curling, or cleansing of human hair;
- 8. Apprentices serving in a barbershop, nation, waxing salon, cosmetology salon, or esthetics spalicensed by the Board in accordance with the board's regulations;
- 9. Schools of barbering, nail care, waxing, or cosmetology in public schools; and
 10. Persons whose activities are confined solely to applying make-up, including such activities that are ancillary to applying make-up.

1962, c. 639, § 4, § 54-83.5; 1968, c. 622; 1988, c. 765; 200**2**, <u>726</u>; 200 797, 869; 2003, c. <u>600</u>; 2005, c. 829; 2012, cc. 476, 507, 803, 835; 2018, c. 404.

The chapters of the acts of assembly referenced in the historical citetion at the end of this section may not The chapters of the acts of assembly referenced in the constitute a comprehensive list of such chapters and many constitute a comprehensive list of such chapters and many constitute.

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1.702. Board for Barbers and Cosmetology; In.

Board for Barbers and Cosmetology shall be composed.

If be licensed barbers, one of whom may be an owner or operation, all be licensed barbers, one of whom may be an owner or operation, owner or operator of a cosmetology school; one member shall be a sale of seminary of a cosmetology school; one member shall be a sale of seminary of a cosmetology school; one member shall be a sale of seminary of a cosmetology school; one member shall be a sale of seminary of a cosmetology school; one member shall be a sale of seminary of a cosmetology school; one member shall be a sale of seminary of a cosmetology school; one sembles shall be either a licensed lattoer or a licensed body-piercer; two members shall be general or session of at least three years immediately pyfor to appoint on the sale of session and the sale of s

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have requirements for licensure as a wax technician for any individual first 1, 2002, and July 1, 2003; (ii) otherwise complies any of the following conditions:

- 1. Has at least three years of documented work experience as a wax technician that is deemed satisfactory by the Board. satisfactory by the Board; 6
- 2. Has completed a training program that deemed satisfactory by the Board; or
- 3. Holds an unexpired certificate of registration certification, or license as a wax technician issued to hir on the basis of comparable requirements by a per authority of a state, territory, or possession of the certification, or license as a wax technician issued to him United States or the District of Columbia.

2002, c. 797.

The chapters of the acts of assembly referenced in the historical citation of the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have plers v.,
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703.2. Repealed.
aled by Acts 2012, cc. 803 and 835. ci.

:hapters of the acts of assembly referenced in the,
.titute a comprehensive list of such chapters and may exv.
red.

4.1-703.3. Waiver of examination; esthaticians,
e Board shall waive the examination requirements for licensure as the state of the folking continuous control of the folking continuous regulations relating to moral turpitude; and (iii) meets any of the folking continuous regulations relating to moral turpitude; and (iii) meets any of the folking continuous regulations relating to moral turpitude; and (iii) meets any of the folking continuous regulations relating to moral turpitude; and (iii) meets any of the folking continuous regulations relating to moral turpitude; and (iii) meets any of the folking continuous regulations relating to moral turpitude; and (iii) meets any of the folking requirements of the folking regulation completed prior to July 1, 2008, that is deemed satisfactory by the Board of the folking regulation of the Julian regulation of the Julia

Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

1984, c. 220, 94-83.22:2; 1988, c. 765; 2000, c. 726.

*sts of assembly referenced in the his of such chapters and may

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

§ 54.1-704.1. License restrated for barbershop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing alon, and esthetics spa.

No individual or entity shall operate a barbershop, cosmetology salon, nail care salon, waxing salon, and the product of th

tattoo parlor, body-piercing salon, esesthetics spa 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, or estination who does not have an ownership interest in a licensed barbershop, cosmetology salon, nail care shop, waxing salon, tattoo parlor, body-piercing salon, or esthetics spa in which he is employed.

2000, c. 726; 2002, cc. 797, 869; 2003, c. 600; 2005, c. 829; 2012, cc. 803, 835.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

§ 54.1-704.2. License required for schools of barbering, cosmetology, body-piercing, or esthetics.

Except as provided in § 54.1-701, no person, firm or corporation stall operate care, waxing, tattooing,

operate of attempt to operate a

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Board or Barbers and Cosmetology – Esthetics Regulations and Statutes

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have right impose different requirements for licensure for the practice of body-piercing, and esthetics.

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BOARD FOR BARBERS AND COSMETOLOGY

REGULATORY ADVISORY PANEL

MINUTES OF MEETING

Naterials Contains Board for Barbers and Cosmetology, Regulatory Advisory Panel met on Friday, September 29, 2023, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia.

The following members were present:

Margaret LaPierre

Margaret LaPierre Renee Gilanshah Qaure Todd

Meredith Harrison

Deborah Maffie

Christine Werne

Dr. Joseph Schibner

The following members were not present

Matthew Robert

Oanh "Tina"

Kelly Hurt <

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

Kelley Smith, Executive Director

Tamika Rodriguez, Regulatory Operations Administrator

Stephen Kirschner, Deputy Director, Licensing and Regulatory Programs

Heather Garnett, Administrative Coordinator

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

Ms. LaPierre, Board Vice Chair, called the Board for Barbers and Cosmetology, Regulatory Advisory Panel meeting to order at 10 a.m.

Call to Order

Ms. LaPierre informed the Committee the mission is to review training requirements for estheticians and master estheticians to ensure training is not greater than necessary to protect or preserve public health, safety, and welfare.

Ms. Smith, Executive Director explained the emergency evacuation procedures for board room 4.

Panel members and staff introduced themselves.

Introductions

Board for Barbers and Cosmetology Regulatory Advisory Panel

Minutes of Meeting September 29, 2023

Page 2 of 2

Ms. LaPierre opened the Public Comment period of the Regulatory

Abisory Panel Meeting. rre opened the Pu.
Panel Meeting.

Judgard addressed the Panel con.
As for esthetics licenses, and hour rear esthetics training.

Smith explained the Committee's tasks. The Con.
Jinia Esthetic and Master Esthetic Curriculum items in alutory requirements of least restrictive means.
It there a specific health, safety, or welfare harm this will preve.

Jo, identify the harm.
Is training the least restrictive means to address this harm? If yes, who is the fewest number of hours are ensure the student can perform the service safely?

Ms. LaPierre stated two or three additional meetings will be scheduled at a later date.

Next Regule.
Advisory Pane.
Meeting

The being no further business, the meeting additional meetings.

Adjourn

Adjourn

BOARD FOR BARBERS AND COSMETOLOGY

REGULATORY REVIEW COMMITTEE

MINUTES OF MEETING

Naterials Contain The Board for Barbers and Cosmetology, Regulatory Review Committee met on Monday, November 13, 2023, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia.

The following committee members were present:

Matthew Roberts Margaret LaPierre Émmanuel Gayot Gregory Edwards

The following committee members were not present:

Oanh "Tina" Pham Kim Dang Marques Blackmon

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

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

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

Mr. Roberts, Board Chair, called the Board for Barbers and Cosmetology, Regulatory Review Committee meeting to order at 11:08 a.m.

Call to Order

Mr. Roberts stated Board meeting reminders.

Upon a motion by Ms. LaPierre and second by Mr. Edwards the Board voted to adopt the agenda.

Approval of Agenda Board Position.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Mr. Gayot, and Mr. Edwards. There were no negative votes. The motion carries.

Board for Barbers and Cosmetology Regulatory Review Committee Minutes of Meeting November 13, 2023 Page 2 of 2

Mr. Roberts opened the Public Comment period of the Regulatory Review Committee Meeting.

Public Comment

There were no public comments.

The Committee continued the review of the Barber and Cosmetology Regulations Esthetics, Tattoo Regulations, and Body-Piercing Regulations to determine if the regulation is necessary to protect the health, welfare, and safety of the public. The regulation was amended or removed if it does not currently meet those requirements.

Continued Review of Barbers and Cosmetology. Esthetics, Tattoo, and **Body-Piercing** Regulations

Upon a motion by Ms. PaPierre and second by Mr. Edwards, the Committee voted to advance the proposed changes to the regulations with any style or technical changes required by staff to the full Board at the January 29, 2023, Board meeting.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Mr. Gayot, and Mr. Edwards. There were no negative votes. The motion carries.

The Committee reviewed the State Apprenticeship Standards for cosmetology to have them align with the lowering of the cosmetology training to 1,000 hours. The Apprenticeship Standards were amended to align with the 1,000-hour cosmetology program.

Lowering Cosmetology **Apprenticeship** Hours

Upon a motion by Ms. LaPierre and second by Mr. Gayot, the Committee voted to advance the proposed changes to the Apprenticeship Standards to the full Board at the January 29, 2023, Board meeting.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Mr. Gayot, and Mr. Edwards. There were no negative votes. The motion carries.

There being no further business, the meeting adjourned at 2:30 p.m.

Matthew Roberts, Board Chair	
Kishore S. Thota, Board Secretary	

Ularion of Official Board Position.

Board For Barbers And Cosmetology

General Review of Barbering and Cosmetology Regulations

Chapter 20

Barbering and Cosmetology Regulations Part I

General

18VAC41-20-10. Definitions.

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4.1 of the Code.

Order of the Cod The following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise. All terms defined in Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia are incorporated in this chapter ascribed to them in Chapter 7 (§ 54.1-700 et seg.) of Title 54.1 of the Code of Virginia:

"Barber"

"Barbering"

"Barber instructor"

"Barbershop"

"Board"

"Cosmetologist"

"Cosmetology"

"Cosmetology instructor"

"Cosmetology salon"

"Master Barber"

"Nail Care"

"Nail salon"

"Nail School"

"Nail technician"

"Nail technician instructor"

"Physical (wax) depilatory"

"School of Cosmetology"

"Wax technician"

"Waxing"

"Waxing salon"

"Waxing school"

"Apprenticeship Program" means an approved cosmetology, barber, nail technician, technician training program conducted by an approved registered apprenticeship sponsor.

"Barber school" means a place or establishment licensed by the board to accept and traif?" "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.

"Business entity" means a sole proprietorship, partnership, corporation, limited liability company, limited liability partnership, or any other form of organization permitted by law.

"Clock hours" means a minimum of 50 minutes of supervised or directed instruction and appropriate breaks.

"Credit hour" means a combination of the number of hours in class each week and the number of hours per week in a laboratory by which a school may measure its course work. One unit of credit equals one hour of classroom study, two hours of laboratory experience or three hours of internship or practicum or a combination of the three times the number of weeks in the term. Emerging delivery methodologies may necessitate a unit of undergraduate credit to be measured in nontime base methods. These courses shall use the demonstration of competency, proficiency, or fulfillment of learning outcomes to ensure these courses are equivalent to traditionally delivered courses.

"Direct supervision" means that a Virginia licensed barber, cosmetologist, nail technician, or wax technician shall be present in the barbershop, cosmetology salon, nail salon, or waxing salon at all times when services are being performed by a temporary permit holder, or registered apprentice. student instructor temporary permit holder, student instructor, student, or registered apprentice.

"Each and every location" means, for the purposes of schools with multiple suites or classrooms, a single location is one that is enclosed under one roof and all classrooms or suites are within 500 feet of the main office. Any suites or classrooms that are located in a different building or are further than 500 feet from the main office are considered a separate location, and require the school hold an additional license.

"Endorsement" means a method of obtaining a license by a person who is currently licensed in another state.

"Firm" means any business entity recognized under the laws of the Commonwealth of Virginia.

"Licensee" means any person, sole proprietorship, partnership, corporation, limited liability company, limited liability partnership, or any other form of organization permitted by law individual or firm holding a license issued by the Board for Barbers and Cosmetology, as defined in § 54.1-700 of the Code of Virginia.

"Post-secondary educational level" means an accredited college or university that is approved or accredited by the Southern Association of Colleges and Schools Commission on Colleges or by an accrediting agency that is recognized by the U.S. Secretary of Education.

"Reasonable hours" means the hours between 9 a.m. and 5 p/m.; however, if the licensee generally is not open to the public substantially during the same hours, "reasonable hours" shall mean the business hours when the licensee is open to the public.

"Reciprocity" means a conditional agreement between two or more states that will recognize one another's regulations and laws for equal privileges for mutual benefit.

"Reinstatement" means having a license or certificate restored to effectiveness after the expiration date has passed.

"Renewal" means continuing the effectiveness of a license or certificate for another period of time.

"Responsible management" means the following individuals:

- 1. The sole proprietor of a sole proprietorship;
- 2. The partners of a general partnership;
- 3. The managing partners of a limited partnership;
- 4. The officers of a corporation;

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- 5. The managers of a limited liability company;
- 6. The officers or directors of an association or both; and
- 7. Individuals in other business entities recognized under the laws of the Commonwealth as having a fiduciary responsibility to the firm.

"Sole proprietor" means any individual, not a corporation, who is trading under his that individual's own name, or under an assumed or fictitious name pursuant to the provisions of §§ 59.1-69 through 59.1-76 of the Code of Virginia.

"Substantially equivalent exam" means an examination administered by the licensing entity which covers Virginia's scope of practice for that profession.

"Substantially equivalent training" means at least 80% of the required hours in Virginia and curriculum content covering Virginia's scope of practice for that profession.

"Virginia state institution" for the purposes of this chapter means any institution approved by the Virginia Department of Education or the Virginia Department of Corrections.

"Wet disinfection unit" is a container large enough to hold a disinfectant solution in which the objects to be disinfected are completely immersed. A wet disinfection unit must have a cover to prevent contamination of the solution. The solution must be an Environmental Protection Agency (EPA) registered disinfectant that is bactericidal, virucidal, and fungicidal. Disinfectant solutions shall be used according to manufacturer's directions.

Part II Entry

18VAC41-20-20. General requirements for a barber, master barber, cosmetologist, nail technician, or wax technician license Gratuitous Services.

A. Any individual wishing to engage in barbering, cosmetology, nail care, or waxing shall obtain a license in compliance with § 54.1-703 of the Code of Virginia and shall meet the following qualifications:

1. The applicant shall be in good standing as a licensed barber, master barber, cosmetologist, nail technician, or wax technician in Virginia and all other jurisdictions where licensed. The applicant shall disclose to the board at the time of application for licensure, any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's practice as a barber, master barber, cosmetologist, nail technician, or wax technician. This includes monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if he has been previously licensed in Virginia as a barber, master barber, cosmetologist, nail technician, or wax technician.

Upon review of the applicant's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein the board deems the applicant is unfit or unsuited to engage in barbering, cosmetology, nail care, or waxing. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this section. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

2. The applicant shall disclose the applicant's physical address. A post office box is not acceptable.

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- 3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia barber and cosmetology license laws and this chapter.
- 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury within two years of the date of the application; and
- b. All felony convictions within 20 years of the date of application.

Any plea of nole contendere shall be considered a conviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

- 5. The applicant shall provide evidence satisfactory to the board that the applicant has passed the board approved examination, administered either by the board or by independent examiners.
- B. Eligibility to sit for board approved examination.
 - 1. Training in the Commonwealth of Virginia. Any person completing an approved barber, master barber, cosmetology, nail technician, or wax technician training program in a Virginia licensed barber, cosmetology, nail technician, or wax technician school, respectively, or a Virginia public school's barber, master barber, cosmetology, nail technician, or wax technician program approved by the Virginia Department of Education shall be eligible for examination.
 - 2. Training outside of the Commonwealth of Virginia, but within the United States and its territories. Any person completing a barber, master barber, cosmetology, nail care, or waxing training program that is substantially equivalent to the Virginia program but is outside of the Commonwealth of Virginia must submit to the board documentation of the substantially equivalent training to be eligible for examination. Applicants who completed a training program that is not substantially equivalent to Virginia's training, including out of country training, may substitute five years of work experience for training. Applicants should provide their work history demonstrating five years of experience as a licensed barber, master barber, cosmetologist, nail technician, or wax technician in any other state or jurisdiction of the United States on a form provided by the board.

Any individual who engages in barbering, master barbering, cosmetology, nails, or waxing without receiving compensation or reward, or obligation is considered to be performing gratuitous services and is exempt from the provisions of this chapter. Gratuitous services do not include services provided at no charge when goods are purchased.

18VAC41-20-25. General Requirements for a Barber, Master Barber, Cosmetologist, Nail Technician, or Wax Technician License.

A. Any individual wishing to engage in barbering, master barbering, cosmetology, nail care, or waxing shall obtain a license in compliance with § 54.1-703 of the Code of Virginia and shall meet the following qualifications:

1. The applicant shall be in good standing as a licensed barber, master barber, cosmetologist, nail technician, or wax technician in Virginia and in all other jurisdictions where licensed, certified, or registered. The applicant shall disclose to the board at the time of application for licensure, any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's practice as a barber, master barber, cosmetologist, nail technician, or wax technician. This includes monetary penalties, fines,

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probation, suspensions, revocations, surrender of a license in connection with a

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Upon review of the applicant's prior disciplinary deny licensure to any applicant wherein the board deems the applicant, to engage in barbering, master barbering, cosmetology, nail care, or waxing. The shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

The shall disclose the applicant's physical address. A post office box may be admissible as prima facie evidence of such disciplinary action.

- this chapter.
- 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions within two years of the date of application involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury; and
 - b. All felony convictions within 10 years of the date of application.
- Any plea of nolo contendere shall be considered a conviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of quilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.
- 5. The applicant shall provide evidence satisfactory to the board that the applicant has passed the board-approved examination, administered either by the board or by independent examiners.
- 6. Any changes in the name or address of the licensee shall be reported to the board in writing within 30 days of such changes!
- B. Eligibility to sit for board-approved examination.
 - 1. Training in the Commonwealth of Virginia. Any person completing one of the following programs can be approved for the examinations:
 - a. An approved barber, master barber, cosmetology, nail technician, or wax technician training program in a Virginia licensed barber, cosmetology, nail technician, or wax technician school.
 - b. A Virginia public school's barber, master barber, cosmetology, hail technician, or wax technician program approved by the Virginia Department of Education.
 - c. A registered apprenticeship.
 - d. Any barber, master barber, cosmetologist, nail technician, or wax technician applicant having a minimum of two years experience in barbering, master barbering, cosmetology, nail care, or waxing in the United States armed forces and having provided documentation satisfactory to the board of that experience shall be eligible for the respective examination.
 - e. Virginia licensed cosmetologists with a minimum or two, be eligible for the master barber examination; likewise, a Virginia licensed master barber. with a minimum of two years of work experience shall be eligible for the cosmetology with a minimum of two years of work experience shall be eligible for the cosmetology.

f. Any barber, master barber, cosmetologist, nail technician, or wax technician applicant

- having been technician in any Virginia state.

 2. Training outside of the Commonwealth or virginia program but is contraining program that is substantially equivalent to the Virginia program but is contraining program that is substantially equivalent to the Virginia program but is contraining program that is substantially equivalent to the board documentation of the substantially equivalent training to be eligible for examination. Applicants who have earned a degree from an institution outside the United States must have their degree translated, and evaluated by an education evaluation service if credit is sought for the discretion may decline to accept any an evaluation submitted.
 - Virginia's training, including out of country training, may substitute five years of work experience for training. Applicants should provide their work history demonstrating three years of experience as a licensed barber, master barber, cosmetologist, nail technician, or wax technician in any other state or jurisdiction of the United States on a form provided by the board.

18VAC41-20-30. License by endorsement Endorsement.

A. Upon proper application to the board, any person currently licensed to practice as a barber, master barber, cosmetologist, nail technician, or wax technician or who is a licensed instructor in the respective profession in any other state or jurisdiction of the United States and who has completed both a training program and a written and practical examination that is substantially equivalent to that required by this chapter, may be issued a barber, master barber, cosmetologist, nail technician, or wax technician license of the respective instructor certificate without an examination. The applicant must also meet the requirements set forth in 18VAC41-20-20 A and 18VAC41-20-100.

- 'AC41-20-100.

 B. Applicants for licensure by endorsement who completed a training program that is not substantially equivalent to Virginia's training but otherwise meet all the requirements listed in subsection A of this section, may substitute five years of work experience for training. Applicants should provide their work history demonstrating five years of licensed experience in any other state or jurisdiction of the United States on a form provided by the board.
- B. Applicants for licensure by endorsement who completed an equivalent training program and whose state only utilizes one licensing examination (written or practical) that is substantially equivalent to that required by this chapter may take the other examination (written or practical) in Virginia to qualify for licensure.
- C. Applicants for licensure by endorsement who completed a training program that is not substantially equivalent to Virginia's training but otherwise meet all the requirements listed in subsection A of this section, may substitute three years of work experience for training. Applicants should provide their work history demonstrating three years of licensed experience in any other state or jurisdiction of the United States on a form provided by the board.

18VAC41-20-40. Apprenticeship training Training.

A. Licensed barbers, master barbers, cosmetologists, and nail technicians who train apprentices shall comply with the standards for apprenticeship. training established by the Division of Apprenticeship Training of the Virginia Department of Labor and String Str

established by the Division of Apprenticeship Training of the Virginia Department of Labor and Industry.

- B. Any person completing the Virginia apprenticeship program in barbering, master barbering, cosmetology, or nail care shall be eligible for examination.
- B. Responsible management of barbershops, cosmetology salons, and nail salons who train apprentices shall comply with the standards for registered apprenticeship training.

18VAC41-20-50. Exceptions to training requirements. (Repealed.)

- A. Virginia licensed cosmetologists with a minimum of two years of work experience shall be eligible for the master barber examination; likewise, a Virginia licensed master barber with a minimum of two years of work experience shall be eligible for the cosmetology examination.
- B. Any barber, master barber, cosmetologist, nail technician, or wax technician applicant having been trained as a barber, master barber, cosmetologist, nail technician, or wax technician in any Virginia state institution shall be eligible for the respective examination.
- C. Any barber, master barber, cosmetologist, nail technician, or wax technician applicant having a minimum of two years of experience in barbering, master barbering, cosmetology, nail care, or waxing in the United States armed forces and having provided documentation satisfactory to the board of that experience shall be eligible for the respective examination.
- D. Any licensed barber or barber student enrolling in a master barber training program in a licensed barber school shall be given educational credit for the training and performances completed in a barbering program at a licensed barber school.

18VAC41-20-60. Examination requirements and fees Requirements and Fees.

- A. Applicants for initial licensure shall pass both a practical examination and a written <u>portion</u> of the examination approved by the board. The examinations may be administered by the board or by a designated testing service.
- B. Any applicant who passes one part of the examination shall not be required to take that part again provided both parts are passed within one year of the initial examination date.
- C. Any candidate failing to appear as scheduled for examination shall forfeit the examination fee.
- D.C. The fee for examination or reexamination is subject to contracted charges to the board by an outside vendor. These contracts are competitively negotiated and bargained for in compliance with the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia). Fees may be adjusted and charged to the candidate in accordance with these contracts. The fee shall not exceed \$225 per candidate.
- E.D. Any candidate failing to apply for initial licensure within five years of passing both a practical examination and a written portions of an examination shall be required to retake both portions. Records of examinations shall be maintained for a maximum of five years.
- E. Any applicant who does not pass a reexamination within one year of the initial examination date shall be required to submit a new application and examination fee.

18VAC41-20-70. Reexamination requirements. (Repealed.)

Any applicant who does not pass a reexamination within one year of the initial examination date shall be required to submit a new application and examination fee.

18VAC41-20-80. Examination administration Administration.

- A. The examinations shall be administered by the board or the designated testing service. The practical examination shall be supervised by a chief examiner.
- B. Every barber, master barber, cosmetology, nail technician, or wax technician examiner shall hold a current Virginia license in his their respective profession, have three or more years of

active experience as a licensed professional, and be currently practicing in that profession. Examiners shall attend training workshops sponsored by the board or by a testing service acting on behalf of the board.

- C. No certified barber, master barber, cosmetology, nail technician, or wax technician instructor who is (i) currently teaching, (ii) or is a school owner, (iii) or is an apprentice sponsor shall be an examiner.
- December, master barber, cosmetology, nail technician, and wax technician chief examiner (i) shall hold a current Virginia license in histheir respective profession, (ii) have five or more years of active experience in that profession, (iii) have three years of active experience as an examiner, (iv) and be currently practicing in his respective profession. A licensed cosmetology my serve as an examiner for any license type that is included in the cosmetology profession. Chief examiners shall attend training workshops sponsored by the board or by a testing service acting on behalf of the board.
- E. The applicant shall follow all procedures established by the board with regard to conduct at the examination. Such procedures shall include written instructions communicated prior to the examination date and instructions communicated at the site, either written or oral, on the date of the examination. Failure to comply with all procedures established by the board and the testing service with regard to conduct at the examination may be grounds for denial of application.

18VAC41-20-90. Barber, master barber, cosmetology, nail technician, and wax technician temporary permits Master Barber, Cosmetology, Nail Technician, and Wax Technician Temporary Permit.

- A. A temporary permit to work under the <u>direct</u> supervision of a currently licensed barber, master barber, cosmetologist, nail technician, or wax technician may be issued only to applicants for initial licensure who the board finds eligible for examination. There shall be no fee for a temporary permit.
- B. The temporary permit shall remain in force for 45/90 days following the examination date.and no subsequent temporary permit shall be issued. The examination date shall be the first test date after the applicant has successfully submitted an application to the board that an examination is offered to the applicant by the board.
- C. Any person continuing to practice barbering, master parbering, cosmetology, nail care, or waxing services after a temporary permit has expired may be prosecuted and fined by the Commonwealth under §§ 54.1-111 A 1 and 54.1-202 of the Code of Virginia.
 - D. No applicant for examination shall be issued more than one temporary permit.
- E.D. Temporary permits shall not be issued where grounds may exist to deny a license pursuant to § 54.1-204 of the Code of Virginia or 18VAC41-20-20.

18VAC41-20-100. General requirements for a barber instructor certificate, cosmetology instructor certificate, nail technician instructor certificate, or wax technician instructor certificate Requirements for an Instructor Certificate.

- A. Any individual wishing to engage in barbering instruction, master barbering instruction, cosmetology instruction, nail care instruction, or waxing instruction shall meet the following qualifications: in barbering, master barbering, cosmetology, nail care, or waxing shall meet the following qualifications:
 - 1. The applicant shall be in good standing as a licensed barber, master barber, cosmetologist, nail technician, or wax technician, and instructor, respectively, in Virginia and all other every jurisdictions where licensed, certified, or registered. The applicant shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's practice as a barber, master barber, cosmetologist, nail technician, or wax technician, or in the practice of

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teaching any of those professions. This includes monetary penalties, fines, probation,

suspensions, ...
or voluntary termination or a ...
of application for licensure if the applicant new barber instructor, master barber instructor, cosmetology instructor, or wax technician instructor.

Upon review of the applicant's prior disciplinary action, the board, in its discretion, may odeny licensure to any applicant wherein the board deems the applicant is unfit or unsuited to engage in the instruction of barbering, cosmetology, nail care, or waxing. The board will have been by taking into account the totality of the circumstances. Any plea of nolo is also shall be considered a disciplinary action for the purposes is a certified copy of a final order, decree, or case lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action;

- 2. The applicant shall hold a current Virginia barber, master barber, cosmetology, nail technician, or wax technician license, respectively;
- 3. The applicant shall.
 - a. Pass a course in teaching techniques at the post-secondary educational level; or
 - b. Complete an instructor training course approved by the Virginia Board for Barbers and Cosmetology under the supervision of a certified barber, master barber, cosmetologist, nail technician or wax technician instructor in a barber, cosmetology, nail technician, or wax technician school, respectively; or
 - e.b. Pass an instructor examination in barber, master barber, cosmetology, nail technician, or wax technician instruction respectively, administered by the board or by a testing service acting on behalf of the board; and.
- 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions within two years of the date of application involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury within two years of the date of the application; and
 - b. All felony convictions within 20 10 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

- B. Instructors shall be required to maintain a barber, master barber, cosmetology, nail technician, or wax technician license, respectively.
- C. Certified instructors may teach in any profession in which they hold the underlying license. 18VAC41-20-110. Student instructor temporary permit Instructor Temporary Permil.

A. A licensed barber, master barber, cosmetologist, nail technician, or wax technician may be granted a twelve (12) month student instructor temporary permit to function under the direct supervision of a barber instructor, master barber instructor, cosmetology instructor, nail technician instructor, or wax technician instructor respectively. a certifical modules. ... _____licensed nail technician or wax technician may also be granted a student instructor permit to competition of a competition instructor. No subsequent student instructor, or wax technician instructor respectively. a certified instructor in a licensed school. A instructor temporary permit shall be issued.

- B. The student instructor temporary permit shall remain in force for not more than 12 months after the date of issuance and shall be nontransferable and nonrenewable.
- C. No applicant for examination shall be issued more than one student instructor temporary
- D. B. Student instructors may teach in any profession in which they hold the underlying license. Failure to maintain a barber, master barber, cosmetology, nail technician, or wax technician license shall disqualify an individual from holding a student instructor temporary permit.
- E.C. Temporary permits shall not be issued where grounds may exist to deny a license pursuant to § 54.1-204 of the Code of Virginia or 18VAC41-20-100.

18VAC41-20-120. General requirements for a shop or salon license Requirements for a Shop or Salon License.

A. Any firm wishing to operate a barbershop, cosmetology salon, nail salon, or waxing salon shall obtain a shop or salon license in compliance with § 54.1-704.1 of the Code of Virginia and shall meet the following qualifications in order to receive a license:

1. The applicant and all members of the responsible management shall be in good standing as a licensed shop or salon in Virginia and all other jurisdictions where licensed, certified, or registered. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's operation of any barbershop, cosmetology salon nail salon, or waxing salon or practice of the profession. This includes monetary penalties, fines, probation, suspensions, revocations, surrender of a license in connection with a disciplinary action, pertaining to services within the respective scope of practice, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if the applicant or any member of the responsible management has been previously licensed in Virginia as a barbershop, cosmetology salon, nail salon, or waxing salon.

Upon review of the applicant's and all members of the responsible management's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in the operation of a barbershop, cosmetology salon, nail salon, or waxing salon. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this section. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

- 2. The applicant shall disclose the applicant's physical address. A post office box is not acceptable.may be provided as secondary address.
- 3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia barber and cosmetology license laws and this chapter.
- 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information about the firm and all members of the responsible management regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions within two years of the date of application involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury moral turpitude, sexual offense, non-marijuana drug distribution. within two years of the date of the application; and

Any plea of nolo contendere shall be considered a conviction for purposes of this

- subsection. The reco.
 facie evidence of a conviction or finding of licensure to any applicant in accordance with § 54.1-204 or the licensure to any applicant in accordance with § 54.1-204 or licensee's, certificate holder's, or permit holder's failure to promptly notify the board in writing of any change of name or address or for any other reason beyond the control of the board. The new responsible management is responsible for applying for a new license within 30 days of the changes.
 - C. Whenever the legal business entity holding the license is dissolved or altered to form a new business entity, the original license becomes void. and shall be returned to the board within 30 days of the change. The firm must notify the board within 30 days of the change and destroy the license. Additionally, the firm shall apply for a new license, within 30 days of the change in the business entity. Such changes include:
 - 1. Death of a sole proprietor,
 - 2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and
 - 3. Conversion, formation, or dissolution of a corporation, a limited liability company, an association, or any other business entity recognized under the laws of the Commonwealth of Virginia.
 - D. Any change in the officers of a corporation, managers of a limited liability company, or officers or directors of an association shall be reported to the board in writing within 30 days of the change.
 - E. Mobile shops and salons must have a shop or salon license and provide a physical address.
 - E.F. The board or any of its agents shall be allowed to inspect during reasonable hours any licensed shop or salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seg.) of Title 54.1 of the Code of Virginia or this chapter. For purposes of a board inspection, "reasonable hours" means the hours between 9 a.m. and 5 p.m.; however, if the licensee generally is not open to the public substantially during the same hours, "reasonable hours" shall mean the business hours when the licensee is open to the public.

18VAC41-20-130. General requirements for a school license School License.

A. Any firm wishing to operate a barber, master barber cosmetology, nail technician, or wax technician school shall submit an application to the board at least 60 days prior to the date for which approval is sought, obtain a school license in compliance with § 54.1-704.2 of the Code of Virginia, and meet the following qualifications in order to receive a license:

1. The applicant and all members of the responsible management shall be in good standing as a licensed school in Virginia and all other jurisdiction where licensed, certified. or registered. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's operation of any barbering, cosmetology, nail, or waxing school or practice of the profession. This includes to monetary penalties, fines, probation, suspensions, revocations, surrender of a license in connection with a disciplinary action, pertaining to services in the respective scope of

practice, or voluntary termination of a license. The applicant shall disclose to the board at

the time or approximate the time of the time of the previous or waxing school.

Upon review of the applicant's and all members of the responsition of the board deems the applicant is unfit or unsuited to engage in the operation of a barbering, cosmetology, nail, or waxing school. The board will decide each case by taking into account the totality of the circumstances. Any plea of nole contendere or comparable considered a disciplinary action for the purposes of this section. The considered a disciplinary action for the purposes of this section. The authority to issue such order, decree, or case decision by a court, and all members of the responsition. action.

- 2. The applicant shall disclose the applicant's physical address. A post office box is not acceptable may be provided as secondary address.
- 3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia barber and cosmetology license laws and this chapter.
- 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information about the firm and all members of the responsible management regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions within two years of the date of the application involving moral turpitude, sexual offense, non-martiuana drug distribution, or physical injury within two years of the date of the application, and
 - b. All felony convictions within 20 10 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

- 5. The applicant shall disclose the firm's responsible management.
- B. Barber, cosmetology, nail technician, and wax technician school licenses are issued to firms as defined in this chapter, shall not be transferable, and shall bear the same name and address as the school. Any changes in the name or the address of record or principal place of business of the school shall be reported to the board in writing within 30 days of such change. The board shall not be responsible for the licensee's, certificate holder's, or permit holder's failure to receive notices, communications, and correspondence caused by the Icensee's, certificate holder's, or permit holder's failure to promptly notify the board in writing of any change of name or address or for any other reason beyond the control of the board. The name of the school must indicate that it is an educational institution. All signs, or other advertisements, must reflect the name as indicated on the license issued by the board and contain language indicating it is an educational institution.
- C. Whenever the legal business entity holding the license is dissolved or altered to form a new business entity, the original license pecomes voia.

 days of the change. The firm must notify the board within 30 days of the change and desire, and license. Additionally, the firm shall apply for a new license within 30 days of the change in business of the change include:

- 2. Death or withdrawal of a general partner in a general partnership or the managing
- partner in a limited points.

 3. Conversion, formation, or dissolution of a social association, or any other business entity recognized under the laws of Virginia.

 D. Any change in the officers of a corporation, managers of a limited liability company, or or directors of an association shall be reported to the board in writing within 30 days of

 - F. The board or any of its agents shall be allowed to inspect during reasonable hours any licensed school for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia or this chapter. For purposes of a board inspection, "reasonable hours" means the hours between 9 a.m. and 5 p.m.; however, if the licensee generally is not open to the public substantially during the same hours, "reasonable hours" shall mean the business hours when the licensee is open to the public.

Part III

Fees

18VAC41-20-140, Fees.

The following fees apply: are nonrefundable and shall not be prorated:

<u></u>	pry: are memorandable an	Chair fiet be prorated:	
FEE TYPE	AMOUNT DOE September 1, 2022, through August 31, 2024	AMOUNT DUE September 1, 2024, and after	WHEN DUE
Individuals:	'Cry	* a/r	
Application	\$90	\$105	With application
License by Endorsement	\$90	\$105	With application
Renewal:		Trues	
Barber	\$90	\$105	With renewal card prior to expiration date
Master Barber	\$90	\$105	With renewal card prior to expiration date
Cosmetologist	\$90	\$105	With renewal card prior to expiration date
Nail Technician	\$90	\$105	With renewal card prior to expiration date

Wax Technician	\$90	\$105	With renewal card prior to expiration date
Reinstatement	\$180* *includes \$90 renewal fee and \$90 reinstatement fee	\$210* *includes \$105 renewal fee and \$105 reinstatement fee	With reinstatement application
Instructors: Instructor Cer	rtificate:		
Application	\$110	\$125	With application
License by S Endorsement S	\$110	\$125	With application
P	\$110 <u>\$20</u>	\$1 50 \$20	With renewal card prior to expiration date
Reinstatement	\$220* <u>\$40*</u> *includes \$110 <u>\$20</u> renewal fee and \$110 <u>\$20</u> reinstatement fee	\$300* <u>\$40*</u> *includes \$150 <u>\$20</u> renewal fee and \$150 <u>\$20</u> reinstatement fee	With reinstatement application
Facilities:	De Soi	C	•
Application	\$165	\$190	With application
Renewal	\$165	\$190	With renewal card prior to expiration date
Reinstatement	\$330* *includes \$165 renewal fee and \$165 reinstatement fee	\$380* *includes \$190 renewal fee and \$190 reinstatement fee	With reinstatement application
Schools:	Schools:		
Application	\$185	\$220	With application
Add Program	\$100	\$100	Withapplication
			With renewal card
Renewal	\$185	\$220	prior to expiration date

18VAC41-20-150. Refunds. (Repealed.)

Renewal/Reinstatement

18VAC41-20-160. License renewal required Renewal Required.

Renewal Renewal Required Renewal Required.

Renewal.

Renewal. Anicense or certificate issued under this chapter shall expire two years from the last day of

The Department of Professional and Occupational Regulation will mail a renewal notice to the licensee or cerfficate holder outlining the procedures for renewal. Failure to receive this notice, however, shall not relieve the licensee or certificate holder of the obligation to renew. If the licensee or certificate holder fails to receive the renewal notice, a copy of the old license or certificate may be submitted as evidence of intent to renew, along with the required fee.

18VAC41-20-180. Failure to renew Renew.

- A. When a licensed or certified individual or business entity fails to renew its license or certificate within 30 days following its expiration date, the licensee or certificate holder shall apply for reinstatement of the license of certificate by submitting to the Department of Professional and Occupational Regulation a reinstatement application and renewal fee and reinstatement fee.
- B. When a licensed or certified individual or business entity fails to renew its license within two years following the expiration date, reinstatement is no longer possible. To resume practice:
 - 1. The former licensee or certificate holder shall apply for licensure or certification as a new applicant and shall meet all current entry requirements for each respective license or certificate.
 - 2. An individual initially granted licensure under any of the following examination or training waiver provisions, known as grandfathering, shall submit a new application showing the individual met the requirements of the applicable examination or training waiver provision, demonstrate five years of licensed experience, and pass the required examination: previously licensed in Virginia for a minimum of three (3) years shall submit a new application, and pass the required examination.
 - a. Any person who was exempted from examination for licensure as a barber, as such person was engaged in the practice of barbering on or before July 1, 1966, in any establishment or place of business within which the practice of barbering was carried on by only one barber, and such person filed an application with the board on or before January 1, 1967.
 - b. Any person exempted from examination as a registered professional hair dresser, as such person was substantially engaged as a hairdresser in Virginia for at least nine months prior to June 29, 1962, and such person filed an application satisfactory to the board on or before July 1, 1963.
 - c. Any person exempted from training requirements for licensure as a nail technician, as such person had experience or training as a nail technician, and such person applied to the board for examination by October 1, 1991.
 - d. Any person exempted from examination as a wax technician pursuant 703.1 of the Code of Virginia.
- C. The application for reinstatement for a school shall provide (i) the reasons for failing to renew prior to the expiration date and (ii) a notarized statement that all students currently enrolled or seeking to enroll at the school have been notified in writing that the school's license has expired.

All of these materials shall be called the application package. Reinstatement will be considered by the board if the school consents to and satisfactorily passes an inspection of the school and if the school's records are maintained in accordance with 18VAC41-20-240 and 18VAC41-20-250 by the Department of Professional and Occupational Regulation. Pursuant to 18VAC41-20-130, upon receipt of the reinstatement fee, application package, and inspection results, the board may reinstate the school's license or require requalification or both. If the reinstatement application package and reinstatement fee are not received by the board within six months following the expiration date of the school's license, the board will notify the testing service that prospective graduates of the unlicensed school are not acceptable candidates for the examination. Such notification will be sent to the school and must be displayed in a conspicuous manner by the school in an area that is accessible to the public. No student shall be disqualified from taking the examination because the school was not licensed for a portion of the time the student attended if the school license is reinstated by the board.

- D. The date a renewal fee is received by the Department of Professional and Occupational Regulation, or its agent, will be used to determine whether the requirement for reinstatement of a license or certificate is applicable.
- E. When a license or certificate is reinstated, the licensee or certificate holder shall be assigned an expiration date two years from the date of the last day of the month of reinstatement.
- F. A licensee or certificate holder that reinstates its license or certificate shall be regarded as having been continuously licensed or certified without interruption. Therefore, a licensee or certificate holder shall be subject to the authority of the board for activities performed prior to reinstatement.
- G. A licensee or certificate holder that fails to reinstate its license or certificate shall be regarded as unlicensed or uncertified from the expiration date of the license or certificate forward. Nothing in this chapter shall divest the board of its authority to discipline a licensee or certificate holder for a violation of the law or regulations during the period of time for which the individual was licensed or certified.

Barber Cosmetology, Nail, and Waxing Schools

18VAC41-20-200. General requirements Requirements.

A barber, master barber, cosmetology, nail, or waxing school shall:

- 1. Hold a school license for each and every location.
- 2. Hold a salon license if the school receives compensation for services provided in its clinic.
- 3. Employ a staff of and ensure all training is conducted by licensed and certified barber, master barber, cosmetology, nail technician, or wax technician instructors, respectively.
 - a. Licensed and certified cosmetology instructors may also instruct in pail and waxing programs.
 - b. Licensed and certified esthetics instructors and master esthetics instructors may also instruct in waxing programs.
 - b. Instructor programs must be taught by a certified instructor.
 - c. Any change in instructors shall be reported to the board within 30 days of the change.
 - <u>change.</u>
 <u>d. License and certified barber instructors may instruct straight razor shaving on face and neck in a cosmetology school.</u>

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- 4. Develop individuals for entry—level competency in barbering, master barbering, cosmetology, nail care, or waxing.
- 5. Submit its curricula for board approval. All changes to curricula must be resubmitted and approved by the board.
 - a. Barber curricula shall be based on a minimum of 1,100,750 clock hours and shall include performances in accordance with 18VAC41-20-220.
 - b. Master barber curricula shall be based on a minimum of 400 250 clock hours and shall include performances in accordance with 18VAC41-20-220.
- 220
 - d. Cosmetology curricula shall be based on a minimum of 1,500 1,000 clock hours and shall include performances in accordance with 18VAC41-20-220.
 - e. Nail technician curricula shall be based on a minimum of 150 clock hours and shall include performances in accordance with 18VAC41-20-220.
 - f. Wax technician curricula shall be based on a minimum of 115 clock hours and shall include performances in accordance with 18VAC41-20-220.
- 6. Inform the public that all services are performed by students if the school receives compensation for services provided in its clinic by posting a notice in the reception area of the shop or salon in plain view of the public.
- 7. Conduct classroom instruction in an area separate from the clinic area where practical instruction is conducted and services are provided.
- 8. Possess the necessary equipment and implements to teach the respective curriculum. If any such equipment or implement is not owned by the school, then a copy of all agreements associated with the use of such property by the school shall be provided to the board.

18VAC41-20-210. Curriculum requirements Requirements.

A. Each barber school shall submit with its application a curriculum including a course syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, days and hours of instruction, program ength, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for barbering shall include the following:

- 1. School policies; Orientation and business topics- minimum of 25 hours of instruction.
- a. School policies;
- b. Business and shop management; and
- c. Professional ethics and personal hygiene.
- <u>c. Professional ethics and personal hygiene.</u>
 2. State law, and regulations, and professional ethics; minimum of 10 hours of instruction.
- 3. Business and shop management;
- 4. Client consultation;
- 5. Personal hygiene;
- Cutting the hair with a razor, clippers, and shears;
- 7. Tapering the hair;
- 8. Thinning the hair;
- Shampooing the hair;
- 10. Shaving;

of 1.

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- 11. Trimming a moustache or beard:
- 13. Analyzing skin or scalp conditions;
- 15. Giving basic facial massage or treatment;
- 16. Sanitizing and maintaining implements and equipment; and
- 13. Ana,
 14. Giving scalp..
 15. Giving basic facial ma.
 16. Sanitizing and maintaining imp.
 17. Honing and stropping a razor.
 2 Shampooing, cutting, thinning
 2 of 270 hours of instructi
 4 ation; and
 2 hair d 3. Shampooing, cutting, thinning, tapering the hair with razor, clippers, and shearsminimum of 270 hours of instruction.

 - b. Styling hair with a hand hair dryer.
 - 4. Shaving and trimming a mustache or beard- minimum of 100 hours of instruction.
 - a. Client Consultation.
 - 5. Applying hair color- minimum of 50 hours of instruction.
 - a. Client Consultation,
 - 6. Applied sciences minimum of 100 hours of instruction.
 - a. Anatomy and physiology:
 - b. Skin structure and function:
 - c. Skin types;
 - d. Skin conditions;
 - e. Diseases and disorders of the sk
 - f. Analyzing skin or scalp conditions; and
 - g. Giving scalp treatments.
 - 7. General sciences minimum of 80 hours of instruction.
 - a. Bacteriology;
 - b. Microorganisms;
 - c. Infection control, sanitation, disinfection, sterilization,
 - d. Occupational Safety and Health Administration (OSHA) requirements;
 - e. Safety Data Sheet (SDS);

. General procedures and . Cosmetic chemistry; and . Products and ingredients.

8. Facial Hair and Skin Care Services—minimum of 100 hours of Insu.

a. Client skin analysis and consultation;

b. Effleurage and related movements and manipulations of the face and body.

c. Cleansing procedures;

- i. General procedures and safety measures.
- 9. Understanding and maintaining implements and equipment (tools)- minimum of 15 hours of instruction.
- B. Each barber school seeking to add a master barber program shall submit with its application a curriculum including a course syllabus, a detailed course content outline, a sample of five lesson plans a sample of evaluation methods to be used, days and hours of instruction, program length, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for master barbering shall include the following:
- 1. Styling the hair with a hand hair dryer;
- 2. Thermal waving
- ith chemicals: 3. Permanent waving w
- 4. Relaxing the hair;
- 5. Lightening or toning the hair;
- 6. Hairpieces and wigs; and
- 7. Waxing limited to the scalp.
- 1. Thermal waving minimum of 20
- sthe hair;

 and

 Of instruction

 The hair is the hair 2. Permanent waving and relaxing the hair with chemicals - minimum of 110 hours of instruction.
- 3. Hairpieces and wigs minimum of 15 hours of
- 4. Waxing limited to the scalp minimum of 5 hours of instruction
- C. Each school seeking to add a dual barber/master barber program shall submit with its application a curriculum including a course syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, days and hours of instruction, program length, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for dual barber/master barber program shall include the following:
 - 1. School policies;
 - 2. State law, regulations, and professional ethics;
 - 3. Business and shop management;
 - 4. Client consultation:
 - 5. Personal hygiene;
 - 6. Cutting the hair with a razor, clippers, and shears;
 - 7. Tapering the hair;
 - 8. Thinning the hair;
 - 9. Shampooing the hair;

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12...
13. Relaxing;
14. Shaving;
15. Trimming a moustaction of the color;
17.4 ightening or toning alvaing skin or selection. 10. Styling the hair with a hand hair dryer; 12. Permanent waving with chemicals; 15. Trimming a moustache or beard; 17. Lightening or toning the hair; 18. Analyzing skin or scalp conditions; 19. Giving scalp treatments; 20. Waxing limited to the scalp; 21. Giving basic facial massage or treatment; 22. Hair pieces: 23. Sanitizing and maintaining implements and equipment; and 24. Honing and stropping a razor. 1. Orientation and business topics minimum of 25 hours of instruction.

a. School policies;

b. Business and Shop Management; and
c. Professional Ethics and personal hygiène. 2. State law and regulations - minimum of 10 hours of instruction. 3. Shampooing, cutting, thinning, tapering the hair with razor, clippers, and shears - minimum of 270 hours of instruction. a. Client Consultation; and b. styling hair with a hand hair dryer. Jetic Halion Of Official Board Position. 4. Shaving and trimming a mustache or beard - minimum of 100 hours of instruction. a. Client Consultation. 5. Applying hair color - minimum of 50 hours of instruction.

a. Anatomy and physiology;

6. Applied sciences - minimum of 100 hours of instruction.

a. Client Consultation.

b. Skin structure and function; c. Skin types; d. Skin conditions; e. Diseases and disorders of the skin; f. Analyzing skin or scalp conditions; and g. Giving scalp treatments. 7. General sciences minimum of 80 hours of instruction. a. Bacteriology; b. Microorganisms; c. Infection control, sanitation, disinfection, sterilization; d. Occupational Safety and Health Administration (OSHA) requirements;

e. Safety Data Sheet (SDS);

f. General procedures and safety measures;

g. Cosmetic chemistry; and

h. Products and ingredients; and.

8. Facial Hair and Skin Care Services - minimum of 100 hours of instruction: Cosmetic chemistry; and.

Products and ingredients; and.

i. Facial Hair and Skin Care Services - minimum of 100 hours

a. Client skin analysis and consultation;

b. Effleurage and related movements and manipulations of the face and body;

Cleansing procedures;

Oromotic chemistry; and.

Oromotic chemis

- h. Machine, electrical facials, and treatments; and
- i. General procedures and safety measures.
- (9). Understanding and maintaining implements and equipment (tools) minimum of 15 hours of instruction
- 10. Thermal waving minimum of 20 hours of instruction.
- 11. Permanent waving and relaxing the hair with chemicals minimum of 110 hours of instruction.
- 12. Lightening or toning the hair minimum of 100 hours of instruction.
- 13. Hairpieces and wigs minimum of 15 hours of instruction.
- 14. Waxing limited to the scalp minimum of 5 hours of instruction.
- D. Each cosmetology school shall submit with its application a curriculum including a course syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, days and hours of instruction, program length, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for cosmetology shall include the following: %
 - 1. Orientation:
 - a. School policies;
 - b. State law, regulations, and professional eth
 - c. Personal hygiene; and
 - d. Bacteriology, sterilization, and sanitation.
 - 2. Manicuring and pedicuring:
 - a. Anatomy and physiology;
 - b. Diseases and disorders;
 - c. Procedures to include both natural and artificial
 - d. Sterilization.
 - 3. Shampooing and rinsing:
 - a. Fundamentals:
 - b. Safety rules;
 - c. Procedures; and
 - d. Chemistry, anatomy, and physiology.
 - 4. Scalp treatments:
 - a. Analysis;
 - b. Disorders and diseases:
 - c. Manipulations; and
 - d. Treatments.
 - 5. Hair styling:
 - a. Anatomy and facial shapes;

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6. Han

a. Anator.
b. Fundament.
c. Procedures; and
d. Safety practices.
Permanent waving-c
allysis; b. Finger waving, molding, and pin curling; c. Roller curling, combing, and brushing; and d. Heat curling, waving, and pressing. a. Anatomy and physiology; b. Fundamentals, materials, and equipment; 7. Permanent waving-chemical relaxing: Jes and Jedyres and p. amistry. scordkeeping; and afety. coloring and bleaching:

- Analysis and basic oder theory:

- Supplies and equipment.

- Procedures and practical applications.

- Recordkeeping; and classifications.

- Recordkeeping; and f. Safety.

'n care and make up:

'v, and sanitary rules;

'herapy;

'c; and

'analysis and sanitary rules;

'herapy;

'c; and b. Supplies and equipment; 8. Hair coloring and bleaching: 9. Skin care and make-up:

- 10. Wigs, hair pieces, and related theory:
- a. Sanitation and sterilization:
- b. Types; and
- c. Procedures.
- 11. Salon management:
- a. Business ethics; and
- b. Care of equipment.
- 1. Orientation and business topics minimum of 45 hours of instruction.

- f. Client records and confidentiality; and
- g. Professional ethics and practices.
- 2. Laws and regulations minimum of 10 hours of instruction.
- 3. General sciences minimum of 55 hours of instruction.
 - a. Principles and practices of infection control;
- 4. Applied sciences minimum of 40 hours of instruction.
 - a. Anatomy, physiology, and histology.
- 1. C.
 g. Profess.
 2. Laws and regulatio...
 3. General sciences minimu...
 a. Principles and practices of interpolation of the sciences minimum of 5. Shampooling, rinsing, and scalp treatments for all hair types, including textured hair minimum of 25 hours of instruction.
 - a. Client consultation and analysis; and
 - b. Procedures, manipulations, and treatments.
 - 6. Hair styling for all hair types, including textured hair minimum of 65 hours.
 - a. Fingerwaving, molding, and pin curling;
 - b. Roller curling, combing, and brushing; and
 - c. Heat curling, waving, and pressing.
 - 7. Hair cutting for all hair types, including textured hair minimum of 125 hours.
 - a. Fundamentals, materials, and equipment and
 - b. Procedures.
 - 8. Permanent waving and chemical relaxing for all hair types, including textured hair minimum of 115 hours.

 a. Chemistry;
 b. Supplies and equipment; and
 c. Procedures and practical application.

 9. Hair coloring and bleaching for all hair types, including textured hair - minimum of 160
 - hours:
 - a. Basic color theory;
 - b. Supplies and equipment; and
 - c. Procedures and practical application.
 - 10. Wigs, hair pieces, and related theory minimum of 15 hours.
 - a. Types; and
 - b. Procedures.
 - 11. Straight razor use and shaving minimum of 20 hours.
 - 12. Manicuring and pedicuring minimum of 75 hours.
 - a. Nail theory, nail structure, and composition;
 - b. Nail procedures, including manicuring, pedicuring, and nail extensions; and
 - c. Electric filing.
 - 13. Skin care minimum of 160 hours of instruction.
 - a. Client skin analysis and consultation;

- b. Effleurage and related movements and manipulations of the face and body;
- c. Cleansings procedures;
- d. Masks;
- e. Extraction techniques;
- f. Machines, equipment, and electricity;
- g. Manual facials and treatments;
- h. Machine, electrical facials, and treatments; and
- General procedures and safety measures.
- 14. Makeup minimum of 35 hours of instruction.
 - a. Setup, supplies, and implements;
 - b. Color theory;
 - c. Consultation;
 - d. General and special occasion application;
 - e. Camouflage
 - f. Application of false lashes and lash extensions;
 - g. Lash and tinting;
 - h. Lash perming:
 - i. Lightning of the hair on the body except scalp; and
 - i. General procedures and safety measures.
- 15. Body and other treatments minimum of 20 hours of instruction.
 - a. Body treatments;
 - b. Aromatherapy; and
 - c. General procedures and safety measures
- 16. Hair removal minimum of 35 hours of instruction:
 - a. Client consultation and analysis;
 - b. Waxing;
 - c. Mechanical hair removal;
 - d. Tweezing and threading; and

e. Chemical hair removal.

E. Each nail school shall submit with its application a curriculum including a course syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, days and hours of instruction, program length, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for nail care shall the following:

1. Orientation: - minimum of 5 hours of instruction.

a. School policies; and
b. State law, regulations, and professional ethics;

2. Sterilization, sanitation, bacteriology, and safety; - minimum of 35 hours of instruction. include the following:

- 3. Anatomy and physiology; minimum of 15 hours of instruction.
- 4. Diseases and disorders of the nail; minimum of 10 hours of instruction.
- 5. Nail procedures (i.e., manicuring, pedicuring, and nail extensions); and minimum of 75 hours of instruction.

- 6. Nail theory and nail structure and composition. minimum of 10 hours of instruction.
- F. Each waxing school shall submit with its application a curriculum including a course syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, days and hours of instruction, program length, and a breakdown of hours Cand performances for all courses to be taught that will lead to licensure. The outline for waxing shall include the following:
 - 1. Orientation: minimum of 10 hours of instruction.
 - a. School policies;
 - State law, regulations, and professional ethics; and
 - c. Personal hygiene.
 - d. Salon management; and
 - e. Care of equipment.
 - 2. Skin care theory, structure, composition, and treatment: minimum of 30 hours of instruction.
 - a. Analysis:
 - b. Anatomy and physiology;
 - c. Diseases and disorders of the skin;
 - d. Health sterilization, sanitation, bacteriology, and safety including infectious disease control measures; and
 - e. Temporary removal of hair
 - 3. Skin theory, skin structure, and compos
 - 4.3. Client consultation: minimum of 10 hours of instruction.
 - a. Health conditions;
 - b. Skin analysis;
 - c. Treatments;
 - d. Client expectations; and
 - e. Health forms and questionnaires.
 - 5.4. Waxing procedures for brow, lip, facial, legs, arms, underarm, chest, back, and bikini areas: - minimum of 35 hours of instruction.
 - a. Fundamentals:
 - b. Safety rules; and
 - c. Procedures.
 - 6.5. Wax treatments: minimum of 30 hours of instruction.
 - a. Analysis;
 - b. Disorders and diseases;
 - c. Manipulations; and
 - d. Treatments.
 - 7. Salon management:
 - a. Business ethics; and
 - b. Care of equipment.
- G. The instructor curriculum shall include, but not be limited to, the following:

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under Continued as regulation or official Board Position.

- 4. Learning styles:

 9. Learning aids

 1. Class.
 6. Teaching te
 7. Methods of instrute
 8. Learning disabil

 Teaching aids

 1. Class.
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 7. Methods of instrute
 8. Learning disabil

 Teaching aids
 - 1. Orientation, introduction to teaching, and professional ethics;

 - 3. Course outline and development;
 - 4. Lesson planning;
 - 5. Classroom management;
 - 6. Teaching techniques;
 - 7. Methods of instruction (including theory and practical instruction*);

 - Learning disabilities;

 - 11. Developing, administering and grading examinations;
 - 12. School administration;
 - 13. Recordkeeping:
 - 14. Laws and regulations;
 - 15. Supervision of clinic floor; and
 - 16. Practicum teaching.

G.H. A licensed school with an approved barber, master barber, dual barber/master barber, cosmetology, nail technician, or wax technician program may conduct an assessment of a student's competence in the respective profession and, based on the assessment, give credit toward the hours requirements specified in the respective subsection of this section and 18VAC41-20-220.

The school shall may make the assessment based on a review of the student's transcript, documentation of hours and performances provided to the student by the school and the successful completion of a board-approved competency examination administered by the school. The school may also request a copy of a catalog or bulletin giving the full course description when making the evaluation. The number of credit hours awarded shall not exceed the actual hours of instruction verified on the transcript or the number of hours specified in the board-approved curriculum for a specific topic.

18VAC41-20-220. Hours of instruction and performances Practical Performance Requirements.

A. Curriculum and performance requirements shall be offered over a minimum of 1,100 clock hours for barbering, 400 clock hours for master barbering, 1,500 clock hours for dual barber/master barber program and cosmetology, 150 clock hours for nail care, and 115 clock hours for waxing.

B.A. The curriculum requirements for barbering must include the following minimum performances:

"	
Hair and scalp treatments	0 10
<u></u>	
Hair services	320
<u></u>	
Hair coloring (including tinting, temporary rinses, and semi-permanent color)	35 0
Hair coloring (including tinting, temporary rinses, and semi-permanent color)	350
Hair coloring (including tinting, temporary rinses, and semi-permanent color)	350
Hair coloring (including tinting, temporary rinses, and semi-permanent color)	350
Hair coloring (including tinting, temporary rinses, and semi-permanent color) Basic facials	350 0 5

TOTAL		370
Hair and scalp treatments	<u>10</u>	
Straight razor shaving on face and neck	<u>12</u>	
Hair services	<u>285</u>	
Hair coloring (including tinting, temporary rinses, and semi-permanent color)	<u>20</u>	
Basic facials	<u>5</u>	
TOTAL CONTRACTOR OF THE PROPERTY OF THE PROPER	<u>332</u>	

C.B. The curriculum requirements for master barbering must include the following minimum performances:

Bleaching and frosting	10	
Cold permanent waving or chemical relaxing	25	
Hair shaping	50	
Wig care, styling, placing on model	5	
Finger waving and thermal waving	30	
TOTAL Op Ton.	ે 120	
Bleaching and frosting	<u>20</u>	
Cold permanent waving or chemical relaxing	<u>30</u>	
Wig care, styling, placing on model	<u>15</u>	
Finger waving and thermal waving	<u>30</u>	6
Waxing limited to the scalp	<u>5</u>	C
<u>TOTAL</u>	<u>100</u>	

D.C. The curriculum requirements for dual barber/master barber program must include the following minimum performances:

Hair and scalp treatments	10	
Hair styling services	320	
Bleaching and frosting	% 10	
Hair coloring (including tinting, temporary rinses, and semi-permanent color)	35	י ר
 		(
Cold permanent waving or chemical relaxing	25	
Hair shaping	50	

Wig care, styling, placing on model Finger waving and thermal waving	_ '	
Finger waving and thermal waving	5 ¦	
	30	
Basic facials and waxings	5	
TOTAL	490	
Hair and scalp treatments	<u>10</u>	
Hair services	<u>285</u>	
Straight razor shaving on face and neck	<u>12</u>	
Bleaching and frosting	<u>20</u>	
Hair coloring (including tinting, temporary rinses, and semi-permanent color)	<u>20</u>	
Cold permanent waving or chemical relaxing	<u>30</u>	
Wig care, styling, placing on model	<u>15</u>	
Finger waving and thermal waving	<u>30</u>	
Basic facials Waxing limited to the scalp TOTAL	<u>5</u>	
Waxing limited to the scalp	<u>5</u>	
TOTAL	<u>432</u>	
E.D. The curriculum requirements for cosmetology must include the following r	ninimu	ım
performances: Hair and scalp treatments		10
Tan and scalp realments		_!
Hair styling		320
Hair and scalp treatments Hair styling Tinting		15
Bleaching and frosting		10
		10
Semi-permanent color Cold permanent waving or chemical relaxing		10
Cold permanent waving or chemical relaxing		25
Hair shaping	2	50
Wig care, styling, placing on model	Ĉ.	5
wig care, styling, placing on moder	-4/	30
Finger waving and thermal waving	~	100
Finger waving and thermal waving Manicures and pedicures		» <u>15</u>
Finger waving and thermal waving Manicures and pedicures Basic facials and waxings	Ĉ.	\$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\

FOTAL		525
Shampooing, rinsing, and scalp treatments, for all	hair types, including textured hair	20
Hair styling, for all hair types, including textured ha	<u>air</u>	60
Hair cutting, for all hair types, including textured ha	a <u>ir</u>	60
Permanent waving-chemical relaxing, for all hair ty	vpes, including textured hair	<u> 60</u>
Hair coloring and bleaching, for all hair types, inclu	ıding textured hair	<u>50</u>
Wigs, hair pieces, and related theory		<u>5</u>
Straight razor shaving on face and neck		12
Manicuring and pedicuring		15 procedures
Individual sculptured nails and nail tips		30
Body and other treatments		<u> 5</u>
<u>Makeup</u>		<u>20</u>
Makeup Skin care Hair removal TOTAL		15
Hair removal	A_	15
TOTAL DATE OF THE PROPERTY OF		367
F.E. The curriculum requirements for nail		minimum
performances:	3025	
4-	30 <u>25</u> 5 15 <u>20</u> 200 <u>170</u>	
Pedicures	6 15 <u>20</u>	
Individual sculptured nails and nail tips	× 200170	
Individual removals	7 10 20	
Individual nail wraps	<u>2020</u>	
TOTAL	275 255	
G <u>-F.</u> The curriculum requirements for wax performances:	ing must include the following	minimum Ticial Board Position
Arms	42	
Back	21	Ž.
Bikini area	6 <u>4</u>	10/p
Brows	12	Odra
	1	Do
Chest	1 1	O ₂

17			
¦¦ Arms			4 <u>2</u> ¦
D			
Back			 2 1
Bikini area			6 <u>4</u>
II _			
Brows			12
# Chest			1;
12			
Facial (i.e., face, cl	nin, and cheek and l	lip)	6
"			 !

II.	
: Leg	32
ii Log	<u> </u>
F	
" Underarm	ı o
	Δ .
<u> </u>	
" TOTAL	0000
TOTAL	! 36 30 !
7 '	

18VAC41-20-240. Records.

A Schools shall maintain on the premises of each school and available for inspection by the board or any of its agents the following records for the period of a student's enrollment through five years after the student's completion of the curriculum, termination, or withdrawal:

- 1. Enrollment application containing student's signature and a two-inch by two-inch color head and shoulders photograph;
- 2. Daily record of attendance containing student's signature;
- 3. Student clock hours containing student's signature and method of calculation;
- 4. Practical performance completion sheets containing student's signature;
- 5. Final transcriptoand
- 6. All other relevant documents that account for a student's accrued clock hours and practical applications.
- 6. Course descriptions, and
- 7. All other relevant documents that account for a student's accrued clock hours and practical applications.
- B. Schools shall produce to the board or any of its agents within 10 days of the request any document, book, or record concerning any student, or for which the licensee is required to maintain records, for inspection and copying by the board or its agents. The board may extend such timeframe upon a showing of extenuating circumstances prohibiting delivery within such 10-day period.
- C. Schools shall, within 21 days upon receipt of a written request from a student, provide documentation of hours and performances completed by the student as required to be maintained by subsection A of this section.
- D. Prior to a school changing ownership or a school closing, the school is required to provide to current students documentation of hours and performances completed.
- E. For a period of one year after a school changes ownership the school shall provide, within 21 days upon receipt of a written request from a student, documentation of hours and performances completed by a current student.

18VAC41-20-250. Reporting.

A. Schools shall provide, in a manner, format, and frequency prescribed by the board, a roster of all current students and a roster of students who attended in the preceding six months prior to the reporting deadline.

B. Within 30 days of ceasing to operate, whether through dissolution or alteration of the business entity, the school shall provide a written report to the board on performances and hours of each of its students who have not completed the program.

A. Each school must provide student rosters to the board no later than January 15, April 15, July 15, and October 15 of every year;

- 1. A roster of all enrolled students and a roster of students who attended in the preceding six months prior to the reporting deadline.
 - 2. Students who are enrolled but have not begun classes must be included in the report.

- 3. Rosters will be provided on a Board supplied spreadsheet, which will include the students full name, date of birth, program type, date enrolled, the total number of hours to-date, and the date completed, terminated, or withdrawn.
- 4. Schools with no students enrolled, but the intention of operating, must submit a report to that effect. Schools with no students enrolled that no longer wish to operate should terminate their license in accordance with Board regulations.
 - 5 Rosters must be submitted via a secure link provided by the Board.
- B. Within 30 days of ceasing to operate, whether through dissolution or alteration of the business entity, the school shall provide a written report to the board on performances and hours of each of its students who have not completed the program.

Part VI

Standards of Practice

18VAC41-20-260. Scope of Practice and Display of license.

- A. Each The responsible management for shop, salon, or school shall ensure that all current licenses, certificates, or permits issued by the board shall be displayed in plain view of the public either in the reception area of at individual work stations of the shop, salon, or school. Duplicate licenses, certificates, or permits shall be posted in a like manner in every shop, salon, or school location where the regulant provides services.
- B. Each The responsible management for shop, salon, or school shall ensure that no employee, licensee, student, or apprentice performs any service beyond the scope of practice for the applicable license.
- C. All licensees, certificate holders, and permit holders shall operate under the name in which the license, certificate, or permit is issued.
- D. Unless also licensed as a cosmetologist, a barber or master barber is required to hold a separate nail technician or wax technician license if performing nail care or waxing.
- E. All apprenticeship cards issued by the Department of Labor and Industry (DOLI) shall be displayed in plain view of the public either in the reception area or at individual work stations of the shop or salon. The apprentice sponsor shall require each apprentice to wear a badge clearly indicating his status as a DOLI registered apprentice. Proof of apprenticeship registration issued by the applicable agency of the Virginia Department of Workforce Development Advancement (DWDA) shall be displayed in plain view of the public either in the reception area or at individual work stations of the shop or salon. The apprentice sponsor shall require each apprentice to wear a badge clearly indicating his status as a DWDA registered apprentice.

18VAC41-20-270. Sanitation and safety standards for shops, salons, and schools <u>Safety Standards for Shops</u>, Salons, and Schools.

A. Sanitation and safety standards. Any shop, salon, school, or facility where barber, master barber, cosmetology, or nail or waxing services are delivered to the public must be clean and sanitary at all times. Compliance with these rules does not confer compliance with other requirements set forth by federal, state, and local laws, codes, ordinances, and regulations as they apply to business operation, physical construction and maintenance, safety, and public health. Licensees shall take sufficient measures to prevent the transmission of communicable and infectious diseases and comply with the sanitation standards identified in this section and shall ensure that all employees likewise comply.

A. Sanitation and safety standards.

1. Any shop, salon, or school where barber, master barber, cosmetology, nail or wax services are delivered to the public must be clean and sanitary at all times.

Makerials

- 2. Compliance with these rules does not confer compliance with other requirements set forth by federal, state, and local laws, codes, ordinances, and regulations as they apply to business operation, physical construction and maintenance, safety, and public health.
- 3. Licensees shall take sufficient measures to prevent the transmission of communicable and Cinfectious diseases and comply with the sanitation standards identified in this section and shall ensure that all employees likewise comply.
 - B Disinfection and storage of implements.
 - A wet disinfection unit is a container large enough to hold a disinfectant solution in which the objects to be disinfected are completely immersed. A wet disinfection unit must have a cover to prevent contamination of the solution. The solution must be an Environmental Protection Agency (EPA) registered disinfectant that is bactericidal, virucidal, and fungicidals Disinfectant solutions shall be used according to manufacturer's directions. Each barber, master barber, cosmetologist, nail technician, and wax technician must have a wet disinfection unit at his station and must meet the standards in the definition of wet disinfection requirements.
 - 2. Disinfection of multiuse implements items constructed of hard, nonporous materials such as metal, glass or plastic that the manufacturer designed for use on more than one client, including clippers, scissors, combs, and nippers is to be carried out in the following manner prior to servicing a client:
 - a. Remove all foreign matter from the object, utilizing a brush if needed. Drill bits are to be soaked in acetone and scrubbed with a wire brush to remove all foreign matter;
 - b. Wash thoroughly with hot water and soap;
 - c. Rinse thoroughly with clean water and dry thoroughly with a clean paper towel;
 - d. Fully immerse implements into wet disinfectant solution for a minimum of 10 minutes; and
 - e. After immersion, rinse articles, dry thoroughly with a clean paper towel, and store in a clean, predisinfected, and dividable, drawer, or nonairtight sealed covered container, or leave instruments in an EPA-registered wet disinfection unit storage solution used according to manufacturer's directions.
 - 3. Single-use items designed by the manufacturer for use on no more than one client should be discarded immediately after use on each individual client, including but not limited to powder puffs, lip color, cheek color, sponges, styptic pencils, or nail care implements, or disposable razors. The disinfection and feuse of these items is not permitted and the use of single-use items on more than one client is prohibited.
 - 4. For the purpose of recharging, rechargeable clippers may be stored in an area other than in a closed cabinet or container. This area shall be clean and the cutting edges of any clippers are to be disinfected.
 - 5. Electrical clipper blades shall be disinfected before and after each use. If the clipper blade cannot be removed, the use of a spray or foam used according to the manufacturer's instructions will be acceptable, provided that the disinfectant is an EPA-registered disinfectant that is bactericidal, virucidal, and fungicidal, and that the entire handle is also disinfected by wiping with the disinfectant solution.
 - 6. All wax pots shall be cleaned and disinfected with a sticks left standing in the wax at any is bactericidal, virucidal, and fungicidal and with no sticks left standing in the wax at any time. The area immediately surrounding the wax pot shall be clean and free of clutter, and any other items that may pose a hazard.

- 7. Each barber, master barber, cosmetologist, nail technician, and wax technician must have a wet disinfection unit at his station.
- 8.7. Sinks, and bowls, tubs, whirlpool units, air-jetted basins, pipe-less units, and nonwhirlpool basins used in the performance of nail care shall be maintained in accordance with manufacturer's recommendations. They shall be cleaned and disinfected immediately after each client in the following manner:
 - a. Drain all water and remove all debris;
- b. Clean the surfaces and walls with soap or detergent to remove all visible debris, b. Clean the surfaces and want product residue and then rinse with water;
 - © Disinfect by spraying or wiping the surface with an EPA-registered disinfectant that is bactericidal, virucidal, and fungicidal; and in accordance with manufacturer directions; and
 - d. Wipe dry with a clean towel.
- 8. Foot tubs, whirlpool units, air-jetted basins, pipe-less units, and non-whirlpool basins used in the performance of nail care shall be maintained in accordance with manufacturer's recommendations. They shall be cleaned and disinfected immediately after each client in the following manner:
 - a. Drain all water and remove all debris;
 - b. Clean the surfaces and walls with soap or detergent to remove all visible debris, oils, and product residue and then rinse with water;
 - c. Disinfect with an EPA-registered disinfectant that is bactericidal, virucidal, and fungicidal in accordance with manufacturer directions for pedicure units; and
 - d. Wipe dry with a clean towel.
- C. General sanitation and safety requirements.
 - 1. Service chairs, wash basins, shampoo sinks, workstations and workstands, and back bars shall be clean:
 - 2. The floor surface in all work areas must be of a washable surface other than carpet. The floor must be kept clean and free of hair, nail clippings, dropped articles, spills, clutter, trash, electrical cords, other waste materials, and anyother items that may pose a hazard;
 - 3. All furniture, fixtures, walls, floors, windows, and ceilings shall be clean and in good repair and free of water seepage and dirt. Any mats shall be secured or shall lie flat;
 - 4. A fully functional bathroom in the same building with a working toilet and sink must be available for clients. There must be hot and cold running water Fixtures must be in good condition. The bathroom must be lighted and sufficiently ventilated, if there is a window, it must have a screen. There must be soap and clean single-use towels or hand air-drying device for the client's use. Laundering of towels is allowed, space permitting. The bathroom must not be used as a work area or for the open storage of chemicals. For facilities newly occupied after January 1, 2017, the bathroom shall be maintained exclusively for client use or shared with other businesses in the same building. If the bathroom is shared, the bathroom shall be available for client use and within 200 feet of the entrance and must adhere to all sanitation requirements of this chapter:

 - 5. General areas for client use must be near and clean
 trash;
 6. Electrical cords shall be placed to prevent entanglement by the client or licensee, and contact outlets shall be covered by plates;

- 7. All sharp tools, implements, and heat-producing appliances shall be in safe working order at all times, safely stored, and placed so as to prevent any accidental injury to the client or licensee;
- 8. The salon area shall be sufficiently ventilated to exhaust hazardous or objectionable airborne chemicals, and to allow the free flow of air; and
- 9. Adequate lighting shall be provided.
- DoArticles, tools, and products.
 - Clean towels, robes, or other linens shall be used for each patron. Clean towels, robes, or other linens shall be stored in a clean, predisinfected, and dry cabinet, drawer, or nonartight covered container. Soiled towels, robes, or other linens shall be stored in a container enclosed on all sides including the top, except if stored in a separate laundry room;
 - 2. Whenever a haircloth is used, a clean towel or neck strip shall be placed around the neck of the patron to prevent the haircloth from touching the skin;
 - 3. Soiled implements must be removed from the tops of work stations immediately after use;
 - 4. Any multiuse article, tool, or product that cannot be disinfected by full immersion as specified in 18VAC41-20-270.B.2 or cleaned according to manufactures recommendation, including but not limited to natural hair brushes or neck dusters, is prohibited from use.
 - 4.5. Lotions, ointments, creams, and powders shall be labeled and kept in closed containers. A clean spatula, other clean tools, or clean disposable gloves shall be used to remove bulk substances such as creams or ointments from jars. Sterile cotton or sponges shall be used to apply creams, lotions, and powders. Cosmetic containers shall be covered after each use:
 - 5.6. For nail care, if a sanitary container is provided for a client, the sanitary container shall be labeled and implements shall be used solely for that specific client. Disinfection shall be carried out in accordance with subdivisions B 1 and B 2 of this section;
 - 6.7. No substance other than a sterile styptic powder or sterile liquid astringent approved for homeostasis and applied with a sterile single-use applicator shall be used to check bleeding; and
 - 7.8. Any disposable material making contact with blood or other body fluid shall be disposed of in a sealed plastic bag and removed from the shop, salon, school, or facility in accordance with the guidelines of the Virginia Department of Health. double bagged, labeled as a biohazard, and disposed of in a closed receptacle.
- E. Chemical storage and emergency information.
 - 1. Shops, salons, schools, and facilities shall have in the immediate working area a binder with all Safety Data Sheets (SDS) provided by manufacturers for any chemical products used:
 - 2. Shop, salons, schools, and facilities shall have a blood spill clean-up kit in the work area that contains at minimum latex gloves, two 12-inch by 12-inch towels, one disposable trash bag, bleach, one empty spray bottle, and one mask with face shield or any Occupational Safety and Health Administration (OSHA) approved blood spill clean-up kit;
 - Flammable chemicals shall be labeled and stored in a nonflammable storage cabinet or a properly ventilated room; and
 - or a properly ventilated room; and
 4. Chemicals that could interact in a hazardous manner (e.g., oxidizers, catalysts, and solvents) shall be labeled and separated in storage.
- F. Client health guidelines.

Nationals Cont.

- 1. All employees providing client services shall cleanse their hands with a soap product

- prior to providing a services shall cleanse their nation...

 2. An artificial nail shall only be applied to a healthy man...

 3. A nail drill or motorized instrument shall be used enly on the artificial man...

 free edge of the nail; Use on natural is prohibited;

 4. No shop, salon, school, or facility providing cosmetology or nail care services shall have on the premises cosmetic products containing hazardous substances that have been and by the U.S. Food and Drug Administration (FDA) for use in cosmetic products;

 and in a manner that is disapproved by the FDA; and

 - G. In addition to any requirements set forth in this section, all licensees and temporary permit holders shall adhere to regulations and guidelines established by the Virginia Department of Health and the Occupational Safety and Health Compliance Division of the Virginia Department of Labor and Industry. Workforce Development and Advancement.
 - H. All shops, salons, schools, and facilities shall immediately report the results of any inspection of the shop, salon, of school by the Virginia Department of Health as required by § 54.1-705 of the Code of Virginia.
 - I. All shops, salons, schools, and facilities shall maintain a self-inspection form on file to be updated on an annual basis, and kept for five years, so that it may be requested and reviewed by the board at its discretion.

18VAC41-20-280. Grounds for license revocation or suspension; denial of application, renewal, or reinstatement; or imposition of a monetary penalty Grounds for LicenseRevocation ,Suspension, or Probation; Denial of Application, Renewal or Reinstatement; or Imposition of a Monetary Penalty.

The board may, in considering the totality of the orgumstances, fine any licensee, certificate holder, or permit holder; suspend or revoke of refuse to issue, renew or reinstate any license, certificate or permit, impose a monetary penalty, place a license, certificate or permit on probation with such terms and conditions and for such time as it may designate, suspend a license certificate or permit for a stated period of time; or revoke, a license certificate or permit issued certificate, or permit; or deny any application issued under the provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia and this chapter if it finds that the licensee, certificate holder, permit holder, or applicant:

- 1. Is incompetent, or negligent in practice, or incapable unable to practice with skill or safety as a result of any mental or physical condition, mentally of physically, as those terms are generally understood in the profession, (i) to practice as a barber, master barber, cosmetologist, nail technician, or wax technician, or to (ii) operate a shop salon, or school;
- 2. Is convicted of fraud or deceit in the practice or teaching of barbering, master barbering, cosmetology, nail care, or waxing or fails to teach the board-approved curriculum as provided for in this chapter;
- 3. Attempts to obtain, obtained, renewed or reinstated a license, certificate, or temporary license permit by false or fraudulent representation;
- 4. Violates or induces others to violate, or cooperates with standards of the Code of provisions of this chapter or Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of provisions of the Code of Code 4. Violates or induces others to violate, or cooperates with others in violating, any of the Virginia or any local ordinance or regulation governing standards of health and sanitation

of the establishment in which any barber, master barber, cosmetologist, nail technician.

- or wax tecime.

 5. Offers, gives, or promises and employee for the purpose of influencing that employee for the

 - document, book, record, or copy thereof in a licensee's or owner's possession or maintained in accordance with these regulations;
 - 9. Fails to notify the board of a change of name or address in writing within 30 days of the change for each and every license, certificate, or permit;
 - 10. Makes any misrepresentation or publishes or causes to be published any advertisement that is false, deceptive, or misleading;
 - 11. Fails to notify the board in writing within 30 days of the suspension, revocation, or surrender of a license, certificate, or permit in connection with a disciplinary action in any iurisdiction or of any license, certificate, or permit that has been the subject of disciplinary action in any jurisdiction; of final action, of any disciplinary action taken against a license, registration, certificate or permit in any jurisdiction by a local, state or national regulatory body:
 - 12. Has been convicted or found quilty, regardless of the manner of adjudication in Virginia or any other jurisdiction of the United States, of a misdemeanor involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury or any felony, there being no appeal pending therefrom or the time for appeal having elapsed. Review of convictions shall be subject to the requirements of § 54.1-204 of the Code of Virginia. Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such conviction or guilt;
 - 13. Fails to inform the board in writing within 30 days of pleading guilty or nolo contendere or being convicted or found guilty regardless of adjudication of any convictions as stated in subdivision 12 of this section;
 - 14. Allows, as responsible management of a shop, salon, or school, a person who has not obtained a license or a temporary permit to practice as a barber, master barber, cosmetologist, nail technician, or wax technician unless the person is duly enrolled as a registered apprentice;
 - 15. Allows, as responsible management of a school, a person who has not obtained an instructor certificate or a temporary permit to practice as a barber, master barber, cosmetologist, nail technician, or wax technician instructor;
 - 16. Fails to take sufficient measures to prevent transmission of communicable or infectious diseases or fails to comply with sanitary requirements provided for in this chapter or any local, state, or federal law or regulation governing the standards of health and sanitation

for the practices of barbering, master barbering, cosmetology, nail care, or waxing, or the operation of barbershops, cosmetology salons, nail salons, or waxing salons; or

17. Fails to comply with all procedures established by the board and the testing service with regard to conduct at any board examination.

Toring 17... with regard FORMS (18VAC41-20) Barber - Master Barber - Barber Instructor Examination & License Application, A450-1301 EXLIC-v18 (rev. 5/2022)

Nail Technician - Nail Technician Instructor Examination & License Application, A450-1206 07EXL®-v19 (rev. 5/2022)

Wax Technician - Wax Technician Instructor Examination & License Application, A450-1214 15EXLIC-v18 (rev. 5/2022)

Cosmetology - Cosmetology Instructor Examination & License Application, A450-1201 04EXLIC-v21 (rev-5/2022)

Temporary Permit Application, A450-1213TEMP-v3 (rev. 12/2021)

License by Endorsement Application, A450-1213END-v18 (rev. 9/2022)

Individuals – Reinstatement Application, A450-1213REI-v13 (rev. 9/2022)

Salon, Shop, Spa & Parlor License/Reinstatement Application A450-1213BUS-v16 (rev. 9/2022)

Salon, Shop & Spa Self Inspection Form, A450-1213 SSS INSP-v2 (eff. 5/2016)

Instructor Certification Application, A450-1213INST-v17 (rev. 10/2022)

Student Instructor - Temporary Permit Application A450-1213ST TEMP-v4 (rev. 12/2021)

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hool Self-Inspection Form, A450-12...
zensure Fee Notice, A450-1213FEE-v11 [rev...
hange of Responsible Management Application, A450...
raining Substitution Form, A450-1213TR SUB-v1 (rev. 10/20/2),
Iraining Verification Form, A450-1213TR-vs1 (eff. 5/2022)
Experience Verification Form A450-1213EXP-v2 (eff. 7/2022)
Barber-Cosmetology Universal License App A450-1213ULR-v1 (eff. 7/2023)

Board For Barbers And Cosmetology

General Review of the Esthetics Regulations

Chapter 70

Esthetics Regulations Part I

General

Materials contained in this agender 18VAC41-70-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise. All terms defined in Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia are incorporated in this chapter ascribed to them in Chapter 7(§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia:

"Board"

"Esthetician"

"Esthetics"

"Esthetics instructor"

"Esthetics spa"

"Master Esthetician"

"School of Esthetics"

Topics for discussion activity over cosme "Apprenticeship Program" means an approved cosmetology, barber, nail technician, or wax technician training program conducted by an approved registered apprenticeship sponsor.

"Business entity" means a sole proprietorship, partnership, corporation, limited liability company, limited liability partnership, or any other form of organization permitted by law.

"Clock Hours" - means a minimum of 50 minutes of supervised or directed instruction and appropriate breaks.

"Credit hour" means a combination of the number of hours in class each week and the number of hours per week in a laboratory by which a school may measure its course work. One unit of credit equals one hour of classroom study, two hours of laboratory experience or three hours of internship or practicum or a combination of the three times the number of weeks in the term. Emerging delivery methodologies may necessitate a unit of undergraduate credit to be measured in nontime base methods. These courses shall use the demonstration of competency, proficiency, or fulfillment of learning outcomes to ensure these courses are equivalent to traditionally delivered courses.

"Direct supervision" means that a Virginia licensed esthetician or master esthetician shall be present in the esthetics spa or esthetics school at all times when services are being performed by a temporary license holder, or student instructor temporary permit holder, student, or registered apprentice.

"Each and every location"- For the purposes of schools with multiple suites or classrooms, a single location is one that is enclosed under one roof and all classrooms/suites are within 500 feet of the main office. Any suites or classrooms that are located in a different building or are further

than 500 feet from the main office are considered a separate location, and require the school hold an additional license.

"Endorsement" means a method of obtaining a license by a person who is currently licensed in another state or jurisdiction.

"Firm" means any business entity recognized under the laws of the second proprietorship, partnership, corporation, limited liability company, of organization permitted by law holding a license issued by the Board for Barbers and Cosmetology, as defined in § 54.1-700 of the Code of Virginia. any individual or firm holding a license issued by the Board for Barbers and Cosmetology.

"Post-secondary educational level" means an accredited college or university that is approved or accredited by the Southern Association of Colleges and Schools Commission on Colleges or by an accrediting agency that is recognized by the U.S. Secretary of Education.

"Reasonable hours" means the hours between 9 a.m. and 5 p.m.; however, if the licensee generally is not open to the public substantially during the same hours, "reasonable hours" shall mean the business hours when the licensee is open to the public.

"Reinstatement" means having a license restored to effectiveness after the expiration date has passed.

"Renewal" means continuing the effectiveness of a license for another period of time.

"Responsible management" means the following individuals:

- 1. The sole proprietor of a sole proprietorship;
- The partners of a general partnership;
- The managing partners of a limited partnership;
- 4. The officers of a corporation:
- 5. The managers of a limited liability company;
- 6. The officers or directors of an association or both; and
- 7. Individuals in other business entities recognized under the laws of the Commonwealth as having a fiduciary responsibility to the firm.

"Sole proprietor" means any individual, not a corporation, who is trading under histhat individual's own name or under an assumed or fictitious name pursuant to the provisions of §§ 59.1-69 through 59.1-76 of the Code of Virginia.

"Substantially equivalent exam" means an examination administered by the licensing entity which covers Virginia's scope of practice for that profession.

"Substantially equivalent training" means at least 80% of the required hours in Virginia and curriculum content covering Virginia's scope of practice for that profession

"Virginia state institution" for the purposes of this chapter means any institution approved by the Virginia Department of Education.

"Wet disinfection unit" is a container large enough to hold a disinfectant solution in which the objects to be disinfected are completely immersed. A wet disinfection unit must have a cover to prevent contamination of the solution. The solution must be an Environmental Protection Agency (EPA) registered disinfectant that is bactericidal, virucidal, and fungicidal. Disinfectant solutions shall be used according to manufacturer's directions.

Entry 18VAC41-70-20. General requirements for an esthetician license or master esthetician 2. Cratuitous Services. 2. Cratuitous Services.

- compliance with § 54.1-703 of the Code of Virginia and meet the following qualifications:
 - 1. The applicant shall be in good standing as a licensed esthetician in Virginia and all other jurisdictions where licensed. The applicant shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's practice as an esthetician. This includes monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure whether he has been previously licensed in Virginia as an esthetician or master esthetician.

Upon review of an applicant's prior disciplinary action, the board, in its discretion, may deny licensure to arry applicant wherein it deems the applicant is unfit or unsuited to engage in esthetics or master esthetics. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this section. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

- 2. The applicant shall disclose the applicant's physical address. A post office box is not acceptable.
- 3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia esthetics license laws and this chapter.
- 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions involving moral turpitude, sexual offense, nonmarijuana drug distribution, or physical injury within two years of the date of the application; and
 - b. All felony convictions within 20 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of quilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

- The applicant shall provide evidence satisfactory to the board that the applicant has passed the board-approved examination requirement administered either by the board or by independent examiners.
- B. Eligibility to sit for board-approved examination.
 - 1. Training in the Commonwealth of Virginia. Any person completing an approved esthetics training program or a master esthetics training program in a Virginia licensed esthetics school shall be eligible for the applicable examination.
 - 2. Training outside of the Commonwealth of Virginia. Any person completing esthetics. training that is substantially equivalent to the Virginia program but is outside of the Commonwealth of Virginia must submit to the board documentation of the successful

esthetics training was adocumentation acceptable to the board equivalent esthetics course and documentation of six months or esthetician in order to be eligible for the esthetician examination.

Any individual who engages in esthetics or master esthetics without receiving compensation examination.

Any individual who engages in esthetics or master esthetics without receiving compensation or obligation is considered to be performing gratuitous services and is exempt from the considered to be performed gratuitous services and is exempt from the considered to be performed gratuitous services and is exempt from the considered to be performed gratuitous services and is exempt from the considered to be performed gratuitous services and is exempt from the considered to be performed gratuitous services and is exempt from the considered to be performed gratuitous services and is exempt from the considered to be performed gratuitous services and is exempt from the considered gratuitous services provided at no charge when the considered gratuitous services provided at no charge when the considered gratuitous services provided at no charge when the considered gratuitous services provided at no charge when the considered gratuitous services provided at no charge when the considered gratuitous services provided at no charge when the considered gratuitous services provided at no charge when the considered gratuitous services provided at no charge when the considered gratuitous services provided at no charge when the considered gratuitous services provided at no charge when the considered gratuitous services provided at no charge when the considered gratuitous completion of training to be eligible for examination. If less than the required hours of

- A. Any individual wishing to engage in esthetics or master esthetics shall obtain a license in compliance with § 54.1-703 of the Code of Virginia and meet the following qualifications:
 - 1. The applicant shall be in good standing as a licensed esthetician in Virginia and in all other jurisdictions where licensed, certified, or registered. The applicant shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicants practice as an esthetician or master esthetician. This includes monetary penalties, fines, probation, suspensions, revocations, surrender of a license in connection with a disciplinary action pertaining to services within the scope of practice, or voluntary termination of a license.
 - Upon review of an applicants prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in esthetics or master esthetics. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.
 - 2. The applicant shall disclose the applicants physical address. A post office box may be provided as a secondary address.

 3. The applicant shall sign, as part of the application, a statement certifying that the
 - applicant has read and understands the Virginia esthetics license laws and this chapter.
 - 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions within two years of the date of the application involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury; and b. All felony convictions within 10 years of the date of application.
 - Any plea of nolo contendere shall be considered a conviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.
 - 5. The applicant shall provide evidence satisfactory to the board that the applicant has passed the board-approved examination requirement administered either by the board or
 - by independent examiners.

 6. Any changes in the name or address of the licensee shall be reported to the board in writing within 30 days of such changes.

 Eligibility to sit for board-approved examination.

 1. Training in the Commonwealth of Virginia. Any person completing one of the following can be approved for the examinations:
 - B. Eligibility to sit for board-approved examination.

- a. An approved esthetics or master esthetics training program in a Virginia licensed esthetic or master esthetics school.
- b. A registered apprenticeship.
- 2. Training outside of the Commonwealth of Virginia.
- a. Any person completing esthetics training that is substantially equivalent to the Virginia program but is outside of the Commonwealth of Virginia must submit to the board documentation of the successful completion of training to be eligible for examination. Applicants who have earned a degree from an institution outside the United States must have their degree translated, authenticated, and evaluated by an education evaluation service if credit is sought for the education. The board in its discretion may decline to accept any an evaluation submitted by an applicant.
- b. Applicants who completed a training program that is not substantially equivalent to Virginia's training, including out of country training, may substitute three years of work experience for training. Applicants should provide their work history demonstrating three years of experience as a licensed esthetician or master esthetician in any other state or jurisdiction of the United States on a form provided by the board.

18VAC41-70-30. License by endorsement Endorsement.

- A. Upon proper application to the board, any person currently licensed to practice as an esthetician or master esthetician of who is a licensed instructor in the respective profession in any other state or jurisdiction of the United States and who has completed both a training program and a written examination and a practical examination that are substantially equivalent to those required by this chapter may be issued an esthetician, or master esthetician license or the respective instructor certificate without an examination. The applicant must also meet the requirements set forth in 18VAC41-70-20 A.
- B. Applicants for licensure by endorsement who completed an equivalent training program and whose state only utilizes one licensing examination (written or practical) that is substantially equivalent to that required by this chapter may take the other examination (written or practical) in Virginia to qualify for licensure.
- C. Applicants for licensure by endorsement who completed a training program that is not substantially equivalent to Virginia's training but otherwise meet all the requirements listed in subsection A of this section, may substitute three years of work experience for training. Applicants should provide their work history demonstrating three years of licensed experience in any other state or jurisdiction of the United States on a form provided by the board.

18VAC41-70-35. Apprenticeship trainingTraining.

- A. Licensed estheticians and master estheticians who train apprentices shall comply with the standards for apprenticeship training. established by the Division of Registered Apprenticeship of the Virginia Department of Labor and Industry and the Virginia Board for Barbers and Cosmetology. Owners of esthetics spas who train apprentices shall comply with the standards for apprenticeship training established by the Division of Registered Apprenticeship of the Virginia Department of Labor and Industry.
- B. Any person completing the Virginia apprenticeship program in esthetics or master esthetics shall be eligible for examination. Responsible management of esthetics spas who train apprentices shall comply with the standards for registered apprenticeship training.

18VAC41-70-40. Examination requirements and fees Requirements and Fees.

/AC41-70-40. Examination requirements and fees Requirements and Fees.

A. Applicants for initial licensure shall pass both a practical and written portion of the particular and a practical examination approved by the board. The examinations may be a testing service. examination and a practical examination approved by the board. The examinations may be administered by the board or by a designated testing service.

Materials Contained

- B. Any applicant who passes one part of the examination shall not be required to take that part again provided both parts are passed within one year of the initial examination date.
- C. Any candidate failing to appear as scheduled for examination shall forfeit the examination
- D.C. The fee for examination or reexamination is subject to contracted charges to the board by an outside vendor. These contracts are competitively negotiated and bargained for in compliance with the Virginia Public Procurement Act (§ 2.2-4300 et seg. of the Code of Virginia). Fees May be adjusted and charged to the candidate in accordance with these contracts. The fee shall not exceed \$225 per candidate.
- E.D. Any candidate failing to apply for initial licensure within five years of passing both a practical and written portion of an examination and a practical examination shall be required to retake both portions. Records of examinations shall be maintained for a maximum of five years.
- E. Any applicant who does not pass a reexamination within one year of the initial examination date shall be required to submit a new application and examination fee.

18VAC41-70-50. Reexamination requirements. (Repealed.)

Any applicant who does not pass a reexamination within one year of the initial examination date shall be required to submit a new application and examination fee.

18VAC41-70-60. Examination administration Administration.

- A. The examination shall be administered by the board or the designated testing service. The practical examination shall be supervised by a chief examiner.
- B. Every esthetics or master esthetics examiner shall hold a current Virginia license in his their respective profession, have three or more years of active experience as a licensed professional, and be currently practicing in that profession. Examiners shall attend training workshops sponsored by the board or by a testing service acting on behalf of the board.
- C. No certified esthetics or master esthetics instructor who (i) is currently teaching, (ii) is a school owner, or (iii) is an apprentice sponsor shall be an examiner.
- D. Each esthetics or master esthetics chief examiner shall (i) hold a current Virginia license in his respective profession, (ii) have five or more years of active experience in that profession, (iii) have three years of active experience as an examiner, and (iv) be currently practicing in his respective profession. Chief examiners shall attend training workshops sponsored by the board or by a testing service acting on behalf of the board.
- E. The applicant shall follow all procedures established by the board with regard to conduct at the examination. Such procedures shall include written instructions communicated prior to the examination date and instructions communicated at the site, either written or oral, on the date of the examination. Failure to comply with all procedures established by the board and the testing service with regard to conduct at the examination may be grounds for denial of application.

18VAC41-70-70. Esthetician and Master Esthetician temporary license Temporary Permit.

- A. A temporary license permit to work under the direct supervision of a currently licensed esthetician or master esthetician may be issued only to applicants for initial licensure that the board finds eligible for the applicable examination. There shall be no fee for a temporary license.
- B. The temporary license permit shall remain in force for 45 90 days and no subsequent temporary permit shall be issued. following the examination date. The examination date shall be the first test date after the applicant has successfully submitted an application to the board.
- C. Any person continuing to practice esthetics services after a temporary license permit may expired may be prosecuted and fined by the Commonwealth under §§ 54.1-111 A 1 and 54.1-202 of Virginia
 - D. No applicant for examination shall be issued more than one temporary license.

E.D. Temporary permits shall not be issued where grounds may exist to deny a license pursuant to § 54.1-204 of the Code of Virginia or 18VAC41-70-20.

18VAC41-70-80. General requirements for spa license Requirements for Spa License.

A. Any firm wishing to operate an esthetics spa shall obtain a spa license in compliance with \$54.1-704.1 of the Code of Virginia, and shall meet the following qualifications in order to receive a license:

1. The applicant, and all members of the responsible management, shall be in good standing as a licensed spa in Virginia and all other jurisdictions where licensed, certified, or registered. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure, any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's operation of any esthetics spa or practice of the profession. This includes monetary penalties, fines, probation, suspensions, revocations, surrender of a license in connection with a disciplinary action, pertaining to services with the respective scope of practice, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if the applicant or any member of responsible management has been previously licensed in Virginia as an esthetics spa.

Upon review of the applicant's and all members of the responsible management's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in the operation of an esthetics spa. The board will decide each case by taking into account the totality of the circumstances. Any plea of nole contendere or comparable plea shall be considered a disciplinary action for the purposes of this section. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

- 2. The applicant shall disclose the applicant's physical address. A post office box is not acceptable.may be provided as a secondary address.
- 3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia esthetics license laws and this chapter.
- 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information about the firm and all members of the responsible management regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions <u>within two years of the date of application</u> involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury <u>within two years of the date of the application</u>; and
 - b. All felony convictions within 20 10 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

- 5. The applicant shall disclose the firm's responsible management.
- B. Spa licenses are issued to firms as defined in this chapter and shall not be transferable and shall bear the same name and address of the business. Any changes in the name or address of the spa shall be reported to the board in writing within 30 days of such changes. The board shall not be responsible for the licensee's, certificate holder's, or permit holder's failure to receive notices, communications, and correspondence caused by the licensee's, certificate holder's, or permit holder's failure to promptly notify the board in writing of any change of name or address or

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for any other reason beyond the control of the board. <u>The new responsible management is responsible for applying for a new licenses within 30 days of the changes.</u>

- C. Whenever the legal business entity holding the license is dissolved or altered to form a new business entity, the original license becomes void. The firm must notify the board within 30 days of the change and destroy the license, and shall be returned to the board within 30 days of the change. Additionally, the firm shall apply for a new license, within 30 days of the change in the business entity. Such changes include:
 - Death of a sole proprietor;
 - 2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and
 - 3. Conversion, formation, or dissolution of a corporation, a limited liability company, association, or any other business entity recognized under the laws of the Commonwealth of Virginia.
- D. Any change in the officers of a corporation, managers of a limited liability company, or officers or directors of an association shall be reported to the board in writing within 30 days of the change.
 - E. Mobile spas must have a spa license and provide a physical address.
- E.F. The board or any of its agents shall be allowed to inspect during reasonable hours any licensed spa for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia or this chapter. For purposes of a board inspection, "reasonable hours" means the hours between 9 a.m. and 5 p.m.; however, if the licensee generally is not open to the public substantially during the same hours, "reasonable hours" shall mean the business hours when the licensee is open to the public.

18VAC41-70-90. General requirements for a school license Requirements for a School License.

A. Any firm wishing to operate an esthetics school shall submit an application to the board at least 60 days prior to the date for which approval is sought, obtain a school license in compliance with § 54.1-704.2 of the Code of Virginia, and meet the following qualifications in order to receive a license:

1. The applicant and all members of the responsible management shall be in good standing as a licensed school in Virginia and all other jurisdictions where licensed. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure, any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's operation of any esthetics school or practice of the profession. This includes monetary penalties, fines, probation, suspensions, revocations, surrender of a license in connection with a disciplinary action, pertaining to services in the respective scope of practice, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if the applicant or any member of the responsible management has been previously licensed in Virginia as an esthetics school.

Upon review of the applicant's and all members of the responsible management's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in the operation of an esthetics school. The board will decide each case by taking into account the totality of the circumstances. Any plea of nole contendere or comparable plea shall be considered a disciplinary action for the purposes of this section. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority

to issue such order, decree, or case decision, and such copy shall be admissible as prima

- - b. All felony convictions within 20 10 years of the date of application.

Any plea of holo contendere shall be considered a conviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

- 5. The applicant shall disclose the firm's responsible management.
- B. Esthetics school licenses are issued to firms as defined in this chapter and shall not be transferable, and shall bear the same name and address as the school. Any changes in the name or the address of record or principal place of business of the school shall be reported to the board in writing within 30 days of such change. The board shall not be responsible for the licensee's, certificate holder's, or permit holder's failure to receive notices, communications, and correspondence caused by the licensee's, certificate holder's, or permit holder's failure to promptly notify the board in writing of any change of name or address or for any other reason beyond the control of the board. The name of the school must indicate that it is an educational institution. All signs or other advertisements must reflect the name as indicated on the license issued by the board and contain language indicating it is an educational institution.
- C. Whenever the legal business entity holding the license is dissolved or altered to form a new business entity, the original license becomes void. The firm must notify the board within 30 days of the change and destroy the license. and shall be returned to the board within 30 days of the change. Additionally, the firm shall apply for a new license within 30 days of the change in business entity. Such changes include:
 - 1. Death of a sole proprietor;
 - 2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and
 - 3. Conversion, formation, or dissolution of a corporation, a limited liability company, an association, or any other business entity recognized under the laws of the Commonwealth of Virginia.
- D. Any change in the officers of a corporation, managers of a limited liability company, or officers or directors of an association shall be reported to the board in writing within 30 days of the change.
- E. Esthetics schools under the Virginia Department of Education shall be exempted from licensure requirements.
- F. The board or any of its agents shall be allowed to inspect during reasonable hours any licensed school for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia or this chapter. For purposes of a board inspection, "reasonable hours"

means the hours between 9 a.m. and 5 p.m.; however, if the licensee generally is not open to the public substantially during the same hours, "reasonable hours" shall mean the business hours when the licensee is open to the public.

18VAC41-70-100. General requirements for an esthetics instructor certificate Requirements **For an Esthetics Instructor Certificate.**

- A. Any individual wishing to engage in esthetics instruction shall must meet the following qualifications:
 - The applicant shall must be in good standing as a licensed esthetician or master esthetician in Virginia and all other jurisdictions where licensed. The applicant shall must disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's practice as an esthetician or master esthetician. This includes monetary penalties, fines, probation, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary remination of a license. The applicant shall disclose to the board at the time of application for licensure whether he has been previously licensed in Virginia as an esthetician or master esthetician.

Upon review of the applicant's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in esthetics or master esthetics. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this section. The applicant shallmust provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action;

- 2. The applicant shall must hold a current Virginia estheticsesthetician or master esthetician license;
- 3. The applicant shall must complete one of the following qualifications:
 - a. Pass a course in teaching techniques at the postsecondary educational level; or
 - b. Complete an instructor training course approved by the Virginia Board for Barbers and Cosmetology under the supervision of a certified esthetics instructor or master esthetics instructor in an esthetics school and pass an examination in esthetics instruction administered by the board or by a testing service acting on behalf of the
 - b. Pass an instructor examination administered by the board or by a testing service acting on behalf of the board.
- 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions within two years of the date of the application involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury within two years of the date of the application; and
 - b. All felony convictions within 20 years of the date of application.

Any plea of nolo contendere shall be considered a subsection. The record of a conviction received from a court shall be accepted as prince facile evidence of a conviction or finding of guilt. The board, in its discretion, may deny applicant in accordance with § 54.1-204 of the Code of Virginia.

- <u>5. Any changes in the name or address of the licensee shall be reported to the board in</u> writing within 30 days of such changed.
- B. Instructors shall be required to maintain a Virginia esthetician license. Instructors shall be required to maintain an esthetician or master esthetician license, respectively.
- B. Certified instructors may teach in any profession in which they hold the underlying license. 18¥AC41-70-105. Student Instructor Temporary Permit.
- ANA licensed esthetician or master esthetician may be granted a twelve (12) month student instructor temporary permit to function under the direct supervision of a certified instructor in a licensed school. No subsequent student instructor temporary permit shall be issued.
- B. Student instructors may teach in any profession in which they hold the underlying license. Failure to maintain an esthetician or master esthetician license shall disqualify an individual from holding a student instructor temporary permit.
- C. Temporary permits shall not be issued where grounds may exist to deny a license pursuant to § 54.1-204 of the Code of Virginia or 18 VAC 41-70-100.

18VAC41-70-110. General requirements for a master esthetics instructor certificate. (Repealed.)

- A. Any individual wishing to engage in master esthetics instruction shall meet the following qualifications:
 - 1. The applicant shall be in good standing as a licensed master esthetician in Virginia and all other jurisdictions where licensed. The applicant shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's practice as a master esthetician. This includes monetary penaltics, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if the applicant has been previously licensed in Virginia as an esthetician or master esthetician.

Upon review of the applicant's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in esthetics or master esthetics. The board will decide each case by taking into account the totality of the circumstances. Any plea of nelo contendere or comparable plea shall be considered a disciplinary action for the purposes of this section. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action;

- 2. The applicant shall hold a current Virginia master esthetician license;
- 3. The applicant shall complete one of the following qualifications:
 - a. Pass a course in teaching techniques at the postsecondary educational level; or
 - b. Complete an instructor training course approved by the Virginia Board for Barbers and Cosmetology under the supervision of a certified esthetics instructor or master esthetics instructor in an esthetics school and pass an examination in esthetics instruction administered by the board or by a testing service acting on behalf of the board; and
- 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
 - All misdemeanor convictions involving moral turpitude, sexual offense, nonmarijuana drug distribution, or physical injury within two years of the date of the application; and

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Any plea of no subsection. The subsection. The facie evidence licensure to any plea of no subsection. The facie evidence licensure to any plea of no subsection. The facie evidence licensure to any plea of no subsection. The facie evidence licensure to any plea of no subsection. The facie evidence licensure to any plea of no subsection. The facie evidence licensure to any plea of no subsection. The facie evidence licensure to any plea of no subsection. The facie evidence licensure to any plea of no subsection. The facie evidence licensure to any plea of no subsection. The facie evidence licensure to any plea of no subsection. The facie evidence licensure to any plea of no subsection. The facie evidence licensure to any plea of no subsection. The facie evidence licensure to any plea of no subsection. The facie evidence licensure to any plea of no subsection.	b. All felony convictions within 20 years of the date of application. Any plea of note contendere shall be considered a conviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facile evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia. B. Instructors shall be required to maintain a Virginia master esthetician license. Part III Fees 18VAC41-70-120. Fees. The following fees-apply: are nonrefundable and shall not be prorated:					
FEE TYPE	AMOUNT DUE September 1, 2022, through and August 31, 2024	AMOUNT DUE September 1, 2024, and after	WHEN DUE			
Individuals:	TO					
Application	\$905	\$105	With application			
License by Endorsement	\$90 CLS	\$105	With application			
Renewal	\$90	\$105	With renewal card prior to expiration date			
Reinstatement	\$180* *includes \$90 renewal fee and \$90 reinstatement fee	\$210* *includes \$105 renewal fee and \$105 reinstatement fee	With reinstatement application			
Instructors:			94/2			
Application	\$110	\$125	With application			
License by Endorsement	\$110	\$125	With application			
Renewal	\$110 <u>\$20</u>	\$ 150 <u>\$20</u>	With renewal card prior to expiration date			

Reinstatement	\$220* <u>\$40*</u> *includes \$110 <u>\$20</u> renewal fee and \$110 <u>\$20</u> reinstatement fee	\$300* <u>\$40*</u> *includes <u>\$150<u>\$20</u> renewal fee and \$150<u>\$20</u> reinstatement fee</u>	With reinstatement application			
Spas: 15						
Application	\$165	\$190	With application			
Renewal	\$165	\$190	With renewal card prior to expiration date			
Reinstatement	\$330* *includes \$165 renewal fee and \$165 reinstatement fee	\$380* *includes \$190 renewal fee and \$190 reinstatement fee	With reinstatement application			
Schools:	7/1 10/1	No.				
Application	\$185	\$220	With application			
Renewal	\$185	\$220	With renewal card prior to expiration date			
Reinstatement	\$370* *includes \$185 renewal fee and \$185 reinstatement fee	\$440* *includes \$220 renewalf fee and \$220 reinstatement fee	With reinstatement application			

18VAC41-70-130. Refunds. (Repealed.)

All fees are nonrefundable and shall not be prorated.

Official Board Position.

Part IV

Renewal/Reinstatemon.

18VAC41-70-140. License renewal required Renewal Required.

""" or certificate issued under this chapter shall expire to

18VAC41-70-150. Notice of renewal Renewal.

The Department of Professional and Occupational Regulation will mail a renewal notice to the licensee of certificate holder outlining the procedures for renewal. Failure to receive this notice, however, shall not relieve the licensee or certificate holder of the obligation to renew. If the licensee or certificate holder fails to receive the renewal notice, a copy of the old license may be submitted as evidence of intent to renew, along with the required fee.

18VAC41-70-160. Failure to renew Renew.

A. When a licensee licensed of certified individual or business fails to renew its license within 30 days following its expiration date, the licensee or certificate holder shall apply for reinstatement of the license by submitting to the Department of Professional and Occupational Regulation a reinstatement application and renewal fee and reinstatement fee.

- B. When a licensee fails to renew its license within two years following the expiration date, reinstatement is no longer possible. To resume practice:
 - 1. The former licensee or certificate holder shall apply for licensure or certification as a new applicant and shall meet all current entry requirements for each respective license or certificate. Individuals applying for licensure under this section shall be eligible to apply for a temporary license from the board under 18VAC41-70-70.
 - 2. An individual initially granted licensure under an examination exemption, known as grandfathering, pursuant to § 54.1-703.3 of the Code of Virginia shall submit a new application showing the individual met the requirements of the applicable examination waiver provision, demonstrate five years of licensed experience, and pass the required examination, previously licensed in Virginia for a minimum of three (3) years shall submit a new application and pass the required examination.
- C. The application for reinstatement for a school shall provide (i) the reasons for failing to renew prior to the expiration date and (ii) a notarized statement that all students currently enrolled or seeking to enroll at the school have been notified in writing that the school's license has expired. All of these materials shall be called the application package. Reinstatement will be considered by the board if the school consents to and satisfactorily passes an inspection of the school and if the school's records are maintained in accordance with 18VAC41-70-230 and 18VAC41-70-240. Upon receipt of the reinstatement fee, application package, and inspection results, the board may reinstate the school's license, require requalification, or both. If the reinstatement application package and reinstatement fee are not received by the board within six months following the expiration date of the school's license, the board will notify the testing service that prospective graduates of the unlicensed school are not acceptable candidates for the examination. Such notification will be sent to the school and must be displayed in a conspicuous manger by the school in an area that is accessible to the public. No student shall be disqualified from taking the examination because the school was not licensed for a portion of the time the student attended if
- D. The date a renewal fee is received by the Department of Professional and Occupations. Regulation, or its agent, will be used to determine whether the requirement for reinstatement of a control and an additional fee is required.

- E. When a license is reinstated, the licensee shall have the same license number and shall be assigned an expiration date two years from the previous expiration date of the license.
- E. When a license or certificate is reinstated, the licensee or certificate holder shall be assigned an expiration date two years from the date of the last day of the month of reinstatement.
- F. A licensee <u>or certificate holder</u> that reinstates its license <u>or certificate</u> shall be regarded as having been continuously licensed without interruption. Therefore, a licensee <u>or certificate holder</u> shall be subject to the authority of the board for activities performed prior to reinstatement.
- G. A licensee or certificate holder that fails to reinstate its license or certificate shall be regarded as unlicensed from the expiration date of the license or certificate forward. Nothing in this chapter shall divest the board of its authority to discipline a licensee or certificate holder for a violation of the law or regulations during the period of time for which the individual or business entity was licensed.

Part V

Esthetics Schools

18VAC41-70-180. General requirements Requirements.

An esthetics school shall:

- 1. Hold a school license for each and every location.
- 2. Hold a spa license if the school receives compensation for services provided in its clinic.
- 3. For esthetics courses, employ a staff of licensed and certified esthetics instructors or licensed and certified master esthetics instructors.
- a. Licensed and certified esthetics instructors and master esthetics instructors may also instruct a waxing program.
- b. Any change in instructors shall be reported to the board within 30 days of the change.
- 4. For master esthetics courses, employ a staff of licensed and certified master esthetics instructors.
- 5. Develop individuals for entry-level competency in esthetics.
- 6. Submit its curricula for board approval. Esthetician curricula shall be based on a minimum of 600 clock or equivalent credit hours and shall include performances in accordance with 18VAC41-70-190. Master esthetician curricula shall be based on a minimum of 600 clock or equivalent credit hours and shall include performances in accordance with 18VAC41-70-190 C18VAC41-70-190C. All changes to curricula must be resubmitted and approved by the board.
- 7. Inform the public that all services are performed by students if the school receives compensation for services provided in its clinic by posting a notice in the reception area of the spa in plain view of the public.
- 8. Conduct classroom instruction in an area separate from the clinic area where practical instruction is conducted and services are provided.
- 9. Complete practical instruction in the school's clinic area.
- 10. Instructor programs must be taught by a certified instructor.

18VAC41-70-190. Curriculum and hours of instruction requirements Hours of Instruction Requirements.

A. Each esthetics school shall submit with its application a curriculum including a course syllabus, a detailed course content outline, a sample of five lessons plans, a sample of evaluation methods to be used, days and hours of instruction, program length, and a breakdown of hours of credit hours and performances for all courses to be taught that will lead to licensure or certification.

In addition, if a school awards credit in accordance with subsection D of this section, the school shall submit copies of the assessment policy, method of evaluation of transcripts and the examination to be used in making the assessment.

- B. The esthetics curriculum and hours of instruction in this technology shall consist of 600 Chours or equivalent credit hours and shall include but not limited to the following:
- a. School policies,
 b. Management;
 Sales, inventory, and retailing;
 axes and payroll; 1. Orientation and business topics - minimum of 25 hours of instruction.

 - f. Client records and confidentiality; and
 - g. Professional ethics and practices.
 - 2. Laws and regulations minimum of 10 hours of instruction.
 - 3. General sciences minimum of 80 hours of instruction.
 - a. Bacteriology;
 - b. Microorganisms;
 - c. Infection control, disinfection, sterilization;
 - d. Occupational Safety and Health Administration (OSHA) requirements;
 - e. Material Safety Data Sheet (MSDS);
 - f. General procedures and safety measures
 - g. Cosmetic chemistry;
 - h. Products and ingredients; and
 - i. Nutrition.
 - 4. Applied sciences minimum of 95
 - a. Anatomy and physiology;
 - b. Skin structure and function;
 - c. Skin types;
 - d. Skin conditions: and
 - e. Diseases and disorders of the skin.
 - 5. Skin care minimum of 255 hours of instruction.
 - a. Health screening;
 - b. Skin analysis and consultation;
 - b. Skin analysis and consultation;c. Effleurage and related movements and manipulations of the face and body;
 - d. Cleansings procedures;
 - e. Masks:
 - f. Extraction techniques;
 - g. Machines, equipment, and electricity;
 - h. Manual facials and treatments;
 - i. Machine, electrical facials, and treatments; and
 - j. General procedures and safety measures.
 - 6. Makeup minimum of 65 hours of instruction.

a. Setup, supplies, and implements; b. Color theory; c. Consultation; d. General and special occasion application; e. Camouflage; g. Lash and tinting; h. Lash perming;

- f. Application of false lashes and lash extensions;
- ipLightning of the hair on body except scalp; and
- j. General procedures and safety measures.
- 7. Body and other treatments minimum of 20 hours of instruction.
 - a. Body treatments;
 - b. Body wraps
 - c. Body masks
 - d. Body scrubs;
 - e. Aromatherapy; and
 - f. General procedures and safety measures.
- 8. Hair removal minimum of 50 hours of instruction.
 - Types of hair removal;
 - b. Wax types;
 - c. Tweezing;
 - d. Chemical hair removal;
 - e. Mechanical hair removal; and
 - f. General procedures and safety measures
- C. The master esthetics curriculum and hours of instruction in this technology shall consist of 600 hours or equivalent credit hours and shall include the following:
 - 1. Orientation, advanced business subjects, and infection control minimum of 45 hours of instruction.
 - a. School policies and procedures;
 - b. Professional ethics and practices;
 - c. Ethics and professional conduct;
 - d. Insurance and liability issues:
 - e. Confidentiality and Health Insurance Portability and Accountability Act of 1996 Privacy Rule (HIPAA);
 - f. Client records and documentation;
 - g. Microbiology and bacteriology;
 - h. Infection control, disinfection, and sterilization;
 - i. Occupational Safety and Health Administration (OSHA), U.S. Food and Administration (FDA); and Material Safety Data Sheet (MSDS); and
 - j. Personal protective equipment.
 - 2. State laws, rules and regulations minimum of 10 hours of instruction.
 - 3. Advanced anatomy and physiology minimum of 65 hours of instruction.

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- a. Advanced anatomy and physiology;
- b. Advanced skin structure and functions;
- c. Advanced skin typing and conditions;
- d. Advanced disease and disorders;
- e. Advanced cosmetic ingredients;
- f. Pharmacology; and
- g. Advanced homecare.
- 4. Advanced skin care and advanced modalities minimum of 90 hours of instruction.
 - a. Introduction to microdermabrasion and dermaplaning;
 - b. Indications and contraindications for crystal microdermabrasion;
 - c. General procedures and safety measures for crystal microdermabrasion;
 - d. Indications and contraindications for crystal-free microdermabrasion and dermaplaning;
 - e. General procedures and safety measures for crystal-free microdermabrasion and dermaplaning;
 - f. Equipment safety? crystal and crystal-free microdermabrasion and dermaplaning;
 - g. Waste disposal, Occupational Safety and Health Administration (OSHA);
 - h. Introduction to microdermabrasion techniques and proper protocols;
 - i. Machine parts, operation, protocols, care, waste disposal, and safety;
 - j. Practical application and consultation for crystal microdermabrasion;
 - k. Practical application and consultation for crystal-free microdermabrasion and dermaplaning; and
 - I. Pretreatment and posttreatment for microdermabrasion.
- 5. Advanced procedures and chemical exfoliation minimum of 270 hours of instruction.
 - a. Advanced skin analysis and consultation and health screening and documentation;
 - b. Advanced procedures, light treatments, light-emitting diode (LED), intense pulsed light device (IPL);
 - c. Advanced manual, machine, and electric treatments, microcurrent, and ultrasound;
 - d. Introduction to chemical exfoliation and peels of the epidermis;
 - e. Fundamentals of skin care associated with chemical exfoliation and peels and wound healing;
 - f. Pretreatment and posttreatment for chemical exfoliation and peels;
 - g. Assessing suitability and predicting chemical exfoliation efficacy
 - h. General practical application and consultation protocols;
 - i. Practical application and consultation for enzymes, herbal exfoliations, and vitaminbased peels;
 - j. Indications and contraindications for enzymes, herbal exfoliations, and vitamin-based peels;
 - k. General procedures and safety measures for herbal exfoliations, and vitamin-based peels;
 - I. Pretreatments and posttreatments for herbal exfoliations, and vitamin-based peels;
 - m. Practical application and consultation for alpha hydroxy peels;
 - n. Indications and contraindications for alpha hydroxy peels;

- o. General procedures and safety measures for alpha hydroxy peels;
- p. Pretreatment and posttreatment for alpha hydroxy peels;
- q. Practical application and consultation for beta hydroxy peels;
- r. Indications and contraindications for beta hydroxy peels;
- s. General procedures and safety measures for beta hydroxy peels;
- t. Pretreatment and posttreatment for beta hydroxy peels;
- u. Practical application and consultation for Jessner and Modified Jessner peels;
- Indications and contraindications for Jessner and Modified Jessner peels;
 - w. General procedures and safety measures for Jessner and Modified Jessner peels;
 - x. Pretreatment and posttreatment for Jessner and Modified Jessner peels;
 - y. Practical application and consultation for trichloracetic acid peels;
 - z. Indications and contraindications for trichloracetic acid peels;
 - aa. General procedures and safety measures for trichloracetic acid peels; and
 - bb. Pretreatment and posttreatment for trichloracetic acid peels.
- 6. Lymphatic drainage minimum of 120 hours of instruction.
 - a. Introduction to lymphatic drainage;
 - b. Tissues and organs of the lymphatic system;
 - c. Functions of the lymphatic system;
 - d. Immunity;
 - e. Etiology of edema;
 - f. Indications and contraindications for lymphatic drainage;
 - g. Lymphatic drainage manipulations and movements;
 - h. Face and neck treatment sequence;
 - i. Lymphatic drainage on the trunk and upper extremities;
 - j. Lymphatic drainage on the trunk and lower extremities;
 - k. Cellulite;
 - I. Using lymphatic drainage with other treatments; and
 - m. Machine-aided lymphatic drainage.
- D. A licensed esthetics school with an approved esthetics program may conduct an assessment of a student's competence in esthetics and, based on the assessment, give credit toward the requirements specified in subsection B of this section and 18VAC41-70-200 A. A licensed esthetics school with an approved master esthetics program may conduct an assessment of a student's competence in master esthetics and, based on the assessment, give credit toward the requirements specified in subsection C of this section and 18VAC41-70-200 B.

The school shall may make the assessment based on a review of the student's transcript, documentation of hours and performances provided to the student by the school and the successful completion of a board-approved competency examination administered by the school. The school may also request a copy of a catalog or bulletin giving the full course description when making the evaluation. The number of credit hours awarded shall not exceed the actual hours of instruction verified on the transcript or the number of hours specified in the board-approved curriculum for a specific topic.

E. The instructor curriculum and hours of instruction shall consist of 400 hours or equivalent credit hours and shall include the following:

ntained in

3. L.

4. Lesson p.

5. Classroom man.

6. Teaching techniques;

7. Methods of instruction;

Learning styles;

ing disabilities; 1. Orientation: 3. Course outline and development; 5. Classroom management; 11. Developing, administering, and grading examinations; 12. School administration; 13. Recordkeeping: 14. Laws and regulations: 15. Presentation of theoretical subjects; 16. Presentation of practical subjects; 17. Supervision of clinic floor; and 18. Practicum teaching. E. The instructor curricus.

1. Orientation, introduction to teaching, and a course outline and development;

1 asson planning: E. The instructor curriculum shall include, but not be limited to, the following: 1. Orientation, introduction to teaching, and professional ethics; 6. Teaching techniques;7. Methods of instruction (including theory and practical instruction*); 8. Learning styles; 9. Learning disabilities; 10. Teaching aids; 11. Developing, administering and grading examinations; 12. School administration; 13. Recordkeeping; 14. Laws and regulations; 15. Supervision of clinic floor; and 16. Practicum teaching. 18VAC41-70-200. Practical performance requirements Performance Requirements A. The curriculum for estheticians shall include the following minimum practical performances: Consultations, cleansings and analysis of face and body 35 Manual facials and treatments 65 Machine or electrical facials and treatments 50

	Body treatments and back treatments	20
	Makeup	25
	Hair Removal	25
7/5	TOTAL	220

The curriculum for master estheticians shall include the following minimum performances:

Advanced treatments			40
Microdermabrasion		·	50
Chemical exfoliation			75
Lymphatic drainage treatm	ents		50
TOTAL			215

18VAC41-70-210. School equipment Equipment.

A. For an esthetics course, an esthetics school must have at least one treatment table, one magnifier lamp, one steamer, one adjustable stool, and one table for instruments and products for each two students enrolled in the class.

- B. For each procedure taught in the esthetics curriculum, the esthetics school must have at least one set of the applicable equipment for each three students enrolled in the class.
- C. For a master esthetics course, an esthetics school must have at least one treatment table, one woods lamp, one adjustable stool, and one table for instruments and products for each two students enrolled in the class.
- D. For each procedure taught in the master esthetics curriculum, the esthetics school must have at least one set of the applicable equipment for each six students enrolled in the class.

18VAC41-70-230. Records.

A. Schools shall maintain on the premises of each school and available for inspection by the board or any of its agents the following records for the period of a student's enrollment through five years after the student's completion of the curriculum, termination, or withdrawal:

- 1. Enrollment application containing the student's signature and a two-inch by two-inch color head and shoulders photograph of the student,
- 2. Daily record of attendance containing the student's signature,
- 3. Student clock hours containing the student's signature and method of calculation,
- 4. Practical performance completion sheets containing the student's signature,
- 5. Final transcript,
- 6. Competency examinations used to award credit,
- 7. 6. Course descriptions, and
- 8.8. All other relevant documents that account for a student's accrued clock hours and practical applications.
- B. Schools shall produce to the board or any of its agents, within 10 days of the request ∤any document, book, or record concerning any student, or for which the licensee is required to maintain records, for inspection and copying by the board or its agents. The board may extend such timeframe upon a showing of extenuating circumstances prohibiting delivery within such 10day period.

- C. Schools shall, within 21 days upon receipt of a written request from a student, provide documentation of hours and performances completed by the student as required to be maintained by subsection A of this section.
- D. Prior to a school changing ownership or a school closing, the school is required to provide to current students documentation of hours and performances completed.
- E. For a period of one year after a school changes ownership, the school shall provide, within 21 days upon receipt of a written request from a student, documentation of hours and performances completed by a current student.

18VAC41-70-240. Reporting.

- A. Schools shall provide, in a manner, format, and frequency prescribed by the board, a roster of all current students and a roster of students who attended in the preceding six months prior to the reporting deadline.
- B. Within 30 days of ceasing to operate, whether through dissolution or alteration of the business entity, the school shall provide a written report to the board on performances and hours of each of its students who has not completed the program.
- A. Each school must provide student rosters to the board no later than January 15, April 15, July 15, and October 15 of every year;
- 1. A roster of all enrolled students and a roster of students who attended in the preceding six months prior to the reporting deadline.
 - 2. Students who are enrolled but have not begun classes must be included in the report.
- 3. Rosters will be provided on a Board supplied spreadsheet, which will include the students full name, date of birth, program type, date enrolled, the total number of hours to-date, and the date completed, terminated, or withdrawn.
- 4. Schools with no students enrolled, but the intention of operating, must submit a report to that effect. Schools with no students enrolled that no longer wish to operate should terminate their license in accordance with Board regulations.
 - 5. Rosters must be submitted via a secure link provided by the Board.
- B. Within 30 days of ceasing to operate, whether through dissolution or alteration of the business entity, the school shall provide a written report to the board on performances and hours of each of its students who have not completed the program.

18VAC41-70-250. Scope of practicePractice.

- Standards or reach of its successful to the standards of the epidermis by a licensed master esthetician, the standards use of an exfoliation of the epidermis by a licensed master esthetician, the standards use of an exfoliator or concentration of acids shall be:

 | 'cosner and Modified Jessner solution; | coid less than 20%; | co licensee or student performs any service beyond the scope of practice for the esthetician or master esthetician license.
- for use of an exfoliator or concentration of acids shall be:

- Vitamin-based acids:

- 7. Enzymes, ...
 8. Herbal exfoliators.

 18VAC41-70-260. Display of license License.

 Tach The responsible management for licenses grantion. A. Each The responsible management for licensed spa or school shall ensure that all current licenses, certificates, and temporary licenses permits issued by the board shall be displayed in plain view of the public either in the reception area or at individual work stations of the spa or school. Duplicate licenses, certificates, or temporary licenses permit shall be posted in a like manner in every spa or school location where the licensee, certificate holder, or temporary license permit holder provides services.
 - B. All licensees, certificates, and temporary license permit holders shall operate under the name in which the license, certificates, or temporary license permit is issued.
 - C. All apprenticeship cards issued by the Department of Labor and Industry (DOLI) shall be displayed in plain view of the public either in the reception area or at individual work stations of the shop or salon. The apprentice sponsor shall require each apprentice to wear a badge clearly indicating his status as a DOLI registered apprentice.
 - C. Proof of apprenticeship registration issued by the Virginia Department of Workforce Development and Advancement (DWDA) shall be displayed in plain view of the public either in the reception area or at individual work stations of the shop or salon. The apprentice sponsor shall require each apprentice to wear a badge clearly indicating his status as a DWDA registered apprentice.

18VAC41-70-270. Sanitation and safety standards for spas and schools Safety Standards for Spas and Schools.

- A. Sanitation and safety standards
 - 1. Any spa or school where esthetics services are delivered to the public must be clean and sanitary at all times.
 - 2. Compliance with these rules does not confer compliance with other requirements set forth by federal, state, and local laws, codes, ordinances, and regulations as they apply to business operation, physical construction and maintenance, safety, and public health.
 - 3. Licensees shall take sufficient measures to prevent the transmission of communicable and infectious diseases and comply with the sanitation standards identified in this section and shall ensure that all employees likewise comply.
- B. Disinfection and storage of implements.
 - 1. A wet disinfection unit is a container large enough to hold a disinfectant solution in which the objects to be disinfected are completely immersed. A wet disinfection unit must have a cover to prevent contamination of the solution. The solution must be a U.S. Environmental Protection Agency (EPA) registered disinfectant that is bactericidal, virucidal, and fungicidal. Disinfectant solutions shall be used according to manufacturer's directions. Each esthetician and master esthetician must have a wet disinfection unit at his station and must meet the standards in the definition of wet disinfection requirements.
 - 2. Disinfection of multiuse items implements constructed of hard, nonporous materials such as metal, glass, or plastic, that the manufacturer designed for use on more than one client, is to be carried out in the following manner prior to servicing a client:
 - a. Remove all foreign matter from the object, utilizing a brush if needed.: Drill bits are to be soaked in acetone and scrubbed with a wire brush to remove all foreign matter; to be soaked in acetone and scrubbed with a wire brush to remove all foreign matter; to be soaked in acetone and scrubbed with a wire brush to remove all foreign matter;

- c. Rinse thoroughly with clean water and dry thoroughly with a clean paper towel;

- d. Fully immersion, rinse articles, dry thorough, a clean, predisinfected, and dry cabinet, drawer, or more container, or leave instruments in an EPA-registered wet disinfection solution used according to manufacturer's directions.

 3. Single-use items designed by the manufacturer for use on no more than one client should be discarded immediately after use on each individual client, including but not manufacturer for use on no more than one client should be discarded immediately after use on each individual client, including but not manufacturer for use on no more than one client is a simple for implements or disposable razors. The disinfection and reuse of manufacturer for use on no more than one client is
 - 4. For the purpose of recharging, rechargeable tools or implements may be stored in an area other than in a closed cabinet or container. This area shall be clean.
 - 5. All materials including cosmetic and nail brushes, sponges, chamois, spatulas, and galvanic electrodes must be cleaned with warm water and soap or detergent to remove all foreign matter. Implements should then be rinsed, thoroughly dried with a clean paper towel, and completely immersed in an EPA registered disinfectant that is bactericidal, virucidal, and fungicidal. Such implements shall be soaked for 10 minutes or more, removed, rinsed, dried thoroughly, and stored in a predisinfected and dry drawer, cabinet, or nonairtight covered container, or left in an EPA-registered disinfection storage solution used according to manufacturer's directions.
 - 6.5. All wax pots shall be cleaned and disinfected with an EPA-registered disinfectant that is bactericidal, virucidal, and fungicidal with no sticks left standing in the wax at any time. The area immediately surrounding the wax pot shall be clean and free of clutter, waste materials, spills, and any other items that may pose a hazard.
 - 7. Each esthetician must have a wet disinfection unit at his station.
 - 8. Nail brushes; nippers; finger bowls; disinfectable or washable buffers; disinfectable or washable files, which must also be scrubbed with a brush to remove all foreign matter; and other instruments must be washed in soap and water, rinsed, dried thoroughly with a clean paper towel, and then completely immersed in an EPA registered disinfectant that is bactericidal, virucidal, and fungicidal for 10 minutes after each use. After disinfection they must be rinsed, dried thoroughly with a clean paper towel, and placed in a dry, predisinfected, nonairtight covered receptacle, cabinet, or drawer, or left in an EPAregistered disinfectant storage system used according to manufacturer's directions.
 - 9.6. Sinks, bowls, tubs, whirlpool units, air-jetted basins, pipe-less units, and non-whirlpool basins used in the performance of skin nail care shall be maintained in accordance with manufacturer's recommendations. They shall be cleaned and disinfected immediately after each client in the following manner:
 - a. Drain all water and remove all debris;
 - b. Clean the surfaces and walls with soap or detergent to remove all visible debris.
 - b. Clean the surface with an EPA-registered disinfectant to bactericidal, virucidal, and fungicidal; and in accordance with manufacture of the surface with manuface with manufacture of the surface with manufacture of the surface with manufacture of the s

- C. General sanitation and safety requirements.
 - 1. Service chairs, workstations and workstands, and back bars shall be clean;
 - 2. The floor surface in all work areas must be of a washable surface other than carpet. The floor must be kept clean and free of debris, nail clippings, dropped articles, spills, clutter, trash, electrical cords, other waste materials, and other items that may pose a
 - 3. All furniture, fixtures, walls, floors, windows, and ceilings shall be in good repair and free of water seepage and dirt. All mats shall be secured or shall lie flat;
 - 4. A fully functional bathroom with a working toilet and sink must be available for clients. There must be hot and cold running water. Fixtures must be in good condition. The bathroom must be lighted and sufficiently ventilated. There must be soap and clean singleuse towels or hand air-drying device for the client's use. For facilities newly occupied after January 1, 2017, the bathroom shall be maintained exclusively for client use or shared with other businesses in the same building. If the bathroom is shared, the bathroom shall be available for client use and within 200 feet of the entrance and must adhere to all sanitation requirements of this chapter;
 - 5. General areas for client use must be neat and clean with a waste receptacle for common
 - 6. Electrical cords shall be placed to prevent entanglement by the client or licensee and electrical outlets shall be covered by plates;
 - 7. All sharp tools, implements, and heat-producing appliances shall be in safe working order at all times, safely stored, and placed so as to prevent any accidental injury to the client or licensee:
 - 8. The spa area shall be sufficiently ventilated to exhaust hazardous or objectionable airborne chemicals and to allow the free flow of air; and
 - Adequate lighting shall be provided
- D. Articles, tools, and products.
 - 1. Any multiuse article, tool, or product that cannot be cleansed or disinfected is prohibited from use;
 - 2. Soiled implements must be removed from the tops of work stations immediately after
 - 3. Clean spatulas, other clean tools, or clean disposable gloves shall be used to remove bulk substances from containers;
 - 4. Any multiuse article, tool, or product that cannot be disinfected by full immersion as specified in 18VAC41-70-270.B.2 or cleaned according to manufactor's recommendation, including but not limited to natural hair brushes or neck dusters, is prohibited from use.
 - 4.5. Lotions, ointments, creams, and powders shall be accurately labeled and kept in closed containers. A clean spatula shall be used to remove creams or other products from jars. Sterile cotton or sponges shall be used to apply creams, lotions, and powders. Cosmetic containers shall be covered after each use;
 - 5.6. All appliances shall be safely stored;
 - 6.7. Presanitized tools and implements, linens, and equipment shall be stored for usein a sanitary enclosed cabinet or covered receptacle;
 - 7.8. Clean towels, robes, or other linens shall be used for each patron. Clean towels, robes, or other linens shall be stored in a clean predisinfected and dry cabinet, drawer, or nonairtight covered container. Soiled towels, robes, or other linens shall be stored in a

container enclosed on all sides including the top, except if stored in a separate laundry

- Reg. No substance other than a confor homeostasis and applied with a sterile surgon bleeding; and

 9. Any disposable material making contact with blood or other body fluid shall be of in a sealed plastic bag and removed from the spa or school in accordance with the guidelines of the Virginia Department of Health and OSHA (Occupational Safety and Health Administration).

 Able material making contact with blood or other body fluid shall be double and disposed of in a closed receptacle.

 - - Data Sheets (SDS) provided by manufacturers for any chemical products used;
 - 2. Spas and schools shall have a blood spill clean-up kit in the work area that contains at a minimum latex gloves, two 12-inch by 12-inch towels, one disposable trash bag, bleach, one empty spray bottle, and one mask with face shield or any Occupational Safety and Heath Administration (OSHA)-approved blood spill clean-up kit;
 - 3. Flammable chemicals shall be labeled and stored in a nonflammable storage cabinet or a properly ventilated room, and
 - 4. Chemicals that could interact in a hazardous manner (e.g., oxidizers, catalysts, and solvents) shall be labeled and separated in storage.
 - F. Client health guidelines.
 - 1. All employees providing client services shall cleanse their hands with a soap product prior to providing services to each client;
 - 2. All employees providing client services shall wear gloves while providing services when exposure to bloodborne pathogens is possible.
 - 3. No spa or school providing esthetics services shall have on the premises esthetics products containing hazardous substances that have been banned by the U.S. Food and Drug Administration (FDA) for use in esthetics products:
 - 4. No product shall be used in a manner that is disapproved by the FDA; and
 - 5. Esthetics spas must be in compliance with current building and zoning codes.
 - G. In addition to the requirements set forth in this section, all licensees and temporary license permit holders shall adhere to regulations and guidelines established by the Virginia Department of Health and the Occupational and Safety Division of the Virginia Department of Labor and Industry.
 - H. All spas and schools shall immediately report the results of any inspection of the spa or school by the Virginia Department of Health as required by § 54.1-705 of the Code of Virginia.
 - I. All spas and schools shall conduct a self-inspection on an annual basis and maintain a selfinspection form on file for five years so that it may be requested and reviewed by the board at its discretion.

18VAC41-70-280. Grounds for license revocation, probation, or suspension; denial of application, renewal or reinstatement; or imposition of a monetary penalty Grounds for

<u>License Revocation, Suspension, or Probation; Denial of Application, Renewal or Reinstatement; or Imposition of a Monetary Penalty.</u>

The board may, in considering the totality of the circumstances, fine any licensee, certificate holder, or temporary license holder; suspend, place on probation, revoke, or refuse to issue, renew or reinstate any license; impose a monetary penalty, place a license on probation with such terms and conditions and for such time as it may designate, suspend a license for a stated period of time; or revoke, a license certificate or permit issued certificate, or temporary license; or deny any application issued under the provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia and this chapter if the board finds that the licensee, certificate holder, permit holder, or applicant:

- 1. Is incompetent, negligent, or incapable mentally or physically, as those terms are generally understood in the profession, to practice as an esthetician; Is incompetent, negligent in practice, unable to practice with skill or safety as a result of any mental or physical condition, as those terms are generally understood in the profession, (i)to practice as an esthetician or master esthetician, or (ii) operate a spa or school;
- 2. Is convicted of fraud or deceit in the practice or teaching of esthetics or master esthetics, fails to teach in accordance with the board-approved curriculum, or fails to comply with 18VAC41-70-190 D when making an assessment of credit hours awarded;
- 3. Attempts to obtain, obtained, renewed, or reinstated a license, certificate, or temporary license permit by false or fraudulent representation;
- 4. Violates, induces others to violate, or cooperates with others in violating any of the provisions of this chapter or Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia or any local ordinance or regulation governing standards of health and sanitation of the establishment in which any esthetician may practice or offer to practice;
- 5. Offers, gives, or promises anything of value or benefit to any federal, state, or local employee for the purpose of influencing that employee to circumvent, in the performance of his duties, any federal, state, or local law, regulation, or ordinance governing esthetics or master esthetics:
- 6. Fails to respond to the board or any of its agents or provides false, misleading, or incomplete information to an inquiry by the board or any of its agents;
- 7. Fails or refuses to allow the board or any of its agents to inspect during reasonable hours any licensed spa or school for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia or this chapter;
- 8. Fails to produce, upon request or demand of the board or any of its agents, any document, book, record, or copy thereof in a licensee's, certificate holder's, temporary license holder's, applicant's, or owner's possession or maintained in accordance with this chapter;
- 9. Fails to notify the board of a change of name or address in writing within 30 days of the change for each and every license, certificate, or temporary license;
- 10. Makes any misrepresentation or publishes or causes to be published any advertisement that is false, deceptive, or misleading;
- 11. Fails to notify the board in writing within 30 days of the suspension, revocation, or surrender of a license or temporary license in connection with a disciplinary action in any jurisdiction or of any license or temporary license that has been the subject of disciplinary action in any jurisdiction; of final action, of any disciplinary action taken against a license registration, certificate or permit in any jurisdiction by a local, state or national regulatory body;

Material.

- Virginia or any turpitude, sexual offense, non-mental there being no appeal pending therefrom or unconformation of convictions shall be subject to the requirements of § 54.1-20.

 Any plea of nolo contendere shall be considered a conviction for purposed subdivision. The record of a conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such conviction or guilt;

 Form the board in writing within 30 days of pleading guilty or nolo contendere multival regardless of adjudication of convictions as stated in 12. Has been convicted or found guilty, regardless of the manner of adjudication, in

 - a license or a temporary permit to practice unless the person is duly enrolled as a registered apprentice;
 - 15. Allows, as responsible management of a school, a person who has not obtained an instructor certificate to practice as an esthetics or a master esthetics instructor;
 - 16. Fails to take sufficient measures to prevent transmission of communicable or infectious diseases or fails to comply with sanitary requirements provided for in this chapter or any local, state, or federal law or regulation governing the standards of health and sanitation for the practices of esthetics or master esthetics or the operation of esthetics spas; or
 - 17. Fails to comply with all procedures established by the board and the testing service with regard to conduct at any board examination.

FORMS (18VAC41-70)

RMS (18VAC41-70)

Esthetician – Esthetics Instructor Examination & License Application, A450-1261 62EXLICv17 (eff. 5/2022)

Master Esthetician - Master Esthetics Instructor Examination & License Application, A450-1264 65EXLIC-v18 (eff. 5/2022)

Temporary Permit Application, A450-1213TEMP-v3 (eff. 12/2021).

License by Endorsement Application, A450-1213END-v18 (eff./2022)

Training Verification Form, A450-1213TR-vs1 (eff. 5/2022)

Individual - Reinstatement Application, A450-1213REI-v13 (eff. 9/2022)

Salon, Shop, Spa & Parlor License/Reinstatement Application A450-1213BUS-v16 (eff. 9/2022)

Salon, Shop & Spa Self Inspection Form, A450-1213 SSS INSP-vs2 (eff. 5/2016)

Instructor Certification Application, A450-1213INST-v17 (eff. 10/2022)

School License Application, A450-1213SCHL-v18 (eff. 5/2023)

School Reinstatement Application, A450-1213SCHL REI-v9 (eff. 9/2022)

School Self Inspection Form, A450-1213SCH INSP-vs5 (eff. 1/2022)

Licensure Fee Notice, A450-1213FEE-v11 (rev. 2022)

Change of Responsible Management, A450-1213CRM-v6 (eff. 12/2021)

Experience Verification Form A450-1261 64EXP-v2 (eff. 2/2023)

Esthetics-Master Esthetics Universal License App A450-1261-65ULR-v1 (eff. 7/2023)

Board For Barbers And Cosmetology

General Review of Tattooing Regulations

Chapter 50

Tattooing Regulations Part I

General

18VAC41-50-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise. All terms defined in ascribed to them in Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia are incorporated in this chapter.:

"Apprenticeship program means an approved tattooing training program conducted by an approved apprenticeship sponsor.

"Apprenticeship sponsor" means an individual approved to conduct tattooing apprenticeship training who meets the qualifications in 18VAC41-50-70.

"Aseptic technique" means a hygienic practice that prevents and hinders the direct transfer of microorganisms, regardless of pathogenicity, from one person or place to another person or place.

"Business entity" means a sole proprietorship, partnership, corporation, limited liability company, limited liability partnership, or any other form of organization permitted by law.

"Clock Hours" - means a minimum of 50 minutes of supervised or directed instruction and appropriate breaks.

"Credit hour" means a combination of the number of hours in class each week and the number of hours per week in a laboratory by which a school may measure its course work. One unit of credit equals one hour of classroom study, two hours of laboratory experience or three hours of internship or practicum or a combination of the three times the number of weeks in the term. Emerging delivery methodologies may necessitate a unit of undergraduate credit to be measured in nontime base methods. These courses shall use the demonstration of competency, proficiency, or fulfillment of learning outcomes to ensure these courses are equivalent to traditionally delivered courses.

"Direct supervision" means (i) that a Virginia licensed tattooer shall be present in the tattoo parlor at all times when services are being performed by an apprentice; (ii) that a Virginia licensed and certified tattooing instructor or a tattoo student instructor temporary permit holder shall be present in the tattooing school at all times when services are being performed by a student; (iii) that a Virginia licensed and certified permanent cosmetic tattooing instructor or a permanent cosmetic tattooing student instructor temporary permit holder shall be present in the permanent cosmetic tattooing school at all times when services are being performed by a student; (iv) that a Virginia licensed and certified master permanent cosmetic tattooer instructor or a master permanent cosmetic tattooing student instructor temporary permit notes. She permanent cosmetic tattooing school at all times when master permanent cosmetic tattooer permanent cosmetic tattooer she permanent cosmetic tattooing school at all times when master permanent cosmetic tattooer she permanent cosmetic tattooing school at all times when master permanent cosmetic tattooer she in the tattoo parlor at all times when services are being performed by a guest tattooer.

"Each and every location" means, for the purposes of schools with multiple suites or classrooms, a single location is one that is enclosed under one roof and all classrooms or suites are within 500 feet of the main office. Any suites or classrooms that are located in a different building or are further than 500 feet from the main office are considered a separate location, and require the school hold an additional license.

"Endorsement" means a method of obtaining a license by a person who is currently licensed in another state or jurisdiction of the United States.

"Event tattoo parlor" means a tattoo parlor temporary location licensed to operate for a maximum of five consecutive days.

"Firm" means any business entity recognized under the laws of the Commonwealth of Virginia.

"Gratuitous services" as used in § 54.1-701.5 of the Code Virginia means providing tattooing services without receiving compensation or reward, or obligation. Gratuitous services do not include services provided at no charge when goods are purchased.

"Guest tattooer" means a tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer residing outside of Virginia who is licensed only to work for a two-week period at a specified tattoo parlor or permanent cosmetic tattoo salon.

"Guest tattooer sponsor" means a licensed tattoo parlor or permanent cosmetic tattooing salon that is sponsoring and providing direct supervision of a guest tattooer.

"Licensee" means any person, sole proprietorship, partnership, corporation, limited liability company, limited liability partnership, or any other form of organization permitted by law individual or firm holding a license issued by the Board for Barbers and Cosmetology, as defined in § 54.1-700 of the Code of Virginia.

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

"Permanent cosmetic tattoo salon" means any place in which permanent cosmetic tattooing is offered or practiced for compensation.

"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, eyeliners, 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, eyeliners, 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 scripping accept and train students and offers a permanent cosmetic tattooing curriculum approved by the board.

"Pigments" means tattooing ink designed for use on human skin.

"Post-secondary educational level" means an accredited college or university that is approved by the U.S. Department of Education. to accept and train students and offers a permanent cosmetic tattooing, and/or a master permanent cosmetic tattooing curriculum approved by the board.

or accredited by an accrediting agency recognized by the U.S. Department of Education.

"Reasonable hours" means the hours between 9 a.m. and 5 p.m.; however, if the licensee generally is not open to the public substantially during the same hours, "reasonable hours" shall mean the business hours when the licensee is open to the public.

"Reinstatement" means having a license restored to effectiveness after the expiration date has passed.

Renewal" means continuing the effectiveness of a license for another period of time.

Responsible management" means the following individuals:

- The sole proprietor of a sole proprietorship;
- 2. The partners of a general partnership;
- 3. The managing partners of a limited partnership;
- 4. The officers of a corporation;
- 5. The managers of a limited liability company;
- 6. The officers or directors of an association or both; and
- 7. Individuals in other business entities recognized under the laws of the Commonwealth as having a fiduciary responsibility to the firm.

"Sole proprietor" means any individual, not a corporation, who is trading under that individual's own name or under an assumed or fictitious name pursuant to the provisions of §§ 59.1-69 through 59.1-76 of the Code of Virginia.

"Sterilization area" means a separate room or area separate from workstations with restricted client access in which tattooing instruments are cleaned, disinfected, and sterilized.

"Substantially equivalent exam" means an examination administered by the licensing entity which covers Virginia's scope of practice for that profession.

"Substantially equivalent training" means at least 80% of the required hours in Virginia and curriculum content covering Virginia's scope of practice for that profession.

"Tattoo convention" means an event where Virginia and out-of-state tattooers gather for no more than five consecutive days to offer tattooing services to the public.

"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.

"Temporary location" means a fixed location at which tattooing is performed for a specified length of time of not more than five days in conjunction with a single event or convention.

Part II

Entry

18VAC41-50-20. General requirements for tattooer, guest tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer Gratuitous Services.

A. Any individual wishing to engage in tattooing, guest tattooing, permanent cosmetic tattooing, or master permanent cosmetic tattooing shall obtain a license in compliance with § 54.1-703 of the Code of Virginia and meet the following qualifications:

1. The applicant must be in good standing as a tattooer, guest tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer in every jurisdiction where licensed, certified, or registered. The applicant shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia or any other jurisdiction in connection with the applicant's practice as a tattooer, guest tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer. This disclosure includes monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license. The applicant shall disclose to the

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board at the time of application for licensure if the applicant has been previously licensed

in Virginia as a cosmetic tattooer.

Upon review of the applicant's prior disciplinary deny licensure to any applicant wherein the board deems the applicant to engage in tattooing, guest tattooing, permanent cosmetic tattooing, permanent cosmetic tattooing. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this subdivision. The applicant shall cortified copy of a final order, decree, or case decision by a court, regulatory in a facile evidence of such disciplinary action.

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- 3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia tattooing license laws and this chapter.
- 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions involving moral turpitude, sexual offense, nonmarijuana drug distribution, or physical injury within two years of the date of the application; and
 - b. All felony convictions within 20 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of quilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1/204 of the Code of Virginia.

- 5. The applicant shall provide evidence satisfactory to the board that the applicant has passed the board approved examination, administered either by the board or by a designated testing service.
- B. Eligibility to sit for board-approved examination.
 - 1. Training in the Commonwealth of Virginia. Any person completing an approved tattooing apprenticeship program in a Virginia licensed tattoo parlor or completing an approved tattooing training program in a Virginia licensed tattoo school or completing a permanent cosmetic tattooing or master permanent cosmetic tattooing training program in a Virginia licensed permanent cosmetic tattooing school shall be eligible to sit for the applicable examination.
 - Training outside of the Commonwealth of Virginia but within the United States or jurisdiction of the United States. Any person completing a tattooing, permanent cosmetic tattooing, master permanent cosmetic tattooing training program, or tattooing apprenticeship that is substantially equivalent to the Virginia program but is outside of the Commonwealth of Virginia must submit to the board documentation of the successful completion of training or apprenticeship to be eligible for examination. If less than the required hours were completed, an applicant must submit (i) documentation acceptable to the board verifying the completion of a substantially equivalent tattooing training, tattooing apprenticeship, permanent cosmetic tattooing training, or master permanent cosmette tattooing or documentation of three years of work experience within the preceding five years as a tattooer and (ii) documentation of completion of a minimum of five hours of health education to include (a) bloodborne pathogens, sterilization, and aseptic

techniques related to tattooing; (b) first aid; and (c) CPR that is acceptable to the board in order to be eligible for examination.

Any individual who engages in tattooing, guest tattooing, permanent cosmetic tattooing or master permanent cosmetic tattooing without receiving compensation, reward or obligation is considered to be performing gratuitous services and is exempt from the provisions of this chapter. Gratuitous services do not include services provided at no charge when goods are purchased.

18VAC41-50-25. General Requirements for Tattooer, Guest Tattooer, Permanent Cosmetic Tattooer, or Master Permanent Cosmetic Tattooer.

A. Any individual wishing to engage in tattooing, guest tattooing, permanent cosmetic tattooing, or master permanent cosmetic tattooing shall obtain a license in compliance with § 54.1-703 of the Code of Virginia and meet the following qualifications:

1. The applicant must be in good standing as a tattooer, guest tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer in Virginia and in all other jurisdictions where licensed, certified, or registered. The applicant shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia or all other jurisdictions in connection with the applicant's practice as a tattooer, quest tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer. This includes monetary penalties, fines, probation, suspensions, revocations, surrender of a license in connection with a disciplinary action pertaining to services within the respective scope of practice, or voluntary termination of a license.

Upon review of the applicant's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in tattooing, guest tattooing, permanent cosmetic tattooing, or master permanent cosmetic tattooing. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

- 2. The applicant shall disclose the applicant's physical address. A post office box may be provided as a secondary address.
- 3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia tattooing license laws and this chapter.
- 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
- a. All misdemeanor convictions within two years of the date of application involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury; and
- b. All felony convictions within 10 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a

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conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in

- accordance with § 54.1-204 of the Code of Virginian accordance with § 54.1-204 of Virginian accordance wit
 - 6. Any changes in the name or address of the licensee shall be reported to the board in writing within 30 days of such changes.
 - B. Eligibility to sit for board-approved examination.
 - 1. Training in the Commonwealth of Virginia. Any person completing one of the following programs can be approved for the examination:
 - a. An approved tattooing apprenticeship program in a Virginia licensed tattoo parlor;
 - b. An approved tattooing training program in a Virginia licensed tattoo school; or
 - c. A permanent cosmetic tattooing or master permanent cosmetic tattooing training program, in a Virginia licensed permanent cosmetic tattooing or tattooing school shall be eligible to sit for the applicable examination.
 - 2. Training outside of the Commonwealth of Virginia
 - a. Any person completing a tattooing, permanent cosmetic tattooing, master permanent cosmetic tattooing training program, or tattooing apprenticeship that is substantially equivalent to the Virginia program but is outside of the Commonwealth of Virginia must submit to the board documentation of the successful completion of training or apprenticeship to be eligible for examination. Applicants who have earned a degree from an institution outside the United States must have their degree translated, authenticated and evaluated by an education evaluation service if credit is sought for the education. The board in its discretion may decline to accept any an evaluation submitted by an applicant.
 - b. Applicants who completed a training program that is not substantially equivalent to Virginia's training, including out of country training, must submit (i) documentation acceptable to the board verifying three years of work experience within the preceding five years as a tattooer and (ii) documentation of completion of a minimum of five hours of health education to include (a) bloodborne pathogens, sterilization, and aseptic techniques related to tattoong; and (b) first aid that is acceptable to the board in order to be eligible for examination.

18VAC41-50-30. License by endorsement Endorsement.

Upon proper application to the board, any person currently licensed to practice as attooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer, or who is a ticensed instructor in the respective profession in any other state or jurisdiction of the United States and who has completed a training or apprenticeship program and an examination that is substantially equivalent to that required by this chapter may be issued a tattooer license, permanent cosmetic. tattooer license, or master permanent cosmetic tattooer license, or the respective instructor of the requirements certificate, respectively, without an examination. The applicant must also meet the requirements set forth in 18VAC41-50-20 A 1 through A 4.

18VAC41-50-40. Examination requirements and fees Requirements and Fees.

- A. Applicants for initial licensure shall pass an examination approved by the board. The examinations may be administered by the board or by a designated testing service.
- B. Any candidate failing to appear as scheduled for examination shall forfeit the examination Gee.
 - ℃B. The applicant shall follow all procedures established by the board with regard to conduct at the examination. Such procedures shall include any written instructions communicated prior to the examination date and any instructions communicated at the site, either written or oral, on the date of the examination. Failure to comply with all procedures established by the board and the testing service with regard to conduct at the examination may be grounds for denial of application.
 - DC. Any applicant who does not pass a reexamination within one year of the initial examination date shall be required to submit a new application.
 - ED. The fee for examination or reexamination is subject to contracted charges to the board by an outside vendor. These contracts are competitively negotiated and bargained for in compliance with the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia). Fees may be adjusted and charged to the candidate in accordance with these contracts. The fee shall not exceed \$225 per candidate.
 - FE. Any candidate failing to apply for initial licensure within five years of passing the written examination shall be required to retake the examination. Records of examinations shall be maintained for a maximum of five years.

18VAC41-50-45. Tattoo, Permanent Cosmetic Tattoo, and Master Permanent Cosmetic **Tattoo Temporary Permits.**

- A. A temporary permit to work under the direct supervision of a currently licensed tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer may be issued only to applicants for initial licensure who the board finds eligible for examination. There shall be no fee for a temporary permit.
- B. The temporary permit shall remain in force for 90 days and no subsequent temporary permit shall be issued.
- C. Any person continuing to practice tattooing, permanent cosmetic tattooing, or master permanent cosmetic tattooing after a temporary permit has expired may be prosecuted and fined by the Commonwealth under §§ 54.1-111 A 1 and 54.1-202 of the Code of Virginia.
- D. Temporary permits shall not be issued where grounds may exist to deny a license pursuant to § 54.1-204 of the Code of Virginia or 18VAC41-50-20.

18VAC41-50-70. General requirements tattooing apprenticeship sponsor Requirements for a Tattooing Apprenticeship Sponsor.

- A. Upon filing an application with the Board for Barbers and Cosmetology, any person meeting the qualifications set forth in this section may be eligible to sponsor a tattooing apprentice if the person: Any individual wishing to sponsor a body-piercing apprentice must meet the following qualifications:

 - 1. Holds The applicant must hold a current Virginia

 2. Provides The applicant must provide documentation of legally practicing tattoons least five years; and

 3. Provides The applicant must provide documentation indicating that he is in good standing in all jurisdictions where the practice of tattooing is regulated.
 - B. Apprenticeship sponsors shall be required to maintain a tattooer license.

C. Apprenticeship sponsors shall ensure compliance with the 1500 hour tattooing apprenticeship program and tattooing apprenticeship standards.

18VAC41-50-80. General Requirements for a Tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon license Parlor, Event Tattoo Parlor, or Permanent Cosmetic Tattoo Salon License.

- A. Any firm wishing to operate a tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon shall obtain a tattoo parlor license, event tattoo parlor license, or permanent cosmetic tattoo salon ficense in compliance with § 54.1-704.1 of the Code of Virginia and shall meet the following qualifications in order to receive a license:
 - 1. The applicant and all members of the responsible management shall be in good standing as a licensed parlor or salon in Virginia and all other jurisdictions where licensed-certified or registered. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's operation of any tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon or practice of the profession. This disclosure includes monetary penalties, fines, probation, suspensions, revocations, surrender of a license in connection with a disciplinary action, pertaining to services within the respective scope of practice, or voluntary termination of alicense. The applicant shall disclose to the board at the time of application for licensure if the applicant or any member of the responsible management has been previously licensed in Virginia as a tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon.

Upon review of the applicant's and all members of the responsible management's prior disciplinary action, the board in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in the operation of a tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this subdivision. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

- 2. The applicant shall disclose the applicant's physical address. A post office box is not acceptable.may be provided as a secondary address.
- 3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia tattooing license laws and this chapter.
- 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information about the firm and all members of the responsible management regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions within two years of the date of application involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury within two years of the date of the application; and
 - b. All felony convictions within 2010 years of the date of application.

Any plea of nolo contendere snail be considered as principles subdivision. The record of a conviction received from a court shall be accepted as principles facile evidence of a conviction or finding of guilt. The board, in its discretion, may deny applicant in accordance with § 54.1-204 of the Code of Virginia.

- B. A tattoo parlor license, event tattoo parlor license, or permanent cosmetic tattoo salon license are issued to firms as defined in this chapter and shall not be transferable. and shall bear the same name and address of the business. Any changes in the name or address of the parlor or salon shall be reported to the board in writing within 30 days of such changes. The board shall not be responsible for the licensee's, failure to receive notices, communications, and correspondence caused by the licensee's, failure to promptly notify the board in writing of any change of name or address or for any other reason beyond the control of the board. The new responsible management shall be is responsible for applying for a new license within 30 days of the changes.
- C. Whenever the legal business entity holding the license is dissolved or altered to form a new business entity, the original license becomes void. and shall be returned to the board within 30 days of the change. The firm must notify the board within 30 days of the change and destroy the license. Additionally, the firm shall apply for a new license within 30 days of the change in the business entity. Such changes include:
 - 1. Death of a sole proprietor;
 - 2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and
 - 3. Conversion, formation, or dissolution of a corporation, a limited liability company, an association, or any other business entity recognized under the laws of the Commonwealth of Virginia.
- D. Any change in the officers of a corporation, managers of a limited liability company, or officers or directors of an association shall be reported to the board in writing within 30 days of
- E. Any tattoo parlor or permanent cosmetic tattoo salon wishing to host a guest tattooer must identify itself as the guest tattooer sponsor and must provide direct supervision of any tattooing by the guest tattooer.
- F. Any firm wishing to operate a tattoo parlor in a temporary location must have a tattoo parlor license or event tattoo parlor license issued by the board.
- G. An event tattoo parlor license is effective for five consecutive days-prior to the expiration date.
 - H. A firm may obtain a maximum of five event tattoo parlor ticenses within a calendar year.
- I. The board or any of its agents shall be allowed to inspect during reasonable hours any licensed salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia or this chapter.

18VAC41-50-91. Guest tattooer license Tattooer License.

- A. A guest tattooer license is effective for 14 days prior to the expiration date.
- B. An out-of-state resident may obtain up to five guest tattooer licenses per calendar year.
- C. A guest tattooer applicant must meet the following qualifications:
 - 1. Requirements set forth in 18VAC41-50-20 A 1 through A 4.
 - 2. Present documentation showing out-of-state residency.
 - 3. Documentation of health education knowledge to include (i) bloodborne disease. sterilization, and aseptic techniques related acceptable to the board.

 4. Documentation showing guest tattooer sponsor, including signature of sponsor parlor's paradement.

- D. A guest tattooer must provide the name and license number of the guest tattooer's sponsor and the duration of the guest tattooer's tattooing for all guest tattooer locations.
 - E. A quest tattooer applicant is not required to complete 18VAC41-50-20 A 5.

18VAC41-50-92. Guest tattooer sponsor Tattooer Sponsor.

- A. The licensed tattoo parlor sponsoring a guest tattooer shall ensure that the guest tattooer:
- A. The lice...

 1. Has a valid, current tattooing at the parlor.

 In directly supervise 1. Has a valid, current guest tattooer license for the entire duration of the guest tattooer
 - 2 Is directly supervised by a licensed tattooer.
 - 3. Complies with all Virginia regulations relating to health, sanitation, client qualifications, and standards of practice.
 - B. The licensed permanent cosmetic tattoo salon sponsoring a guest tattooer shall ensure that the guest tattooer:
 - 1. Has a valid current guest tattooer licensed for the entire duration of the guest tattooer's tattooing at the salon.
 - 2. Is directly supervised by a licensed tattooer or permanent cosmetic tattooer.
 - 3. Complies with all Virginia regulations relating to health, sanitation, client qualifications, and standards of practice.
 - C. With the exception of tattoo conventions, a member of the guest tattooer sponsor's responsible management must sign the guest tattooer application certifying the sponsor will ensure the requirements of subsections A and B of this section.
 - D. The guest tattooer sponsor shall be responsible for the acts or omissions of the guest tattooer in the performance of tattooing or permanent cosmetic tattooing.

18VAC41-50-100. General Requirements for a School license.

A. Any firm wishing to operate a tattooing school or permanent cosmetic tattooing school shall obtain a school license in compliance with § 54.1-704.2 of the Code of Virginia and shall meet the following qualifications in order to receive a license:

1. The applicant and all members of the responsible management shall be in good standing as a licensed parlor or salonschool in Virginia and in all other jurisdictions where licensed. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and in all other jurisdictions in connection with the applicant's operation of any tattoo parlor, event tattoo parlor, school, or permanent cosmetic tattoo salonschool or practice of the profession. This disclosure includes monetary penalties, fines, probation, suspensions, revocations, surrender of a license in connection with a disciplinary action, pertaining to services in the respective scope of practice, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if the applicant or any member of the responsible management has been previously licensed in Virginia as a tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon.

Upon review of the applicant's and all members of the responsible management's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in the operation of a tattoo parlor, event tattoo parlor, school, or permanent cosmetic tattoo salon. school. The board will decide each case by taking into account the totality of the circumstances. Any plea of help contendere or comparable plea shall be considered a disciplinary action for the purposes of this subdivision. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue

such order, decree, or case decision, and such copy shall be admissible as prima facie

- evidence of such acceptable may be provided as a secondary address.

 3. The applicant shall sign, as part of the application, a statement cerury applicant has read and understands the Virginia tattooing license laws and this chapter.

 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information about the firm and all members of the responsible management regarding criminal convictions in Virginia and all other jurisdictions:

 Table 10.1.

 1. **Table 20.1.**

 2. The applicant shall disclose the application, a statement cerury.

 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information about the firm and all members of the responsible management regarding criminal convictions in Virginia and all other jurisdictions:

 Table 20.1.

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 2. **The applicant shall disclose the application, a statement cerury.

 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information about the firm and all members of the responsible management regarding criminal convictions in Virginia and all other jurisdictions:

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 2. The applicant shall disclose the application, a statement cerury.

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 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information about the firm and all members of the responsible management regarding criminal convictions in Virginia and all other jurisdictions:

 1. **Table 20.1.**

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 4. **In accordance with § 54.1-204 of the application involving and all other jurisdictions.

 4. **Table 20.1.**

 5. **Table 20.1.**

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 - b. All fellony convictions within 2010 years of the date of application.

Any plea of holo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

- 5. The applicant shall disclose the firm's responsible management.
- B. A tattooing school license or permanent cosmetic tattooing school licenses are issued to firms as defined in this chapter and shall not be transferable. and shall bear the same name and address as the school. Any changes in the name or and address of the school shall be reported to the board in writing within 30 days of such change. The board shall not be responsible for the licensee's, failure to receive notices, communications, and correspondence caused by the licensee's, failure to promptly notify the board in writing of any change of name or address or for any other reason beyond the control of the board. The name of the school must indicate that it is an educational institution. All signs or other advertisements must reflect the name as indicated on the license issued by the board and contain language indicating it is an educational institution.
- C. Whenever the legal business entity holding the license is dissolved or altered to form a new business entity, the original license becomes void, and shall be returned to the board within 30 days of the change. The firm must notify the board within 300 days of the change and destroy the license. Additionally, the firm shall apply for a new license within 30 days of the change in the business entity. Such changes include:
 - 1. Death of a sole proprietor:
 - 2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and
 - 3. Conversion, formation, or dissolution of a corporation, a limited liability company, an association, or any other business entity recognized under the laws of the Commonwealth of Virginia.
- D. Within 30 days of the closing, ceasing to operate, whether through dissolution or alteration of the business entity, the school shall return the license to the board must notify the Board within 30 days of the change and destroy the license, and provide a written report to the board on performances and hours of each student who has not completed the program.
- E. Any change in the officers of a corporation, managers of a limited liability company or officers or directors of an association shall be reported to the board in writing within 30 days of the change.

F. The board or any of its agents shall be allowed to inspect during reasonable hours, any licensed school for compliance with provisions of Chapter 7 (§54.1-700 et seq.) of Title 54.1 of the Code of Virginia or this chapter.

18VAC41-50-110. Tattooing instructor certificate <u>General Requirements for a</u> 尔attoo Instructor Certificate.

- A. Upon filing an application with the Board for Barbers and Cosmetology, any person meeting the qualifications set forth in this section shall be eligible for a tattooing instructor certificate if the person.
 - 1. Holds a current Virginia tattooer license;
 - 2. Provides documentation of legally tattooing for at least five years; and
 - 3. Passes a course on teaching techniques in a post-secondary education level.
 - B. Tattooing instructors shall be required to maintain a tattooer license.
 - A. Any individual wishing to engage in tattoo instruction must meet the following qualifications:
- 1. The applicant shall be in good standing as a tattooer instructor, in every jurisdiction where licensed, certified, or registered. The applicant shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's practice of teaching. This includes monetary penalties, fines, probation, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license.

Upon review of the applicant's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein the board deems the applicant is unfit or unsuited to engage in the instruction of tattooing. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action;

- 2. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions within two years of the date of application involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury; and b. All felony convictions within 10 years of the date of application.
 - Any plea of nolo contendere shall be considered a conviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.
 - 3. The applicant must hold a current Virginia tattooer license;
 - 4. The applicant must provide documentation of legally tattooing for at least three years; and
- 5. The applicant must pass a course on teaching techniques in a post-secondary education level or train under a tattoo instructor for 12 months.
- 6. Any changes in the name or address of the licensee shall be reported to the board in writing within 30 days of such changes.
 - B. Tattooing instructors shall be required to maintain a tattooer license.

18VAC41-50-120. Permanent cosmetic tattooing instructor certificate General Requirement for a Permanent or Master Permanent Cosmetic Tattooing Instructor Certificate.

A. Upon filing an application with the Board for Barbers and Cosmetology, any person meeting the qualifications set forth in this section shall be eligible for a permanent cosmetic tattooing instructor certificate if the person:

- 1. Holds a current Virginia permanent cosmetic tattooer license or master permanent cosmetic tattooer license;
- 2. Provides documentation of legally tattooing for at least five years; and
- 3. Passes a course on teaching techniques at the post-secondary education level.
- B. Permanent cosmetic tattooing instructors shall be required to maintain a permanent cosmetic tattoger license or master permanent cosmetic tattoger license.
- A Any individual wishing to engage in permanent cosmetic tattoo instruction or master permanent cosmetic tattoo instruction must meet the following qualifications:
- 1. The applicant shall be in good standing as a permanent cosmetic tattooer instructor or licensed master permanent cosmetic tattooer instructor, in every jurisdictions where licensed, certified, or registered. The applicant shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's practice of teaching. This includes monetary penalties, fines, probation, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license.

Upon review of the applicant's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein the board deems the applicant is unfit or unsuited to engage in the instruction of permanent cosmetic tattooing or master permanent cosmetic tattooing. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facte evidence of such disciplinary action;

- 2. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions within two years of the date of application involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury; and b. All felony convictions within 10 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

- 3. The applicant must hold a current Virginia permanent cosmetic tattooer license or master permanent cosmetic tattooer license;
 - 4. The applicant must provide documentation of legally tattooing for at least three years; and
- 5. The applicant must pass a course on teaching techniques in a post-secondary education level or train under a permanent cosmetic tattoo instructor or master permanent cosmetic tattoo instructor for 12 months.
- 6. Any changes in the name or address of the licensee shall be reported to the board in writing within 30 days of such changes.
- B. Permanent cosmetic tattooing and master permanent cosmetic tattooing instructors shall be required to maintain a permanent cosmetic tattooer license or master permanent cosmetic tattooer license in the respective profession.

A. A licensed tattooer, permanent cosmetic tattooer, and master permanent cosmetic tattooer may be granted a twelve (12) month student instructor temporary permit to function under the management of the company is a certified instructor in a licensed school. No subsequent student instructor of the company is a certified instructor in a licensed school. No subsequent student instructor of the company is a certified instructor in a licensed school.

- Failure to maintain a tattooer, point tattooer license shall disqualify an individual from holding a scanse of the Code of Virginia or 18 VAC 41-50-110 and 18 VAC 41-50-120.

 Part III

 Fees

 Fees B. Student instructors may teach in any profession in which they hold the underlying license. Failure to maintain a tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer license shall disqualify an individual from holding a student instructor temporary permit.
 - C. Temporary permits shall not be issued where grounds may exist to deny a license pursuant

FEE TYPE	AMOUNT DUE September 1, 2022, through August 31, 2024	AMOUNT DU September 1, 2024,
Individuals:	Do.	
Application	\$90	\$105
License by Endorsement	\$90	\$105
Renewal	0/5°C/1/5°C/5°C/5°C/5°C/5°C/5°C/5°C/5°C/5°C/5°C	\$105
Reinstatement	\$180* *includes \$90 renewal fee and \$90 reinstatement fee	\$210* *includes \$105 renewal reinstatement
Instructors:	A JOH	
Application	\$110	\$125
	Ontrue	
Renewal	\$110	\$150
Reinstatement	\$220* *includes \$110 renewal fee and \$110 reinstatement fee	\$300* *includes \$150 renewal reinstatement
Parlors or salons:		0/8/8
Application	\$165	\$190
Renewal	\$165	S _{jj.} \$190

Reinstatement	\$330* *includes \$165 renewal fee and \$165 reinstatement fee	\$380* *includes \$190 renewal reinstatement
Schools:	•	
Application	\$185	\$220
Renewal	\$185	\$220
Reinstatement	\$370* *includes \$185 renewal fee and \$185 reinstatement fee	\$440* *includes \$220 renewal reinstatement

18VAC41-50-140. Refunds. (Repealed.)

All fees are nonrefundable and shall not be prorated.

Part IV

Renewal and Reinstatement

18VAC41-50-150. License renewal required Renewal Required.

A. Tattooer licenses, tattoo parlor licenses, tattooing instructors certificates, tattooing schools licenses, permanent cosmetic tattooer licenses, master permanent cosmetic tattooer licenses, permanent cosmetic tattoo salon licenses, permanent cosmetic tattooing instructor certificates, master permanent cosmetic tattooing instructor certificates, and permanent cosmetic tattooing schools licenses shall expire two years from the last day of the month in which they were issued.

B. Guest tattooer licenses will expire 14 days after the effective date of the license and may not be renewed.

18VAC41-50-160. Continuing education requirement Education Requirement.

All licensed tattooers, permanent cosmetic tattooers, and master permanent cosmetic tattooers shall be required to satisfactorily complete health education to include (i) bloodborne disease, sterilization, and aseptic techniques related to tattooing; and (ii) first aid; and (iii) CPR during their licensed term. Documentation of training completion shall be provided at the time of renewal along with the required fee.

18VAC41-50-170. Notice of renewal Renewal.

The Department of Professional and Occupational Regulation will mail a enewal notice to the licensee or certificate holder outlining the procedures for renewal. Failure to receive this notice, however, shall not relieve the licensee or certificate holder of the obligation to renew. If the licensee or certificate holder fails to receive the renewal notice, a copy of the old license may be submitted as evidence of intent to renew, along with the required fee.

18VAC41-50-180. Failure to renew Renew.

A. When a licensed or certified individual or business entity fails to renew its license within 30 days following the expiration date of the license, the licensee or certificate holder shall meet the renewal requirements as prescribed in 18VAC41-50-170 and apply for reinstatement of the license by submitting to the Department of Professional and Occupational Regulation a reinstatement application along with the required renewal and reinstatement fees.

- B. When a licensed or certified individual or business entity fails to renew its license within
- two years following ...

 1. The former licensee shall application entry requirements, ...
 shall pass the board's current examination, and shall receive a ...

 2. An individual initially granted licensure under an examination exemption, grandfathering, pursuant to 18VAC41-50-20 A 6, shall submit a new application showing the individual met the requirements of the applicable examination waiver provision, demonstrate five years of licensed experience, and previously licensed in Virginia for a fifting a shall submit a new application and pass the required

 1 license shall provide (i) the reasons for failing that all students currently shoul's license
 - enrolled or seeking to enroll at the school have been notified in writing that the school's license has expired. All of these materials shall be called the application package. Reinstatement will be considered by the board the school consents to and satisfactorily passes an inspection of the school and if the school's records are maintained in accordance with 18VAC41-50-250 and 18VAC41-50-330. Pursuant to 18VAC41-50-100, 18VAC41-50-230, and 18VAC41-50-310 upon receipt of the reinstatement fee application package, and inspection results, the board may reinstate the school's license or require requalification or both. If the reinstatement application package and reinstatement fee are not received by the board within six months following the expiration date of the school's license, the board will notify the testing service that prospective graduates of the unlicensed school are not acceptable candidates for the examination. Such notification will be sent to the school and must be displayed in a conspicuous manner by the school in an area that is accessible to the public. No student shall be disqualified from taking the examination because the school was not licensed for a portion of the time the student attended if the school license is reinstated by the board.
 - D. The date a renewal fee is received by the Department of Professional and Occupational Regulation, or its agent, will be used to determine whether the requirement for reinstatement of a license is applicable and an additional fee is required.
 - E. When a license or certificate is reinstated, the license shall have the same license number and shall be assigned an expiration date two years from the date of the last day of the month of
 - F. A licensee or certificate holder that reinstates its license or certificate shall be regarded as having been continuously licensed without interruption. Therefore, a licensee or certificate holder shall be subject to the authority of the board for activities performed prior to reinstatement.
 - G. A licensee or certificate holder that fails to reinstate its license or certificate shall be regarded as unlicensed from the expiration date of the license forward. Nothing in this chapter shall divest the board of its authority to discipline a licensee or certificate holder for a violation of the law or regulations during the period of time for which the individual was licensed. Or Official Bos

Part V

Apprenticeship Programs

18VAC41-50-190. General requirements Requirements.

A. Any person desiring to enroll in the tattooing apprenticeship program shall be required to A. Any person desiring to enroll in the lattooning approximation of five hours of health education provide documentation of satisfactory completion of a minimum of five hours of health education of a minimum of five hours of health education and asentic techniques related to to include but not limited to bloodborne disease, sterilization, and aseptic techniques related to tattooing, and first aid and CPR.

- B. Any tattooer desiring approval to perform the duties of an apprenticeship sponsor and offer the board's tattooing apprenticeship program shall meet the requirements of 18VAC41-50-70.
- the board s to...

 C. All apprenticeship traum. requirements of 18VAC41-50-80.

 COVAC41-50-200. Apprenticesh C. All apprenticeship training shall be conducted in a tattoo parlor that has met the

്ർ§VAC41-50-200. Apprenticeship curriculum requirements <u>Curriculum Requirements</u>.

Apprenticeship curriculum requirements are as follows:

- 1. Microbiology.
 - 🥠 a. Microorganisms, viruses, bacteria, fungi;
 - Transmission cycle of infectious diseases; and
 - c. Characteristics of antimicrobial agents.
 - 2. Immunization.
 - a. Types of immunizations;
 - b. Hepatitis A—G transmission and immunization;
 - c. HIV/AIDS;
 - d. Tetanus, streptococcal, zoonotic, tuberculosis, pneumococcal, and influenza;
 - e. Measles, mumps, and rubella;

 - Measles, ...
 Vaccines and immun.
 . General preventative measure
 anitation and disinfection.
 a. Definition of terms.
 (1) Sterilization;
 (2) Disinfection and disinfectant;
 (3) Sterilizer or sterilant;
 "-eotic; g. General preventative measures to be taken to protect the tattooer and client.
 - 3. Sanitation and disinfection.

 - b. The use of steam sterilization equipment and techniques;
 - c. The use of chemical agents, antiseptics, disinfectants, and fumigants;
 - d. The use of sanitation equipment;
 - e. Preservice sanitation procedure; and
 - f. Post-service sanitation procedure.
 - 4. Safety.
 - a. Proper needle handling and disposal;
 - b. How to avoid overexposure to chemicals;
 - c. The use of Material Safety Data Sheets;
 - d. Blood spill procedures;
 - e. Equipment and instrument storage; and
 - f. First aid and CPR.
 - 5. Bloodborne pathogen standards.
 - a. OSHA and CDC bloodborne pathogen standards;

Sand it.

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e. L
6. Profession
a. History of the
b. Ethics;
c. Recordkeeping:
(1) Client health his
consent forms
4 (Heal)

- b. Control plan for bloodborne pathogens;
- c. Exposure control plan for tattooers;
- d. Overview of compliance requirements; and
- e. Disorders and when not to service a client.
- 6. Professional standards.
 - a. History of tattooing;

 - (4) Client health history;
 - (2) Consent forms; and
- It he isent for.

 PAA (Health I. Jards, repairing station, makin.

 Maintaining professional a.

 Promoting services of the parica.

 Parlor management:

 (1) Licensing requirements; and

 (2) Taxes.

 f. Supplies:

 1) Usages;

 Indiana and Indiana and
- 7. Tattooing.
- 8. Anatomy:

- b. Parts and functions of skin.
- 9. Virginia tattooing laws and regulations.

18VAC41-50-210. Hours of instruction and performances Instruction and Performances.

- A. Curriculum requirements specified in 18VAC41-50-200 shall be taught over a minimum of 4500 hours as follows:
 - 1. 350 hours 5.... 18VAC41-50-200; 1. 350 hours shall be devoted to theory pertaining to subdivisions 1, 2, 4, 5, 6, 8, and 9 of
 - 2) 150 hours shall be devoted to theory pertaining to subdivision 3 of 18VAC41-50-200; and:
 - 3. The remaining 1000 hours shall be devoted to practical training to include apprenticeship curriculum requirements and a minimum of 100 performances pertaining to subdivision 7 of 18VAC41-50-200.
- B. An approved tattooing apprenticeship program may conduct an assessment of an apprentice's competence in the theory and practical requirements for tattooing and, based on the assessment, give a maximum of 700 hours of credit toward the requirements in subdivisions A 1 and A 3 of this section. No credit shall be allowed for the 150 hours required in subdivision A 2 of this section.

Part VI

Tattooing Schools

18VAC41-50-220. Applicants for tattooing school license Tattooing School License.

Any person or entity desiring to operate a tattooing school shall submit an application to the board at least 60 days prior to the date for which approval is sought.

18VAC41-50-230. General requirements Requirements

A tattooing school shall:

- 1. Hold a tattooing school license for each and every location.
- 2. Hold a tattoo parlor license.
- 3. Employ a staff of licensed and certified tattooing instructors. Any change in instructors must be reported to the board within 30 days.
- 4. Develop individuals for entry-level competency in tattooing.
- 5. Submit its curricula for board approval. All changes to curricula must be resubmitted and approved by the board.
- 6. Inform the public that all services are performed by students if the tattooing school receives compensation for services provided in its clinic by posting a notice in the reception area of the shop or salon in plain view of the public.
- 7. Conduct classroom instruction in an area separate from the area where practical instruction is conducted and services are provided.
- 8. Conduct all instruction and training of students under the direct supervision of a licensed and certified tattooing instructor.

18VAC41-50-250. Records.

A. Schools are required to keep upon graduation, termination, or withdrawal, written records of hours and performances showing what instruction a student has received for a period of five years after the student terminates or completes the curriculum of the school. These records shall be a student terminates or completes the curriculum of the school. These records shall be a student terminates or completes the curriculum of the school. These records shall be a student terminates or completes the curriculum of the school. These records shall be a student terminates or completes the curriculum of the school. These records shall be a student terminates or completes the curriculum of the school. These records shall be a student terminates or completes the curriculum of the school. These records shall be a student terminates or completes the curriculum of the school. be available for inspection by the Department of Professional and Occupation Regulation. All records must be kept on the premises of each school.

- B. For a period of five years after a student completes the curriculum, terminates, or withdraws from the school, schools are required to provide documentation of hours and performances completed by a student upon receipt of a written request from the student.
- C. Schools shall within 21 days upon receipt of a written request from a student provide Adocumentation of hours and performances completed by the student as required to be maintained by subsection A of this section.
- D Prior to a school changing ownership or a school closing, the schools are required to provide to current students documentation of hours and performances completed.
- E. For a period of one year after a school changes ownership, schools are required to provide documentation of hours and performances completed by a current student upon receipt of a written request from the student.

18VAC41-50-255. Reporting.

- A. Each school must provide student rosters to the board no later than January 15, April 15, July 15, and October 15 of every year;
- 1. A roster of all enrolled students and a roster of students who attended in the preceding six months prior to the reporting deadline.
 - 2. Students who are enrolled but have not begun classes must be included in the report.
- 3. Rosters will be provided on a Board supplied spreadsheet, which will include the students full name, date of birth, program type, date enrolled, the total number of hours to-date, and the date completed, terminated, or withdrawn.
- 4. Schools with no students enrolled but the intention of operating, must submit a report to that effect. Schools with no students enrolled that no longer wish to operate should terminate their license in accordance with Board regulations?
 - 5. Rosters must be submitted via a secure link provided by the Board.
- B. Within 30 days of ceasing to operate, whether through dissolution or alteration of the business entity, the school shall provide a written report to the board on performances and hours of each of its students who have not completed the program.

school curriculum requirements School Curriculum 18VAC41-50-280. **Tattooing** Requirements.

- A. Any person desiring to enroll in the tattooing school shall be required to provide documentation of satisfactory completion of a minimum of five hours of health education to include (i) bloodborne disease, sterilization, and aseptic techniques related to tattooing; and (ii) first aid; and (iii) CPR.
- B. Tattooing school curriculum requirements are as follows: Each tattoo school shall submit with its application a curriculum including a course syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used days and hours of instruction, program length, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for tattooing shall include the following:
 - 1. Microbiology. minimum of 100 hours instruction.
 - a. Microorganisms, viruses, bacteria, fungus;
 - b. Transmission cycle of infectious diseases; and
 - c. Characteristics of antimicrobial agents.
 - 2. Immunization minimum of 50 hours instruction.
 - a. Types of immunizations;
 - b. Hepatitis A through G transmission and immunization;
 - c. HIV/AIDS;

or official Board Position.

- d. Tetanus, streptococcal, zoonotic, tuberculosis, pneumococcal, and influenza;
- f. Vaccines and immunization; and
- g. General preventative measures to be taken to protect the tattooer and client.
- d. v.
 g. General,
 3. Sanitation and dislim
 a. Definition of terms:
 (1) Sterilization;
 (2) Disinfection and disinfectant;
 (3) Sterilizer or sterilant;
 and 3. Sanitation and disinfection. - minimum of 100 hours instruction.

 - (7) Sanitation.
 - b. The use of steam sterilization equipment and techniques;
 - c. The use of chemical agents, antiseptics, disinfectants, and fumigants;
 - d. The use of sanitation equipment;
 - e. Preservice sanitation procedure; and
 - f. Postservice sanitation procedure
 - 4. Safety- minimum of 50 hours Instruction
 - a. Proper needle handling and disposal;
 - b. How to avoid overexposure to chemical
 - c. The use of Material Safety Data Sheets;
 - d. Blood spill procedures;
 - e. Equipment and instrument storage; and
 - f. First aid and CPR.
 - 5. Bloodborne pathogen standards. minimum of 50 hours instruction.
 - a. OSHA and CDC bloodborne pathogen standards
 - b. Control plan for bloodborne pathogens;
 - c. Exposure control plan for tattooers;
 - d. Overview of compliance requirements; and
 - e. Disorders and when not to service a client.
 - 6. Professional standards. minimum of 30 hours instruction.
 - a. History of tattooing;
 - b. Ethics;
 - c. Recordkeeping:
 - (1) Client health history;
 - (2) Consent forms; and
 - (3) HIPAA (Health Insurance Portability and Accountability Act of 1996 Privacy Standards:
 - d. Preparing station, making appointments, parlor ethics:
 - (1) Maintaining professional appearance, notifying clients of schedule changes; and

(2) Promoting services of the parlor and establishing clientele;

- e. Parlor management.
- (1) Licensing requirements; and
- (2) Taxes; and

- (2) Ordering; and
- f. S.
 (1) Usas
 (2) Ordering,
 (3) Storage.
 Tattooing. r 7. Tattooing. - minimum of 500 hours instruction.
 - a. Client consultation;
 - b. Client health form;
 - c. Client disclosure form;
 - d. Client preparation;
 - e. Sanitation and safety precautions;
 - f. Implement selection and use;
 - g. Proper use of equipment;
 - h. Material selection and use;
 - i. Needles:
 - Groupings;
 - (2) Properties; and
 - (3) Making;
 - j. lnk;
 - k. Machine:
 - (1) Construction;
 - (2) Adjustment; and
 - (3) Power supply;
 - I. Art, drawing; and
 - m. Portfolio.
 - 8. Anatomy- minimum of 60 hours instruction.
 - a. Understanding of skin; and
 - b. Parts and functions of skin.
 - 9. Virginia tattooing laws and regulations. minimum of 10 hours instruction.

C. A licensed tattoo school may conduct an assessment of a student's competence in the respective profession and, based on the assessment, give credit toward the hours requirements specified in this section and 18VAC41-50-290.

The school shall may make the assessment based on a review of the student's transcript. documentation of hours and performances provided to the student by the school, and the successful completion of a board approved competency examination administered by the school. The school may also request a copy of a catalog or bulletin giving the full course description when making the evaluation. The number of credit hours awarded shall not exceed the actual hours of instruction verified on the transcript or the number of hours specified in the board-approved curriculum for a specific topic. Credit may only be given for in-person training.

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18VAC41-50-290. Hours of instruction and performances Instruction and Performances.

A. Curriculum requirements specified in 18VAC41-50-280 shall be taught over a minimum of 1,000 hours as follows:

- 1. 350 hours shall be devoted to theory pertaining to 18VAC41-50-280 B 1, 2, 4, 5, 6, 8,
- and 9;
 2. 150 hours shall be devoted to theory pertaining to 18VAC41-50-280 b 3, and
 3. The remaining 500 hours shall be devoted to practical training to include tattooing requirements and a minimum of 100 performances pertaining to 18VAC41-50-
 - B. An approved tattooing school may conduct an assessment of a student's competence in the theory and practical requirements for tattooing and, based on the assessment, give a maximum of 700 hours of credit toward the requirements in subdivisions A 1 and A 3 of this section. No credit shall be allowed for the 150 hours required in subdivision A 2 of this section.
 - C. Individuals enrolled in a program prior to July 1, 2022, may complete the program at the hours in effect at the time they enrolled.

Part VII

Permanent Cosmetic Tattooing Schools

18VAC41-50-300. Applicants for permanent cosmetic tattooing school license.

Any person or entity desiring to operate a permanent cosmetic tattooing school shall submit an application to the board at least 60 days prior to the date for which approval is sought.

18VAC41-50-300. Applicants for permanent cosmetic tattooing school license Permanent Cosmetic Tattooing School License.

Any person or entity desiring to operate a permanent cosmetic tattooing school shall submit an application to the board at least 60 days prior to the date for which approval is sought.

18VAC41-50-310. General requirements Requirements.

A permanent cosmetic tattooing school shalls

- 1. Hold a permanent cosmetic tattooing school license for each and every location.
- 2. Hold a permanent cosmetic tattoo salon license if the school receives compensation for services provided in the area where practical instruction is conducted and services are provided.
- 3. Employ a staff of licensed and certified permanent cosmetic tattooing instructors or licensed and certified master permanent cosmetic tattooing instructors. Any change in instructors must be reported to the board within 30 days.
- 4. Develop individuals for entry-level competency in permanent cosmetic tattooing or master permanent cosmetic tattooing.
- 5. Submit its curricula for board approval. All changes to curricula must be resubmitted and approved by the board.
- 6. Inform the public that all services are performed by students if the permanent cosmetic tattooing school receives compensation for services provided in its clinic by posting a notice in the reception area of the shop or salon in plain view of the public.
- 7. Conduct classroom instruction in an area separate from the area where practical instruction is conducted and services are provided.
- 8. Conduct all instruction and training of permanent cosmetic tattooers under the direct supervision of a licensed and certified permanent cosmetic tattooing instructor or a licensed and certified master permanent cosmetic tattooing instructor.

9. Conduct all instruction and training of master permanent cosmetic tattooers under the direct supervision of a licensed and certified master permanent cosmetic tattooing

- instructor.

 A Schools are required to reformances s A. Schools are required to keep upon graduation, termination or withdrawal, written records of hours and performances showing what instruction a student has received for a period of five vears after the student terminates or completes the curriculum of the school. These records shall be available for inspection by the department. All records must be kept on the premises of each school.
 - B. For a period of five years after a student completes the curriculum, terminates or withdraws from the school, schools are required to provide documentation of hours and performances completed by a student upon receipt of a written request from the student.
 - C. Prior to a school changing ownership or a school closing, schools are required to provide to current students documentation of hours and performances completed.
 - D. For a period of one year after a school changes ownership, schools are required to provide documentation of hours and performances completed by a current student upon receipt of a written request from the student.

18VAC41-50-335. Reporting.

- A. Each school must provide student rosters to the board no later than January 15, April 15, July 15, and October 15 of every year;
- 1. A roster of all enrolled students and a roster of students who attended in the preceding six months prior to the reporting deadline.
 - 2. Students who are enrolled but have not begun classes must be included in the report.
- 3. Rosters will be provided on a Board supplied spreadsheet, which will include the students full name, date of birth, program type, date enrolled, the total number of hours to-date, and the date completed, terminated, or withdrawn.
- 4. Schools with no students enrolled, but the intention of operating, must submit a report to that effect. Schools with no students enrolled that no longer wish to operate should terminate their license in accordance with Board regulations.
 - 5. Rosters must be submitted via a secure link provided by the Board.
- B. Within 30 days of ceasing to operate, whether through dissolution or alteration of the business entity, the school shall provide a written report to the board on performances and hours of each of its students who have not completed the program.

18VAC41-50-360. Permanent cosmetic tattooing school curriculum requirements Cosmetic **Tattooing School Curriculum Requirements.**

- A. Any person desiring to enroll in the permanent cosmetic tattooing school shall be required to provide documentation of satisfactory completion of health education on bloodborne disease. Any person desiring to enroll in the permanent cosmetic tattooing and master permanent cosmetic tattooing school shall be required to provide documentation of satisfactory completion of a minimum of five hours of health education to include (i) bloodborne disease, sterilization, and aseptic techniques related to tattooing; and (ii) first aid;
- B. Permanent cosmetic tattooing school curriculum requirements are as follows: Each permanent cosmetic tattoo and master permanent cosmetic tattoo school shall submit with its application a curriculum including a course syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, days and hours of instruction, program length, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for tattooing shall include the following:

- c. C.
 3. Needles- a. Types;

 b. Uses; and
 c. Application

 c. C.
 Application

 c. C.
 Application

 c. Application 1. Virginia tattooing laws and regulations. - minimum of 5 hours of instruction.
 - 2. Machines and devices. minimum of 15 hours of instruction.
 - a. Coil machine;
 - b. Hand device; and
 - c. Others devices.
 - 3. Needles- and cartridges minimum of 10 hours of instruction.
 - 4. Anatomy- minimum of 10 hours of instruction.
 - a. Layers of skin;
 - b. Parts and functions of skin; and
 - c. Diseases
 - 5. Color theory minimum of 5 hours of instruction.
 - a. Skin and pigment color; and
 - b. Handling and storage of pigments.
 - 6. Transmission cycle of infectious diseases- minimum of 5 hours of instruction.
 - 7. Immunization -- minimum of 5 hours of instruction.
 - 8. Sanitation and disinfection, minimum of 15 hours of instruction.

 2. Definition of terms:
 - 9. Safety- minimum of 5 hours of instruction.
 - 10. Bloodborne pathogen standards. minimum of 5 hours of instruction.

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es of immunizations; a.
neral preventative measures to
ition and disinfection minimum of 15
efinition of terms:
Sterilization;
Disinfection and disinfectant;
) Sterilizer or sterilant;
) Antiseptic;
5) Germicide;
(6) Decontamination; and
(7) Sanitation;
b. The use of steam sterilization equipment and techniques;
c. The use of steam sterilization equipment;

The use of sanitation equipment;

The use of sanitation procedure; and
I the use of sanitation procedure.

The use of instruction.

The use of sanitation procedure.

The use of instruction.

The use of sanitation procedure.

The use of instruction.

Materials Contained, b. Overview of compliance requirements; and c. Disorders and when not to service a client. 11. Anesthetics. - minimum of 10 hours of instruction. a. Use; b. Types; c. Application; and d. Removal. 12 Equipment - minimum of 5 hours of instruction. a. Gloves; b. Masks; c. Apron; d. Chair; e. Lighting; and f. Work table. 13. Professional standards. - minimum of 5 hours of instruction. a. History of permanent cosmetic tattooing; b. Ethics; c. Recordkeeping:(1) Client health history; and(2) Consent forms;d. Preparing station, making appointments, salon ethics: c. Recordkeeping: (1) Maintaining professional appearance, notifying clients of schedule changes; and (2) Promoting services of the salon and establishing clientele; and e. Salon management: (1) Licensing requirements; and (2) Taxes. Confined as redulation or official Board position. 14. Permanent cosmetic tattooing- - minimum of 100 hours of instruction. a. Client consultation; b. Client health form; c. Client disclosure form; d. Client preparation; e. Drawing and mapping; f. Sanitation and safety precautions; g. Implement selection and use; h. Proper use of equipment; i. Material selection and use; j. Eyebrows; k. Microblading; I. Eyeliner; m. Lip coloring;

n. Lip liners; and

- o. Scalp micropigmentation.
- C. Master permanent cosmetic tattooing program curriculum requirements are as follows:
 - 1. Virginia tattooing laws and regulations. minimum of 5 hours of instruction.
 - 2. Machines and devices: minimum of 5 hours of instruction.
 - a. Coil machine:
 - b. Hand device; and
 - c. Others devices.
 - 3. Needles: and cartridges minimum of 5 hours of instruction.
 - al: Types;
 - b. Uses; and
 - c. Application.
 - 4. Advanced practical clinical anatomy: minimum of 10 hours of instruction.
 - Eyelid anatomy;
 - b. Lip anatomy and
 - c. Breast anatomy
 - 5. Advanced color theory minimum of 10 hours of instruction.
 - 6. Organic and inorganic pigment- minimum of 5 hours of instruction.
 - 7. Understanding the surgical process- minimum of 5 hours of instruction.
 - a. The latissimus dorsi flap procedure
 - b. Abdominoplasty and breast reconstruction;
 - c. Other reconstruction procedures
 - (1) Deep inferior epigastric artery (perforator (DIEP) flap; and
 - (2) Superior gluteal artery (perforator (DIEP) flap;
 - d. Flap size versus areola size; and
 - e. Implant reconstruction:
 - (1) Tissue expansion;
 - (2) Placing the implant;
 - (3) Implant versus flap reconstruction;
 - (4) Saline versus silicone;
 - (5) Radiation therapy; and
 - (6) Lymphedema.
 - 8. Client consultation. minimum of 10 hours of instruction.
 - 9. Breast areolar pigmentation: minimum of 10 hours of instruction.
 - a. Chart notes;
 - b. Health Insurance Portability and Accountability Act (HIPAA);
 - c. Room setup;
 - d. Anesthetic for breast procedures;
 - e. Color selection:
 - f. Needle selection;
 - g. Design and placement;
 - (1) Position of the areola/nipple complex;

P) flate north be contribed as regulation of official Board Rosition.

- (1)
 (2) The
 i. Covering
 i. Aftercare;
 (1) Tegade
 Collow (2) The Penn Triangle;
 - (3) Diameter of the areola; and
 - (4) Nipple reconstruction;
 - h. Creating three-dimensional nipple/areola;
 - (1) Understanding and creating a reflection of light; and
 - (2) The value of color;
 - i. Covering scar tissue and periareolar scar blending;

 - (4) Tegaderm aftercare instructions; and
 - (2) Follow up; and
 - k. Precautions and contraindications.
 - 10. Skin cancer: minimum of 5 hours of instruction.
 - a. Basal cell carcinomas;
 - b. Squamous cell carcinomas; and
 - c. Melanoma.
 - 11. The art of camouflage; minimum of 10 hours of instruction.
 - a. Client/patient selection and handling;
 - b. Contraindications and when not to perform services;
 - c. Skin tones;
 - d. Color selection and skin tone matching

 - f. Burn scar; and
 - g. Common needle configurations used for camouflage.
 - 12. Side effects. minimum of 5 hours of instruction.
 - 13. Insurance -- minimum of 5 hours of instruction
 - 14. Master permanent cosmetic tattooing procedures: minimum of 110 hours of instruction.
 - a. Lip;
 - b. Areola:
 - c. Blush:
 - d. Camouflage; and
 - e. Eyeshadow.

D. A licensed school with an approved permanent cosmetic tattooing or master permanent cosmetic tattooing program may conduct an assessment of a student's competence in the respective profession and, based on the assessment, give credit toward the hours requirements specified in the respective subsection of this section and 18VAC41-50-370.

The school shall may make the assessment based on a review of the student's transcript, documentation of hours and performances provided to the student by the school, and the successful completion of a board-approved competency examination administered by the school. The school may also request a copy of a catalog or bulletin giving the full course description when making the evaluation. The number of credit hours awarded shall not exceed the actual hours of instruction verified on the transcript or diploma or the number of hours specified in the boardapproved curriculum for a specific topic. Credit may only be given for in-person training.

18VAC41-50-370. Hours of instruction and performances Instruction and Performances.

A. Curriculum and performance requirements specified in 18VAC41-50-360 and this section shall be taught over a minimum of 200 clock hours for permanent cosmetic tattooing program and 200 clock hours for a master permanent cosmetic tattooing program.

B. A minimum of 50 60 performances shall be completed as part of the permanent cosmetic tattooing instruction, including: two eyebrow, two microblading procedures, two lip liners, one lip color and one full lips.

Eyebrow ///:	10 performances
Microblading	10 performances
Lip Liner	5 performances
Lip Color	<u>5 performances</u>
<u>Eyeliner</u>	10 performances
Scalp micropigmentation	% 20 performances

C. A minimum of 60 <u>55</u> performances shall be completed as part of the master permanent cosmetic tattooing instruction, including:

Lip (cleft lip repigmentation)	10 <u>5 performances</u>
Areola	10 <u>performances</u>
Blush application	10 performances
Camouflage	10 <u>performances</u>
Scar repigmentation	10 <u>performances</u>
Eyeshadow	10 <u>performances</u>

- D. Completion of performances are determined as follows:
 - 1. Two complete eyebrows constitutes one performance;
 - 2. Two complete eye liners constitutes one performance; and
 - 3. One complete lip liner (bottom or top lip separately) constitutes one performance-;
 - 4. One complete lip color (bottom or top lip separately) constitutes one performance; and
 - 5. Two complete eyeshadows constitute one performance.

E. Individuals enrolled in a program prior to July 1, 2022, may complete the program at the hours in effect at the time they enrolled.

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Part VIII

Standards of Practice

- 18VAC41-50-380. Display of licenseLicense.

 The responsible management for each licenses issued by the state of the contract licenses issued by the contract licenses is the contract licenses. A. The responsible management for each tattoo parlor or permanent cosmetic tattoo salon shall ensure that all current licenses issued by the board shall be displayed at the licensee's station or in plain view of the public. Duplicate licenses shall be posted in a like manner in every parlor or salon or location where the licensee provides services.
 - B. The responsible management for each tattoo parlor owner or permanent cosmetic tattoo salon shall ensure that no licensee, apprentice, or student performs any service beyond the scope of practice for the applicable license.
 - C. The responsible management for each tattoo parlor or permanent cosmetic tattoo salon shall offer to licensees the full series of Hepatitis B vaccine.
 - D. The responsible management for each tattoo parlor or permanent cosmetic tattoo salon shall maintain a record for each licensee of one of the following:
 - 1. Proof of completion of the full series of Hepatitis B vaccine;
 - 2. Proof of immunity by blood titer; or
 - 3. Written declaration of refusal of the responsible management's offer of a full series of Hepatitis B vaccine.
 - E. All licensees shall operate under the name in which the license is issued.

18VAC41-50-390. Physical facilities Facilities.

- A. A parlor or salon must be in a permanent building or portion of a building, which must be in a location permissible under local zoning codes, if any of applicable, the parlor or salon shall be separated from any living quarters by complete floor to ceiling partitioning and shall contain no access to living quarters.
- B. The parlor, salon, or temporary location shall be maintained in a clean and orderly manner. Mobile shops and salons must have a shop of salon license, comply with all requirements found in sections 18 VAC 41-50-260 and 18 VAC 41-50-270 and provide a physical address.
- C. All facilities shall have a blood spill clean-up kit in the work area. Any parlor, salon, or temporary location where services are delivered to the public shall be maintained in a clean and orderly manner.
- D. Work surfaces shall be cleaned with a U.S. Environmental Protection Agency (EPA) registered, hospital grade disinfectant. Surfaces that come in contact with blood or other body fluids shall be immediately disinfected with an EPA registered germicide solution. Appropriate personal protective equipment shall be worn during cleaning and disinfecting procedures. All facilities must have a blood spill clean-up kit in the work area that contains at minimum latex gloves, two 12-inch by 12-inch towels, one disposable trash bag, bleach, one empty spray bottle, and one mask with face shield or any Occupational Safety and Health Administration (OSHA) approved blood spill clean-up kit.
- E. Work surfaces shall be cleaned with a U.S. Environmental Protection Agency (EPA) registered, hospital grade disinfectant. Surfaces that come in contact with blood or other body fluids shall be immediately disinfected with an EPA registered germicide solution. Appropriate personal protective equipment shall be worn during cleaning and disinfecting procedures.
- E.F. Cabinets for the storage of instruments, pigments, single-use articles, stencils and other utensils shall be provided for each operator and shall be maintained in a sanitary manner.
- F.G. Bulk single-use articles shall be commercially packaged and handled in such a way as to protect them from contamination.

- G.H. All materials applied to the human skin shall be from single-use articles or transferred from bulk containers to single-use containers and shall be disposed of after each use.
- H.I. The walls, ceilings, and floors shall be kept in good repair. The tattooing area shall be constructed of smooth, hard surfaces that are nonporous, free of open holes or cracks, light Golored, and easily cleaned. New parlors shall not include any dark-colored surfaces in the tattooing area. Existing parlors or salons with dark-colored surfaces in the tattooing area shall replace the dark-colored surfaces with light-colored surfaces whenever the facilities are extensively remodeled or upon relocation of the business.
- H.J. Parlors, salons, or temporary locations shall have adequate lighting of at least 50-foot candles of Mumination in the tattooing and sterilization areas.
 - J.K. Adequate mechanical ventilation shall be provided in the parlor.
- K.L. Each parlor, salon, or temporary location shall be equipped with hand-cleaning facilities for its personnel with unobstructed access to the tattooing area such that the tattooer can return to the area without having to touch anything with the tattooer's hands. Hand-cleaning facilities shall be equipped either with hot and cold or tempered running water under pressure and liquid germicidal soap or with a sanitizing solution to clean hands. Hand-cleaning facilities shall be equipped with single-use towels or mechanical hand drying devices and a covered refuse container. Such facilities shall be kept clean and in good repair. All facilities must have running water and soap accessible for cleaning of hands contaminated by body fluids.
- <u>L.M.</u> Animals are not permitted in the parlor, salon, or temporary location except for guide or service animals accompanying persons with disabilities, or nonmammalian animals in enclosed glass containers such as fish aquariums, which shall be outside of the tattooing or sterilization areas. No animals are allowed in the tattooing or sterilization areas.
- M.N. Use of tobacco products and consumption of alcoholic beverages shall be prohibited in the tattooing or sterilization areas.
- N.O. No food or drink will be stored or consumed in the lattooing or sterilization areas except for client's use in order to sustain optimal physical condition; such food and drink must be individually packaged.
- O.P. If tattooing is performed where cosmetology services are provided, it shall be performed in an area that is separate and enclosed.
 - P.Q. All steam sterilizers shall be biological spore tested atteast monthly.
 - Q.R. Biological spore tests shall be verified through an independent laboratory.
- R.S. Biological spore test records shall be retained for a period of three years and made available upon request.
 - S.T. Steam sterilizers shall be used only for instruments used by the parlor's employees.

18VAC41-50-400. Tattooer or permanent cosmetic tattooer or master permanent cosmetic tattooer responsibilities Permanent Cosmetic Tattooer or Master Permanent Cosmetic Tattooer Responsibilities.

- A. All tattooers shall provide to the responsible management with one of the following:
 - 1. Proof of completion of the full series of Hepatitis B vaccine;
 - 2. Proof of immunity by blood titer; or
- 3. Written declaration of refusation the last section and section and conform to hygienic practices while on duty.

 3. Written declaration of refusation to the last section and section cleanliness, and conform to hygienic practices while on duty.

- C. All tattooers shall clean their hands thoroughly using hot or tempered water with a liquid germicidal soap or use sanitizing solution to clean hands before and after tattooing and as necessary to remove contaminants.
- D. All tattooers must wear single-use examination gloves while assembling tattooing chastruments and while tattooing.
- E. Each time there is an interruption in the service, the gloves become torn or perforated, or whenever the ability of the gloves to function as a barrier is compromised:
 - 1: Gloves shall be removed and disposed of; and
 - 2. Hands shall be cleaned and a fresh pair of gloves used.
- F. Tattooers shall use standard precautions while tattooing. A tattooer diagnosed with a communicable disease shall provide to the Department of Professional and Occupation Regulation a written statement from a health care practitioner that the tattooer's condition no longer poses a threat to public health.
- G. Tattooers with draining lesions on their hands or face will not be permitted to work until cleared by a health care professional.
- H. The area of the client's skin to be tattooed shall be cleaned with an approved germicidal soap according to label directions.
- I. Tattooing pigments shall be placed in a single-use disposable container for each client. Following the procedure, the unused contents and container will be properly disposed of.
- J. If shaving is required, razors shall be single-use. After use, razors shall be recapped and properly disposed of.
- K. Each tattooer performing any tattooing procedures in the parlor or salon shall have the education, training, and experience, or any combination thereof to practice aseptic technique and prevent the transmission of bloodborne pathogens. All procedures shall be performed using aseptic technique.
- L. Multiuse instruments, equipment, furniture, and surfaces that may be contaminated during the tattooing process should be covered or wrapped in a nonporous disposable barrier. This barrier should be removed and disposed of after each service.
- M. After the disposable barrier is removed, covered items should be wiped down with a U.S. Environmental Protection Agency registered disinfectant that is bactericidal, virucidal, and fungicidal.
- N. A set of individual, sterilized needles shall be used for each client. Single-use disposable instruments shall be disposed of in a puncture resistant container.
- O. Used, nondisposable instruments, such as stainless steel tubes, tips, and grips, shall be kept in a separate, puncture resistant container until brush scrubbed in hot water soap and then sterilized by autoclaving. Contaminated instruments shall be handled with disposable gloves.
- P. Used nondisposable instruments that are ultrasonically cleaned shall be rinsed under running hot water prior to being placed in the used instrument container;
- Q. Used nondisposable instruments that are not ultrasonically cleaned prior to being placed in the used instrument container shall be kept in a germicidal or soap solution until brush scrubbed in hot water and soap and sterilized by autoclaving.
 - R. The ultrasonic unit shall be sanitized daily with a germicidal solution.
- S. Nondisposable instruments shall be sterilized and shall be handled and stored in a manner to prevent contamination. Instruments to be sterilized shall be sealed in bags made specifically for the purpose of autoclave sterilization and shall include the date of sterilization. If nontransparent bags are utilized, the bag shall also list the contents.

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- T. Autoclave sterilization bags with a color code indicator that changes color upon proper sterilization shall be utilized during the autoclave sterilization process.
- U. Nondisposable instruments shall be placed in the autoclave in a manner to allow live steam to circulate around them.
- V. A Sealed, puncture proof dirty tube receptacle with cool, liquid sterilant should be maintained in the biohazard or cleanup room.
 - Sharps containers should be located within reach of the tattooing area.
- X. Contaminated disposable and single-use items shall be disposed of in accordance with federal and state regulations regarding disposal of biological hazardous materials.
 - Y. The manufacturer's written instructions of the autoclave shall be followed.

18VAC41-50-410. Client qualifications, disclosures, and records Qualifications, Disclosures, and Records.

- A. Except as permitted in § 18.2-371.3 of the Code of Virginia, a client must be a minimum of 18 years of age and shall present at the time of the tattooing or permanent cosmetic tattooing a valid, government issued positive identification card including a driver's license, passport, or military identification. The identification must contain a photograph of the individual and a printed date of birth.
- B. The tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer shall verify and document in the permanent client record the client's age, date of birth, and the type of identification provided.
- C. No person may be tattooed or permanent cosmetic tattooed who appears to be under the influence of alcohol or drugs.
- D. Tattooing or permanent cosmetic tattooing shall not be performed on any skin surface that manifests any evidence of unhealthy conditions, such as rashes, boils, infections, abrasions, or on any asymmetrical, irregular, blurred, or multicolored mole.
- E. Before receiving a tattoo or permanent cosmetic tattoo, each client and client's parent or guardian, if applicable, shall be informed verbally and in writing, using the client disclosure form prescribed by the board, about the possible risk and dangers associated with the application of each tattoo. Signatures of both the client <u>and/or client's parent or guardian;</u> and the tattooer shall be required on the client disclosure form to acknowledge receipt of both the verbal and written disclosures.
- F. The tattoo parlor or temporary location or permanent cosmetic tattoo salon shall maintain proper records for each client. The information shall be permanently recorded and made available for examination by the Department of Professional and Occupation Regulation or authorized agent. Records shall be maintained at the tattoo parlor or permanent cosmetic tattoo salon for at least two years following the date of the last entry. The temporary location client records shall be maintained by the license holder. The permanent records shall include the following:
 - 1. The name, address, and telephone number of the client; and/or client's parent or guardian;
 - 2. The date tattooing or permanent cosmetic tattooing was performed;
 - 3. The client's age, date of birth, and a copy of the positive identification provided to the tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer;
 - 4. The specific color or colors of the tattoo or permanent cosmetic tattoo and, when available, the manufacturer's catalogue or identification number of each color used;
 - 5. The location on the body where the tattooing or permanent cosmetic tattooing was performed;

- 6. The name of the tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer;
- 7. A statement that the client <u>and/or client's parent or guardian</u> has received a copy of applicable written care instructions, and that the client has read and understands the instructions; and
- 8. The signature of the client and if applicable parent or guardian.

18VAC41-50-420. Grounds for license or certificate revocation, suspension or probation; denial of application, renewal, or reinstatement; or imposition of a monetary penalty Grounds for License Revocation, Suspension or Probation; Denial of application, Renewal, or Reinstatement; or Imposition of a Monetary Penalty.

The board may, in considering the totality of the circumstances, fine any licensee or certificate holder and suspend, place on probation, or revoke or refuse to renew or reinstate any license or certificate, or deny any application issued under the provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia and this chapter if it finds that the licensee, certificate holder, or applicant:

The board may, in considering the totality of the circumstances, refuse to issue, renew or reinstate a license; impose a monetary penalty, place a license on probation with such terms and conditions and for such time as it may designate, suspend a license for a stated period of time; or revoke, a license issued or certificate under the provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia and this chapter if it finds that the licensee, certificate holder, or applicant:

- 1. Is incompetent, or negligent in the practice of tattooing, or incapable mentally or physically, unable to practice with skill or safety as a result of any mental or physical condition, as those terms are generally understood in the profession, to (i) practice as a tattooer, tattooer apprentice, permanent cosmetic tattooer, or master permanent cosmetic tattooer or (ii) operate a parlor, permanent cosmetic tattooing salon, or school;
- 2. Is convicted of fraud or deceit in the practice <u>or instruction</u> of tattooing or fails to teach the curriculum as provided for in this chapter;
- 3. Obtained, attempted to obtain, renewed, or reinstated a license by false or fraudulent representation; Obtains, attempts to obtain, renews or reinstates a license or certificate by false or fraudulent representation;
- 4. Violates or induces others to violate, or cooperates with others in violating, any of the provisions of this chapter or Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia or any local ordinance or regulation governing standards of health and sanitation of the establishment in which tattooers may practice or offer to practice;
- 5. Offers, gives, or promises anything of value or benefit to any federal, state, or local employee for the purpose of influencing that employee to circumvent in the performance of that employee's duties, any federal, state, or local law, regulation, or ordinance governing tattooing as defined in § 54.1-700 of the Code of Virginia;
- 6. Fails to respond to the board or any of its agents or provides false, misleading, or incomplete information to an inquiry by the board or any of its agents;
- 7. Fails or refuses to allow the board or any of its agents to inspect during reasonable hours any licensed parlor, salon, or school for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or this chapter;
- 8. Fails to produce, upon request or demand of the board or any of its agents, any document, book, record, or copy thereof in a licensee's or responsible management's possession or maintained in accordance with this chapter;

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- 9. Fails to notify the board of a change of name or address in writing within 30 days of the
- change roles.

 10. Makes any misrepresented advertisement that is false, deceptive, or misles ad
 - being no appeal pending therefrom or the time for appeal having elapsed. Review of convictions shall be subject to the requirements of § 54.1-204 of the Code of Virginia. Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such conviction or guilt;
 - 13. Fails to inform the board in writing within 30 days of pleading guilty or nolo contendere or being convicted or found guilty regardless of adjudication of any convictions as stated in subdivision 12 of this section; ...
 - 14. Allows, as responsible management of a parlor, salon, or school, a person who has not obtained a license or guest tattooer license to practice as a tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer, unless the person is duly enrolled as an apprentice;
 - 15. Allows, as responsible management of a school, a person who has not obtained an instructor certificate to practice as a tattooing of permanent cosmetic tattooing instructor;
 - 16. Fails to take sufficient measures to prevent transmission of communicable or infectious diseases or fails to comply with sanitary requirements provided for in this chapter or any local, state, or federal law or regulation governing the standards of health and sanitation for the practice of tattooing, or the operation of tattoo parlors or permanent cosmetic tattooing salons; or
 - 17. Fails to comply with all procedures established by the board and the testing service with regard to conduct at any board examination.

FORMS (18VAC41-50)

Tattooer Examination & License Application, A450-1231EXLIC-v17 (rev. 9/

Training Verification Form, A450-1213TR-vs1 (eff. 5/2022)

Tattooing Apprenticeship Sponsor Application, A450-12TATSPON-v6 (rev. 9/202

Tattooer Apprenticeship Certification Application, A450-TAT SOA-v3 (rev. 3/2015)

Tattoo Apprenticeship Completion Form, A450-12TAC-v8 (rev. 1/2020)

Tattoo Client Disclosure Form, A450-12TDIS-v3 (rev. 1/2020)

Limited Term Tattooer License Application, A450-1233LIC-v12 (rev. 9/2022)

Limited Term Tattoo Parlor License Application, A450-1235LIC-v9 (rev. 9/2022)

Permanent Cosmetic Tattooer Examination & License Application, A450-1236EXLIC-v16 (rev. 9/2023)

Master Permanent Cosmetic Tattooer Examination & License Application, A450-1237EXLICv14 (rev. 9/2023)

License by Endorsement Application, A450-1213END-v18 (rev. 9/2022)

License Ly Body Piercing, FXP-v2 Perm Cos Tattoo Experience Verification Form, A450-Tattoo. 12BPTATT EXP-v2 (rev. 7/2022)

Salon, Shop, Spa & Parlor License-Reinstatement Application A450-1213BUS-v17 (rev. 9-2023)

Licensure Fee Notice, A450-1213FEE-v11 (rev. 9/2022)

Instructor Certification Application, A450-1213INST-vs18 (rev. 9/2023)

Individuals - Reinstatement Application, A450-1213REI-v13 (rev. 9/2022)

School License Application, A450-1213SCHL-v19 (rev. 9/2023)

School Reinstatement Application, A450-1213SCHL-REIN-v9 (rev. 9/2022)

Tattoo-Body Piercing Universal App A450-1231-41ULR-v1 (eff. 7/2023)

App.

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Board For Barbers And Cosmetology

General Review of Body-Piercing Regulations

Chapter 60

Body-Piercing Regulations Part I

General

Malerials Contained in this agence 18VAC41-60-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise. All terms defined in Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia are incorporated in this chapter ascribed to them in Chapter 7(§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia:

"Board"

"Body-Piercer"

"Body-Piercing"

"Body-Piercing salon"

"Body-Piercing school"

"Apprenticeship program" means an approved body-piercing training program conducted by an approved apprenticeship sponsor.

"Apprenticeship sponsor" means an individual approved to conduct body-piercing apprenticeship training who meets the qualifications in 18VAC41-60-70.

"Aseptic technique" means a hygienic practice that prevents and hinders the direct transfer of microorganisms, regardless of pathogenicity, from one person or place to another person or place.

"Body piercer ear only" means any person who uses only a mechanized, presterilized earpiercing system that penetrates the outer perimeter or lobe of the ear or both for compensation.

"Body piercing ear only" means the use of a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both.

"Body-piercing ear only salon" means any place in which a fee is charged for the act of using a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both.

"Business entity" means a sole proprietorship, partnership, corporation, Gimited liability company, limited liability partnership, or any other form of organization permitted bydaw.

"Endorsement" means a method of obtaining a license by a person who is currentlydicensed in another state or jurisdiction of the United States.

"Firm" means any business entity recognized under "Gratuitous services" as used in § 54.1-701.5 of the Code Virginia means providing piercing services without receiving compensation or reward, or obligation. Gratuitous services de piercing services provided at no charge when goods are purchased.

"Licensee" means any person, partnership, corporation, limited liability company, sole proprietorship, limited liability partnership, or any other form of organization permitted by law holding a license issued by the Board for Barbers and Cosmetology as defined in § 54.1-700 of the Code of Virginia, any individual or firm holding a license issued by the Board for Barbers and Cosmetology.

"Reasonable hours" means the hours between 9 a.m. and 5 p.m.; however, if the licensee generally is not open to the public substantially during the same hours, "reasonable hours" shall mean the business hours when the licensee is open to the public.

"Reinstatement" means having a license restored to effectiveness after the expiration date has passed

"Renewal means continuing the effectiveness of a license for another period of time.

"Responsible management" means the following individuals:

- 1. The sole proprietor of a sole proprietorship;
- 2. The partners of a general partnership;
- 3. The managing partners of a limited partnership;
- 4. The officers of a corporation;
- 5. The managers of a limited liability company;
- 6. The officers or directors of an association or both; and
- 7. Individuals in other business entities recognized under the laws of the Commonwealth as having a fiduciary responsibility to the firm.

"Sole proprietor" means any individual not a corporation, who is trading under that individual's own name or under an assumed or fictitious name pursuant to the provisions of §§ 59.1-69 through 59.1-76 of the Code of Virginia.

"Sterilization area" means a separate room or area separate from workstations with restricted client access in which body-piercing instruments are cleaned, disinfected, and sterilized.

"Substantially equivalent exam" means an examination administered by the licensing entity which covers Virginia's scope of practice for that profession.

"Substantially equivalent training" means at least 80% of the required hours in Virginia and curriculum content covering Virginia's scope of practice for that profession.

"Temporary location" means a fixed location at which body piercing is performed for a specified length of time of not more than seven days in conjunction with a single event or convention.

18VAC41-60-20. General requirements Gratuitous Services.

Part II

Entry

VAC41-60-20. General requirements Gratuitous Services.

A. Any individual wishing to engage in body piercing shall obtain a license in compliance with 4.1-703 of the Code of Virginia and meet the following qualifications: § 54.1-703 of the Code of Virginia and meet the following qualifications:

1. The applicant shall be in good standing as a body piercer in every jurisdiction where licensed, certified, or registered. The applicant shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia or any other jurisdiction in connection with the applicant's practice as a body piercer. This disclosure includes monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if the applicant has been previously licensed in Virginia as a body piercer.

deny licensure to engage in body piercing and by taking into account the totality of the circums comparable plea shall be considered a disciplinary action.

Subdivision. The applicant shall provide a certified copy of a final order, decree, decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

Separt shall disclose the applicant's physical address. A post office box is not a license laws and this Upon review of the applicant's prior disciplinary action, the board, in its discretion, may

- chapter.
- 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions involving moral turpitude, sexual offense, nonmarijuana drug distribution, or physical injury within two years of the date of the application; and
 - b. All felony convictions within 20 years of the date of application.

Any plea of noto contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with \$54.1-204 of the Code of Virginia.

- 5. The applicant shall provide evidence satisfactory to the board that the applicant has passed the board-approved examination, administered either by the board or by a designated testing service.
- B. Eligibility to sit for board-approved body piercer examination.
 - 1. Training in the Commonwealth of Virginia. Any person completing an approved bodypiercing apprenticeship program in a Virginia licensed body-piercing salon shall be eligible to sit for the examination.
 - 2. Training outside of the Commonwealth of Virginia, but within the United States or jurisdiction of the United States. Any person completing a body-piercing training or apprenticeship program that is substantially equivalent to the Virginia program but is outside of the Commonwealth of Virginia must submit to the board documentation of the successful completion of training or apprenticeship to be eligible for examination. If less than required hours of body-piercing training or body-piercing apprenticeship was completed, an applicant must submit (i) documentation acceptable to the board verifying the completion of a substantially equivalent body-piercing training of body-piercing apprenticeship or documentation of three years of work experience within the preceding five years as a body piercer and (ii) documentation of completion of a minimum of five hours of health education to include (a) bloodborne disease, sterilization, and aseptic techniques related to body piercing; (b) first aid; and (c) CPR that is acceptable to the board in order to be eligible for examination.
- C. In order to receive a license as a body piercer ear only, an applicant must meet the following qualifications:
 - 1. The applicant shall have completed a minimum of three hours of health education to include bloodborne disease and first aid that is acceptable to the board and provide

verification of training on a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both and aftercare of piercing.

- 2. The application or registered. The applicant's licensure any disciplinary action applicant's licensed, certified, or registered board at the time of application for licensure when board at the time of application regulated by the board.

 The applicant shall disclose the applicant's physicant shall disclose the applicant shall disclose the applicant the Virgin in any profession regulated by the board. 2. The applicant shall be in good standing in every jurisdiction where licensed, certified, or registered. The applicant shall disclose to the board at the time of application for licensure any disciplinary action taken in another jurisdiction in connection with the applicant's licensed, certified, or registered practice. The applicant shall disclose to the board at the time of application for licensure whether he has been previously licensed in
 - 3. The applicant shall disclose the applicant's physical address. A post office box is not
 - 4. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia body-piercing license laws and the board's body-piercing regulations.
 - 5. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions involving moral turpitude, sexual offense, nonmarijuana drug distribution, or physical injury within two years of the date of the application; and
 - b. All felony convictions within 20 years of the date of application.

Any plea of noto contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of quilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

Any individual who engages in body-piercing or body-piercing ear only without receiving compensation, reward or obligation is considered to be performing gratuitous services and is exempt from the provisions of this chapter. Gratuitous services do not include services provided at no charge when goods are purchased.

18VAC41-60-25. General Requirements for Body Piercer or Body Piercer Ear Only License.

A. Any individual wishing to engage in body piercing shall obtain a license in compliance with § 54.1-703 of the Code of Virginia and meet the following qualifications:

1. The applicant shall be in good standing as a body piercer in all jurisdictions where licensed, certified, or registered. The applicant shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia or any other jurisdiction in connection with the applicant's practice as a body piercer. This includes monetary penalties, fines, probation, suspensions, revocations, surrender of a license in connection with a disciplinary action pertaining to services within the respective scope of practice, or voluntary termination of a license.

Upon review of the applicant's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in body piercing. The application of the app

- 3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia body-piercing license laws and this chapter.
- 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
 - a. All misdemeanor convictions within two years of the date of application involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury; and
 - b. All felony convictions within 10 years of the date of application.
- Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.
- 5. The applicant shall provide evidence satisfactory to the board that the applicant has passed the board-approved examination, administered either by the board or by independent examiners.
- 6. Any changes in the name or address of the licensee shall be reported to the board in writing within 30 days of such changes.
- B. Eligibility to sit for board-approved examination.
 - 1. Training in the Commonwealth of Virginia. Any person completing an approved bodypiercing apprenticeship program in a Virginia licensed body-piercing salon shall be eligible to sit for the examination.
 - 2. Training outside of the Commonwealth of Virginia.
 - a. Any person completing a body-piercing training or apprenticeship program that is substantially equivalent to the Virginia program but is outside of the Commonwealth of Virginia must submit to the board documentation of the successful completion of training or apprenticeship to be eligible for examination. Applicants who have earned a degree from an institution outside the United States must have their degree translated, authenticated and evaluated by an education evaluation service if credit is sought for the education. The board in its discretion may decline to accept any an evaluation submitted by an applicant.
 - b. Applicants who completed a training program that is not substantially equivalent to Virginia's training, including out of country training, must submit (i) documentation acceptable to the board verifying three years of work experience within the preceding five years as a tattooer and (ii) documentation of completion of a minimum of five hours of health education to include (a) bloodborne pathogens, sterilization, and aseptic techniques related to tattooing; and (b) first aid that is acceptable to the board in order to be eligible for examination.
 - If less than required hours of body-piercing training or body-piercing apprenticeship was completed, an applicant must submit (i) documentation acceptable to the board verifying the completion of a substantially equivalent body-piercing training or body-piercing apprenticeship or documentation of three years of work experience within the preceding five years as a body piercer and (ii) documentation of completion of a minimum of five hours of health education to include (a) bloodborne disease, sterilization, and as eptic techniques related to body piercing; (b) first aid; and (c) CPR that is acceptable to the board in order to be eligible for examination.
- C. Any individual wishing to engage in body-piercing ear only shall obtain a license in compliance with § 54.1-703 of the Code of Virginia and meet the following qualifications:

Pakerials Col

application for licensure any concentration in connection with the applicant's practice concentration of a license.

Upon review of the applicant's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to body piercing. The applicant shall provide a certified copy of a final order, and such copy shall be admissible as prima 1. The applicant shall be in good standing in Virginia and in all other jurisdictions where

- 2. The applicant shall disclose the applicant's physical address. A post office box may be provided as a secondary address.
- 3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia tattooing license laws and this chapter.
- 4. In accordance with \$54.1-204 of the Code of Virginia, each applicant shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:
- a. All misdemeanor convictions within two years of the date of application involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury; and
- b. All felony convictions within 10 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.19204 of the Code of Virginia.

5. The applicant shall have completed a minimum of three hours of health education to include bloodborne disease and first aid that is acceptable to the board and provide verification of training on a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both and aftercare of piercing.

18VAC41-60-30. License by endorsement Endorsement.

Upon proper application to the board, any person currently ocensed to practice as a body piercer in any other state or jurisdiction of the United States and who has completed a training or apprenticeship program and an examination that is substantially equivalent to that required by this chapter may be issued a body piercer license without an examination. The applicant must also meet the requirements set forth in 18VAC41-60-20 A 1 through A 4.

18VAC41-60-40. Examination requirements and fees Requirements and Fees.

- A. Applicants for initial licensure shall pass an examination approved by the board. The examinations may be administered by the board or by a designated testing service.
- B. Any candidate failing to appear as scheduled for examination shall forfeit the examination fee.
- CB. The applicant shall follow all procedures established by the board with regard to conduct at the examination. Such procedures shall include any written instructions communicated prior to the examination date and any instructions communicated at the site, entire written of o.c., and date of the examination. Failure to comply with all procedures established by the board and the conduct at the examination may be grounds for denial of application.

- DC. Any applicant who does not pass a reexamination within one year of the initial
- examination date shall be required to subtilities.

 ED. The fee for examination or reexamination is subject to contracted charges to the social by an outside vendor. These contracts are competitively negotiated and bargained for in accordance with the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia). shall not exceed \$225 per candidate.
 - FE? Any candidate failing to apply for initial licensure within five years of passing the written examination shall be required to retake the examination. Records of examinations shall be maintained for a maximum of five years.

18VAC41-60-70. General requirements for a body-piercing apprenticeship sponsorRequirements for a Body-Piercing Apprenticeship Sponsor.

A. Upon filing an application with the Board for Barbers and Cosmetology, any person meeting the qualifications set forth in this section may be eligible to sponsor a body-piercing apprentice if the person: Any individual wishing to sponsor a body-piercing apprentice must meet the following qualifications:

- 1. Holds The applicant must hold a current Virginia body-piercing license;
- 2. Provides The applicant must provide documentation of legally practicing body piercing for at least five years; and
- 3. Provides The applicant must provide documentation indicating that he is in good standing in all jurisdictions where the practice of body piercing is regulated.
- B. Apprenticeship sponsors shall be required to maintain a body-piercer license.
- C. Apprenticeship sponsors shall ensure compliance with the 1500-hour Body-Piercing Apprenticeship Program and Body-Piercing Apprenticeship Standards.

18VAC41-60-80. Salon license General requirements for a Salon License.

- A. Any firm wishing to operate a body-piercing salon or body-piercing ear only salon shall obtain a salon license in compliance with § 54.1-704. Tof the Code of Virginia and shall meet the following qualifications in order to receive a license:
 - 1. The applicant and all members of the responsible management shall be in good standing as a licensed salon in Virginia and all other jurisdictions where licensed., certified or registered. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's operation of any body-piercing salon or body-piercing ear only salon or practice of the profession. This disclosure includes monetary penalties, fines, probation, suspensions, revocations, surrender of a license in connection with a disciplinary action, pertaining to services within the scope of practice, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if the applicant or any member of the responsible management has been previously licensed in Virginia as a body piercing salon or body-piercing ear only salon.

Upon review of the applicant's and all members of the responsible management's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in the operation of a body-pieceing salon or body-piercing ear only salon. The board will use to be account the totality of the circumstances. Any plea of nolo contenders or comparable please action for the nurposes of this subdivision. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory

agency, or board with the lawful authority to issue such order, decree, or case decision.

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 2. The applicant shall disclose ...
 not acceptable may be provided as a secondary.

 3. The applicant shall sign, as part of the application, a state...
 applicant has read and understands the Virginia body-piercing license laws chapter.

 4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information about the firm and all members of the responsible management criminal convictions in Virginia and all other jurisdictions:

 Tictions within two years of the date of application involving marijuana drug distribution, or physical injury
 - - b. All felony convictions within 2010 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

- 5. The applicant shall disclose the firm's responsible management.
- B. A body-piercing salon licenses or body-piercing ear only salon licenses are issued to firms as defined in this chapter and shall not be transferable, and shall bear the same name and address of the business entity. Any changes in the name or address of the salon shall be reported to the board in writing within 30 days of such changes. The board shall not be responsible for the licensee's, failure to receive notices communications, and correspondence caused by the licensee's, failure to promptly notify the board in writing of any change of name or address or for any other reason beyond the control of the board. New responsible management shall beis responsible for applying for a new license within 30 days of the changes.
- C. Whenever the legal business entity holding the license is dissolved or altered to form a new business entity, the original license becomes void, and shall be returned to the board within 30 days of the change. The firm must notify the board within 300 days of the change and destroy the license. Additionally, the firm shall apply for a new license within 30 days of the change in the business entity. Such changes include:
 - 1. Death of a sole proprietor;
 - 2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership: and
 - 3. Conversion, formation, or dissolution of a corporation, a limited liability company, an association, or any other business entity recognized under the laws of the Commonwealth
- D. Any change in the officers of a corporation, managers of a limited liability company, or officers or directors of an association shall be reported to the board in writing within 30 days of the change.
- E. Any firm wishing to operate a body-piercing salon in a temporary location must have a body-piercing salon license issued by the board.
- F. The board or any of its agents shall be allowed to inspect during reasonable inspect during r

The following fees apply: are nonrefundable and shall not be	be prorated:
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	Part III	
18VAC41-60-90. Fees.	Fees	
18VAC41-60-90. Fees.		
· / ·	pply: are nonrefundable and shall not be prorated:	
FEE TYPE	AMOUNT DUE September 1, 2022, through August 31, 2024	AMOUNT DUE September 1, 2024, and a
Individuals:		
Application &	\$90	\$105
License by Endorsement	\$90	\$105
Renewal:	\$90 \$180* *includes \$90 renewal fee and \$90	\$105
Reinstatement	reinstatement fee	\$210* *includes \$105 renewal fee a reinstatement fee
Salons:		
Application	%; \$165	\$190
Renewal	\$165°C	\$190
Reinstatement	\$330* *includes \$165 renewal fee and \$165 reinstatement fee	\$380* *includes \$190 renewal fee a reinstatement fee

18VAC41-60-100. Refunds. (Repealed.)

All fees are nonrefundable and shall not be prorated.

Part IV

Renewal and Reinstatement

18VAC41-60-110. License renewal required Renewal Required.

All body piercer, body piercer ear only, body-piercing salon, and body-piercing ear only salon licenses shall expire two years from the last day of the month in which they were issued.

18VAC41-60-120. Continuing education requirementEducation Requiremet.

All licensed body piercers shall be required to satisfactorily complete a minimum of five hours of health education to include (i) bloodborne disease, sterilization, and aseptic techniques related to body piercing; and (ii) first aid; and (iii) CPR during their licensed term. All licensed body piercers ear only shall be required to satisfactorily complete a minimum of three hours of health education to include bloodborne disease and first aid during their licensed term. Documentation of training completion shall be provided at the time of renewal along with the required fee.

18VAC41-60-130. Notice of renewal Renewal.

The Department of Professional and Occupational Regulation will mail a renewal notice to the licensee outlining the procedures for renewal. Failure to receive this notice, however, shall not relieve the licensee of the obligation to renew. If the licensee fails to receive the renewal notice,

a copy of the old license may be submitted as evidence of intent to renew, along with the required fee.

18VAC41-60-140. Failure to renewRenew.

A. When an individual or business entity fails to renew its license within 30 days following its expiration date, the licensee shall meet the renewal requirements prescribed in 18VAC41-60-120 and 18VAC41-60-130 and apply for reinstatement of the license by submitting to the Department of Professional and Occupational Regulation a reinstatement application along with the required renewal and reinstatement fees.

- B. When an <u>a licensed</u> individual or business entity fails to renew its license within two years following the expiration date, reinstatement is no longer possible. To resume practice:
 - 1. The former licensee shall apply for licensure as a new applicant, shall meet all current application entry requirements, shall pass the board's current examination if applicable, and shall receive a new license.
 - 2. An individual initially granted licensure under an examination exemption, known as grandfathering, pursuant to 18VAC41-60-20 A 6 shall submit a new application showing the individual met the requirements of the applicable examination waiver provision, demonstrate five years of licensed experience, previously licensed in Virginia for a minimum of three (3), shall submit a new application, and pass the required examination.
- C. The date a renewal fee is received by the Department of Professional and Occupational Regulation, or its agent, will be used to determine whether the requirement for reinstatement of a license is applicable and an additional fee is required.
- D. When a license is reinstated, the licensee shall have the same license number and shall be assigned an expiration date two years from the date of the last day of the month of reinstatement.
- E. A licensee that reinstates its license shall be regarded as having been continuously licensed without interruption. Therefore, a licensee shall be subject to the authority of the board for activities performed prior to reinstatement.
- F. A licensee that fails to reinstate its license shall be regarded as unlicensed from the expiration date of the license forward. Nothing in this chapter shall divest the board of its authority to discipline a licensee for a violation of the law or regulations during the period of time for which the individual was licensed.

Part V

Body-Piercing Apprenticeship Programs

18VAC41-60-150. Applicants for board approval Board Approval.

- A. Any person desiring to enroll in the body-piercing apprenticeship program shall be required to provide documentation of satisfactory completion of a minimum of five hours of health education to include but not limited to blood borne disease, sterilization, and assistic techniques related to body piercing, and first aid and CPR.
- B. Any body piercer desiring approval to perform the duties of an apprenticeship sponsor and offer the board's body-piercing apprenticeship program shall meet the requirements in 18VAC41-60-70.
- C. All apprenticeship training shall be conducted in a body-piercing salon that has met the requirements of 18VAC41-60-80.

requirements of 18VAC41-00-00. 18VAC41-60-160. Body-piercing apprenticeship curriculum requirements Apprenticeship Curriculum Requirements.

Body-piercing apprenticeship curriculum requirements are set out in this section:

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1. Microbiology:

- a. Microorganisms, viruses, bacteria, fungi;
- b. Transmission cycle of infectious diseases; and
- c. Characteristics of antimicrobial agents.
- 2. Immunization;
 - a. Types of immunizations;
 - b. Hepatitis A—G transmission and immunization;
- // HIV/AIDS;
 - 6. Tetanus, streptococcal, zoonotic, tuberculosis, pneumococcal, and influenza;
 - e. Measles, mumps, and rubella;
 - f. Vaccines and immunization; and
 - g. General preventative measures to be taken to protect the body piercer and client.
- 3. Sanitation and disinfection:
 - a. Definition of terms:
 - (1) Sterilization;
 - (2) Disinfection and disinfectant;
 - (3) Sterilizer or sterilant

 - (4) Antiseptic;
 (5) Germicide;
 (6) Decontamination; and
 (7) Sanitation;
 b. The use of steam sterilization equipment and techniques;
 - c. The use of chemical agents, antiseptics, disinfectants, and fumigants;
 - d. The use of sanitation equipment;
 - e. Pre-service sanitation procedure; and
 - f. Post-service sanitation procedure.

4. Safety:

- a. Proper needle handling and disposal;
- b. How to avoid overexposure to chemicals;
- c. The use of Material Safety Data Sheets;
- d. Blood spill procedures;
- e. Equipment and instrument storage; and
- f. First aid and CPR.
- 5. Blood borne pathogen standards:
 - a. OSHA and CDC blood borne pathogen standards;
 - b. Control Plan for blood borne pathogens;
 - c. Exposure Control Plan for Body Piercers;
 - d. Overview of compliance requirements; and
 - e. Disorders and when not to service a client.
- 6. Professional standards:
 - a. History of body piercing;

c. Recording (1) Client health history;
(2) Consent forms; and
(3) HIPAA Standards (Health Insurance Portability and Privacy Rule);
d. Preparing station, making appointments, salon ethics:
(1) Maintaining professional appearance, notifying clients of schedule changes; and
(2) Promoting services of the salon and establishing clientele;

management:

- b. Ethics:

- (3) HIPAA Standards (Health Insurance Portability and Accountability Act of 1996

axes, and ipplies:
Usages;
) Ordering; and opplies:
a. Client consultation;
b. Client health information;
c. Client disclosure form;
d. Client preparation;
e. Sanitation and safety precautions;
f. Implement selection and use;
Grade of jewelry; and
's to use.

procedures:

Connected the content of the cont

- n. Prince Albert (male genitalia);
- o. Frenum (male genitalia);
- p. Clitorial hoods (female genitalia); and
- q. Labias (female genitalia).
- 9. Virginia body-piercing laws and regulations.

18VAC41-60-170. Body-piercing hours of instruction and performances Body-Piercing Apprenticeship Hours of Instruction and Performances.

- A. Curriculum requirements specified in 18VAC41-60-160 shall be taught over a minimum of 1,500 hours as follows:
 - 1. 350 hours shall be devoted to theory pertaining to subdivisions 1, 2, 4, 5, and 6 of 18VAC41-60-160;
 - 2. 150 hours shall be devoted to theory pertaining to subdivision 3 of 18VAC41-60-160; and
 - 3. The remaining 1,000 hours shall be devoted to practical training and the following performances pertaining to subdivision 7 of 18VAC41-60-160:

Body-Piercing Performances	
ear lobe	minimum of 5
helix - ear	minimum of 5
concha - ear	minimum of 5
tragus - ear	minimum of 5
tongue	minimum of 5
navel	minimum of 5
eyebrow	minimum of 5
lip	minimum of 5
septum	minimum of 🕏
nostril	minimum of 5
additional piercings of cho	ice minimum of 50
Total	100

B. An approved body-piercing apprenticeship program may conduct an assessment of an apprentice's competence in the theory and practical requirements for body piercing and, based on the assessment, give a maximum of 500 hours of credit towards the requirements in Secolitical Board Positi subdivisions A 1 and A 3 of this section. No credit shall be allowed for the 150 hours required in subdivision A 2 of this section.

Part VI

Standards of Practice

18VAC41-60-180. Display of license License.

A. Each body-piercing salon owner or body-piercing ear only salon owner shall ensure that all current licenses issued by the board shall be displayed in the reception area of the salon in plain

view of the public. Duplicate licenses shall be posted in a like manner in every salon location where the licensee provides services.

- B. Each body-piercing salon or body-piercing ear only salon owner shall ensure that no licensee performs any service beyond the scope of practice for the applicable license.
- C. Each body-piercing salon or body-piercing ear only salon owner shall offer to licensees the full series of Hepatitis B vaccine.
- Each body-piercing salon or body-piercing ear only salon owner shall maintain a record for each licensee of:
 - 1. Proof of completion of the full series of Hepatitis B vaccine;
 - 2. Proof of immunity by blood titer; or
 - 3. Written declaration of refusal of the owner's offer of a full series of Hepatitis B vaccine.
 - E. All licensees shall operate under the name in which the license is issued.

18VAC41-60-190. Physical facilities Facilities.

- A. A body-piercing salon or body-piercing ear only salon must be in a permanent building, which must be in a location permissible under local zoning codes, if any. If applicable, the body-piercing salon or body-piercing ear only salon shall be separated from any living quarters by complete floor to ceiling partitioning and shall contain no access to living quarters.
- B. The body-piercing salon, body-piercing ear only salon, or temporary location shall be maintained in a clean and orderly manner.
- C. A body-piercing salon, body-piercing ear only salon, or temporary location shall have a blood spill clean-up kit in the work area- that contains at a minimum latex gloves, two 12-inch by 12-inch towels, one disposable trash bag, bleach, one empty spray bottle, and one mask with face shield or any Occupational Safety and Heath Administration (OSHA)-approved blood spill clean-up kit.
- D. Work surfaces in a body-piercing salon, body piercing ear only salon, or temporary location shall be cleaned with a U.S. Environmental Protection Agency (EPA) registered, hospital grade disinfectant. Surfaces that come in contact with blood or other body fluids shall be immediately disinfected with an EPA-registered germicide solution. Appropriate personal protective equipment shall be worn during cleaning and disinfecting procedures.
- E. In a body-piercing salon, body-piercing ear only salon, or temporary location, cabinets or containers for the storage of instruments, single-use articles, and other utensils shall be provided for each operator and shall be maintained in a sanitary manner.
- F. In a body-piercing salon, body-piercing ear only salon, or temporary location, bulk single-use articles shall be commercially packaged and handled in such a way as to protect the articles from contamination.
- G. In a body-piercing salon, body-piercing ear only salon, or temporary location, all materials applied to the human skin shall be from single-use articles or transferred from bulk containers to single use containers and shall be disposed of after each use.
- H. In a body-piercing salon or body-piercing ear only salon, the walls, ceilings, and floors shall be kept in good repair. The body-piercing area shall be constructed of smooth, hard, surfaces that are nonporous, free of open holes or cracks, light colored, and easily cleaned. New physical facilities shall not include any dark-colored surfaces in the body-piercing area. Existing physical facilities with dark-colored surfaces in the body-piercing area shall replace the dark-colored surfaces with light-colored surfaces whenever the facilities are extensively remodeled or upon relocation of the business entity.

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- I. A body-piercing salon, body-piercing ear only salon, or temporary location shall have adequate lighting of at least 50 foot-candles of illumination in the body-piercing and sterilization areas.
- J. In a body-piercing salon, body-piercing ear only salon, or temporary location, adequate mechanical ventilation shall be provided.
- K. A body-piercing salon, body-piercing ear only salon, or temporary location shall be equipped with hand-cleaning facilities for its personnel with unobstructed access to the body-piercing area or body-piercing ear only area such that the body piercer or body piercer ear only can return to the area without having to touch anything with his hands. Hand-cleaning facilities shall be equipped either with hot and cold or tempered running water under pressure and liquid germicidal scap or with a sanitizing solution to clean hands. Hand-cleaning facilities shall be equipped with single-use towels or mechanical hand drying devices and a covered refuse container. Such facilities shall be kept clean and in good repair. All facilities must have running water and soap accessible for cleaning of hands contaminated by body fluids.
- L. Animals are not permitted in the body-piercing salon, body-piercing ear only salon, or temporary location except for guide or service animals accompanying persons with disabilities or nonmammalian animals in enclosed glass containers such as fish aquariums, which shall be outside of the body-piercing area or sterilization area. No animals are allowed in the body-piercing area, body-piercing ear only area, or sterilization area.
- M. In a body-piercing salon, body-piercing ear only salon, or temporary location, the use of tobacco products and consumption of alcoholic beverages shall be prohibited in the body-piercing area, body-piercing ear only area, or sterilization area.
- N. In a body-piercing salon, body-piercing ear only salon, or temporary location, no food or drink will be stored or consumed in the body-piercing area, body-piercing ear only area, or sterilization area.
- O. In a body-piercing salon, body-piercing ear only salon, or temporary location, if body-piercing or body-piercing ear only is performed where cosmetology services are provided, it shall be performed in an area that is separate and enclosed
 - P. All steam sterilizers shall be biological spore tested at least monthly.
 - Q. Biological spore tests shall be verified through an independent laboratory.
- R. Biological spore test records shall be retained for a period of three years and made available upon request.
 - S. Steam sterilizers shall be used only for instruments used by the salon's employees.

18VAC41-60-200. Body piercer and body piercer ear only responsibilities Body Piercer Ear Only Responsibilities.

- A. All body piercers and body piercers ear only shall provide to the responsible management one of the following:
 - 1. Proof of completion of the full series of Hepatitis B vaccine;
 - 2. Proof of immunity by blood titer; or
 - 3. Written declaration of refusal of the responsible management's offer of a full series of Hepatitis B vaccine.
- B. All body piercers and body piercers ear only shall wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty.
- C. All body piercers and body piercers ear only shall clean their hands thoroughly using hor or tempered water with a liquid germicidal soap or use sanitizing solution to clean hands before and after body piercing and as necessary to remove contaminants.

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- D. All body piercers and body piercers ear only must wear single-use examination gloves while assembling instruments and another pair of single-use examination gloves while providing piercing services.
- E. Each time there is an interruption in the service, each time the gloves become torn or perforated or become contaminated, or whenever the ability of the gloves to function as a barrier is compromised:
- F. Body piercers and body piercers ear only shall use standard precautions while providing piercing services. A body piercer or body piercer ear only diagnosed with a communicable disease, shall@rovide to the Department of Professional and Occupational Regulation a written statement from a health care practitioner that the body piercer's condition no longer poses a threat to public health.
- G. Body piercers and body piercers ear only with draining lesions on their hands or face will not be permitted to work until cleared by a health care professional.
- H. The area of the client's skin to be pierced shall be cleaned with an approved germicidal soap or antiseptic product according to label directions.
- I.H. The external skin of the All client areas to be pierced shall be cleaned with an approved germicidal soap or antiseptic product according to the label directions. In the case of oral piercings, the operator shall provide the individual with antiseptic mouthwash in a single-use cup and shall ensure that the individual utilizes the mouthwash provided. In the case of a lip, labret, or cheek piercing, procedures described in this subsection for both skin and oral piercings shall be followed.
- 4.I. If shaving is required, razors shall be single-use and disposed of in a puncture-resistant container.
- K.J. Each body piercer or body piercer ear only performing any piercing procedures in the salon shall have the education, training and experience, or any combination thereof, to practice aseptic technique and prevent the transmission of bloodborne pathogens. All procedures shall be performed using aseptic technique.
- L.K. An individual, single-use, pre-sterilized piercing needle shall be used for each client. Single-use disposable instruments shall be disposed of in a puncture-resistant container.
- M.L. Used, nondisposable instruments shall be kept in a separate, puncture-resistant container until brush scrubbed in hot water soap and then sterilized by autoclaving. Contaminated instruments shall be handled with disposable gloves.
- N.M. Used nondisposable instruments that are ultrasonically cleaned shall be rinsed under running hot water prior to being placed in the used instrument container.
- Q.N. Used nondisposable instruments that are not ultrasonically cleaned prior to being placed in the used instrument container shall be kept in a germicidal or soap solution until brush scrubbed in hot water and soap and sterilized by autoclaving.
 - P.O. The ultrasonic unit shall be sanitized daily with a germicidal solution.
- Q.P. Nondisposable instruments shall be sterilized and shall be handled and stored in a manner to prevent contamination. Instruments to be sterilized shall be sealed in bags made specifically for the purpose of autoclave sterilization and shall include the date of sterilization. If nontransparent bags are utilized, the bag shall also list the contents.
- transparent bags are utilized, the pag snall also list the contents.

 R.Q. Autoclave sterilization bags with a color code indicator that changes color upon proper sterilization shall be utilized during the autoclave sterilization process.

- S.R. Nondisposable instruments shall be placed in the autoclave in a manner to allow live steam to circulate around them.
- T.S. Contaminated disposable and single-use items shall be disposed of in accordance with federal and state regulations regarding disposal of biological hazardous materials.
 - U.T. The manufacturer's written instruction of the autoclave shall be followed.

18VAC41-60-210. Body-piercing client qualifications, disclosures, and recordsClient Qualifications, Disclosures, and Records.

- A. Except as permitted in § 18.2-371.3 of the Code of Virginia, a client must be a minimum of 18 years of age and shall present at the time of the body piercing a valid, government-issued, positive identification card including, but not limited to, a driver's license, passport, or military identification. The identification must contain a photograph of the individual and a printed date of birth.
- B. The body piercer shall verify and document in the permanent client record the client's age, date of birth, and the type of identification provided.
 - C. No person may be body pierced who appears to be under the influence of alcohol or drugs.
- D. Body piercing shall not be performed on any skin surface that manifests any evidence of unhealthy conditions such as tashes, boils, infections, or abrasions.
- E. Before receiving a body piercing, each client and client's parent or guardian, if applicable, shall be informed verbally and in writing, using the client disclosure form prescribed by the board, about the possible risk and dangers associated with the application of each body piercing. Signatures of the client, the client's parent or guardian, if applicable, and the body piercer shall be required on the client disclosure form to acknowledge receipt of both the verbal and written disclosures. Each client and client's parent or guardian, if applicable, shall be informed verbally and in writing of aftercare for each piercing.
- F. The body-piercing salon or temporary location shall maintain proper records for each client. The information shall be permanently recorded and made available for examination by the department or authorized agent. Records shall be maintained at the body-piercing salon for at least two years following the date of the last entry. The temporary location client records shall be maintained by the license holder. The permanent records shall include the following:
 - 1. The name, address, and telephone number of the client;
 - 2. The date body piercing was performed;
 - 3. The client's age, date of birth, and a copy of the positive identification provided to the body piercer;
 - 4. The specific type of jewelry used for the piercing and, when available, the manufacturer's catalogue or identification number for the type of jewelry used;
 - 5. The location on the body where the body piercing was performed;
 - 6. The name of the body piercer;
 - 7. A statement that the client has received a copy of applicable written care instructions and that the client has read and understands the instructions; and
 - 8. The signature of the client and, if applicable, parent or guardian.

18VAC41-60-220. Grounds for license revocation or suspension or probation; denial of application, renewal, or reinstatement; or imposition of a monetary penalty <u>License</u> Revocation, Suspension, or Probation; Denial of Application, Renewal or Reinstatement; or Imposition of a Monetary Penalty.

The board may, in considering the totality of the circumstances, fine any licensee and suspend, place on probation, or revoke or refuse to renew or reinstate any license, or deny any

application issued under the provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia and this chapter if the board finds that the licensee or applicant:

The board may, in considering the totality of the circumstances, refuse to issue, renew or reinstate a license; impose a monetary penalty; place a license on probation with such terms and conditions and for such time as it may designate; suspend a license for a stated period of time; or revoke, a license issued under the provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Gode of Virginia and this chapter if the board finds that the licensee or applicant:

- 1. Is incompetent or negligent in practice, or incapable mentally or physically, unable to practice with skill or safety as a result of any mental or physical condition, as those terms are generally understood in the profession, to (i) practice as a body piercer or body piercer ear only, or (ii) operate a body piercing salon;
- 2. Is convicted of fraud or deceit in the practice body piercing or body piercing ear only;
- 3. Attempted to obtain, obtained, renewed, or reinstated a license by false or fraudulent representation; Attempts to obtain, obtains, renews, or reinstates a license by false or fraudulent representation;
- 4. Violates or induces others to violate, or cooperates with others in violating, any of the provisions of this chapter or Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia or any local ordinance or regulation governing standards of health and sanitation of the establishment in which body piercers or body piercers ear only may practice or offer to practice;
- 5. Offers, gives, or promises anything of value or benefit to any federal, state, or local employee for the purpose of influencing that employee to circumvent in the performance of the employee's duties any federal state, or local law, regulation, or ordinance governing body piercing as defined in § 54.1-700 of the Code of Virginia;
- 6. Fails to respond to the board or any of its agents or provides false, misleading, or incomplete information to an inquiry by the board or any of its agents;
- 7. Fails or refuses to allow the board or any of its agents to inspect during reasonable hours any licensed salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or this chapter;
- 8. Fails to produce, upon request or demand of the board or any of its agents, any document, book, record, or copy thereof in a licensee's or responsible management possession or maintained in accordance with this chapter.
- 9. Fails to notify the board of a change of name or address in writing within 30 days of the change for each and every license;
- 10. Makes any misrepresentation or publishes or causes to be published any advertisement that is false, deceptive, or misleading;
- 11. Fails to notify the board in writing within 30 days of the suspension, revocation, or surrender of a license, certificate, or permit in connection with a disciplinary action in any other jurisdiction or of any license, certificate, or permit which has been the subject of disciplinary action in any other jurisdiction; Fails to notify the board in writing within 30 days of final action, of any disciplinary action taken against a license, registration, certificate or permit in any jurisdiction by a local, state or national regulatory body;
- 12. Has been convicted or found guilty, regardless of the manner of adjudication in Virginia or any other jurisdiction of the United States, of a misdemeanor involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury or any felony, there being no appeal pending therefrom or the time for appeal having elapsed. Review of convictions shall be subject to the requirements of § 54.1-204 of the Code of Virginia. Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision.

Naterial

The record of a conviction certified or authenticated in such form as to be admissible in

- evidence under facie evidence of such convictions.

 13. Fails to inform the board in writing within occasion subdivision 12 of this section;

 14. Allows, as responsible management of a salon, a person who has not obtained a ficense to practice as a body piercer or body piercer ear only unless the person is duly enrolled as an apprentice;

 13. Fails to inform the board in writing within occasion or being convicted or found guilty regardless of adjudication or in subdivision 12 of this section;

 14. Allows, as responsible management of a salon, a person who has not obtained a ficense to practice as a body piercer or body piercer ear only unless the person is duly enrolled as an apprentice;

 15. Converse of such converse faciency and the salon of a salon or body-piercing salon or body-piercing salon or body-piercing. ear only salon; or
 - 16. Fails to comply with all procedures established by the board and the testing service with regard to conduct at any board examination.

FORMS (18VAC41-60)

Body Piercer Examination & License Application, A450-1241EXLIC-v16 (rev. 9/2023)

Body-Piercing Apprenticeship Sporsor Application, A450-12BPSPON-v6 (rev. 9/2023)

Body-Piercing Apprentice Certification Application, A450-BP SOA-v3 (rev. 3/2015)

Body-Piercing Apprenticeship Completion Form, A450-12BPAC-v8 (rev. 1/2020)

Body-Piercing Client Disclosure Form, A450-12BPDIS-v2 (rev. 4/2013)

Body Piercer Ear Only License Application, A450-1245 C-v10 (rev. 9/2023)

License by Endorsement Application, A450-1213END-v18 (rev. 9/2022)

tattoo Experience Verification Form, A450-Body Piercing, Tattoo. Perm Cos 12BPTATT EXP-v2 (rev. 7/2022)

Salon, Shop, Spa & Parlor License-Reinstatement Application A450-1213BUS-v17 (rev. 9-2023)

Licensure Fee Notice, A450-1213FEE-v11 (rev. 9/2022)

Individuals - Reinstatement Application, A450-1213REI-v13 (rev

Tattoo-Body Piercing Universal App A450-1231-41ULR-v1 (rev.

23)
Sepulation of Official Board Position.

22. WORK PROCESSES

COSMETOLOGY REGISTERED APPRENTICESHIP PROGRAM REGISTRATION MATERIALS

1. Shampooing, rinsing, and scalp treatments for all hair types, including textured hair:

Olient consultation and analysis; and

Olient consultation and analysis. Haircutting and grooming......1,150 hours

- - Procedures, manipulations, and treatments.
- 2. Hair styling for all hair types, including textured hair:
 - a. Fingerwaving, molding, and pin curling;
 - b. Roller curling, combing, and brushing; and
 - c. Heat curling, waving, and pressing.
- 3. Hair cutting for all hair types, including textured hair:
 - a. Fundamentals, materials, and equipment; and
 - b. Procedures.
- 4. Wigs, hair pieces, and related theory:
 - a. Types; and
- 5. Straight razor use and shaving
- 6. Manicuring and pedicuring:
- b. Procedures.

 ght razor use and shaving

 curing and pedicuring:

 a. Nail theory, nail structure, and composition;
 - b. Nail procedures, including manicuring, pedicuring, and nail extensions; and
 - c. Electric filing.

7. Skin care:

- a. Client skin analysis and consultation;
- b. Effleurage and related movements and manipulations of the face and body;
- c. Cleansings procedures;
- d. Masks:
- e. Extraction techniques;
- f. Machines, equipment, and electricity;
- g. Manual facials and treatments:
- h. Machine, electrical facials, and treatments; and
- i. General procedures and safety measures.

8. Makeup:

- a. Setup, supplies, and implements;
- b. Color theory;
- c. Consultation;
- d. General and special occasion application;
- e. Camouflage:
- f. Application of false lashes and lash extensions;
- g. Lash and tinting;
- h. Lash perming;
- i. Lightning of the hair on the body except scalp; and
- j. General procedures and safety measures.

Let the Continued as redulation or Official Board Position.

9. E	Body and other treatments: a. Body treatments; b. Aromatherapy; and c. General procedures and safety measures.
-40.	Hair removal: a. Client consultation and analysis; b. Waxing; c. Mechanical hair removal; c. Tweezing and threading; and e. Chemical hair removal.
B. 1.	Orientation: a. School policies; b. Management; c. Sales, inventory, and retailing; d. Taxes and payroll; e. Insurance; f. Client records and confidentiality; and g. Professional ethics and practices.
C.	Chemical relaxers, perms, coloring, and bleaching550 hours
1.	Permanent waving and chemical relaxing for all hair types, including textured hair: a. Chemistry; b. Supplies and equipment; and c. Procedures and practical application.
2.	Hair coloring and bleaching for all hair types, including textured hair: a. Basic color theory; b. Supplies and equipment; and c. Procedures and practical application. Sciences, laws, and regulations 210 hours
D.	Sciences, laws, and regulations
1.	General sciences: a. Principles and practices of infection control; b. Safety Data Sheet(SDS);and c. Chemical usage and safety. Applied sciences: a. Anatomy, physiology, and histology. Laws and regulations TAL 2000 hours
2. /	Applied sciences: a. Anatomy, physiology, and histology.
3. L	_aws and regulations
то	TAL2000 hours
	TAL

COSMETOLOGY REGISTERED APPRENTICESHIP PERFORMANCE COMPLETION **REQUIREMENTS**

Natorials Co.	COSMETOLOGY REGISTERED APPRENTICESHIP PERFORMANCE COMPLETI REQUIREMENTS					
9/5	<u>Performances</u>	Number Required				
0/	A. Shampooing, rinsing, and scalp treatments, for all hair types, including textured hair	20				
	B. Hair styling, for all hair types, including textured hair	60				
	C. Hair cutting, for all hair types, including textured hair	60				
	D. Permanent waving-chemical relaxing, for all hair types, including textured hair	60				
	E. Hair coloring and bleaching, for all hair types, including textured hair	50				
	F. Wigs, hair pieces, and related theory	5				
	G. Straight razor shaving on face and neck	<u>12</u> 30				
	H. Manicuring and pedicuring	15 procedures				
	I. Individual sculptured nails and nail tips	30				
	J. Body and other treatments	5				
	K. Makeup	20				
	L. Skin care	15				
	M. Hair removal	15				
	E. Hair coloring and bleaching, for all hair types, including textured hair. F. Wigs, hair pieces, and related theory G. Straight razor shaving on face and neck H. Manicuring and pedicuring I. Individual sculptured nails and nail tips J. Body and other treatments K. Makeup L. Skin care M. Hair removal	385 <u>367</u>				

The required number of performance completions must be accomplished during the term of the apprenticeship, which shall not exceed twelve (12) eighteen (18) months in duration. ne con.

Alion Or Official Board Dosition.

Exam Statistics (scores through September 30, 2023)

Nation Barber The pass rates for the Barber theory exam in 2023 increased from 2022, ranging 49% (2022 36%). The 2023 practical pass rates increased from 2022 averaging 91% (2022 83%).

Master Barber

The Master Barber theory exam pass rates decreased from 2022 averaging 18% (2022 27%) The Master Barber practical exam pass rates decreased from 2022 averaging 93% (2022 73%)

Cosmetology

The cosmetology 2023 theory pass rates decreased from 2022 averaging 49% (2022 53%) and the 2023 practical pass rate are consistent with 2022 averaging 90% (2022 91%).

Nail Technician

The nail technician theory xam pass rates for 2023 decreased from 2022 averaging 53% (2022 66%) and the practical exam pass vates are consistent with 2022 averaging 83% (2022 80%).

Esthetician

The 2023 theory exam pass rates for estileticians are decreased from 2022 averaging 63% (2022 76%). The practical pass rates increased from 2022 averaging 96% (2023 93%).

Fr Esthetics

The Master Esthetics theory exam pass rates are consistent with 2022 averaging 2023 to 71% (2022).

Master Esthetics

- mcreased from 2022 averaging 99% (2022 92%). The Master Esthetics practical exam pass rate

Tattoo

The tattoo theory exam pass rates for 2023 decreased from 2022 averaging 81% (2022 90%)

Permanent Cosmetic Tattooer

The Permanent Cosmetic Tattooer pass rates for 2023 are consistant with 2022 averaging 48% (2022 49%)

Body Piercer

Piercer
 The body piercer theory exam pass rates for 2023 decreased from 2022 averaging 1% (2022 78%)

Wax Technician

- The body piercer theory examples.
 Technician
 The Wax Technician theory pass rates for 2023 increased since 2022 averaging 77% (2022/10/10)
 The Wax Technician practical exam pass rates for 2023 decreased from 2022 averaging 75% (2032 averaging 75%)

Board for Barbers and Cosmetology Current Regulatory Actions As of November 13, 2023

ζ.		·	ulatory Actions mber 13, 2023		
The Governo	r's Office:				
VAC الله	Stage	Subject Matter	Date Submitted	Office; time	Notes
YIN			for Executive	in office	
W.			Branch Review		
18 VAC 41-20 %	. Proposed	Amendment to	07/01/2022	Governor	Establish a unifo
1		the instructor		490 days	instructor progi
	So.	training	Re-submitted	,	among licensed
	700	program	recommended	125 days	cosmetology,
	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\		changes to the	since re-	barber, nail, wa
	(0)		Governor's	submittal	and esthetic
	70		office on		schools.
	705		07/18/23		301100131
18 VAC 41-20	NOIRA NOIRA	General review		Governor	A general review
-		of garbering	-, ,	7 davs	the barber and
		and w			cosmetology
		Cosmetology	7		regulations
		Regulation &	"		was necessary
		On the	PC.		to the Executive
		200			Directive Numb
					One (2022). The
		AC.	70		regulatory revie
			, %		committee ensi
		7	2 30*		the regulations
			6		provides minim
			0		burdens on
			, c		regulants while
				1/2	protecting the
				60	public.
18 VAC 41-50	NOIRA	General review	10/27/23	Governor	A general review
		of Tattooing		7 days	the tattoo
		Regulations		1/6	regulations
				**	was necessary
					the tattoo regulations was necessary of tothe Executive
					Directive Numb
					One (2032). The
					regulator
					committee ex
					the regulations
					provides minim
					burdens on
					regulants while

1/3						protecting the public.
	*** VAC 41-60 CONTAINED IN THIS	NOIRA DOODOS	General review of Body- Piercing Regulations	10/27/23	Governor 7 days	A general review of the body piercing regulations was necessary due to the Executive Directive Number One (2022). The regulatory review committee ensured the regulations provides minimum burdens on regulants while still protecting the public.
	18 VAC 41-70	NOIRA	Gérèral review of Esthetics Regulations	10/30/23 DARIA ROKINDA DA PORTO DE CO	Governor 4 days	A general review of the esthetics regulations was necessary due to the Executive Directive Number One (2022). The regulatory review committee ensured the regulations provides minimum burdens on regulants while still protecting the public.

In the Secretary's Office:

None

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

None

Public Comment:

None

Se regulation or official Board Position.

Completed Public Comment and awaiting final regulatory stage:

VAC	Stage	Subject Matter	Date Public Comment period begins and ends.	Notes
018 VAC 41-20	Proposed to	Lower	Public comment	Changes the cosmetology
Jong Indian	Final	Cosmetology	period began on	curriculum from 1500 hours to
1//20		Training to	7/17/2023 and	1000 hours. Revised the
\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\		1,000 Hours	ended on	number of performances in the
19.			9/15/2023	cosmetology curriculum.

Recently effective:

1410	7			T
VAC	Stage	Subject Matter	Date Effective	Notes
18VAC41-20	Fast-frack	Fasing licensing	Effective	Allows
18VAC41-50	Tust trugge	requirements for	10/1/2023	practitioners who
18VAC41-60	500	grandfathered	10, 1, 2020	obtained their
18VAC41-70	To.	licensees failing to		initial license via
	20	Crenew licensure.		a grandfathering
		6		provision but let
		9/3 Th		the license expire
		CL TO		to apply for re-
		De Soil Off		licensure by
		7	6	demonstrating
		Do No	Y	five years of
		The state of the s		licensed practice
		0, 1		in the profession.
		Easing licensing requirements for grandfathered licensees failing to grenew licensure.	CONTINUED DE LE	Oulation or Official Board





VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY

KELLEY SMITH, EXECUTIVE DIRECTOR

LOWER COSMETOLOGY TRAINING TO 1,000 HOURS

NOVEMBER 1, 2023

you will used the draft fina.

The draft documents have all the aubstantive and percents the reference.

The (BDS)". The Oper changes are found and the changes are based on discussions had by the regulations.

The final stage of this regulatory action, will be presente.

The final stage of this regulatory action, will be presente.

The series are attached draft regulations. After the board approve, ge of the regulatory review begins. By our had any suggested edits, tector to the meeting, or bring them up during the receiping.

In order to make any changes to the Opel regulations, the poard will need to make a motularly change. For example, a motion to septend the final regulations to read "Safety Data Sheet", and a motion to amend the performances and adopts the final regulations.

Once the board is satisfied with the final regulations, it by approve them with a motion to "approve the draft final regulations, as amended."

highlight

Find a Commonwealth Resource



Proposed Text

Action: Lower Cosmetology Training to 1,000 Hours

<u>Stage</u>: Proposed 3:24 PM [latest] ✓

18VAC41-20-200 Géneral requirements

A barber, cosmetology, pail, or waxing school shall:

- 1. Hold a school license for ach and every location.
- 2. Hold a salon license if the school receives compensation for services provided in its clinic.
- 3. Employ a staff of and ensure all training is conducted by licensed and certified barber, master barber, cosmetology, nattechnician, or wax technician instructors, respectively.
- a. Licensed and certified cosmetology instructors may also instruct in nail and waxing programs.
- b. Licensed and certified esthetics instructors and master estretics instructors may also instruct in waxing programs.
- 4. Develop individuals for entry level competency in barbering, master barbering, cosmetology, nail care, or waxing.
- 5. Submit its curricula for board approval. All changes to curricula must be resubmitted and approved by the board.
- a. Barber curricula shall be based on a minimum of 1,100 of ock hours and shall include performances in accordance with 18VAC41-20-220.
- b. Master barber curricula shall be based on a minimum of 400 clock hours and shall include performances in accordance with 18VAC41-20-220.
- c. Dual barber/master barber program curricula shall be based on a minimum of 1,500 clock hours and shall include performances in accordance with 18VAC41-20-220.
- d. Cosmetology curricula shall be based on a minimum of 1,500 1,000 clock hours and shall include performances in accordance with 18VAC41-20-220.
- e. Nail technician curricula shall be based on a minimum of 150 clock hours and shall include performances in accordance with 18VAC41-20-220.
- f. Wax technician curricula shall be based on a minimum of 115 clock hours and shall include performances in accordance with 18VAC41-20-220.
- 6. Inform the public that all services are performed by students if the school receives compensation for services provided in its clinic by posting a notice in the reception area of the shop or salon in plain view of the public.
- 7. Conduct classroom instruction in an area separate from the clinic area where practical instruction is conducted and services are provided.
- 8. Possess the necessary equipment and implements to teach the respective curriculum. If any such equipment or implement is not owned by the school, then a

Regulation of Official Board Position,

copy of all agreements associated with the use of such property by the school shall be provided to the board.

18VAC41-20-210 Curriculum requirements

A. Each barber school shall submit with its application a curriculum, including a gurse syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for barbering shall include the following:

- 1. Schoopplicies;
- 2. State law, equiations, and professional ethics;
- 3. Business and spop management;
- 4. Client consultation
- 5. Personal hygiene;
- 6. Cutting the hair with a rater, clippers, and shears;
- 7. Tapering the hair;
- 8. Thinning the hair;
- 9. Shampooing the hair;
- 10. Shaving:
- 11. Trimming a moustache or beard;
- 12. Applying hair color;
- 13. Analyzing skin or scalp conditions;
- 14. Giving scalp treatments;
- 15. Giving basic facial massage or treatment;
- 16. Sanitizing and maintaining implements and equi
- 17. Honing and stropping a razor.
- ard; Pard; Open and Part of the Art of the A B. Each barber school seeking to add a master barber program shall so mit with its application a curriculum, including a course syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for master barbering shall include the following:
- 1. Styling the hair with a hand hair dryer;
- 2. Thermal waving;
- Permanent waving with chemicals;
- 4. Relaxing the hair;
- 5. Lightening or toning the hair;
- 6. Hairpieces and wigs; and
- 7. Waxing limited to the scalp.
- C. Each school seeking to add a dual barber/master barber program shall submit with its application a curriculum, including a course syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for dual barber/master barber program shall include the following:

- 1. School policies;
- 2. State law, regulations, and professional ethics;
- 3. Business and shop management;
- 4&Client consultation;
- Pessonal hygiene;
- 6. Cuttin the hair with a razor, clippers, and shears;
- 7. Tapering the hair;
- 8. Thinning the **G**air;
- 9. Shampooing the
- 10. Styling the hair with hand hair dryer;
- 11. Thermal waving;
- 12. Permanent waving with clamicals;

- 12. Permanent waving with chemicals;

 13. Relaxing the hair;

 14. Shaving;

 15. Trimming a moustache or beard;

 16. Applying hair color;

 17. Lightening or toning the hair;

 18. Analyzing skin or scalp conditions;

 19. Giving scalp treatments;

 20. Waxing limited to the scalp;

 21. Giving basic facial massage or treatment;

 22. Hair pieces;

 23. Sanitizing and maintaining implements and equipment; and

 24. Honing and stropping a razor.

 D. Each cosmetology school shall submit with its application a curriculum, including a course syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, and a breakdown of bourse and performances for all courses to be taught that will lead to licensure. The

- 2. Manicuring and pedicuring: a. Anatomy and physiology; b. Diseases and disorders; c. Procedures to include both natural and artificial application; and d. Sterilization Laws and regulations - minimum of 10 hours of instruction.

- 3. Shampooing and rinsing General sciences minimum of 55 hours of instruction:
- a. Fundamentals Principles and practices of infection control;
- b. Safety rules; Material Safety Data Sheet (MSDS); and
- Rrocedures; and d. Chemistry, anatomy, and physiology Chemical usage and
- 4. Scale treatments: a. Analysis b. Disorders and diseases; c. Manipulations; and d. Treatments Applied sciences - minimum of 40 hours of instruction: Anatomy, physiology, and histology.
- 5. Hair styling shampooing, rinsing, and scalp treatments for all hair types, including texture hair - minimum of 25 hours of instruction:
- a. Anatomy and facial shapes; Client consultation and analysis; and
- b. Finger waving, molding, and pin curling; c. Roller curling, combing, and brushing; and d. Heat curling, waving, and pressing Procedures, manipulations, and treatments.
- 6. Hair cutting Hair styling for all hair types, including textured hair minimum of 65
- hours:

 a. Anatomy and physiology Fingerwawkg, molding, and pin curling;

- tomy and physiology to adamentals, meterials, and equipment, and recedures; and d. Safety practices Heat curbos.

 **Permanent waving-chemical relaxing: Hair cutting for an attured hair minimum of 125 hours:

 Analysis: Fundamentals, materials, and equipment, and procedures and practical application; d. Chemistry, e. Recordiscipling; and fl. Safety Procedures and practical application; d. Chemistry, e. Recordiscipling; and fl. Safety Procedures.

 8. Hair coloring and bleaching Permanent waving and offenced relaxing for all hair types, including textured hair minimum of 115 hours:

 a. Analysis and basic color theory Chemistry:

 **Iss and equipment; and

 **Application; d. Chemistry and classifications; e. **Safety.

 **Coloring and bleaching for all hair types, including

 Try and light therapy; *sand**

 **Try and light therapy; **Try and light

 - e. b. Procedures.

- 11. Salon management: a. Business ethics; and b. Care of equipment. Straight razor use and shaving - minimum of 20 hours.
- 12. Manicuring and pedicuring minimum of 75 hours:
- Nail theory, nail structure, and composition;
- b. Pail procedures, including manicuring, pedicuring, and nail extensions; and
- c. Electric filing.
- 13. Skin care minimum of 160 hours of instruction:
- a. Client skin analysis and consultation;

- e. Chemical hair removal.

skin a grage and results and including the state of the s

E. Each nail school shall submit with its application a curriculum, including a course syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for mail care shall include the following:

- **@**rientation:
- a. School policies; and
- b. State law regulations, and professional ethics;
- 2. Sterilization, bacteriology, and safety;
- 3. Anatomy and physiology;
- 4. Diseases and disorders of the nail;
- 5. Nail procedures (i.e., panicuring, pedicuring, and nail extensions); and
- 6. Nail theory and nail structure and composition.
- F. Each waxing school shall submit with its application a curriculum, including a course syllabus, a detailed course sontent outline, a sample of five lesson plans, a sample of evaluation methods to be used, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline waxing shall include the following:

 1. Orientation:

 a. School policies;

 b. State law, regulations, and professional ethics; and c. Personal hygiene.

 2. Skin care and treatment:

 a. Analysis;

 b. Anatomy and physiology;

 c. Diseases and disorders of the skin;

 d. Health sterilization, sanitation, bacteriology, and safety, including infectious disease control measures; and performances for all courses to be taught that will lead to licensure. The outline for

- disease control measures; and
- e. Temporary removal of hair.
- 3. Skin theory, skin structure, and composition.
- 4. Client consultation:
- a. Health conditions;
- b. Skin analysis;
- c. Treatments;
- d. Client expectations; and
- e. Health forms and questionnaires.
- 5. Waxing procedures for brow, lip, facial, legs, arms, underarm, chest, back, and bikini areas:
- a. Fundamentals:
- b. Safety rules; and
- c. Procedures.

Contrued as regulation or official Board Position.

- 6. Wax treatments:
- a. Analysis;
- b. Disorders and diseases;

Manipulations; and

- d. Treatments.
- 7. Salon@anagement:
- a. Business thics; and
- b. Care of equipment.

G. A licensed school with an approved barber, master barber, dual barber/master barber, cosmetology, fail technician, or wax technician program may conduct an assessment of a student's competence in the respective profession and, based on the assessment, give creat toward the hours requirements specified in the respective subsection of this section and 18VAC41-20-220.

The school shall make the assessment based on a review of the student's transcript and the successful competition of a board-approved competency examination administered by the school may also request a copy of a catalog or bulletin giving the full course description when making the evaluation. The number of credit hours awarded shall not exceed the actual hours of instruction verified on the transcript or the comber of hours specified in the boardapproved curriculum for a specific topic.

18VAC41-20-220 Hours of instruction and performa

A. Curriculum and performance requirements shall be offered over a minimum of 1,100 clock hours for barbering, 400 clock hours for master barbering, 1,500 clock hours for dual barber/master barber program and, 1,000 hours for cosmetology, 150 clock hours for nail care, and 115 clock hours for waxing.

B. The curriculum requirements for barbering must include the following minimum performances:

	A/V
Hair and scalp treatments	10 %
Hair services	320
Hair coloring (including tinting, temporary rinses, and semi-permanent color)	35
Basic facials	5
TOTAL	370

 The curriculum requirements for barbering must performances: 	TON TON
Hair and scalp treatments	10 0
Hair services	320
Hair coloring (including tinting, temporary	35
rinses, and semi-permanent color)	
Basic facials	5
TOTAL	370
C. The curriculum requirements for master barbering	370 ng must include
C. The curriculum requirements for master barbering ininimum performances:	ng must include
E. The curriculum requirements for master barbering inimum performances: Bleaching and frosting	ng must include
C. The curriculum requirements for master barbering ininimum performances: Bleaching and frosting Cold permanent waving or chemical relaxing	ag must include 10 25 50
TOTAL C. The curriculum requirements for master barbering ininimum performances: Bleaching and frosting Cold permanent waving or chemical relaxing Hair shaping Wig care, styling, placing on model	ng must include 10 25

TOTAL 120

D. The curriculum requirements for dual barber/master barber program must include the following minimum performances:

1	
Pair and scalp treatments	10
Hair styling services	320
Bleaching and frosting	10
Hair coloring (including tinting, temporary	35
rinses, and semi-permanent color)	
Cold permanent waving or chemical relaxing	25
Cold permanent waving or chemical relaxing Hair shaping	50
INView and a stration of relations on the selection of the latest the selection of the sele	5
Finger waving and thermal waving Basic facials and waxings TOTAL	30
Basic facials and waxings	5
TOTAL O, C.	490

E. The curriculum requirements for cosmetology must include the following minimum performances:

γ_{\perp}	0%
Hair and scalp treatments	10 h
Hair styling	10 00 00 00 00 00 00 00 00 00 00 00 00 0
Tinting	15 A 70
Bleaching and frosting	10
Temporary rinses	10
Semi-permanent color	10
Cold permanent waving or chemical relaxing	25
Hair shaping	50
Wig care, styling, placing on model	5
Finger waving and thermal waving	30
Manicures and pedicures	15
Basic facials and waxings	5
Sculptured nails, nail tips, and wraps	20
TOTAL	525

THO BE CONTINUED AS FEGULATION OF OFFICIAL BOARD POSITION.

1/3/23, 11:33 AM	virginia F	egulatory
Shampooing, rinsing, and scalp treatments,	<u>20</u>	
for all hair types, including textured hair:		
Hair styling, for all hair types, including	<u>60</u>	
textured hair:		
Hair cutting, for all hair types, including	<u>60</u>	
textured hatr:		
Permanent waving-chemical relaxing,	<u>60</u>	
for all hair types, induding textured hair:		
Hair coloring and bleaching, for all hair	<u>50</u>	
types, including textured have:		
Wigs, hair pieces, and related theory:	5	
Stroight razor use and shoving	12	
Straight razor use and shaving	12	
Manicuring and pedicuring	15 proce	dures
Hair coloring and bleaching, for all hair types, including textured has: Wigs, hair pieces, and related theory: Straight razor use and shaving Manicuring and pedicuring Sculptured nails, nail tips, and wraps Body and other treatments	3 full set	<u>s</u>
Body and other treatments	Sign of	
<u>Makeup</u>	30 %	'Cr
Skin care	20	2001
Hoir ramoval	15 1	O O
<u>nali temovai</u>	19 0	, '''
<u>TOTAL</u>	<u>360</u>	
F. The curriculum requirements for nail care must performances:	t include the	e follow
Manicures		30
Pedicures		15
1 Calouros		000
Individual sculptured nails and nail tips		200
Individual removals		10
Individual nail wraps		20
anicuring and pedicuring 15 process aulptured nails, nail tips, and wraps akeup in care air removal DTAL The curriculum requirements for nail care must include the formances: dividual sculptured nails and nail tips dividual removals dividual nail wraps DTAL The curriculum requirements for waxing must include the formances: anicures dividual nail wraps DTAL The curriculum requirements for waxing must include the formances: ms		275
G. The curriculum requirements for waxing must	include the	followi
performances:		
Arms		4
Back		2

Manicures	30
Pedicures	15
Individual sculptured nails and nail tips	200
Individual removals	10
Individual nail wraps	20
TOTAL	275

Arms	4
Back	2

	3	
Bikini area	6	
Brows	12	
A ehest	1	
Facial (i.e., face, chin, and cheek and lip)	6	
Leg One	3	
Underarm	2	
TOTAL "IJ;	36	
Bikini area Brows Apest Facility, i.e., face, chin, and cheek and lip) Leg Underarm TOTAL TOTAL Application of the control of the con	DRAFT ACENDA REPORTO DE COL	Three as redulation or official Board Position.
https://townhall.virginia.gov/L/ViewXML.cfm?textid=17722		10/10

Board For Barbers And Cosmetology

Lower Cosmetology Training to 1,000 Hours

Asparber, cosmetology, nail, or waxing school shall:

- Hold a school license for each and every location.
- Lower Cosmetons, 186/AC41-20-200. General requirements.

 Consider the school license for each area of the school. 2. Hald a salon license if the school receives compensation for services provided in its
 - 3. Employ a staff of and ensure all training is conducted by licensed and certified barber, master barser, cosmetology, nail technician, or wax technician instructors, respectively.
 - a. Licensed and certified cosmetology instructors may also instruct in nail and waxing programs. 🕢
 - b. Licensed and certified esthetics instructors and master esthetics instructors may also instruct in waxing programs.
 - 4. Develop individuals for entry level competency in barbering, master barbering, cosmetology, nail care, or waxing.
 - 5. Submit its curricula for board approval. All changes to curricula must be resubmitted and approved by the board.
 - a. Barber curricula shall be based on a minimum of 1,100 clock hours and shall include performances in accordance with 18VAC41, 20-220.
 - b. Master barber curricula shall be based on a minimum of 400 clock hours and shall include performances in accordance with 18VAC41-20-220.
 - c. Dual barber/master barber program coricula shall be based on a minimum of 1,500 clock hours and shall include performances in accordance with 18VAC41-20-220.
 - d. Cosmetology curricula shall be based on a pinimum of 1,500 1,000 clock hours and shall include performances in accordance with 12VAC41-20-220.
 - e. Nail technician curricula shall be based on a military of 150 clock hours and shall include performances in accordance with 18VAC41-20-220.
 - f. Wax technician curricula shall be based on a minimum of 115 clock hours and shall include performances in accordance with 18VAC41-20-226
 - 6. Inform the public that all services are performed by students if the school receives compensation for services provided in its clinic by posting a notice in the reception area of the shop or salon in plain view of the public.
 - 7. Conduct classroom instruction in an area separate from the clinic are where practical instruction is conducted and services are provided.
 - 8. Possess the necessary equipment and implements to teach the respective curriculum. If any such equipment or implement is not owned by the school, then a $\mathcal{C}_{\mathcal{B}_{\mathcal{V}}}$ of all agreements associated with the use of such property by the school shall be provided to

18VAC41-20-210. Curriculum requirements.

the board.

/AC41-20-210. Curriculum requirements.

A. Each barber school shall submit with its application a curriculum, including a course content outline a sample of five lesson plans, a sample of evaluation syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for barbering shall include the following:

- 1. School policies;

- 2. State Iam,
 3. Business and shop IIIam.
 4. Client consultation;
 5. Personal hygiene;
 Cutting the hair with a razor, clippers, and shears;
 Tapering the hair;
 hair;

 - 10. Shaving
 - Trimming moustache or beard;
 - 12. Applying haip color;
 - 13. Analyzing skin as scalp conditions;
 - 14. Giving scalp treatments;
 - 15. Giving basic facial massage or treatment;
 - 16. Sanitizing and maintaining implements and equipment; and
 - 17. Honing and stropping a razer
 - B. Each barber school seeking to add a master barber program shall submit with its application a curriculum, including a course syllabus, a devailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for master barbering shall include the following:

 1. Styling the hair with a hand hair diver;
 2. Thermal waving;
 3. Permanent waving with chemicals;
 4. Relaxing the hair;
 5. Lightening or toning the hair;
 6. Hairpieces and wigs; and
 7. Waxing limited to the scalp.
 C. Each school seeking to add a dual barber/master barber program shall submit with its application a curriculum, including a course syllabus, a detailed course content outline, a sample lesson plans, a sample of evaluation methods to be used, and a breakdown of hours and
 - 1. Styling
 2. Thermal waving,
 3. Permanent waving with crie...
 4. Relaxing the hair;
 5. Lightening or toning the hair;
 6. Hairpieces and wigs; and
 7. Waxing limited to the scalp.
 C. Each school seeking to add a dual barber/master barber program shall subrinapplication a curriculuma including a course syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for dual barber/master barber program shall include the following:
 1. School policies;

 'nw. regulations, and professional ethics;

 namanagement;

11. ...

12. Permanen...

13. Relaxing the hair;

14. Shaving;

15. Trimming a moustache or beard;

16. Applying hair color;

In ping or toning the hair;

Scalp condition 10. Styling the hair with a hand hair dryer; 12. Permanent waving with chemicals; 18. Anályzing skin or scalp conditions; 19. Giving calp treatments; 20. Waxing lifeted to the scalp; 21. Giving basic acial massage or treatment; 22. Hair pieces; 23. Sanitizing and maiotaining implements and equipment; and 24. Honing and stropping razor. D. Each cosmetology school shall submit with its application a curriculum, including a course syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for cosmetology shall include the following: 1. Orientation: a. School policies: Torto beation; and as featuration of official Board Position. b. State law. regulations c. Personal hygiene: and d. Bacteriology, sterilization 2. Manicuring and pedicuring: a. Anatomy and physiology; b. Diseases and disorders; c. Procedures to include both natural and artificial app d. Sterilization. 3. Shampooing and rinsing: a. Fundamentals; b. Safety rules; c. Procedures; and d. Chemistry, anatomy, and physiology. 4. Scalp treatments: a. Analysis; b. Disorders and diseases; c. Manipulations; and d. Treatments.

5. Hair styling:

a. Anatomy and facial shapes;

b. Finger waving, molding, and pin curling;

6. Hair o...
a. Anatomy a...
b. Fundamentals, mac.
c. Procedures; and
d. Safety practices.
7. Permanent waving chemical relaxing:
a. Analysis;
b. Supplies and equipment;
dures and practical applica c. Roller curling, combing, and brushing; and d. Heat curling, waving, and pressing. b. Fundamentals, materials, and equipment; Jeurse and sections and blasching:

Analysis and blasching:

Analysis and blasching:

Procedures and practice papilication:

Chemistry and classifications:

Recordkeeping: and

Safety:

Skin care and make up:

Analysis:

That therapy:

That therapy:

That therapy:

That therapy:

That therapy:

There is a state of the control of the c 2. Laws and reg.

3. General sciences - ru.

a. Principles and practices of interest of the sciences - minimum

Sciences - min

- f. Client records and confidentiality; and
- g. Professional ethics and practices.
- 2. Laws and regulations minimum of 10 hours of instruction.
- 3. General sciences minimum of 55 hours of instruction:
- a. Principles and practices of infection control;

- 4. Applied sciences minimum of 40 hours of instruction:
- a. Anatomy, physiology, and histology.
- 5. Shampoging, rinsing, and scalp treatments for all hair types, including textured hair minimum of 25 hours of instruction:
- a. Client consultation and analysis; and
- b. Procedures, manipulations, and treatments.
- 6. Hair styling for all Pair types, including textured hair minimum of 65 hours:
- a. Fingerwaving, molding, and pin curling;
- b. Roller curling, combing and brushing; and
- c. Heat curling, waving, and pressing.
- 7. Hair cutting for all hair types, including textured hair minimum of 125 hours:
- a. Fundamentals, materials, and equipment; and
- a. Fundamentals, materials, and
 b. Procedures.
 8. Permanent waving and chemical relaxing for at hair types, including textured hair minimum of 115 hours:
 a. Chemistry;
 b. Supplies and equipment; and
 c. Procedures and practical application.
 9. Hair coloring and bleaching for all hair types, including textured hair minimum of 160

- a. Basic color theory;
- b. Supplies and equipment; and
- c. Procedures and practical application.
- 10. Wigs, hair pieces, and related theory minimum of 15 hours.
- a. Types; and
- b. Procedures.
- 11. Straight razor use and shaving minimum of 20 hours.
- 12. Manicuring and pedicuring minimum of 75 hours:
 - a. Nail theory, nail structure, and composition;
 - b. Nail procedures, including manicuring, pedicuring, and nail extensions; and
 - c. Electric filing.
- 13. Skin care minimum of 160 hours of instruction:
 - a. Client skin analysis and consultation;
 - b. Effleurage and related movements and manipulations of the face and body;

Materials Contained,

- c. Cleansings procedures;
- d. Masks;
- e. Extraction techniques;
- f. Machines, equipment, and electricity;
- g. Manual facials and treatments;
- h. Machine, electrical facials, and treatments; and
- i. General procedures and safety measures.
- 142Makeup minimum of 35 hours of instruction:
 - a. Setup, supplies, and implements;
 - b. Color theory;
 - c. Consultation;
 - d. General and special occasion application;

 - f. Application of alse lashes and lash extensions:
 - g. Lash and tintin
 - h. Lash perming;
 - i. Lightning of the hair the body except scalp; and
 - i. General procedures and
- 15. Body and other treatments 0 hours of instruction:
 - a. Body treatments;
 - b. Aromatherapy; and
 - c. General procedures and
- 16. Hair removal minimum of 3

a. Client consultation and analysis

b. Waxing;
c. Mechanical hair removal;
d. Tweezing and threading; and
e. Chemical hair removal.

E. Each nail school shall submit with its application a curriculum including a course syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation methods to be used, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for nail care shall include the following:

- 1. Orientation:
 - a. School policies; and
 - b. State law, regulations, and professional ethics;
- 2. Sterilization, sanitation, bacteriology, and safety;
- 3. Anatomy and physiology;
- 4. Diseases and disorders of the nail;
- 5. Nail procedures (i.e., manicuring, pedicuring, and nail extensions); and
- 6. Nail theory and nail structure and composition.
- F. Each waxing school shall submit with its application a curriculum, including a course syllabus, a detailed course content outline, a sample of five lesson plans, a sample of evaluation

Teoulation of Official Board Dosition.

a. School
b. State law, regular c. Personal hygiene.

2. Skin care and treatment:

2. Analysis;

Anatomy and physic

and disorc methods to be used, and a breakdown of hours and performances for all courses to be taught that will lead to licensure. The outline for waxing shall include the following:

- - b. State law, regulations, and professional ethics; and

- ‰ Anatomy and physiology;
- c. Diseases and disorders of the skin;
- d. Health sterilization, sanitation, bacteriology, and safety, including infectious disease control measures; and
- e. Temporary removal of hair.
- 3. Skin theory, skip structure, and composition.
- a. Health conditions, analysis; 4. Client consultations
- a. Health conditions.
 b. Skin analysis;
 c. Treatments;
 d. Client expectations; and
 e. Health forms and questionners.

 5. Waxing procedures for brow, lip, Bacial, lego arms, underarm, chest, back, and bikini areas:
 a. Fundamentals;
 b. Safety rules; and
 c. Procedures.

 6. Wax treatments:
 a. Analysis;
 b. Disorders and diseases;
 c. Manipulations; and
 d. Treatments.

b. Care of equipment.

G. A licensed school with an approved barber, master barber, dual barber barber, cosmetology, nail technician, or wax technician program may conduct an assessment of a student's competence in the respective profession and, based on the assessment, give credit toward the hours requirements specified in the respective subsection of this section and 18VAC41-20-220.

The school shall make the assessment based on a review of the student's transcript and the successful completion of a board-approved competency examination administered by the schools The school may also request a copy of a catalog or bulletin giving the full course description when a superfield shall not exceed the actual hours of making the evaluation. The number of credit hours awarded shall not exceed the actual hours of

instruction verified on the transcript or the number of hours specified in the board-approved curriculum for a specific topic.

18VAC41-20-220. Hours of instruction and performances.

A. Curriculum and performance requirements shall be offered over a minimum of 1,100 clock ours for barbering, 400 clock hours for master barbering, 1,500 clock hours for dual barber/master barber program and, 1,000 hours for cosmetology, 150 clock hours for nail care, and 315 clock hours for waxing.

B. The curriculum requirements for barbering must include the following minimum performances:

Hair and scap treatments	10
Hair services Hair services	320
Hair coloring (including tinting, temporary rinses, and semi-permanent color)	35
Basic facials	5
TOTAL	370

C. The curriculum requirements for master barbering must include the following minimum performances:

7	
Bleaching and frosting	10
Cold permanent waving or chemical elaxing	25
Hair shaping	Dy 50
Wig care, styling, placing on model	5
Finger waving and thermal waving	30
TOTAL	්ර _ල 120

D. The curriculum requirements for dual barber/master barber program must include the following minimum performances:

	Y
Hair and scalp treatments	30
Hair styling services	320%
Bleaching and frosting	10
Hair coloring (including tinting, temporary	35
rinses, and semi-permanent color)	
Cold permanent waving or chemical relaxing	25
Hair shaping	50
Wig care, styling, placing on model	5

Allation or Official Board Position

Finger waving and thermal waving	30
Basic facials and waxings	5
TOTAL	490

Finger waving and thermal waving	30
Basic facials and waxings	5
TOTAL Total Total	490
SE. The curriculum requirements for cosmetology moerformances:	ust include the following minim
Hair and scalp treatments	10
Hair styling &	320
Tinting Sny	15
Bleaching and frosting	10
Temporary rinses	10
Semi-permanent color	10
Cold permanent waving or chergical relaxing	25
Hair shaping	50
Wig care, styling, placing on model	5
Finger waving and thermal waving .	30
Manicures and pedicures	15
Basic facials and waxings	5
Sculptured nails, nail tips, and wraps	20
TOTAL	6 ₆ 525
Hair shaping Wig care, styling, placing on model Finger waving and thermal waving hard waving and pedicures Basic facials and waxings Sculptured nails, nail tips, and wraps TOTAL Shampooing, rinsing, and scalp treatments, for all hair types, including textured hair:	COntr. 20
Hair styling, for all hair types, including textured hair:	0
Hair cutting, for all hair types, including textured hair:	60 60 50 50
Permanent waving-chemical relaxing,	60
for all hair types, including textured hair:	<u>50</u>
Hair coloring and bleaching, for all hair	<u>50</u>
types, including textured hair:	F.
Wigs, hair pieces, and related theory:	<u>D</u>
Straight razor shaving on face and neck	<u>30</u>

Regulation or Official Board Position.

Manicuring and pedicuring

Individual sculptured nails and nail tips

Body and other treatments

Skin care

Hair removal

TOTAL

Manicuring and pedicuring

15 procedures

30

20

Skin care
15

F. The curriculum requirements for nail care must include the following minimum performances:

Manicures	30
Pedicures	15
Individual sculptured nails and sail tips	200
Individual removals	10
Individual nail wraps	20
TOTAL OP CO.	275

G. The curriculum requirements for waxing must include the following minimum performances:

Arms	4
Back	2
Bikini area	6
Brows	12
Chest	P/ 1
Facial (i.e., face, chin, and cheek and lip)	(O)
Leg	3 0
Underarm	2
TOTAL	36

edulation or official Board Position.



VIRGINIA BOARD FOR B.

KELLEY SMITH, EXECUTIVE.

REMOTE PARTICIPATION POLIC.

OCTOBER 2, 2023

eptember 23, 2021 meeting, the Board adopted a policy to ...

cipate in boast meetings from remote locations under certain ...

a does allow 60 senset participation in limited situations when th.

ac participation polic of air conforms to the requirements laid out in the law.

osed remote participation glossbility; medical condition or a principal residence.

an 60 miles from the meeting location which prevents in-person attendance of that diditionally, a quorum of the board guist be physically present at the primary location. This a matricipation policy is also limited to confinites. Succommittee or panel meetings. Physical attenda, is still required for full Board meetings. This policy can be adopted by the Board as a guidance document through a motion to "adopt the Physican to the board's remote participation policy."

Additionally, a quorum of the board of the Physican to the board's remote participation policy."



BOARD FOR BARBERS AND COSMETOLOGY

POLICY: Remote Participation in Board Meetings

PERPOSE:

The purpose of this policy is to document the requirements for individual members of the Board for Barbers and Cosmetology to participate in meetings using electronic communications pursuant to subsection B of § 2.2-3708.3 of the Code of Virginia, including an approval process for such remote participation.

Effective Date: November 13, 2023

Individual members of the Board for Barbers and Cosmetology who are unable to attend a meeting in person, due to a temporary or permanent disability, medical condition, a principal residence more than 60 miles from the meeting location, or personal matter that prevents physical attendance, may participate remotely by electronic communication means as permitted by § 2.2-3708.3.

III. APPLICABILITY:

This Board policy shall apply to the entire membership and without regard to the participation or the matters that will be considered or voted on at meeting.

This policy applies only to meetings of committees, subcommittees, and panels, not to regular Board medic

IV. GENERAL PROVISIONS:

A. REQUIREMENTS

- 1. If a personal matter, disability, distance, or medical condition prevents in-person attendance, the individual member requesting to participate comotely most notify the Board Chair through the Board Executive Director on or before the day of the meeting.
- 2. An individual member's remote participation due to personal matter is limited by law to two meetings each calendar year.
- 3. Whenever an individual member is approved by the Board participate from a remote location, the law requires a quorum of the Board to be physically assembled the primary meeting location, and there must be arrangements for the voice of the remote participant to be heard by all persons at the primary meeting location meeting location.
- 4. The meeting minutes must reflect the member's remote location and the reason preventing physical attendance (either the fact of disability, medical condition, distance or the nature of the personal matter with specificity).

B. APPROVAL PROCESS

- APPROVAL PROCESS

 1. An individual member's remote participation is approved unless such participation would violate this Board policy or the provisions of the Virginia Freedom of Information Act (FOIA).
- If an individual member's participation is to allow such participation.

 If the Board votes to disapprove of a member's remote participation because such participation violate this policy or FOIA, such disapproval will be recorded in the meeting minutes with specificity. 2. If an individual member's participation from a remote location is challenged, the Board will yote whether
- 3. If the Board votes to disapprove of a member's remote participation because such participation would





VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY

KELL FINAN.

E: Ing. October 12,

Attached you willignd the most rec. Statement of Year-to-Date Activity for Statement of Financial Activity.

Research Activity Activity as not to be commented as Edutation of Official Research Activity as not to be commented as Edutation of Official Research Activity as not to be commented as Edutation of Official Research Activity as not to be commented as Edutation of Official Research Activity as not to be commented as Edutation of Official Research Activity.

Department of Professional and Occupational Regulation Statement of Financial Activity

Board for Barbers and Cosmetology 954230

·	of Professional and Occup Statement of Financial Ac		
No. Boa	rd for Barbers and Cos 954230	_	
2022-2024 Biennium	1	June 2023	
Cash/Revenue Balance Brought Forward Revenues Cumulative Revenues Cost Categories: Board Expenditures Board Administration Administration of Exams Enforcement Legal Services Information Systems Facilities and Support Services Agency Administration Other / Transfers			
~~.		Biennium-to-l	Date Comparison
This is	June 2023 Activity	July 2020 - June 2021	July 2022 - June 2023
Cash/Revenue Balance Brought Forward			810,212
Revenues	426,821	4,053,347	4,265,645
Cumulative Revenues			5,075,857
Cost Categories:			
Board Expenditures	(4,319)	222,714	205,315
Board Administration	97,366	1,047,197	1,141,972
Administration of Exams	72.746	58,506	56,400
Enforcement	Op Ctr. 81,830	845,307	1,020,836
Legal Services	1 0 0 0 V	27,240	35,512
Information Systems	107,910	775,590	727,927
Facilities and Support Services	131,730	343,537	337,423
Agency Administration	62,192	480,300	769,032
Other / Transfers	0	0	(920)
Total Expenses	379,465	3,800,391	4,293,498
Transfer To/(From) Cash Reserves	(5,734)	9,00	337,423 769,032 (920) 4,293,498 (69,145) 851,504 5,431,044 (69,145) 5,361,899
Ending Cash/Revenue Balance		94/8	851,504
		7	n On
Cash Reserve Beginning Balance	5,367,633	0	5,431,044
Change in Cash Reserve	(5,734)	0	(69,145)
Ending Cash Reserve Balance	5,361,899	0	5,361,899
Number of Regulants			POSIX.
Current Month Previous Biennium-to-Date	74,698 73,570		MOn.

Department of Professional and Occupational Regulation Supporting Statement of Year-to-Date Activity

Board for Barbers and Cosmetology - 954230 Fiscal Year 2023

Board Expenditures 30.275 14.572 10.542 20.908 18.578					Ý	On .								Fiscal YTD	Planned Annual	Current	Projected Charges	Projected Favorable (l	Variance Jnfavorable)
Board Expenditures 30,275 14,572 10,542 20,908 18,578 21,904 13,236 15,863 23,370 12,940 27,446 4,319 205,315 243,590 38,275 205,315 36,275 15,7% 38,375 136,519 55,237 95,309 97,366 1,141,972 1,464,995 323,022 1,141,972 323,022 22,0% administration of Exams 7,982 5,513 5,784 2,824 5,505 8,883 27,385 6,041 4,094 1,509 2,762 2,746 56,400 79,666 23,266 56,400 23,266 29,2% Enforcement 125,993 90,703 89,364 44,010 89,130 135,007 41,623 31,550 136,519 56,310 0 0 35,512 0 35,512 0 35,512 0 0 0 0 0 0 0 17,755 8,878 8,878 0 0 0 35,512 35,512 0 35,512 0 0 0 0 0 0 0 0 0 17,755 8,878 8,878 0 0 0 0 35,512 35,512 0 35,512 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		Jul	Aug	Sep	Oct	10%		Jan	Feb	Mar	Apr	May	Jun	Charges	Charges	Balance		Amount	%
Expenditures 30,275 14,572 10,542 20,908 18,578 21,904 13,236 15,863 23,370 12,940 27,446 4,319 205,316 243,590 38,275 205,315 38,275 15,7% 30,827	Poord					9/	,												
Administration of Exams 7,982 5,513 5,784 2,824 5,505 8,883 2,785 6,041 4,094 1,509 2,762 2,746 56,400 79,666 23,266 56,400 23,266 29,2% Enforcement 125,993 90,703 89,364 44,010 89,130 135,007 41,623 81,550 174,623 41,538 83,125 81,839 1,020,836 1,295,405 274,569 1,020,836 274,569 21,2% Legal Services 0 0 0 0 0 0 0 17,750 8,878 0 8,878 0 8,878 0 0 0 0 35,512 0 35,512 0 35,512 0 0,0% information Systems 38,182 60,643 46,728 33,441 55,554 50,054 55,397 86747 63,79 61,737 68,724 107,910 727,927 758,750 30,823 727,927 30,823 4.1% Support Svcs 18,971 31,913 26,360 22,571 29,493 31,144 24,316 29,637 23,249 26,88 31,171 31,730 337,423 421,738 84,315 337,423 84,315 20.0% Administration 69,707 49,313 98,467 48,592 64,729 89,991 28,184 57,733 95,202 32,961 071,959 62,192 769,032 907,625 138,593 769,032 138,593 15,3% Other / Transfers 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		30.275	14.572	10.542	20.908	18.578	21,904	13.236	15.863	23.370	12.940	27.446	-4.319	205.315	243.590	38.275	205.315	38.275	15.7%
Administration of Exams 7,982 5,513 5,784 2,824 5,505 8,883 2,785 6,041 4,094 1,509 2,762 2,746 56,400 79,666 23,266 56,400 23,266 29,2% Enforcement 125,993 90,703 89,364 44,010 89,130 135,007 41,623 81,550 174,623 41,538 83,125 81,839 1,020,836 1,295,405 274,569 1,020,836 274,569 21,2% Legal Services 0 0 0 0 0 0 0 17,750 8,878 0 8,878 0 8,878 0 0 0 0 35,512 0 35,512 0 35,512 0 0,0% information Systems 38,182 60,643 46,728 33,441 55,554 50,054 55,397 86747 63,79 61,737 68,724 107,910 727,927 758,750 30,823 727,927 30,823 4.1% Support Svcs 18,971 31,913 26,360 22,571 29,493 31,144 24,316 29,637 23,249 26,88 31,171 31,730 337,423 421,738 84,315 337,423 84,315 20.0% Administration 69,707 49,313 98,467 48,592 64,729 89,991 28,184 57,733 95,202 32,961 071,959 62,192 769,032 907,625 138,593 769,032 138,593 15,3% Other / Transfers 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0			,-	.,.		.,.	0		.,	.,.	,-	,	,-		.,				
Administration of Exams 7,982 5,513 5,784 2,824 5,505 8,883 2,785 6,041 4,094 1,509 2,762 2,746 56,400 79,666 23,266 56,400 23,266 29,2% Enforcement 125,993 90,703 89,364 44,010 89,130 135,007 41,623 81,550 174,623 41,538 83,125 81,839 1,020,836 1,295,405 274,569 1,020,836 274,569 21,2% Legal Services 0 0 0 0 0 0 0 17,750 8,878 0 8,878 0 8,878 0 0 0 0 35,512 0 35,512 0 35,512 0 0,0% information Systems 38,182 60,643 46,728 33,441 55,554 50,054 55,397 86747 63,79 61,737 68,724 107,910 727,927 758,750 30,823 727,927 30,823 4.1% Support Svcs 18,971 31,913 26,360 22,571 29,493 31,144 24,316 29,637 23,249 26,88 31,171 31,730 337,423 421,738 84,315 337,423 84,315 20.0% Administration 69,707 49,313 98,467 48,592 64,729 89,991 28,184 57,733 95,202 32,961 071,959 62,192 769,032 907,625 138,593 769,032 138,593 15,3% Other / Transfers 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Board						200												
Administration of Exams 7,982 5,513 5,784 2,824 5,505 8,883 2,785 6,041 4,094 1,509 2,762 2,746 56,400 79,666 23,266 56,400 23,266 29,2% Enforcement 125,993 90,703 89,364 44,010 89,130 135,007 41,623 81,550 174,623 41,538 83,125 81,839 1,020,836 1,295,405 274,569 1,020,836 274,569 21,2% Legal Services 0 0 0 0 0 0 0 17,750 8,878 0 8,878 0 8,878 0 0 0 0 35,512 0 35,512 0 35,512 0 0,0% information Systems 38,182 60,643 46,728 33,441 55,554 50,054 55,397 86747 63,79 61,737 68,724 107,910 727,927 758,750 30,823 727,927 30,823 4.1% Support Svcs 18,971 31,913 26,360 22,571 29,493 31,144 24,316 29,637 23,249 26,88 31,171 31,730 337,423 421,738 84,315 337,423 84,315 20.0% Administration 69,707 49,313 98,467 48,592 64,729 89,991 28,184 57,733 95,202 32,961 071,959 62,192 769,032 907,625 138,593 769,032 138,593 15,3% Other / Transfers 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Administration	139,956	95,722	92,983	49,449	89,573	152,905	48,375	88,577	136,519	55,237	95,309	97,366	1,141,972	1,464,995	323,022	1,141,972	323,022	22.0%
Legal Services 0	Administration							6											
Legal Services 0		7 082	5 513	5 784	2 824	5 505	8 883	20.	6.041	4.094	1 500	2 762	2 7/16	56 400	70 666	23 266	56.400	23 266	20.2%
Legal Services 0	OI EXAIIIS	7,902	3,313	5,764	2,024	5,505	0,003	2,190	5,041	4,094	1,509	2,702	2,740	30,400	79,000	23,200	30,400	23,200	29.2 /6
Legal Services 0	Enforcement	125,993	90,703	89,364	44,010	89,130	135,007	41,623	81,550	176,953	41,538	83,125	81,839	1,020,836	1,295,405	274,569	1,020,836	274,569	21.2%
Transfers 0 0 0 0 0 0 -920 0 0 0 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>Sign .</td> <td>~></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>									Sign .	~>									
Transfers 0 0 0 0 0 0 -920 0 0 0 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 <td>Legal</td> <td></td>	Legal																		
Transfers 0 0 0 0 0 0 -920 0 0 0 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 <td>Services</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>17,756</td> <td>8,878</td> <td>8,878</td> <td></td> <td>0</td> <td>0</td> <td>35,512</td> <td>35,512</td> <td>0</td> <td>35,512</td> <td>0</td> <td>0.0%</td>	Services	0	0	0	0	0	0	17,756	8,878	8,878		0	0	35,512	35,512	0	35,512	0	0.0%
Transfers 0 0 0 0 0 0 -920 0 0 0 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>X</td> <td>9</td> <td>10</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>									X	9	10								
Transfers 0 0 0 0 0 0 -920 0 0 0 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 <td></td> <td>38 182</td> <td>60 643</td> <td>46 728</td> <td>33 ///1</td> <td>55 554</td> <td>50.054</td> <td>55 307</td> <td>961/17</td> <td>63 72</td> <td>61 737</td> <td>68 724</td> <td>107 010</td> <td>727 027</td> <td>758 750</td> <td>30 823</td> <td>727 027</td> <td>30 833</td> <td>1 1%</td>		38 182	60 643	46 728	33 ///1	55 554	50.054	55 307	961/17	63 72	61 737	68 724	107 010	727 027	758 750	30 823	727 027	30 833	1 1%
Transfers 0 0 0 0 0 0 -920 0 0 0 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 <td>Systems</td> <td>36,162</td> <td>00,043</td> <td>40,720</td> <td>33,441</td> <td>33,334</td> <td>30,034</td> <td>55,597</td> <td></td> <td>05,170</td> <td>• 01,737 • • • • • • • • • • • • • • • • • • •</td> <td>00,724</td> <td>107,910</td> <td>121,921</td> <td>730,730</td> <td>30,623</td> <td>121,921</td> <td>30,623</td> <td>4.170</td>	Systems	36,162	00,043	40,720	33,441	33,334	30,034	55,597		05,170	• 01,737 • • • • • • • • • • • • • • • • • • •	00,724	107,910	121,921	730,730	30,623	121,921	30,623	4.170
Transfers 0 0 0 0 0 0 -920 0 0 0 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 <td>Facilities /</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td><</td> <td>1/2 /</td> <td>6</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>	Facilities /								<	1/2 /	6								
Transfers 0 0 0 0 0 0 -920 0 0 0 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 <td>Support Svcs</td> <td>18,971</td> <td>31,913</td> <td>26,360</td> <td>22,571</td> <td>29,493</td> <td>31,144</td> <td>24,316</td> <td>29,637</td> <td>32,249</td> <td>26868</td> <td>31,171</td> <td>31,730</td> <td>337,423</td> <td>421,738</td> <td>84,315</td> <td>337,423</td> <td>84,315</td> <td>20.0%</td>	Support Svcs	18,971	31,913	26,360	22,571	29,493	31,144	24,316	29,637	32,249	26868	31,171	31,730	337,423	421,738	84,315	337,423	84,315	20.0%
Transfers 0 0 0 0 0 0 -920 0 0 0 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>7</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>										7									
Transfers 0 0 0 0 0 0 -920 0 0 0 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 <td>Agency</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>4</td> <td>6</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>	Agency										4	6							
Transfers 0 0 0 0 0 0 -920 0 0 0 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 <td>Administration</td> <td>69,707</td> <td>49,313</td> <td>98,467</td> <td>48,592</td> <td>64,729</td> <td>89,991</td> <td>28,184</td> <td>57,733</td> <td>95,202</td> <td>32,961</td> <td>Q71,959</td> <td>62,192</td> <td>769,032</td> <td>907,625</td> <td>138,593</td> <td>769,032</td> <td>138,593</td> <td>15.3%</td>	Administration	69,707	49,313	98,467	48,592	64,729	89,991	28,184	57,733	95,202	32,961	Q 71,959	62,192	769,032	907,625	138,593	769,032	138,593	15.3%
Transfers 0 0 0 0 0 0 -920 0 0 0 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 -920 920 <td>Other /</td> <td></td> <td>O)</td> <td>•</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>	Other /											O)	•						
Total Charges 431,065 348,380 370,229 221,796 352,562 489,888 230,722 374,727 480,377 233,789 380,496 379,465 4,293,498 5,207,282 913,784 4,293,498 913,784 17.5%		0	0	0	0	0	0						0	-920	0	920	-920	920	
Total Charges 431,065 348,380 370,229 221,796 352,562 489,888 230,722 374,727 480,377 233,789 380,496 379,485 4,293,498 5,207,282 913,784 4,293,498 913,784 17.5%																			
Charges 431,065 348,380 370,229 221,796 352,562 489,888 230,722 374,727 480,377 233,789 380,496 379,485 4,293,498 5,207,282 913,784 4,293,498 913,784 17.5% 4,293,498 913,784 17.5% 4,293,498 913,784 17.5% 4,293,498 913,784 17.5% 4,293,498 913,784 17.5% 4,293,498 913,784 17.5% 4,293,498 913,784 17.5% 4,293,498 913,784 17.5% 4,293,498 913,784 17.5% 4,293,498 913,784 17.5% 4,293,498 1,293,498 913,784 17.5% 4,293,498 1,29	Total												8						
YR 1 YTD Expenditures Compared to Budget.xls VI 1 YTD Expenditures Compared to Budget.xls VI 1 YTD Expenditures Compared to Budget.xls	Charges	431,065	348,380	370,229	221,796	352,562	489,888	230,722	374,727	480,377	233,789	380,496	379,489	4,293,498	5,207,282	913,784	4,293,498	913,784	17.5%
YR 1 YTD Expenditures Compared to Budget.xis														941					
YR 1 YTD Expenditures Compared to Budget.xls														Dr.					
YR 1 YTD Expenditures Compared to Budget.xis Or Official Book And Door 10/12/2023														00					
YR 1 YTD Expenditures Compared to Budget.xls 10/12/2023) <u>,</u>				
YR 1 YTD Expenditures Compared to Budget.xls															0/%				
YR 1 YTD Expenditures Compared to Budget.xls															C				
YR 1 YTD Expenditures Compared to Budget.xls															4/	6			
YR 1 YTD Expenditures Compared to Budget.xls																o _s			
YR 1 YTD Expenditures Compared to Budget.xls																4/2			
$\mathcal{O}_{j_{\mathcal{S}_{i}}}$	YR 1 YTD	Expenditures Con	npared to Budge	t.xls												PO		10/12/2023	3
																S	Ż,		

Department of Professional and Occupational Regulation Statement of Financial Activity

Agency Total

<u>-</u>	Statement of Financial Ac		
No.	Agency Total		
2022-2024 Biennium	1	June 2023	
CON			
(Aine		Diametrum to D	ata Camanania an
Cash/Revenue Balance Brought Forward Revenues Cumulative Revenues Cost Categories: Board Expenditures Board Administration Administration of Exams Enforcement Legal Services Information Systems Facilities and Support Services Agency Administration	June 2023 Activity	July 2020 - June 2021	ate Comparison July 2022 - June 2023
്ഗ Cash/Revenue Balance Brought Forward			3,453,47
Revenues	1,967,594	20,361,075	20,682,85
Cumulative Revenues			24,136,32
Cost Categories:			
Board Expenditures	155,043	1,668,856	1,938,91
Board Administration	Q402,896	4,248,659	4,756,70
Administration of Exams	O 7 7 492	282,885	277,06
Enforcement	On Cly 630,264	6,464,950	7,302,15
Legal Services	7, 0,28,963	222,102	276,17
Information Systems	457,642	y 3,226,032	3,109,06
Facilities and Support Services	1,99,7200	1,906,733	1,948,72
Agency Administration	263,870	1,997,268	3,284,86
Other / Transfers	4,415	4,890	56
Total Expenses	2,156,507	20,022,376	22,894,23
Transfer To/(From) Cash Reserves	(28,064)	O O	(1,394,33
Ending Cash/Revenue Balance		1,906,733 1,997,268 4,890 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	2,636,434

Sasii/Reveilue Balailce		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	2,030,434
		Ono	
Cash Reserve Beginning Balance	16,627,675	0	17,993,950
Change in Cash Reserve	(28,064)	0	(1,394,339)
Ending Cash Reserve Balance	16,599,611	0	16,599,611
			*^

Number of Regulants

Current Month 321,019 Previous Biennium-to-Date 308,696