

Table of Contents

Title 46 PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XXXI. Cosmetologists

Chapter 1. General Provisions.....	1
§101. Definitions	1
Chapter 3. Schools and Students	1
§301. Cosmetology Course Requirements	1
§303. Esthetics Course Requirements	2
§305. Manicuring Course Requirements.....	2
§307. Instructor Course Requirements	2
§308. Blow-Dry Technician Course Requirements.....	3
§309. Examination of Applicants	3
§310. Requirements for High School Cosmetology Courses.....	3
§311. Reporting Student Hours	4
§313. Transfer Students.....	4
§315. Responsibilities of Schools.....	5
§317. Equipment Required in Cosmetology Schools.....	6
§319. Field Trips; Seminars; Workshops; Shows and Community Service	6
§321. Responsibilities of Students	6
Chapter 5. Licensees.....	7
§501. Booth Renters (Formerly LAC 46:XXXI.1103)	7
§502. Managers	7
§503. School Licenses Issued to Legal Entities	7
§505. Cosmetology Instructors.....	7
§507. Blow-Dry Technicians.....	8
Chapter 7. Safety and Sanitation Requirements	8
§701. Sanitation Requirements for Cosmetology Salons and Cosmetology Schools	8
§703. Salons Located in Buildings Housing Other Facilities.....	9
§705. Equipment Required in Salons Offering Hair Dressing Services and Blow Drying Services ...	9
§707. Equipment Required in Salons Offering Esthetics Services	9
§709. Equipment Required in Salons Offering Manicuring Services	10
§710. Equipment Required in a Threading Facilities.....	10
§711. Procedures for Esthetics Services.....	10
§713. Procedures for Manicuring and Pedicuring Services	10
§715. Disposable Equipment.....	10
Chapter 9. Inspections	11
§901. Access of Inspectors	11
§903. Violations	11
Chapter 11. Special and Temporary Permits.....	11
§1101. Special Permits	11
§1103. Special Permit for Microdermabrasion	11
§1105. Special Permit for Alternative Hair Design.....	12
§1107. Alternative Hair Design Curriculum	12
§1109. Special Permit for Shampoo Assistants.....	12
§1110. Special Permits for Threading	12
§1113. Temporary Permits	13

Table of Contents

§1115. Special Permits	13
Chapter 12. Mobile Salons	13
§1201. Mobile Salons	13
Chapter 13. Disciplinary Proceedings	14
§1301. Informal Proceedings.....	14
§1303. Formal Proceedings	14
§1305. Procedures	14
Chapter 15. Declaratory Orders.....	14
§1501. Declaratory Orders	14
Chapter 17. Miscellaneous Provisions	15
§1701. Public Comments at Board Meetings	15
§1703. Services Performed at the Residence of a Disabled Person	15
§1705. Destruction of Premises.....	15
§1707. Remodeling.....	15
§1709. Picture Identification	15
§1711. NSF Checks	15
§1713. Cheating on Examinations.....	16

Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part XXXI. Cosmetologists

Chapter 1. General Provisions

§101. Definitions

A. As used in this Part, the following words shall have the meaning herein ascribed to each, unless the context clearly indicates otherwise.

Alternative Hair—any hair which is not a person's own hair including synthetic hair, wiggery, braids, postich or any applied hair.

Alternative Hair Design—the practice of styling hair by twisting, wrapping weaving, extending, locking or braiding the hair by either the use of hands or mechanical devices or appliances. The practice of alternative hair design shall include the application of antiseptics, powders, oils, clays, lotions or tonics to the alternative hair but shall not include the application of dyes, reactive chemicals or other preparations to alter the structure or style of the natural hair.

Client—a person who receives a cosmetology, esthetics or manicuring service.

Dermis—underlying or inner layer of the skin; the layer below the epidermis; the corium or true skin, including papillary layer, capillaries, tactile corpuscles, melanin (pigment), subcutaneous tissue, adipose or subcutis, arteries and lymphatics.

Disposable—an item which cannot be sanitized. All disposable items shall be discarded after a single use. The following items shall be considered disposable: facial tissues, sponges, cloths, extraction tissue, lancets, gloves, wax strips and sticks, tissues, cotton pads and emery boards.

Epidermis—the outermost layer of the skin; the outer epithelial portion of the skin including stratum corneous, stratum lucidum, stratum granulosum, stratum spinosum (prickle cell layer), stratum mucosum, and stratum germinativum.

Exfoliate or Exfoliation—the process of sloughing off, removing or peeling dead skin cells of the epidermis using chemicals or devices.

Natural Hair—any hair which is a person's own which has grown on the person's body and has not been separated from the person's body.

Sanitize or Sanitization—the process of using heat, steam or chemicals to destroy microbial life, including highly resistant bacterial endospores. Sanitization shall be performed using EPA registered hospital grade disinfectant or a sterilization device which uses heat or steam in accordance with the manufacturer's instructions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:325 (March 2003).

Chapter 3. Schools and Students

§301. Cosmetology Course Requirements

A. Curriculum. The cosmetology curriculum shall consist of at least 1500 hours of instruction which shall include but not be limited to the following:

1. scientific concepts:
 - a. infection control;
 - b. osha requirements;
 - c. human physiology;
 - d. chemical principles;
 - e. hair and scalp;
 - f. nails;
 - g. hair removal by cosmetic preparations, threading, waxing or other similar means;
2. physical services:
 - a. shampoo;
 - b. draping;
 - c. rinses and conditioners;
 - d. scalp;
 - e. esthetics;
 - f. makeup;
 - g. manicuring and pedicuring;
3. chemical services:
 - a. hair coloring;
 - b. hair lightening;
 - c. chemical waving;
 - d. chemical relaxing;
4. hair designing and styling:
 - a. hair shaping;
 - b. hair cutting;
 - c. alternative hair design/braiding;

PROFESSIONAL AND OCCUPATIONAL STANDARDS

5. Louisiana Cosmetology Act and rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S.37:575(A)(7).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:326 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 44:909 (May 2018).

§303. Esthetics Course Requirements

A. Curriculum. The esthetics curriculum shall consist of at least 750 hours of instruction which shall include but not be limited to the following:

1. scientific concepts:
 - a. sanitation and sterilization;
 - b. human physiology and anatomy;
 - c. skin histology;
 - d. skin diseases and disorders;
 - e. nutrition;
 - f. general chemistry;
2. services:
 - a. skin analysis;
 - b. draping;
 - c. product selections;
 - d. cleansing procedure;
 - e. selecting and employing massage;
 - f. selecting and employing mask therapy;
 - g. electricity and various electrical apparatus;
 - h. hair removal by cosmetic preparations, threading, waxing or other similar means;
 - i. hazards to skin;
 - j. aromatherapy;
 - k. spa;
 - l. makeup;
3. Louisiana Cosmetology Act and rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S.37:575(A)(7).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:326 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 44:909 (May 2018).

§305. Manicuring Course Requirements

A. Curriculum. The manicuring curriculum shall consist of at least 500 hours which shall include but not be limited to the following:

1. scientific concepts:

- a. basic human physiology;
- b. nail composition;
- c. chemistry;
- d. sanitizing and sterilizing;

2. procedures:

- a. supplies and implements;
- b. artificial and natural nail technology;
- c. manicure;
- d. pedicure;
- e. basic massage;

3. application and repair of artificial and natural nails;

4. safety and infection control;

5. Louisiana Cosmetology Act and rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S.37:575(A)(7).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:326 (March 2003).

§307. Instructor Course Requirements

A. Curriculum. The curriculum for cosmetology instructors, esthetics instructors and manicuring instructors shall consist of at least 500 hours and shall include but not be limited to the following:

1. teaching methods:

- a. classroom preparation;
- b. teaching methods;
- c. speech;

2. effectiveness of instruction:

- a. purpose and types of tests;
- b. selection of appropriate testing methods;
- c. validity and reliability of teaching methods via tests;

3. instructor qualities:

- a. proper conduct of instruction;
- b. classroom supervision and control;

4. learning environment:

- a. classroom conditions;
- b. keeping record;
- c. motivation;
- d. assessing students' needs;
- e. utilization of safety procedures.

AUTHORITY NOTE: Promulgated in accordance with R.S.37:575(A)(7).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:326 (March 2003).

§308. Blow-Dry Technician Course Requirements

A. Curriculum. The blow dry technician curriculum shall consist of:

1. at least 500 hours of theory instruction including but not be limited to the following:

- a. scientific concepts;
- b. infection control:
 - i. safety;
 - ii. sanitation;
 - iii. electricity;
- c. OSHA requirements;
- d. human physiology;
- e. hazards to hair and scalp;

2. at least 500 hours of clinical instruction during which the student shall perform the following services:

- a. cleaning hair;
- b. arranging, curling, dressing and other similar procedures with the use of a blow dryer;

3. Louisiana Cosmetology Act and rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(17)(a).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Cosmetology, LR 44:909 (May 2018).

§309. Examination of Applicants

A. Eligibility. The following persons shall be eligible to take the written and practical examinations after receiving a clearance from the school last attended and a clearance from the board:

1. cosmetology students who have completed 1500 hours and 36 weeks of the cosmetology curriculum; however, cosmetology students who have completed 1000 hours of the cosmetology curriculum may take the written examination;

2. esthetics students who have completed 750 hours of the esthetics curriculum;

3. manicuring students who have completed 500 hours of the manicuring curriculum;

4. instructor students who have completed 500 hours of the instructor curriculum;

5. persons holding a cosmetology, esthetics, manicuring or instructor license issued by another state;

6. persons holding a cosmetology, esthetics, manicuring or instructor license issued by another country who have received board approval; and

7. blow-dry technician students who have completed 1000 hours of the blow-dry technician curriculum.

B. Applications. Applications for examinations must be accompanied by a student registration certificate, cumulative hours' report, a color photograph of the student, the \$25 initial license fee, and all applicable examination fees.

C. Fees

1. All fees contractually owed by an applicant to a cosmetology school from which they graduated must be paid before applying for an examination, for a certificate of registration or for a license. If the school attended by the applicant is unable to issue a certification due to temporary or permanent closure or loss of records, the applicant shall not be required to provide the certification required by this section in order to apply for an examination, for a certificate of registration or for a license.

2. All requirements must be met prior to applying for the national theory and practical examinations.

3. Any applicant who attended a school unable to issue a certification due to temporary closure does not provide the certification required by this section prior to issuance of a certificate of registration or a license, shall provide the certification required by this Subsection prior to renewing the certificate of registration or license, if the cosmetology school from which they graduated is able to issue the certification prior to renewal of the certificate of registration or license.

D. Cancellation. Any student who fails to appear for their scheduled examination without proper notification will be required upon reapplication to submit a \$25 administrative fee. Proper notification shall be made by contacting the board office seven days prior to the scheduled examination or in the case of an emergency 24 hours prior to the scheduled examination.

E. Examination. Students must bring a mannequin to the examination. Students will be required to perform practical work on the mannequin during the examination.

AUTHORITY NOTE: Promulgated in accordance with R.S.37:575(A) (4) and R.S. 37:586.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:327 (March 2003), amended LR 32:834 (May 2006), amended by the Office of the Governor, Board of Cosmetology, LR 44:909 (May 2018), LR 45:542 (April 2019).

§310. Requirements for High School Cosmetology Courses

A. Curriculum. High schools approved by the Louisiana Department of Education may be approved by the board to offer up to 500 hours of cosmetology theory instruction transferable to a cosmetology school approved by the board.

B. Registration. High schools may register students who are:

PROFESSIONAL AND OCCUPATIONAL STANDARDS

1. enrolled within the school system;
2. at least 16 years of age; and
3. completed the tenth grade (11 credits).

C. Faculty. Each faculty member who teaches cosmetology theory must have an active Louisiana cosmetology instructor license. At least one active Louisiana cosmetology instructor must be available for substitution in the event the regular instructor is unavailable.

D. Classrooms. A detailed floor plan of the proposed classroom, drawn to scale, shall be submitted to the board for approval. The cosmetology theory classroom shall be at least 400 square feet, have equipment necessary for demonstration and have adequate ventilation. No cosmetology instructor shall teach more than 20 students at any class period. No clinic shall be operated in a high school. No services shall be performed for the public or on paying clients at a high school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A) (7).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Cosmetology, LR 45:542 (April 2019).

§311. Reporting Student Hours

A. Registration. Schools shall register students with the board by submitting an accurate and completed registration application as well as the required supporting documentation within 45 days after the students start school. The maximum number of hours which will be accepted by the board at the time of registration is the number of hours earned within 45 days preceding registration. Completed registration applications received by the board more than 45 days after the student started school shall be considered late. The board’s staff is authorized to register the student and credit hours earned upon payment of the following fine for the late student registration if the school waives its right to a hearing before the board.

Days from Student’s Start Date to Board’s Receipt of Completed Application	Days Late	Fine
46-74	1-29	\$250
75-104	30-59	\$500
105-134	60-89	\$1000
135-164	90-119	\$1500
165+	120+	\$2500

B. Hours. Schools must register each student's hours with the board no later than on the tenth of the month for hours earned by each enrolled student in the prior month. Any student who did not earn any hours during the month shall be included on the report and the number of hours earned shall be reported as zero. Schools may correct hours submitted to the board within the preceding 60 days. Corrections to hours submitted more than 60 days prior may

be corrected by the staff upon payment of a fine of \$50 per month for each student record corrected if the school waives its right to a hearing before the board.

C. Attendance. A representative of the school designated by the school owner must certify the student's attendance for hours reported to the board. No overtime or double time shall be permitted. Only hours devoted to the prescribed curriculum shall be included. Students shall not earn more than 48 hours of training in any calendar week.

D. Reports. The hour report submitted by the school to the board shall be signed by the senior instructor, or in the absence of the senior instructor, the report shall be signed by the person in charge, who shall designate his capacity as acting senior instructor. The report shall include a list of the current instructors.

E. Dropped Students. Schools are required to provide to the board the names of the students who drop from their rolls within 30 days and to provide the number of hours earned during the student's attendance.

F. All applicants must wear solid black or white colored garments as outlined in §321.C while testing.

AUTHORITY NOTE: Promulgated in accordance with R.S.37:575(A)(4) and R.S. 37:586.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:327 (March 2003), amended LR 32:835 (May 2006), LR 33:1628 (August 2007), amended by the Office of the Governor, Board of Cosmetology, LR 44:909 (May 2018), LR 45:543 (April 2019).

§313. Transfer Students

A. Out-of-State. The board will accept student transfer hours certified by the board supervising the out-of-state or if supervising board does not register student hours from the school provided that the hours are transferred to a Louisiana school and were earned within the preceding three years. Certifications of hours must be mailed to the board from the appropriate entity. The Louisiana school shall evaluate the student's transcript and determine how many hours of the curriculum have been completed by the student. The school shall submit to the board a verification of the number of transferable hours which shall include supporting data.

B. In-State. When enrolling a transfer student from another school within Louisiana, the school owner must provide the board with the following:

1. student enrollment application indicating on the application that it is a re-registration;
2. certification of payment of contractual fees owed to the former school, unless the former school is unable to certify payment of contractual fees owed due to temporary or permanent closure or loss of records;
3. if the student has transferred schools more than once, a re-registration fee of \$10 must accompany the application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:598(A)(4).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:327 (March 2003), amended LR 32:834 (May 2006), amended by the Office of the Governor, Board of Cosmetology, LR 44:910 (May 2018).

§315. Responsibilities of Schools

A. Enrollment. Upon enrollment of a student, the school must provide the following to the board:

1. student enrollment application;
2. the student's birth certificate, birth card or driver's license;
3. proof of completion of education equal to the tenth grade;
 - a. for non-postsecondary cosmetology schools proof of completion of education equal to the tenth grade; or any documentation listed in Subparagraph b of this Paragraph;
 - b. for postsecondary schools:
 - i. proof of a high school diploma from an approved high school;
 - ii. general equivalency diploma; or
 - iii. education equivalent of a diploma from an approved high school;
4. a color photograph of the student;
5. the student registration fee; and
6. copy of Social Security card.
7. Schools shall verify all student registration documents required by this Section within 30 days after the student starts school. If the school is not in possession of all documentation required for registration within 30 days of the student starting school, the student shall not be permitted to attend classes for course credit and the school shall not charge the student any fee for attending class.

B. Reports. Schools must maintain hour reports for a minimum of three years.

C. Mannequin. Schools must furnish to each student, at a nominal fee, a mannequin upon which the student may practice and may use for the practical examination.

D. Professional Department. Schools shall not have professional departments within the school, nor shall any school owner own or operate a beauty shop or salon in connection with a school. School staff members shall not practice in an adjoining beauty shop or salon, while school is in session. There shall be no unsealed connecting doors between a beauty shop or salon under the same roof.

E. Faculty. No school shall permit an instructor who has an expired or inactive instructor's license to teach cosmetology courses for course credit. All schools must maintain a faculty of at least one instructor per every 20 students enrolled. Each faculty shall include at least two instructors, who are teachers registered by the board, at least

one of whom shall have been a registered teacher and in active practice for at least 18 months. The school shall be supervised by a registered teacher of cosmetology in active practice, with at least 24 months of teaching experience in an accredited school of cosmetology approved by the board. An instructor roster must be submitted on a quarterly basis.

F. Senior Instructor. In the event that the senior instructor resigns or takes a leave of absence, the school shall advise the board monthly of their efforts to employ a new senior instructor.

G. School Closing. Any school owner who intends to close any school shall notify the board in writing as soon as possible. Electronic copies of documents relative to closure must be provided to the board office, including, but not limited to, teach-out plans and teach-out agreements. The board shall be the custodian of records for any school which closes.

H. Student Work. Schools shall post a legible sign not smaller than 6 inches by 10 inches, at the entrance of each school reading: "Student Work Only."

I. Compensation. Schools shall not pay commissions or any other compensation, discount or fee to a cosmetology, esthetics or manicuring student for work in training done by them.

J. Registrations. All student registrations must be posted in a conspicuous place or kept in a binder in a place accessible to students during regular school hours.

K. Text Books. Schools must provide a textbook to each student upon registration.

L. Hours. Schools must adopt a policy for the recordation of student hours and shall verify that all equipment used in the process is in working order. Each school shall post a monthly summary of hours earned by each student.

M. Cosmetology Services. No employee or owner of a school shall knowingly permit students to perform any professional cosmetology work for which they do not possess a license.

N. Dropped Students. Schools shall provide to the board a completed notice of termination form, a contractual fee form indicating either a payment or nonpayment and the student's registration within 30 days of the student's termination date for each student who is no longer enrolled at the school.

O. Clinic Floor. Students must have a student registration and have completed a minimum of 100 hours in the curriculum prior to performing services on the clinic floor. Students shall perform services only within the curriculum on the student registration certificate.

P. Uniform Policy. On or before July 1, 2019, each school shall adopt and implement a uniform policy consistent with LAC 46:XXX.321(C).

Q. Changes. Any change including but not limited to the curriculum, class schedules, or hours of operation which

impact students must be requested in writing to the board for approval prior to implementing the requested change unless the change is due to an emergency. The school shall notify the board of any change due to an emergency as soon as possible.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A) (9) and R.S. 37:595.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:327 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 44:910 (May 2018), LR 45:543 (April 2019).

§317. Equipment Required in Cosmetology Schools

A. Equipment. Every cosmetology school must have a practical work room and working equipment including:

1. six shampoo bowls;
2. three hair dryers;
3. three manicuring tables;
4. cold wave equipment sufficient for six permanents;
5. covered waste containers sufficient to maintain sanitation in the school;
6. sanitizing station with an adequate supply of wet sanitizer;
7. six extra mannequins for teaching purposes;
8. twenty working stations with space for working and supplies;
9. covered containers for soiled towels; and
10. locker space for each student.

B. Classroom. Every cosmetology school must have a minimum of 3,500 square feet. Every classroom must be a minimum of 400 square feet, entirely separate from the practical work room, equipped with the following:

1. anatomy charts;
2. marker or chalk board, dry erase, or electronic board for teaching
3. sufficient seating with facilities for classroom work, such as taking notes.

C. Use of Rooms. The area designated for classrooms or practical work rooms shall not be used for any other purpose.

AUTHORITY NOTE: Promulgated in accordance with R.S.37:595(A) (1) and R.S. 37:595(A).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:328 (March 2003), amended LR 45:544 (April 2019).

§319. Field Trips; Seminars; Workshops; Shows and Community Service

A. Schools are permitted but not required to offer to their students an opportunity to earn credit hours for cosmetology related field trips, seminars, workshops, shows and community service as follows:

1. up to 40 hours for cosmetology students;
2. up to 15 hours for manicuring students;
3. up to 20 hours for esthetics students; and
4. up to 20 hours for instructor students.

B. Documentation. In order for students to receive credit for cosmetology related field trips, seminars, workshops, shows or community service, the school must annotate the course outlines to reflect the maximum hours which may be earned. Example: Cosmetology Course Outline—40 hours during the length of the course are assigned to cosmetology-related field trips, seminars, workshops and community service.

C. Participation. Participation in field trips, seminars, workshops, shows or community service by students is voluntary. Students who choose not to participate must be given other related assignments.

D. Monitoring. An instructor must accompany students on any field trip. Attendance shall be monitored at the beginning, midpoint and close of the function and documented by the instructor. Travel time shall not be included in the hours credited for the field trip.

E. Documentation. Schools must retain documentation of field trips, seminars, workshops, shows and community service hours.

F. Compensation. No school or student shall accept any compensation for cosmetology related field trips, seminars, workshops, shows or community service. All money collected for community service must be paid to the charity for which the function was sponsored.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:328 (March 2003).

§321. Responsibilities of Students

A. Students. Students shall not be allowed to perform any professional cosmetology work for which the student does not possess a license, prior to completion of the curriculum, passing the examination administered by the board and receipt of an initial license. Any student found to be in violation of this rule will forfeit all hours completed in beauty school, and any school knowingly permitting a serious violation of this Section shall be subject to suspension or revocation of its license.

B. Services. Students attending beauty school shall not provide cosmetology services, whether for a fee or not, in any licensed beauty salon or shop or in any premises that is not licensed unless the student possesses a license to perform such services. This regulation applies even though the student's immediate family or the student has an ownership interest in the beauty shop/salon in question. Any student found to be in violation of this rule will be in jeopardy of losing a portion of their hours.

C. School Uniforms. Students attending schools shall maintain a professional image and shall wear clean uniforms.

1. Students may wear pants or skirts; however, skirt hemlines must not be shorter than just above the knee.

2. Students may wear white lab coats with white shirt and black trousers.

3. Students must wear clean, enclosed shoes with socks.

4. Students shall wear a nametag with their name and the word student.

D. Students must adhere to the school's uniform policy.

E. Hours. Student hours shall become invalid six years after the date the hours were earned if the student does not complete the curriculum. Earned hours do not expire if the student completed the curriculum.

AUTHORITY NOTE: Promulgated in accordance with R.S.37:575(A) (2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:329 (March 2003), amended LR 29:2781 (December 2003), LR 32:835 (May 2006), LR 33:1628 (August 2007), LR 45:544 (April 2019).

Chapter 5. Licensees

§501. Booth Renters (Formerly LAC 46:XXXI.1103)

A. Agreement. Any individual performing cosmetology services in a salon who is not paid by commission, an hourly rate, or salary must obtain a booth renter's permit. A copy of the executed agreement between the salon owner and the cosmetologist shall be submitted to the board at the time of application for a booth rental permit. A booth renter's permit shall be issued after an inspection of the booth prior to services being performed in the rented booth. Booth renter permits are non-transferable.

B. Form. The board will furnish a contractual agreement form for a nominal fee. In the event an agreement is not on the form supplied by the board, the agreement shall contain the following information:

1. a statement indicating that both parties agree that the cosmetologist is not an employee of the salon;

2. a statement indicating the salon owner has no right to control the methodology used by the cosmetologist to produce a given result; and

3. a statement indicating the basis of the cosmetologist's compensation.

AUTHORITY NOTE: Promulgated in accordance with R.S.37:592 and R.S.37:593.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:329 (March 2003), amended LR 45:544 (April 2019).

§502. Managers

A. For purposes of R.S. 37:589, a shop owner or mobile salon owner shall be required to employ a manager, if absent from his shop more than two days per week who shall be a registered cosmetologist and who shall obtain a certificate of registration as a manager. However, a registered manicurist may manage a manicuring salon, and a registered esthetician may manage an esthetics salon. A registered manager shall be present at the salon during all hours of operation and shall be responsible for ensuring that all persons practicing within the facility are appropriately licensed and follow all applicable laws and rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 32:835 (May 2006), amended by the Office of the Governor, Board of Cosmetology, LR 44:910 (May 2018).

§503. School Licenses Issued to Legal Entities

A. School License. Any corporation, association, partnership or other legal entity applying for a license to operate a school shall provide the following to the board:

1. the name and address of each place of business maintained by the entity in the state of Louisiana;

2. a financial statement which includes a profit and loss statement, balance sheet and three-year forecast;

3. the articles of incorporation, articles of organization, partnership agreement or other organizational documentation;

4. the names, addresses and percentage interest of each partner, member or stockholder, for the purpose of this Subsection a landlord or lessor of equipment paid a percentage exceeding 20 percent shall be considered an owner or partner; and

5. the name and address of individual managing officer or partner.

B. Ownership Change. A change of ownership of 35 percent or greater shall require submission of all information required by Subsection A.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:329 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 44:910 (May 2018).

§505. Cosmetology Instructors

A. Instructors. No person shall teach a cosmetology, manicuring, esthetics, or any course required for licensure without an active instructor's license for the curriculum.

B. Master Instructors. All instructors with a minimum of five consecutive years teaching experience and who attend 16 hours of approved continuing education for five consecutive years will receive a master instructor license with an official title, MCI.

C. Reinstatements.

1. Instructors. An expired or inactive instructor's license shall only be reinstated or renewed only if the applicant has completed the required continuing education hours within the 24-month period preceding the application for reinstatement or renewal.

2. Master Instructors. In order to maintain the master instructor license the instructor must attend a minimum of 16 hours of approved continuing education each year. If a master instructor does not attend the 16 hours during one year, the master instructor license will be reinstated after two consecutive years of completing 16 hours of approved continuing education.

D. Continuing Education. Each licensed instructor shall attend a board approved seminar at least once every two years to maintain active status. The continuing education seminar shall consist of at least 16 hours of training in cosmetology and related fields as approved by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:329 (March 2003), amended LR 45:544 (April 2019).

§507. Blow-Dry Technicians

A. The board shall issue a blow-dry technician license to any individual who completes the blow-drying hair services course in a licensed school, successfully passes the examinations required by the board and pays the applicable license fee.

B. Blow-dry technician licenses shall be renewed annually on or before the licensee's birthday. The license shall expire 30 days following the licensee's date of birth if not timely renewed.

C. Blow-drying hair services shall be performed only at licensed cosmetology salons.

D. Blow-dry technicians shall perform blow-drying hair services in areas or stations clearly designated for blow-drying hair services only. Such stations or areas shall not have equipment for performing cosmetology services other than blow-drying hair services.

E. Blow-drying technicians shall work all times under the supervision of a licensed cosmetologist who shall be responsible for ensuring that only blow-drying hair services are performed by the blow-dry technician.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(17)(a).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Cosmetology, LR 44:910 (May 2018).

Chapter 7. Safety and Sanitation Requirements

§701. Sanitation Requirements for Cosmetology Salons and Cosmetology Schools

A. Sanitation. Beauty shops, salons and cosmetology schools are declared to be businesses affecting the public health, safety and welfare; therefore, sanitation procedures must be followed. Every beauty shop, salon and cosmetology school shall be adequately lighted, well ventilated, and kept in a clean and sanitary condition at all times.

B. Supplies. All beauty shops and salons and cosmetology schools shall have available sterilizers or sanitizers which shall be used in accordance with the manufacturer's instructions. All instruments, including disposable equipment shall be kept clean and sanitized.

C. Combs and Brushes. Combs and brushes must be thoroughly cleaned with soap and water after each patron has been served and then immersed in a solution of 1 part water to 10 parts of sodium hypochlorite (bleach), EPA hospital grade disinfectant or some equally efficient disinfectant used in accordance with the manufacturer's instructions.

D. Shampoo Boards. Shampoo boards and bowls must be kept clean at all times.

E. Towels. Towels used for patrons shall be clean and freshly laundered and kept in a closed cabinet designated for clean towels only.

F. Soiled Towels. Soiled towels should be kept in a container.

G. Hand Washing. Cosmetologists shall wash their hands with soap and fresh water immediately before serving each patron.

H. Fluids and Powders. Fluids and powders shall be applied to a patron from a shaker type dispenser so as to prevent the bottle or shaker from contacting the client.

I. Structure. Floor, walls and fixtures must be kept in a clean and sanitary condition at all times.

J. Flooring. Carpet or floor cloth shall not be used in any work area.

K. Animals. No facility licensed by the board shall permit any live animal to be present on the premises except for an animal certified to assist a disabled person.

L. Water. All facilities shall have an adequate supply of both hot and cold running water and a sufficient number of wash basins on the facility premises.

M. Clippings. Hair clippings on the floor must be swept up after each client and shall be disposed of in a covered container.

N. Tools and Implements. All tools and implements that come in direct contact with a client shall be sterilized, sanitized or disposed of after each use.

O. Storage. New and/or sanitized and cleaned tools and implements shall be stored separately from all others.

P. Work Stations. Storage cabinets, work stations and vanities shall be cleaned after each client.

Q. Blood Spill Kits. Blood spill kits must be available in every salon and in every school.

R. Prohibited equipment and substances. No beauty shop, salon or cosmetology school shall permit the use of and no individual licensed by the board shall use the following in the performance of cosmetology:

1. credo blades or any blade designed for the removal of multiple layers of skin;
2. formaldehyde for sanitization of equipment; or
3. nail enhancement products containing methyl methacrylate (MMA) monomer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:329 (March 2003), amended LR 29:2781 (December 2003), LR 32:835 (May 2006), LR 33:1628 (August 2007).

§703. Salons Located in Buildings Housing Other Facilities

A. Separate Room. No salon shall be established or maintained in a home or in connection with a business where food is handled unless a separate room is provided therefore.

B. Home Salon. Any salon in a home or in connection with a place where food is handled shall be separated from the living quarters or place where food is handled by walls or other permanent structures. There shall be separate outside entrances leading to the salon and to the living quarters or any place where food is handled.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:330 (March 2003).

§705. Equipment Required in Salons Offering Hair Dressing Services and Blow Drying Services

A. Equipment. Hair dressing shall not be performed in any beauty shop or salon unless the following items are available for use:

1. shampoo bowl for shop purpose only;
2. utility chair;
3. dryer;
4. covered wasted container;
5. cabinet for accessories;
6. cabinet for clean linens;

7. container for soiled linens; and
8. sterilizer or sanitizers for each occupied station.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:330 (March 2003), amended LR 32:835 (May 2006).

§707. Equipment Required in Salons Offering Esthetics Services

A. Equipment. Esthetics shall not be performed in any salon unless the following items are available for use:

1. flexible treatment bed or chair, capable of multi-positions for customer and skin care therapist;
2. stool for operator;
3. trolleys or utility table, large enough to support cosmetic preparations and bowls;
4. sanitizers or sterilizer for implements;
5. magnifying lamp for skin analysis (five dioptic recommended);
6. closed storage cabinet with a wash basin or sink for hand washing and towel storage;
7. facial steamer;
8. the following basic implements:
 - a. two stainless steel bowls;
 - b. covered waste bin;
 - c. non-sterile cotton pads, cloths, or disposable sponges;
 - d. towels, clinic gowns, head bands, washable blanket;
 - e. tissue, cotton tipped swabs, spatulas, gauze;
 - f. containers with lids for storage of disposable items;
 - g. tweezers;
 - h. sheets;
 - i. mask brushes;
 - j. cleansers, astringents, treatment creams; and
 - k. lancets, leak and puncture proof container for disposal of lancets, and gloves (disposable PVC).

B. Waxing. If waxing is offered, the following items shall be available for use:

1. wax pot and wax;
2. disposable applicators;
3. wax remover for skin and ointment;
4. cleanser for skin;
5. wax equipment cleanser; and

6. comb and scissors for trimming.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A) (9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:330 (March 2003), amended LR 32:835 (May 2006), LR 45:544 (April 2019).

§709. Equipment Required in Salons Offering Manicuring Services

A. Manicuring Equipment. Manicuring shall not be performed in any salon unless the following items are available for use:

1. sanitizer or sterilizer for implements;
2. covered waste containers;
3. cabinet for accessories;
4. cabinet for clean linens;
5. container for soiled linens;
6. manicuring table;
7. lavatory with hot and cold running water; and
8. water basin or pedicure chair for salons offering pedicure services.

B. Manicuring salons shall not have on-the-premises equipment listed in §707.B.1.

AUTHORITY NOTE: Promulgated in accordance with R.S.37:575(A) (9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:330 (March 2003), amended LR 32:835 (May 2006), amended by the Office of the Governor, Board of Cosmetology, LR 44:911 (May 2018), LR 45:544 (April 2019).

§710. Equipment Required in a Threading Facilities

A. Threading Equipment. Threading shall not be performed in any threading facility or salon unless the following items are available for use:

1. hand washing sink;
2. hot and cold running water;
3. stool for operator and chair for client;
4. lamp;
5. sanitizers or sterilizers for implements;
6. thread;
7. towels;
8. covered waste bins; and
9. covered container for towels.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Cosmetology, LR 45:545 (April 2019).

§711. Procedures for Esthetics Services

A. Exfoliation. Cosmetologists, estheticians and persons authorized to perform microdermabrasion shall not exfoliate or perform any procedure which will affect the dermis or skin below the epidermis. Cosmetologists, estheticians and persons authorized to perform microdermabrasion shall only exfoliate or perform services which affect the epidermis.

B. Procedures. Cosmetologists performing esthetics services, estheticians and persons authorized to perform microdermabrasion shall:

1. wash his or her hands using an antimicrobial skin wash prior to coming into contact with any client;
2. wash all implements with antimicrobial wash prior to sanitization or sterilization;
3. wash all towels and linens in disinfecting detergent; and
4. place all used disposable items in a closed, bagged, trash container.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A) (9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:331 (March 2003), amended LR 45:545 (April 2019).

§713. Procedures for Manicuring and Pedicuring Services

A. All manicurists and cosmetologists performing manicuring or pedicuring services shall:

1. wash his or her hands using antimicrobial wash prior to performing any manicuring or pedicuring service;
2. require the customer to wash area on which service is to be performed with an antimicrobial wash prior to any service being performed;
3. wash all implements with antimicrobial wash prior to sanitization or sterilization;
4. wash all towels and linens in disinfecting detergent;
5. place all used disposable items in a closed, bagged, trash container; and
6. sanitize pedicuring tub after each service in accordance with the manufacturer’s instructions or in a manner consistent with recommended procedures necessary to prevent infection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:331 (March 2003), amended LR 32:835 (May 2006), amended by the Office of the Governor, Board of Cosmetology, LR 44:911 (May 2018).

§715. Disposable Equipment

A. The following items shall be considered disposable:

1. facial tissues;

2. sponges;
3. cloths;
4. extraction tissue;
5. lancets;
6. gloves;
7. wax strips and sticks;
8. tissues;
9. cotton pads;
10. emery boards; and
11. razors.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A) (9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:331 (March 2003), amended LR 45:545 (April 2019).

Chapter 9. Inspections

§901. Access of Inspectors

A. Access. Inspectors and employees of the board are entitled to enter any premises or mobile salon licensed by the board, to interview any person present at the facility and to examine all work records pertaining to the cosmetology profession during the regular business hours of the facility.

B. Information. Any proprietary information gained by an inspector or employee of the board during an inspection shall remain confidential unless the information is to be offered as evidence in an administrative hearing or court proceeding concerning a license issued by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S.37:575(A)(10).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:331 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 44:911 (May 2018).

§903. Violations

A. Citations. Inspectors may issue citations for violations and impose and collect fines for any violation of the Cosmetology Act or any rule or regulation adopted by the board provided that the licensee waives his or her right to a formal hearing before the board.

B. Violation Notice. Inspectors must present the licensee with a duplicate copy of the violation notice.

C. Evidence. Any licensee who disputes the contents of an inspector's report may submit contrary evidence in writing to the board or present evidence to the board at the assigned hearing date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(B)(5).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:331 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 44:911 (May 2018).

Chapter 11. Special and Temporary Permits

§1101. Special Permits

A. Special Permits. The board shall issue the following special permits to any person who meets the requirements set forth in the board's rules:

1. alternative hair design;
2. microdermabrasion;
3. shampoo assistants; and
4. threading.

B. All special permits issued by the board shall be valid for a period of one year. Alternative hair design and make-up permits issued prior to December 31, 2016, shall be renewable annually upon payment of the applicable permit fee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:331 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 44:911 (May 2018).

§1103. Special Permit for Microdermabrasion

A. Microdermabrasion. Beginning April 1, 2003 a special permit authorizing the performance of microdermabrasion using a nonprescriptive device shall be issued to:

1. a licensed esthetician; or
2. a licensed cosmetologist or electrologist who presents satisfactory evidence of completion of at least 200 hours of study in esthetics or evidence of practicing esthetics for a period of at least one year.

B. Training. In addition to the requirements set forth in Subsection A, the applicant must present satisfactory evidence of completion of a training course on the operation of the microdermabrasion equipment to be used.

C. Proof Required. For the purpose of this Section, evidence of practicing esthetics shall be demonstrated by presenting the following:

1. copies of W-2's or 1099's and a sworn statement by the issuer indicating that the individual worked the equivalent of 25 hours per week for at least 48 weeks during a period of one year performing esthetic services; or
2. copies of income tax returns, if self-employed, and sworn statements from at least five clients indicating that esthetics services were performed by the applicant.

D. Permit Required. No cosmetologist or esthetician may perform microdermabrasion without a current special permit authorizing the performance of microdermabrasion.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(B)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:331 (March 2003), amended LR 29:2781 (December 2003).

§1105. Special Permit for Alternative Hair Design

A. Alternative Hair Design. Individuals with special permits for alternative hair design shall be authorized to provide alternative hair design services only in facilities licensed by the board as cosmetology salons.

B. Notwithstanding the provisions of Subsection A, any person who applies for a special permit to practice alternative hair design who, has been issued an alternative hair design permit in another state and satisfactorily demonstrates two years of experience in the practice of alternative hair design shall be issued a permit.

AUTHORITY NOTE: Promulgated in accordance with R.S.37:575(B)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:332 (March 2003), amended LR 29:2781 (December 2003), amended by the Office of the Governor, Board of Cosmetology, LR 44:911 (May 2018).

§1107. Alternative Hair Design Curriculum

A. Curriculum. The alternative hair design curriculum shall consist of at least 500 hours of instruction which shall include but not be limited to the following.

1. History Overview
 - a. Ancient Origins of Braiding
 - b. Traditional Multi-Cultural Braid Styles
 - c. The Multi-Cultural American Hair Experience
2. Bacteriology and Sanitation
 - a. Types of Bacteria
 - b. Growth and Reproduction of Bacteria
 - c. Prevention of Infection and Infection Control
 - d. Use of Antiseptics, Disinfectants and Detergents
3. Client Consultation
4. Hair Types and Hair Structure
5. Scalp Diseases and Disorders
6. Shampoos, Conditioners, Herbal Treatments and Rinses for Synthetic Hair Only
7. Braiding and Sculpting
8. Louisiana Cosmetology Act and Rules and Regulations

AUTHORITY NOTE: Promulgated in accordance with R.S.37:575(B)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:332 (March 2003), amended LR 37:1150 (April 2011).

§1109. Special Permit for Shampoo Assistants

A. Shampoo Assistants. A special permit authorizing the performance of shampooing shall be issued to any person

who successfully completed at least 40 hours of training in shampooing, draping and rinsing at a cosmetology school approved by the board.

B. A special permit authorizing the salon owner or manager to train individuals who work in the salon, as shampoo assistants if the salon owner or manager has completed at least 40 hours of training in shampooing. No individual enrolled in a cosmetology school shall work as a shampoo assistant.

C. Cosmetologists. No person holding a current cosmetology license shall be required to obtain a special permit to shampoo.

D. Scope. Shampoo assistants possessing a current special permit may perform the following services at the request of a licensed cosmetologist:

1. cleanse synthetic or natural hair;
2. apply and remove conditioner;
3. apply and rinse perm solution and perm neutralizer;
4. remove hair color, tint or other chemicals applied to natural hair by a cosmetologist; and
5. remove foil or perm rods.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(B)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:332 (March 2003), amended LR 29:2781 (December 2003), LR 32:835 (May 2006), amended by the Office of the Governor, Board of Cosmetology, LR 44:911 (May 2018).

§1110. Special Permits for Threading

A. Definitions

Threader—a person who engages in the practice of threading for compensation, directly or indirectly, including tips.

Threading—the practice of using a thread to remove facial hair, including hair on the ears and neck but does not include hair removal by any other means or any other practice within the definition of esthetics.

Threading Facility—any premises upon or within which threading is practiced for compensation, directly or indirectly, including tips.

B. Qualifications for Permit as a Threader

1. In order to receive a permit as a registered threader, a person shall meet all of the following requirements:

- a. be at least 16 years of age; and
- b. complete the board’s required training on sanitation.

C. A threading facility owner, who is not a licensed cosmetologist or an esthetician or permitted as a threader, shall employ one or more registered managers who shall be licensed as cosmetologists or estheticians or permitted as a threader. A registered manager shall be present at the facility

during all hours of operation and shall be responsible for ensuring that all persons practicing threading within the facility are appropriately licensed and follow all applicable laws and rules and regulations. A threading facility owner who is absent from his respective facility more than two working days per week shall employ a manager, who shall be a registered cosmetologist or an esthetician or a permitted threader and who shall obtain a certificate of registration as a manager.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(B)(1).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Cosmetology, LR 44:912 (May 2018).

§1113. Temporary Permits

A. Permits. The board shall issue permits to persons who are licensed to practice cosmetology, esthetics or manicuring in another state.

B. Applications

1. Applications for temporary permits to participate in hair shows, beauty pageants or demonstrations shall be submitted to the board for review not less than 30 days prior to the requested period of the permit.

2. Applications for temporary permits pending application and testing shall be issued to individuals who:

- a. have filed a complete application for licensure;
- b. have provided verification of current licensure in the state of last employment; and
- c. reside in Louisiana and plan to work in Louisiana.

C. An individual who receives a temporary permit issued under Paragraph B.2 shall practice under the supervision of an individual licensed in Louisiana in the discipline for which the temporary permit was issued.

D. Any individual issued a temporary permit under the this Part who violates any of the provisions of the Cosmetology Act or of any rule or regulation promulgated by the board may be denied licensure or testing by the board.

E. Transfer. Hours of study used to obtain any temporary permit authorized by this Chapter shall not be counted toward the number of hours necessary to receive any other license issued by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(B)(1).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:332 (March 2003), amended LR 32:836 (May 2006).

§1115. Special Permits

A. Transfer. Hours of study used to obtain any special permit authorized by this Chapter shall not be counted toward the number of hours necessary to receive any other license issued by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(B)(1).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:333 (March 2003).

Chapter 12. Mobile Salons

§1201. Mobile Salons

A. The operation of mobile cosmetology salons shall meet and at all times remain in compliance with all federal, state and local laws and ordinances regulating mobile businesses in the areas in which the mobile salon operates, including all applicable requirements of the Americans with Disabilities Act and the occupational safety and health requirements. A ramp or lift shall be available for access to the mobile unit to provide services for disabled individuals.

B. Each mobile salon shall at all times comply with the requirements of chapter 6A of title 37 of the *Louisiana Revised Statutes* and all rules promulgated by the board applicable to cosmetology salons at fixed locations except to the extent any rule is in direct conflict with this rule.

C. The geographical boundaries within which the mobile salon is permitted to operate shall extend no further than a 50-mile radius from the designated storage locations and shall include only the cities and parishes within which the mobile unit has obtained permits to provide cosmetology services.

D. To facilitate inspections, every mobile salon shall:

1. prior to the first of each month, each mobile salon license holder shall file with the board a written itinerary on the form required by the board for the month listing the dates, hours and location when the mobile salon will be operation. Said form shall be signed by the owner or manager and shall include the names of all individuals who will be performing services on each date;

2. the salon name, as it appears on the salon license, shall be in lettering at least 5 inches in height and shall be visibly displayed and clearly legible on at least two exterior sides of the mobile salon;

3. if a mobile salon is a registered motor vehicle, the vehicle's identification number shall be included on the mobile salon's application for licensure and shall also be listed on the mobile salon's monthly itinerary filed with the board;

4. each mobile salon shall have a phone or other means of telecommunication by which the salon can be contacted by board personnel and customers. The salon's phone and a valid email address shall be included on the mobile salon's application for licensure and shall also be listed on the mobile salon's monthly itinerary;

5. each mobile salon shall be operated only at the times and locations specified in its monthly itinerary filed with the board. Mobile salons shall operate only when the facility is parked and only at locations where the salon owner has obtained prior permission of the property owner and complies with all zoning restrictions. No cosmetology

services shall be performed while the mobile salon is in motion;

6. each mobile salon owner shall maintain a business address in Louisiana where the mobile salon and records of appointments, itineraries, license numbers of individuals performing cosmetology services, and vehicle identification numbers shall be kept and made available for inspection by board's staff and at which correspondence from the board can be received. Post office box addresses or private mail box addresses may not be used for these purposes.

a. Due to inherent problems of providing sufficient water and sewage services to mobile salons, the following requirements shall apply.

i. Each mobile salon shall be equipped with a functional restroom which includes a self-contained, flush chemical toilet with a holding tank and lavatory facilities with hot and cold running water.

ii. Each mobile salon shall have storage capacity for the greater of 100 gallons or 35 gallons of clean water for each cosmetologist working in the mobile salon and a total storage capacity for waste water equal to or greater than the mobile salon's total required capacity for clean water.

b. Operation of a mobile salon shall promptly cease:

i. when the mobile salon's clean water supply is depleted or so diminished that further cosmetology service cannot be completed;

ii. when the mobile salon's waste water storage capacity is reached;

iii. when the mobile salon's restroom needs to be emptied;

iv. operation of a mobile salon shall not resume until a sufficient amount of clean water and waste water capacity necessary for completing all cosmetology services undertaken and the restroom is functional is available;

v. disposal of sewage and waste water by mobile salons shall comply with all applicable federal, state and local laws and regulations.

c. All storage cabinet doors shall have safety latches. All equipment which is not stored in storage cabinets shall be securely anchored to the mobile unit.

d. At least one state fire marshal-approved fire extinguisher shall be mounted in public view. Each mobile salon shall be equipped with properly maintained commercial exhaust fans or air filtration equipment compliant with local and state building codes.

e. Applicants for licensure of a mobile salon shall pay the fees applicable to salons at fixed locations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(B)(1) and R.S. 37:591.1.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Cosmetology, LR 44:912 (May 2018).

Chapter 13. Disciplinary Proceedings

§1301. Informal Proceedings

A. Notice. If the board receives information indicating that a licensee has violated the Cosmetology Practice Act or the rules and regulations adopted by the board, the executive director shall provide the licensee with a written informal notice.

B. Conference. The licensee shall respond in writing to the board's informal notice within 10 days of receipt by providing the board with a written statement containing any information related to the allegations of the informal notice which would show compliance with all requirements for retention of his or her license. In lieu of providing a written statement, the licensee may request an informal conference with the executive director.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(B)(1).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:333 (March 2003).

§1303. Formal Proceedings

A. Complaint. In the event that the matter is not resolved during the informal hearing, the executive director shall file a formal complaint which shall be forwarded to the licensee at the address on file with the board.

B. Hearing. No hearing shall be conducted prior to 20 business days following the filing of the formal complaint.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:333 (March 2003).

§1305. Procedures

A. Hearings. All hearings conducted before the board shall be in accordance with the Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:333 (March 2003).

Chapter 15. Declaratory Orders

§1501. Declaratory Orders

A. Application. Any person desiring an interpretation of the Cosmetology Act or the rules promulgated in accordance with the Cosmetology Act shall make application to the board on a form provided by the board.

B. Hearing. An application for a declaratory order shall be heard within 60 days of receipt.

C. Ruling. The board shall issue a ruling on an application for declaratory order within 30 days of the hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:962.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:333 (March 2003).

Chapter 17. Miscellaneous Provisions

§1701. Public Comments at Board Meetings

A. Comments. A public comment period shall be held at or near the beginning of each board meeting. Persons desiring to present public comments shall notify the chairman or the executive director no later than the beginning of the meeting. To assure that an opportunity is afforded all persons who desire to make public comments, the chairman shall inquire at the beginning of the meeting if there are additional persons who wish to comment. The chairman shall allot the time available for the public comments in an equitable manner among those persons desiring to comment, limiting each person to a maximum of three minutes, with the total comment period not to exceed 30 minutes. Each person making public comments shall identify himself and the group, organization or company he represents, if any.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:5(D).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:333 (March 2003).

§1703. Services Performed at the Residence of a Disabled Person

A. Services. A cosmetologist, esthetician or manicurist may perform services at the residence of a client who is chronically ill or disabled.

B. Requirements. A client shall be considered chronically ill or disabled if:

1. the client provides the cosmetologist, esthetician or manicurist with a physician's certificate indicating that the client is chronically ill or disabled;

2. the client provides the cosmetologist, esthetician or manicurist with evidence that the client has been awarded Social Security Disability or Supplemental Security Income Disability Benefits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(15).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:333 (March 2003).

§1705. Destruction of Premises

A. Inspection. When any school or salon is made unusable by virtue of storm, fire, flood or any other act of God or by virtue of expropriation proceedings, the premises selected to permanently replace such facility will be inspected without an inspection fee, provided that such facility is replaced within six months of its destruction.

B. Reconstruction. Any school or salon which is repaired or replaced in its exact location will be acceptable provided

that it is reconstructed in no less size that existed prior to its destruction.

C. Temporary Premises. When temporary premises are necessary for the continuance of operation during the repair, the inspector for the area involved may approve such premises provided such premises are temporary with a specific termination date set forth for their use and further provided that such premises are sanitary and sufficient for use during the stated time period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:334 (March 2003), amended LR 29:2782 (December 2003), amended by the Office of the Governor, Board of Cosmetology, LR 44:913 (May 2018).

§1707. Remodeling

A. Application. When any school, salon, or mobile salon desires to remodel, a notice of intent shall be submitted to the board.

B. Temporary Premises. If remodeling requires the use of temporary premises for the continuance of operation during remodeling, an inspector may approve such temporary premises as are adequate provided such premises are sanitary and sufficient for use during the stated time period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:334 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 44:913 (May 2018), LR 45:545 (April 2019).

§1709. Picture Identification

A. All licensees and permittees shall have in their possession a valid driver's license or identification card issued pursuant to R.S. 40:1321, or other generally recognized picture identification card that includes the name of the licensee or permittee picture identification at any time at which a service is being performed.

B. Each licensee and permittee shall place a photo on the license or permit issued by the board prior to displaying the license at the location where services are being performed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:334 (March 2003), amended LR 29:2782 (December 2003), amended by the Office of the Governor, Board of Cosmetology, LR 44:913 (May 2018), LR 45:545 (April 2019).

§1711. NSF Checks

A. Late Fee. If a check received by the board is returned to the board by the bank due to non-sufficient funds the payment date shall be the date of receipt of valid payment, any bank charge imposed on the board and any applicable late fee.

PROFESSIONAL AND OCCUPATIONAL STANDARDS

B. Revocation. If a license was issued before a check is returned to the board by the bank due to non-sufficient funds, the applicant's license shall be subject to revocation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:334 (March 2003), amended LR 45:545 (April 2019).

§1713. Cheating on Examinations

A. Eligibility. Any person who cheats on an examination administered by the board shall be disqualified from taking

any examination administered by the board for a period of at least three months. Any person who cheats on a subsequent examination shall be ineligible to register for any examination administered by the board without board approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:334 (March 2003).