

24.28.01 – RULES OF THE BARBER AND COSMETOLOGY SERVICES LICENSING BOARD

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to Sections 54-5807, 54-5811, 54-5818, and 54-5822, Idaho Code. (7-1-24)

001. SCOPE.

These rules regulate the professions of barbering and cosmetology. (7-1-24)

002. DEFINITIONS.

01. Clean. Removal of debris, washing with soap and water, detergent or chemical “cleaner.” Cleaning prepares non-porous items for disinfection, but cleaning does not make multi-use items safe for use. (7-1-24)

02. Disinfect. The process of making a non-porous item safe for use. Disinfecting requires the use of a chemical intended to kill or denature a bacteria, virus or fungus. Items to be disinfected must be cleaned prior to disinfection. Ultraviolet (UV) light is not acceptable for disinfection. (7-1-24)

03. Disinfectant. Disinfectant registered by the United States Environmental Protection Agency (EPA) and is bactericidal, virucidal and fungicidal with effectiveness against staphylococcus aureus (including methicillin-resistant staphylococcus aureus (MRSA)), human immunodeficiency virus (HIV) and hepatitis B (HEPB). This includes EPA registered Sodium Hypochlorite 5.25% or higher (household bleach) with instructions for disinfection, diluted as instructed on the label and observing the contact time listed on the manufacturer’s label. Bleach must be active (not expired) with a manufacture date of less than six (6) months prior to use. (7-1-24)

04. First-Aid Kit. A packaged and identifiable assortment of medical supplies, including adhesive bandages, skin antiseptic, disposable gloves, and gauze. (7-1-24)

05. Single-Use. Any non-electrical item that cannot be properly cleaned and disinfected. (7-1-24)

06. Sterilize. The eradication of all microbial life through the use of heat, steam or chemical sterilants. Items to be sterilized must be cleaned prior to sterilization. (7-1-24)

07. Sterilant. Autoclaves or dry heat sterilizers approved by and used in accordance with the United States Food and Drug Administration. (7-1-24)

003. -- 099. (RESERVED)

100. LICENSURE.

01. Approved Examination. The National Interstate Council of State Boards of Cosmetology’s written and practical examinations. (7-1-24)

02. Additional Licensure Educational Requirements. (7-1-24)

a. Barber License. A currently licensed cosmetologist must complete one hundred (100) hours of barber-related instruction, to include barber theory, haircuts, and shaving. (7-1-24)

b. Barber-Stylist License. A currently licensed cosmetologist must complete one hundred (100) hours of barber-stylist instruction, to include barber theory, haircuts, and shaving. (7-1-24)

c. Cosmetologist License. (7-1-24)

i. A currently licensed barber-stylist must complete three hundred (300) hours of cosmetology instruction, to include nail technology, esthetics, cosmetology theory, and hairstyling. (7-1-24)

ii. A currently licensed barber must complete seven hundred (700) hours of cosmetology instruction, to include working on the hair with chemicals, nail technology, esthetics, cosmetology theory, and hairstyling. (7-1-24)

iii. A currently licensed esthetician or nail technician must complete one thousand four hundred (1,400) hours of cosmetology instruction or two thousand eight hundred (2,800) hours as a cosmetology apprentice. (7-1-24)

iv. ~~A currently certificated makeup artist must complete one thousand five hundred fifty (1,500) hours of cosmetology instruction or three thousand one hundred (3,100) hours as a cosmetology apprentice.~~ (7-1-24)

d. ~~Esthetician License. A currently certified makeup artist must complete five hundred fifty (550) hours of esthetics instruction or one thousand one hundred (1,100) hours as an esthetician apprentice..~~ (7-1-24)

e. Out of State Licensure. A current licensee in another state, territory, possession or country, and who does not meet the qualifications for licensure through endorsement may be credited hours of instruction for practical work experience: (7-1-24)

i. Barber: One Hundred (100) hours as a student or two hundred (200) hours as an apprentice for every six (6) months of practical experience in barbering; (7-1-24)

ii. Barber-Stylist: Two hundred (200) hours as a student or four hundred (400) hours as an apprentice for every six (6) months of practical experience in barber-styling; (7-1-24)

iii. Cosmetologist: Two hundred (200) hours as a student or four hundred (400) hours as apprentice for every six (6) months of practical experience in cosmetology: (7-1-24)

iv. Electrologist: Forty (40) hours as a student or eighty (80) hours as an apprentice for every six (6) months of practical experience in electrology; (7-1-24)

v. Esthetician: Sixty (60) hours as a student or one hundred twenty (120) hours as an apprentice for every six (6) months of practical experience in esthetics; (7-1-24)

vi. Nail Technician: Forty (40) hours as a student or eighty (80) hours as an apprentice for every six (6) months in practical experience in nail technology. (7-1-24)

03. ~~Makeup Artist Certificate Approved Instruction. Classroom instruction, training, practical experience, or a combination received from a cosmetology school, a cosmetology or esthetics instructor, or a retail cosmetics dealer licensed in this state or another state, territory, possession, or country, or otherwise approved by the board. If an applicant does not have a documented record of sufficient training in makeup artistry, including safety and infection control, the Board may require additional training or other demonstration of competency in that area.~~ (7-1-24)

04. Establishment. An establishment may be licensed as primary or contiguous. (7-1-24)

a. An applicant for primary establishment licensure must provide proof of compliance with Rule 200.01.a. A primary establishment license will not be issued if it includes or overlaps any portion of an existing establishment license. (7-1-24)

b. An applicant for contiguous establishment licensure must certify that it is associated with and operates within a currently licensed primary establishment and the primary establishment license holder must certify that the primary establishment is equipped to meet all safety and disinfection requirements. (7-1-24)

c. Establishment licenses cannot be transferred. A change of location or a full change in ownership requires a new license application. In a multiple ownership establishment, an owner may be removed upon written statement by all owners, including the withdrawing owner. (7-1-24)

101. -- 124. (RESERVED)

125. OUT OF BUSINESS.

01. Submittal. Whenever any establishment or facility ceases operation at the licensed location, the owner(s) or authorized agent of the establishment or facility shall notify the Board by submitting: (7-1-24)

a. A signed letter by the owner(s) or authorized agent advising that the establishment or facility is out of business; or (7-1-24)

b. The establishment or facility license bearing the signature of the owner(s) or authorized agent and marked out of business; or (7-1-24)

c. In the event that the Board has not been notified about the cessation of operations pursuant to this rule and documentation or evidence has been obtained that an establishment or facility has ceased operation at the licensed or registered location, the Board may cancel the license or facility registration upon a thirty (30) day written notice to the owner(s) or authorized agent of the establishment or facility. (7-1-24)

126. -- 149. (RESERVED)

150. EDUCATION.

01. Licensed Schools. A licensed barber or cosmetology school must comply with the following: (7-1-24)

a. The premises will provide adequate space, ventilation, lighting, facilities to safely accommodate all students, instructors, and customers and provide a restroom with a sink with hot and cold running water and drainage system. (7-1-24)

b. Instructors are permitted to teach subject matters only within the instructor's licensed scope of practice. A cosmetology school teaching electrolysis will employ one (1) licensed electrologist instructor for every six (6) students being trained and require instructors to directly supervise the training. (7-1-24)

c. Curriculum. To obtain approval to teach a subject, a school must submit a curriculum and course catalog which complies with Section 54-5815, Idaho Code. Any proposed changes to a curriculum or catalog must be submitted to the Board for approval. (7-1-24)

i. A school may teach no more than fifty percent (50%) of its curriculum through distance education. (7-1-24)

ii. For an esthetician, barber, barber stylist, or nail technician student, a licensed cosmetology school may credit eighty percent (80%) of accumulated hours, but no more than two hundred (200) hours, toward the required instructional hours for a cosmetology course. (7-1-24)

iii. A licensed cosmetology school may credit two hundred (200) hours toward the required instructional hours for a nail technology course or esthetics course for a cosmetology student. (7-1-24)

iv. Clinical work will be performed under the supervision of a licensed instructor. (7-1-24)

v. A student may receive up to thirty (30) hours of credit toward the required hours of instruction for instructor-approved activities occurring outside the school. (7-1-24)

d. A school will maintain a record of instruction for each student showing the classroom hours, the clinical hours, operations, and approved outside school activities completed each month in which the student is enrolled. The record of instruction will be provided to the student and maintained by the school for five (5) years from completion or termination. In the event of cessation of school operations, records of instruction will be provided to

each enrolled student at or before the cessation of operations. (7-1-24)

e. Licenses may not be transferred; any change in ownership or location requires a new license application. (7-1-24)

02. Apprenticeships. (7-1-24)

a. An apprenticeship must be completed within the following period: (7-1-24)

i. Barber: fifty-seven (57) weeks; (7-1-24)

ii. Barber-Stylist: ninety-four (94) weeks; (7-1-24)

iii. Cosmetologist: one hundred four (104) weeks; (7-1-24)

iv. Estheticians/Electrologist: thirty-eight (38) weeks; (7-1-24)

v. Nail Technicians: twenty-five (25) weeks. (7-1-24)

b. Prior to beginning instruction, the instructor must submit and obtain Board approval of a curriculum which complies with Section 54-5815(1)(g), Idaho Code and Rule 150.02.a. (7-1-24)

c. An electrology apprentice may only work under the direct personal supervision of a licensed electrologist instructor. Instructors and supervisor licensees may teach or supervise work only within their licensed scope of practice. An apprentice cannot be permitted to render clinical services to patrons prior to completion of five percent (5%) of the required hours of instruction. (7-1-24)

d. An establishment or instructor under ongoing discipline may not supervise an apprentice. (7-1-24)

e. Recordkeeping. The establishment must maintain the daily work records for a period of five (5) years following the apprentice's completion or termination. The apprentice must be provided access to the daily work records and be provided monthly progress reports. (7-1-24)

f. An apprentice who has discontinued an apprenticeship must apply for and receive a new registration prior to resuming instruction. (7-1-24)

g. Out of State Apprenticeship. An applicant who received instruction as an apprentice in another state must submit a summary or record of the out of state apprenticeship, including detailed information regarding operations and hours of instruction, which is certified by the relevant licensing agency or instructor(s). (7-1-24)

151. -- 199. (RESERVED)

200. PRACTICE STANDARDS.

01. Premises. (7-1-24)

a. A primary establishment must have: (1) a clearly defined and designated working floor space that allows the safe and sanitary practice of cosmetology and/or barber-styling for all stations that may be in operation and provides safe access to restrooms and access areas; (2) a hot and cold running water source and drainage system that are within the perimeters of the primary establishment, separate from restroom facilities, and available to any contiguous establishment or facility that may exist; and (3) restrooms that are accessible from the building in which the primary establishment is located and from any contiguous establishments or facility that may exist and which contain hot and cold running water and drainage separate from the work area facilities. The license holder is responsible for complying with the safety and disinfection requirements and all other applicable statutes and rules for the designated licensed area of the primary establishment, including "common areas." (7-1-24)

b. A contiguous establishment must operate only in the contiguous establishment designated areas within the associated primary establishment. The contiguous establishment license holder is responsible for complying with the safety and disinfection requirements and all other applicable statutes and rules for the contiguous designated area where it operates. (7-1-24)

c. Retail cosmetic dealers must have access to hot and cold running water; access to restroom facilities; disinfectants; single-use samples, wipes, spatulas or other dispensing techniques designed to prevent contamination of the cosmetic product; and a first-aid kit. (7-1-24)

02. Practice Outside of Licensed Establishment. Pursuant to Section 54-5804(2)(c), Idaho Code, a licensee or certificant can provide the following services outside of a licensed establishment: (7-1-24)

a. Hair Styling. Arranging, styling, and dressing of the hair. Trimming may be performed when incidental to the arranging, styling, or dressing, including facial hair such as beards, mustaches, and eyebrows. (7-1-24)

b. Coloring. Wash out topical color, tinted powder, spray or chalk to temporarily camouflage hair. (7-1-24)

c. Temporary Hair Removal. Tweezing of hairs on the face and neck. (7-1-24)

d. Cleansing. Cleansing the face for the limited purpose of removing makeup or debris and cosmetic preparations for the application of makeup. (7-1-24)

e. Nail Services. Application of nail polish by painting without the use of a lamp or light, removal of polish incidental to the painting of the nail, and shaping the nail with a single-use emery board. (7-1-24)

f. Makeup Application. Application of makeup. (7-1-24)

03. Safety And Disinfection for Establishments and Schools. (7-1-24)

a. Establishments and schools must be separated from living areas by substantial walls and/or closable doors. Floors, walls, ceilings, furniture, fixtures, and restrooms must be kept clean and in good repair at all times. A clearly identifiable first-aid kit must be readily accessible. (7-1-24)

b. All instruments and items used by operators must be thoroughly cleaned after each use and then disinfected with a disinfectant or sterilized with a sterilant after cleaning and prior to use on each patron. A disinfectant must be mixed and changed according to the manufacturer's instructions. Disinfection methods of immersion, sprays, and wipes may be used. Contact time listed on the disinfectant's label must be adhered to in all circumstances. Items or surfaces must remain completely immersed in disinfectant or visibly wet, if using sprays or wipes, for the full amount of contact time. (7-1-24)

c. Porous or single use instruments and items must be immediately disposed of in a trash container after each use on a patron or given to the patron to take home for personal use, provided that the instruments may not be brought back to the establishment for future use. Skin cutting instruments, including razor-type callus shavers, credo blades, or other rasps or graters which cut below the skin surface are not permitted in the establishment. (7-1-24)

d. Paraffins, waxes and other multi-patron use products must be covered and maintained free of any foreign contaminants. Only disinfected or unused single-use items may be placed into a container that holds multi-patron use products. These products must be portioned out for each patron in a container or dispensed in a manner that prevents contamination of the unused supply. All portions used on a patron must be disposed of immediately following use. (7-1-24)

e. Pedicure bowls, basins, tubs, drill bits, internal piping, and pumps must be cleaned and disinfected prior to each use as directed by the manufacturer. (7-1-24)

f. Operators and students must wash their hands with running water, soap and a single-use towel prior to providing service to any patron. When hand washing is not practicable, hand sanitizer of at least seventy percent (70%) alcohol may be used. (7-1-24)

g. No animals are allowed in shops or schools except service dogs, as defined by the U.S. Department of Justice Regulations, trained to do work or perform tasks for persons with disabilities. (7-1-24)

h. A current establishment and/or school license, valid operator license(s), a copy of these safety and disinfection rules, and a valid classification card must be conspicuously displayed in the work area of each establishment or school. (7-1-24)

04. Safety and Disinfection for Retail Cosmetics Dealer Facilities ~~and Makeover or Glamour Photography Businesses.~~ (7-1-24)

a. Makeup that comes in a cake, loose, or liquid form must be transferred to a palette with a disinfected or single-use spatula for use with a single patron and in a manner to prevent any contamination. Excess make-up on the palette must be disposed of immediately following use. (7-1-24)

b. Make-up pencils that require a sharpener must be sharpened prior to each use. Sharpeners must be cleaned and disinfected in accordance with Rule 200.03.b. Eyeliner that does not require a sharpener must have a portion transferred to a palette with a disinfected or single-use spatula for use on a single customer. (7-1-24)

c. Single-use applicators must be used in the application of mascara. (7-1-24)

d. Implements and applicators, including brushes, used on customers or made available for use by customers must be stored, cleaned, and disinfected or discarded in accordance with Rule 200.03.b. and c. (7-1-24)

e. Make-up displays should be covered when not in use. When accessible for use by patrons, single-use applicators must be readily available. (7-1-24)

f. A clearly identifiable first-aid kit must be readily accessible on the premises. (7-1-24)

g. A current license/registration, a copy of these safety and disinfection rules, and a valid classification card must be conspicuously displayed in the work area of each facility. (7-1-24)

05. Inspections. A facility, school, or establishment must make improvements within thirty (30) days of an unacceptable "C" classification inspection result. The Board may allow an establishment, school, or facility to continue to operate during that period. The Board may take action prior to any reinspection when the circumstances represent an immediate danger to the public health, safety, or welfare. (7-1-24)

06. Unprofessional Conduct. The following practices constitute unprofessional conduct. (7-1-24)

a. Use of Methyl Methacrylate acid (MMA). (7-1-24)

b. Use of skin cutting instruments, including razor-type callus shavers, credo blades, or other rasps or graters which cut below the skin surface. The presence of such instruments creates a presumption of the instrument's use. (7-1-24)

c. Use of ultraviolet (UV) sterilizers for disinfection. This does not prohibit the use of ultraviolet dryers or lamps used to dry or cure nail products. (7-1-24)

d. Use of roll-on wax, except that single-use roll-on wax cartridges are acceptable when they are limited to a single client service and disposed of immediately after use. (7-1-24)

e. Placing an item or instrument that has been used on a person or placing a person's body part into a container that holds powder, wax, a compound, solution, or other cosmetic preparation that will be used for more than

one (1) patron. (7-1-24)

f. Use of single-use or porous items on more than one (1) patron. The presence of used single-use or porous items, which have not been disposed of in a trash container, creates a presumption of the item's use or intended use on more than one patron. (7-1-24)

g. Failure to adequately supervise, instruct, or train an apprentice. (7-1-24)

h. Interference with an inspection or investigation conducted by or on behalf of the Board. (7-1-24)

i. Performing a service on a patron who has an open sore or a known contagious disease of a nature that may be transmitted by performing the procedure. (7-1-24)

k. Performing services or using machines or devices outside the licensee's area of training, expertise, competence, or scope of practice for the license held. (7-1-24)

201. -- 399. (RESERVED)

400. FEES.

All fees are non-refundable. Annual fees may be aggregated for biennial licensure.

FEE TYPE	AMOUNT (Not to Exceed)	<u>ANNUAL</u> <u>RENEWAL FEE</u> (Not to Exceed)
Individual Original License or Certificate	\$25 30	\$25 30
Application	\$25 30	
Instructor License	\$30 35	\$30 35
Establishment, Dealer, Facility License/Registration	\$20 25	\$20 25
School License	\$300 360	\$85 100
Apprentice Registration	\$25 30	
Endorsement License	\$35	
Reinstatement	\$35	

(7-1-24)

401. -- 999. (RESERVED)