

Notice of Public Hearing

LSA Document #08-935

Notice of Public Hearing

Under [IC 4-22-2-24](#), notice is hereby given that on May 18, 2009, at 1:00 p.m., at the Indiana Government Center South, 402 West Washington Street, Room W064, Indianapolis, Indiana, the State Board of Cosmetology Examiners will hold a public hearing on a proposed rule to amend [820 IAC 2-1-1](#) concerning transfer of licenses prohibited; amend [820 IAC 2-1-4](#) concerning application for cosmetology school license; required items; amend [820 IAC 2-2-1](#) concerning examination for instructors; reciprocity applicants; amend [820 IAC 2-2-3](#) concerning age requirement; necessity of examination; amend [820 IAC 2-2-5](#) concerning repeat examinations; amend [820 IAC 3-1-2](#) concerning water supply; amend [820 IAC 3-1-3](#) concerning sanitizers and disinfectants; amend [820 IAC 3-1-4](#) concerning work stations; covered waste receptacle; amend [820 IAC 3-1-6](#) concerning disinfectants; amend [820 IAC 3-1-7](#) concerning shampoo bowls and sinks; amend [820 IAC 3-1-8](#) concerning clean hands; uniforms; amend [820 IAC 3-1-9](#) concerning combs, brushes, and towels; amend [820 IAC 3-1-10](#) concerning towels; amend [820 IAC 3-1-11](#) concerning hair capes, drapes, protective coverings; amend [820 IAC 3-1-15](#) concerning manicurist; cleanliness; amend [820 IAC 3-1-16](#) concerning manicurist equipment; salons; amend [820 IAC 3-1-17](#) concerning no pets; cosmetology schools, cosmetology, electrology, manicurist, and esthetic salons; amend [820 IAC 3-2-2](#) concerning water supply; amend [820 IAC 3-2-4](#) concerning work units; covered waste receptacle; amend [820 IAC 3-2-9](#) concerning esthetics; cleanliness; amend [820 IAC 3-2-15](#) concerning disinfectants; amend [820 IAC 3-2-16](#) concerning towels, storage; amend [820 IAC 4-1-1](#) concerning courses offered; amend [820 IAC 4-1-2](#) concerning enrolling students; amend [820 IAC 4-1-7](#) concerning records; amend [820 IAC 4-1-9](#) concerning record retention; amend [820 IAC 4-1-11](#) concerning graduation defined; amend [820 IAC 4-1-14](#) concerning copy of laws and rules to student; amend [820 IAC 4-2-1](#) concerning size and separation; amend [820 IAC 4-2-2](#) concerning facilities; amend [820 IAC 4-2-3](#) concerning equipment; amend [820 IAC 4-2-5](#) concerning cosmetology tool case; textbooks and workbooks; amend [820 IAC 4-2-6](#) concerning esthetics equipment; amend [820 IAC 4-2-7](#) concerning esthetics tool case; textbooks and workbooks; amend [820 IAC 4-2-8](#) concerning manicurist tool case; textbooks and workbooks; amend [820 IAC 4-2-9](#) concerning electrology tool case; textbooks and workbooks; amend [820 IAC 4-4-1](#) concerning scope of rule; compliance with hours required; amend [820 IAC 4-4-2](#) concerning cosmetology courses; amend [820 IAC 4-4-4](#) concerning specific curriculum for cosmetologists; amend [820 IAC 4-4-5](#) concerning specific curriculum for manicurists; amend [820 IAC 4-4-7](#) concerning specific curriculum for electrologists; amend [820 IAC 4-4-7.1](#) concerning specific curriculum for estheticians; amend [820 IAC 4-4-8](#) concerning school examinations; amend [820 IAC 4-4-10](#) concerning student progress report for cosmetology; amend [820 IAC 4-4-11](#) concerning student progress report for esthetician; amend [820 IAC 4-4-12](#) concerning student progress report for electrology; amend [820 IAC 4-4-14](#) concerning student progress report for manicurists; and repeal [820 IAC 2-1-2](#), [820 IAC 2-1-3](#), [820 IAC 2-2-1.1](#), [820 IAC 2-2-1.2](#), [820 IAC 2-2-2](#), [820 IAC 2-2-4](#), [820 IAC 2-2-6](#), [820 IAC 2-2-7](#), [820 IAC 2-2-8](#), [820 IAC 2-2-9](#), [820 IAC 2-2-10](#), [820 IAC 2-2-11](#), [820 IAC 4-1-4](#), [820 IAC 4-2-4](#), [820 IAC 4-4-6](#), and [820 IAC 4-4-13](#).

The State Board of Cosmetology Examiners has the authority to promulgate rules in accordance with [IC 4-22-2](#) to enforce and administer [IC 25-8](#). The proposed rule clarifies and revises language to make the rules consistent with the Board's statutes, industry standards, and technology. The proposed rule also removes out-of-date and unnecessary language in the rules to remove undue burdens on the cosmetology schools, cosmetology students, and licensees regarding facility requirements, equipment requirements, reexamination requirements, and sanitary requirements. The proposed rule also addresses safety concerns for the salon patrons and cosmetology school patrons. Under the proposed rules, cosmetology school curriculum is amended to address current practice and trends. Cosmetology school rules are also amended to provide more options of record keeping to take advantage of new technology. The proposed rules will not increase the expense to licensees.

Supporting Data, Studies, or Analyses:

Selected EPA-registered Disinfectants:

<http://www.epa.gov/oppad001/chemregindex.htm>

Recommended Cleaning and Disinfection Procedures for Foot Spa Basins in Salons:

http://www.epa.gov/opp00001/factsheets/footspa_disinfection.htm

Preventing Pedicure Foot Spa Infections:

<http://www.epa.gov/opp00001/factsheets/pedicure.htm>

Vugia DJ, Jang Y, Zizek C, Ely J, Winthrop KL, Desmond E. Mycobacteria in nail salon whirlpool footbaths, California. *Emerg Infect Dis* (serial on the Internet). 2005 Apr (date cited). Available from:

<http://www.cdc.gov/ncidod/EID/vol11no04/04-0936.htm>

CleanSweepSupply.com:

<http://www.cleansweepsupply.com/pages/subsection1611.html>

International Nail Technicians Association, Pedicure Equipment Cleaning and Disinfecting Procedures:

http://www.probeauty.org/about/committees/nmc/docs/INTA_PBA_pediprocedures.pdf

Copies of these rules are now on file at the office of the Indiana Professional Licensing Agency, Indiana Government Center South, 402 West Washington Street, Room W072 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

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