

# TITLE 410 INDIANA DEPARTMENT OF HEALTH

## Emergency Rule LSA Document #22-\_\_\_

### DIGEST

Temporarily adds provisions governing operation of facilities where eyelash extensions are applied, and education and training requirements for individuals applying eyelash extensions. Statutory authority: IC 4-22-2-37.1; IC 16-19-3-4.5; IC 16-19-3-5. Effective April 1, 2022.

**SECTION 1. The definitions in this document apply throughout this document.**

**SECTION 2. "Cleaned" means removal of all visible dust, soil, or any other foreign material.**

**SECTION 3. "Contaminated" means the presence or reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.**

**SECTION 4. "Department" means the Indiana department of health.**

**SECTION 5. "Eyelash extensions" has the meaning set forth in IC 16-19-3-4.5(a).**

**SECTION 6. "Facility" means any room, space, or business where eyelash extensions are applied to members of the public.**

**SECTION 7. "Intermediate level disinfection" means a process that inactivates:**

- (1) *Mycobacterium tuberculosis*;**
  - (2) vegetative bacteria;**
  - (3) most viruses; and**
  - (4) most fungi;**
- but does not necessarily kill bacterial spores.**

**SECTION 8. "Personal protective equipment" means specialized clothing or equipment worn for protection against contact with blood or other potentially infectious materials.**

**SECTION 9. "Sterilize" or "sterilization" means the use of a physical or chemical procedure to destroy all microbial life, including highly resistant bacterial endospores.**

**SECTION 10. "Work unit" means an individual area, including but not limited to, chairs, tables, booths, or beds, where eyelash extensions are applied in the facility.**

**SECTION 11. (a) This document establishes standards of operation for facilities where eyelash extensions are applied to members of the public.**

**(b) Requirements in this document are applicable to all individuals who wish to practice the application of eyelash extensions for members of the public.**

**(c) This document does not apply to licensed estheticians or cosmetologists who can**

provide evidence of eyelash extension related training that meets the requirements in section 12(c). Any licensed esthetician or cosmetologist who does not provide evidence of eyelash extension related training that meets the requirements in this subsection must adhere to this rule by completing a certification program recognized by the department.

(d) The purpose of this document is to protect the public from the hazards of unsanitary or unskilled eyelash extension services, including but not limited to, trauma to or infection of the eyelid or cornea, allergic reaction to the glue, and permanent or temporary loss of eyelashes.

SECTION 12. (a) All individuals who wish to practice the application of eyelash extensions for the public must obtain a certification from a program recognized by the department.

(b) Programs shall maintain and submit the following documentation to the department to be recognized as a certified program:

(1) Course curriculum that incorporates the standards in sections 12 and 13 into its course objectives with an evaluation method to ensure competency of learning program objectives.

(2) Attendance and make-up policy to ensure individual has attained appropriate hours of training.

(3) Hiring policy that ensures all instructors hired have at least two (2) years of practical experience in applying eyelash extensions. All certification program instructors must present evidence of eyelash extension training that complies with this document. Evidence of eyelash extension training shall include the submission of applicable licenses or certifications with related curriculum or transcript to display eyelash extension specific subject matter.

(c) Certification programs must provide in-person training that includes the following:

Theory and Demonstration	15 hours
<u>Actual Practice</u>	<u>30 hours</u>
Total	45 hours

(d) Certification programs must include training on the following topics:

(1) Proper application techniques for eyelash extensions.

(2) Methods and procedures related to the application of eyelash extensions.

(3) Appropriate sanitization and disinfection.

(4) Prevention of cross-contamination.

(5) Adhesives (including ingredients and contraindications).

(6) Consultation processes for potential clients. All individuals obtaining a certificate to perform the service of eyelash extensions must be familiar with all conditions listed in section 13.

(7) Proper safety practices.

(e) A document attesting to the individual's certification must be displayed in a prominent location within the facility.

(f) In order to continue to be recognized by the department, certification programs approved prior to the effective date of this document must submit documentation attesting that the certification program meets all requirements in this document.

**SECTION 13. (a) To protect clients from potential risks including, but not limited to, trauma, infection of the eyelid or cornea, allergic reaction to glue, and permanent or temporary loss of eyelashes, all potential clients must receive a consultation prior to service. All consultations must include both a verbal or written confirmation and a physical observation of the client using the conditions listed in subsection (b). Any client suspected to have a condition listed in subsection (b) shall be directed to seek consultation with a physician prior to application of eyelash extensions.**

**(b) Clients with the following conditions must not receive eyelash extension service:**

- (1) Lack of natural lash hair or very sparse natural lash hairs.**
- (2) Alopecia areata (a condition that causes full or partial hair loss that can impact eyelashes and eyebrows)**
- (3) Chemotherapy hair loss.**
- (4) Mechanically damaged lashes.**
- (5) Trichotillomania (stress or anxiety-induced urge to pull out your hair, including your eyelashes).**
- (6) Poor lash health, including short, thin, or fragile lashes.**
- (7) Allergies to adhesive or adhesive ingredients.**
- (8) Thyroid condition treated with medication.**
- (9) Eye infection.**
- (10) Recent eye procedure or surgery.**

**SECTION 14. Any individual employed by the facility or anyone acting on behalf of the facility who has a reasonably anticipated risk for skin, eye, or mucous membrane contact shall have and use personal protective equipment as required by this document.**

**SECTION 15. Facility operators shall develop a written policy in compliance with this document that:**

- (1) requires the use of gloves when performing the application of eyelash extensions or any other activity or duty that includes any reasonably anticipated skin, eye, or mucous membrane contact;**
- (2) requires disinfection or sterilization of contaminated reusable items; and**
- (3) provides sanctions, including discipline and dismissal, if warranted, for failure to adhere to the provided policy.**

**SECTION 16. Individuals practicing the application of eyelash extensions shall refrain from the practice of eyelash extension application if they are experiencing symptoms of acute disease including, but not limited to, the following:**

- (1) Diarrhea.**
- (2) Vomiting.**
- (3) Fever.**
- (4) Rash.**
- (5) Productive cough.**
- (6) Jaundice.**

**(7) Draining (or open) skin infections, boils, impetigo, or scabies.**

**SECTION 17. (a) All instruments used, including tweezers, shall be sterilized prior to use on a customer using the process in this subsection. Instruments shall be:**

- (1) washed in a low residue detergent and rinsed prior to sterilization;**
- (2) disinfected using an EPA registered bactericide, viricide, and fungicide disinfectant, used according to manufacturer's instructions; and**
- (3) after disinfection, sterilized using one (1) of the following methods:**
  - (A) A steam autoclave sterilizer in which the instruments are subjected to saturated steam of the pressure of fifteen (15) pounds per square inch for thirty (30) minutes at two hundred fifty (250) degrees Fahrenheit; or**
  - (B) A dry heat sterilizer in which instruments are heated for two (2) hours at three hundred forty (340) degrees Fahrenheit.**

**(b) All eyelash extension practitioners shall:**

- (1) wash their hands in fresh water with germicidal soap (antimicrobial) or use alcohol-based hand rub immediately before serving each customer; and**
- (2) when performing application of eyelash extensions, wear protective gloves, which must be disposed of after providing the service to a customer.**

**(c) All disposable items used by an eyelash extension practitioner, including but not limited to:**

- (1) cotton swabs;**
- (2) cotton balls;**
- (3) eyelash/mascara wands;**
- (4) lashes;**
- (5) adhesive; and**
- (6) tape;**

**shall be disposed of after serving each customer.**

**SECTION 18. (a) Hot and cold running water shall be supplied to the facility.**

**(b) The water supply required in subsection (a) shall be connected with a pressure supply whenever it is available.**

**SECTION 19. (a) Handwashing facilities and alcohol-based hand rub shall be readily accessible where eyelash extension application is provided.**

**(b) Hands shall be cleaned immediately before putting on gloves and after removal of gloves or other personal protective equipment. Only single-use towels shall be used.**

**(c) Handwashing shall be conducted with soap and running water when hands are visibly soiled.**

**SECTION 20. (a) Disposable gloves, such as surgical or examination type, shall be worn during the eyelash extension application process. Gloves shall be changed and properly disposed of each time there is an interruption in the application of the eyelash extensions, when the gloves become torn or punctured, or whenever the ability to function as a barrier is compromised. Disposable gloves shall not be reused.**

**(b) Gloves shall be worn when performing equipment sterilization.**

**SECTION 21. All individuals performing the application of eyelash extensions shall at all times while serving customers wear a clean, washable outer garment.**

**SECTION 22. Floors, walls, and furniture shall be kept clean and sanitary at all times.**

**SECTION 23. (a) Clean towels, linens, and headbands shall be:**

- (1) used for each customer; and**
  - (2) stored in a clean and closed cabinet or drawer until use.**
- (b) Soiled towels, linens, and headbands shall be stored in a covered hamper.**

**SECTION 24. (a) There shall be at least one (1) covered waste receptacle located in every work unit.**

**SECTION 25. (a) Facilities where eyelash extension services are provided shall maintain a separate room that is used exclusively for those services.**

**(b) The room required under subsection (a) shall be surrounded by ceiling to floor walls and accessed only by doors that shall remain closed when eyelash extension services are being performed.**

**(c) The room required under subsection (a) can be utilized to perform services on multiple clients at the same time, provided that adequate work units are in place.**

**SECTION 26. (a) A disposable or clean washable draping shall be placed between the facility treatment chair or bed and the client.**

**(b) If a washable draping is used, there shall be at least twelve (12) clean drapings on the premises.**

**(c) Disposable drapings shall not be reused.**

**SECTION 27. There shall be at least one (1) stool for individuals performing application of eyelash extensions on the premises.**

**SECTION 28. (a) There shall be at least one (1) utility table for each facility treatment chair or bed on the premises.**

**(b) As an alternative to the requirement in subsection (a), one (1) continuous countertop may be used.**

**SECTION 29. (a) No eyelash extension application shall be conducted in any room used as living quarters or in any room that opens directly into living or sleeping quarters.**

**(b) Live animals shall be excluded from areas where eyelash extensions are being applied. This exclusion does not apply to the following:**

- (1) Patrol dogs accompanying security or police officers.**
- (2) Guide dogs accompanying the following:**
  - (A) Blind persons.**
  - (B) Partially blind persons.**

- (C) Physically disabled persons.**
- (D) Guide dog trainers.**
- (E) Persons with impaired hearing.**
- (c) Eating, drinking, and smoking shall not be allowed in work areas.**
- (d) Food and drink shall not be kept in work areas.**
- (e) All equipment and environmental surfaces shall be cleaned and disinfected in between clients.**
- (f) All work surfaces shall be:**
  - (1) nonabsorbent;**
  - (2) easily cleanable;**
  - (3) smooth; and**
  - (4) free of breaks, open seams, cracks, chips, pits, or similar imperfections.**
- (g) Disinfectant solutions shall be:**
  - (1) hospital grade, tuberculocidal Environmental Protection Agency (EPA) registered disinfectant; or**
  - (2) sodium hypochlorite, five-tenths percent (0.5%) concentration, by volume (common household bleach in ten percent(10%) concentration in water). This solution shall be dated and shall not be used if it is more than twenty-four (24) hours old.**

**SECTION 30. (a) There must be at least one (1) wet EPA registered bactericide, viricide, and fungicide disinfectant and one (1) dry sanitizer on the premises.**

**(b) Each work unit must have at least one (1) wet sanitizer or disinfectant or one (1) dry sanitizer.**

**SECTION 31. (a) This section applies to reusable equipment.**

**(b) Heating procedures capable of sterilization must be used when heat stable, nondisposable equipment is sterilized.**

**(c) Equipment that is to be sterilized shall be put in single-use packaging.**

**(d) Records must be maintained to document the following:**

**(1) Duration of sterilization technique.**

**(2) Determination of effective sterility, such as use of a biological indicator, is performed monthly.**

**(3) Equipment is maintained as recommended by the owner's manual.**

**(e) Reusable contaminated equipment shall not be stored or processed in a manner that requires any person to reach by hand into the containers where sharp items have been placed.**

**(f) Reusable contaminated equipment shall be:**

**(1) placed in puncture-resistant containers;**

**(2) labeled with the biohazard symbol;**

**(3) leakproof on both sides and bottom; and**

**(4) stored in a manner that does not require reaching by hand into the container where the equipment is stored until cleaning prior to sterilization.**

**(g) Reusable contaminated equipment shall be effectively cleaned prior to sterilization or disinfection.**

**(h) Sterilized equipment shall not be removed from wrappers or sterilizer packaging until immediately prior to use.**

**(i) Any reusable equipment that comes into contact with mucus membranes shall be effectively cleaned and sterilized prior to use.**

**(j) All reusable equipment that has contact with intact skin shall undergo, at a minimum, intermediate level disinfection.**

**(k) All other equipment used during the application of eyelash extensions shall be single-use.**

**(l) All individuals practicing the application of eyelash extensions shall comply with all equipment manufacturers recommendations related to sterilization and disinfection.**

**SECTION 32. This document expires June 28, 2022.**