



Notice of Intent to Adopt Rules

Revised October 2014

1. General Information

a. Agency/Board Name		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Contact Person	f. Contact Telephone Number	
g. Contact Email Address		
h. Date of Public Notice	i. Comment Period Ends	
j. Program		

2. Rule Type and Information: For each chapter listed, indicate if the rule is New, Amended, or Repealed.

a. If "New," provide the Enrolled Act numbers and years enacted:

b. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed
Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification.

Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
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Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed

c. The Statement of Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

Complete all that apply:

The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):
_____ (Provide chapter numbers)

These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Reasons).
_____ (Provide chapter numbers)

N/A These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

d. N/A In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Section 5 of the Rules on Rules).

e. A copy of the proposed rules* may be obtained:
 By contacting the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____

* If Item "d" above is not checked, the proposed rules shall be in strike and underscore format.

3. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. Yes No

	If "Yes:"	Date:	Time:	City:	Location:

b. What is the manner in which interested persons may present their views on the rulemaking action?
 By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:
 To the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Contact Person listed in Section 1 above.

4. Federal Law Requirements

a. These rules are created/amended/revoked to comply with federal law or regulatory requirements. Yes No

	If "Yes:"	Applicable Federal Law or Regulation Citation:

Indicate one (1):
 The proposed rules meet, but do not exceed, minimum federal requirements.
 The proposed rules exceed minimum federal requirements.

Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:
 To the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____

5. State Statutory Requirements

a. Indicate one (1):
 The proposed rule change *MEETS* minimum substantive statutory requirements.
 The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. Indicate one (1):
 The Agency has complied with the requirements of W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:
 By contacting the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____
 Not Applicable.

6. Authorization

a. I certify that the foregoing information is correct.

<i>Printed Name of Authorized Individual</i>	
<i>Title of Authorized Individual</i>	
<i>Date of Authorization</i>	

Distribution List:

- Attorney General and LSO: Hard copy of Notice of Intent; Statement of Reasons; clean copy of the rules; and strike-through and underline version of rules (if applicable). Electronic copies (PDFs) of all items noted (in addition to hard copies) may be emailed to LSO at Criss.Carlson@wyoleg.gov.
- Secretary of State: Electronic version of Notice of Intent sent to Rules@wyo.gov.



Additional Rule Information

Revised May 2014

1. General Information

a. Agency/Board Name		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Contact Person	f. Contact Telephone Number	
g. Contact Email Address		
h. Program		

2. Rule Information, Cont.

a. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed

Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
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If Needed

WYOMING

EXECUTIVE DIRECTOR

Betty Abernethy

2515 Warren Ave., Suite 302
Cheyenne, WY 82002

BOARD OF COSMETOLOGY

STATE OF WYOMING

Matthew H. Mead, Governor

(307) 777-3534
Fax (307) 777-3681

STATEMENT OF REASONS FOR ADOPTION OF RULES

Pursuant to authority granted under the Board of Cosmetology Practice Act, W.S. 33-12-119 through 33-12-140, the Wyoming Board of Cosmetology has filed with the office of the Attorney General and the Legislative Service office copies of rules and regulations which it proposes to adopt in accordance with the Wyoming Administrative Procedure Act.

The rules and regulations are intended to protect the public by regulating the qualification of individuals licensed to teach and practice cosmetology and establishing standards that match national testing standards for minimal competency. The Board is also its efforts to reduce the length and number of its rules as directed the Governor.

These proposed amendments would:

set minimum requirements a Barber or Barber Stylist licensed under 33-7-101 through 33-7-211 to get a crossover license for Cosmetology; clean up redundancies in all areas of the rules and better organize them to specific topics; update definitions to current industry standards; simplify the requirements for acquiring a license by examination or endorsement; establish the definitions for secondary and postsecondary schools as defined by the U.S. Department of Education; bring school requirements up to the current industry standards; clarify requirements for licensure of instructors; clean up and remove redundancies in the student qualifications; update the course of study for all cosmetology related courses; reduce the total hours for the full cosmetology and instructor courses to better meet the national standards of education for the field of cosmetology; put all salon and independent contractors into one chapter for better use by the licensee and the public; bring the infection control requirements up to the national standard and better organize for public use; update with the help of the Office of the Attorney General for the complaint process; Establish proper fees including one (1) increase and the addition of a fee for partial examination.

The following is a list of proposed chapter and section:

Chapter 1, General Provisions

- Section 1 through 4 are simple cleanup of verbiage to simplify and clarify information related to requirements a salon owner needs to post in public view;
- Section 5 better defines what a barber or barber stylist will need to acquire a Cosmetology license;
- Section 6 original information has been deleted to remove redundancies and new information placed to clarify the scope of practice for all cosmetology fields;

- Section 7 is new information to include an updated definition of an Independent contractor;
- Section 8 is updated information related to Unprofessional or Dishonest Conduct;
- Section 9 is just cleanup of language and removing redundancies;
- Section 10 has updated and cleaned up language.

Chapter 2, Personal Licensing Requirements and Procedures.

- The title of the chapter has been changed, we were able to simplify the requirements for examination and endorsement into one chapter;
- Section 1 applies to examination;
- Section 2 is instructions for international applications;
- Section 3 has the instructions for licensure by endorsement (reciprocity)
- Section 4 has been deleted.

Chapter 3, Schools

- Section 1 has a cleanup of language and introducing terminology postsecondary or secondary schools;
- Section 2 is new information defining postsecondary schools to meet the requirements set forth by the U.S. Department of Education to make it possible for Wyoming students to have a better chance at acquiring funding for their education;
- Section 3 is a simple definition of Secondary Schools;
- Section 4 is clarification of the applications required by the Board for a school to open. This is for all secondary or postsecondary schools;
- Section 5 has been included to clarify the Boards roll in inspections, this is new as it wasn't clear before;
- Section 6 is also new as most of this information had been misplaced previously in the old sanitation chapter and should have been included with the school requirements;
- Section 8 and 9 are a cleanup of the definitions and removing redundancies as well as bringing equipment requirements to a more realistic number for new schools;
- Section 10 introduces the ability for schools to offer programs that include approved distance learning tools;
- Sections 12 through 14 are just clean up and renumbering of sections;
- Section 15 is just a clarification of the use of a school as a salon.

Chapter 4, Instructor Licensing and Requirements

- Section 1 reflects the need to change the chapter title to reflect the additional information about the Instructor license requirements. In the past only the student instructor requirements were listed in the rules;
- Sections 2 and 3 are simple cleanup and removal of redundancies as well as clarification for an instructor that holds a segmented license.

Chapter 5, Student and Student Instructors

- All sections in this chapter have been updated with current industry requirements, cleaned up verbiage and removal of unnecessary wording.
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Chapter 6, Course of Study

- This chapter has the most changes as there was a need to completely rewrite the requirements for the full cosmetology course, reducing the hours from 2000 to 1600. 97% of students trained nationwide for the full cosmetology course are trained in 1600 hours or less. We have found that this course can be reduced since each piece of the profession to include hair, skin, and nails has been segmented out into specialty licenses. The full cosmetology course includes those licensees that want to perform most services in the field of hair and minimal in skin or nails. This allows them to get a good understanding of all and more specific training in the area they will most use.
- Section 1 is the first of changes, setting up a base line of training for all segments of the program. All students will take this important section of General Infections Control and Professional Standards;
- Section 2 is the detailed course outline for the full cosmetology course. It includes Section 1 for the 100 hours and 1500 hours of additional training in hair, skin, and nails;
- Section 3 is the detailed course outline for the student that only wants to study the services performed on hair. It includes Section 1, 100 hours plus 900 hours specifically focused on hairstyling;
- Section 4 is the detailed course outline for the nail technology course. It also includes Section 1 for 100 hours and an additional 300 hours specific to the nail technology profession;
- Section 5 is the detailed course outline for the esthetics course. It includes as the others do, the 100 hours for the basic entry and an additional 500 hours in the study of esthetics;
- Section 6 is the course of study for the additional services for waxing and removal of superfluous hair that a licensed nail technician or hairstylist can take to do additional services not included in their original license. This is 125 hours of training;
- Section 7 is the course outline for a student instructor. This course has been reduced from 1000 hours of training to 500. This meets the national standards for the course since they already know the profession and this course is strictly for teaching skills. In the past we have found the student was unfairly used for free labor in the school without the benefit of acquiring the additional skills needed to teach successfully. We have reformatted the program to be focused on the teaching;
- Section 8 and 9 are just information that was included before but not in the proper locations. It made more sense to include them in this chapter;
- Section 10 is just cleanup of language and punctuation.

Chapter 7, Salon and Independent Contractors.

- Sections 1 through 3 are simple cleanup of redundancies, terminology, and punctuation;
- Sections 4 through 7 had previously been included in the wrong chapter, we have just placed them in the correct location for the public to find;
- Sections 8 through 10 are like 1 through 3, clean up of redundancies, terminology, and punctuation;
- Section 11 through 19 were previously Chapters 8 and 9. This information seemed to fit much better in Chapter 7 for the public and licensees to find the information. It groups all information about where licensees can practice and if a license is needed.

Chapter 8, Infection Control

- The title of the Chapter has been updated to the proper terminology. All sections of this chapter reflect the National Standards for Health, Safety, and Infection Control for the Cosmetology industry. The Board has adopted the National Interstate Council of State Boards of Cosmetology (NIC) standards to meet the high standard set for the industry. Previously this chapter had information not relevant to Infection Control so it was moved to the proper chapters.

Chapter 9, Application Review, Complaint, Practice, and Procedure

- This chapter is a combination of previous chapters 11 and 12. We found that there were many redundancies and unnecessary information and with the help of the Attorney General's office, made this a much more user friendly chapter not only for the Board to use but also the public and licensees.

Chapter 10, Fees

- Section 1 changes are needed as the cost of the national examination has increased by approximately \$10.00 dollars per written and \$10.00 dollars per practical examination. The \$75.00 does not cover the initial cost of the examinations per candidate. We have proposed a new fee for those that are only required to take only one of the sections of the examination, either written or practical, at \$60.00 which will cover that cost. In the pas they have paid the full examination fee.
- Section 2 is new, it is a clarification as to how the fees are prorated to put the new licensee on the two year license renewal process during their birth month. We have had this in place since 1995 but was never defined in the rules;
- Section 3 is just updated verbiage, subsection numbering. Note that this will be another rule change for the future when Administration and Information public records rules have been passed.

The Board has been able to decrease its rules in some places and, unfortunately, had to clarify additional information in other places. The original chapters 8, 9, and 12 have had the relevant information moved to a more appropriate location. The Board feels you will find them more user friendly, more precise, and it has reduced its rules by three (3) chapters and one thousand two hundred and ninety six (1,296) words, in addition to the redundancies previously found.

Chapter 1

General Provisions

Section 1. Authority and Purpose. These rules are adopted by the Wyoming State Board of Cosmetology, under the authority granted by W.S. 33-12-123 and 134 to assist the Board in performing its responsibilities under W.S. 33-12-119 through 140.

Section 2. Disposition of Fees. Under no circumstances will fees be refunded.

Section 3. Correspondence Courses and Apprenticeship Training. Correspondence courses are not recognized by the Board. Apprenticeship training is only recognized if it is a certified program through a State Regulatory Agency. The applicant must submit certification of record from the licensing or state regulatory agency.

Section 4. Display of License, Rules, and Notices. All licensees, including schools and salons shall conspicuously display the appropriate license(s), most recent inspection report, infection control, wet disinfection and blood exposure standards, plus pedi spa standards if applicable, in an unobstructed location accessible and visible to the consumer.

Section 5. Credit Allowed to Barbers.

(a) A barber/stylist licensed in Wyoming who has completed three hundred fifty (350) hours in a board certified school of cosmetology with special focus on esthetics and nail technology qualifies to take the cosmetology examination.

(b) A barber licensed in Wyoming who has completed six hundred (600) hours in a board certified school of cosmetology with special focus on chemicals, esthetics, and nail technology qualifies to take the cosmetology examination.

Section 6. Scope of Practice.

(a) Hairstyling.

(i) Cutting, clipping, or trimming hair;

(ii) Massaging, cleansing, stimulating, manipulating, beautifying, applying oils, lotions, or other preparations, styling, arranging, dressing, braiding, curling, waving, chemical waving, straightening, singeing, bleaching, tinting, coloring or similar functions, upon the scalp, hair, wigs, or hairpiece of any person; and

(iii) Applying extensions to a person's hair by bonding, sewing, braiding, or any other means.

(b) Nail Technology.

(i) Cutting, trimming, polishing, coloring, cleansing, or otherwise treating nails;

(ii) Applying artificial nails; and

(iii) Massaging, cleansing, stimulating, manipulating, beautifying, applying oils, lotions, or other preparations to a person's hands and arms to the elbows, feet and ankles to the knees, by any means.

(c) Esthetics.

(i) Massaging, cleansing, exfoliating, stimulating, manipulating, beautifying, applying makeup, oils, lotions, or other preparations to the skin using hands, chemicals, mechanical or electrical apparatuses or appliances;

(ii) Removal of superfluous hair by means other than electrolysis and laser;

(iii) Arching or tinting eyebrows, tinting, chemical waving, or applying extensions to eyelashes; and

(iv) Performing extractions of the face using hands, or mechanical or electrical apparatuses or appliances.

(v) Procedures which do not pierce the epidermal layer (outermost layer) of skin are considered noninvasive and are permitted.

(vi) Procedures which pierce the dermal layer (live layer of connective tissues) of the skin are considered invasive and are prohibited.

(vii) Using the term or title of "Medical Esthetician" is not allowed.

(d) Cosmetology.

(i) Encompasses hairstylist, nail technician and esthetics as defined in this chapter, section 6 (a), (b), and (c).

(e) Hairstylist/Wax Technician or Nail/Wax Technician. A licensed Hairstylist or Nail Technician that has completed the additional training and has passed the required examination as required by Chapter 6, Section 6, to acquire the skills to safely remove superfluous hair.

Section 7. Independent Contractor. An individual holding a current cosmetology, hairstylist, nail technician, or esthetician license who is self-employed working within a licensed salon.

Section 8. Unprofessional or Dishonest Conduct. Unprofessional or dishonest conduct pursuant to W.S. 33-12-135 (iii) includes, but is not limited to the following:

(a) Working with an expired or lapsed license is considered non-licensed practice. Any grace period associated with a license is to delay late fee, and does not continue the license.

(b) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice or instruction of cosmetology, nail technology, esthetics, or hair styling.

(c) Misrepresentation or concealment of a material fact in obtaining or renewing a license.

(d) Advertising which is false, fraudulent, or misleading.

(e) Incompetence, negligence, or any practice which results in injury to a patron or which creates an unreasonable risk of harm to a patron.

(f) Suspension, revocation, or restriction of a license by a competent authority in another jurisdiction that also violates Wyoming law.

(g) Unlawful possession, use, or delivery of a controlled substance.

(h) Failure to cooperate with the Board or its agents by:

(i) Not furnishing papers, documents, records, or other items requested;

(ii) Not furnishing a full and complete written explanation in response to any complaint filed with the Board;

(iii) Not responding to a subpoena issued by the Board; or

(iv) Interfering with or refusing access to any Board member, agent, or assistant seeking to perform an inspection.

(i) Failure to comply with any order issued by the Board.

(j) Aiding or abetting the practice of cosmetology, nail technology, esthetics, or hair styling by an unlicensed person.

(k) Practicing beyond the scope of practice authorized by the person's license.

(l) Practicing while suffering from a contagious or infectious disease involving serious risk to patrons.

(m) Promotion for personal gain of any inefficacious product, treatment, or service.

(n) Interference with an investigation or disciplinary proceeding by willfully misrepresenting facts, using threats or harassment against any witness to prevent them from providing evidence in a disciplinary proceeding or other legal action, or using financial inducements to any witness to prevent or attempt to prevent the witness from providing evidence in a disciplinary proceeding or other legal action.

(o) Abuse of a patron or nonconsensual sexual conduct with a patron.

Section 9. Publications. Current licensees will be notified of rule changes by mail. All changes will be available on the Board's official web site and the Board will send the current Rules and Regulations to the licensee upon receipt of a self-addressed stamped #10 envelope.

Section 10. Credit Hours vs. Clock Hours. The Board will recognize a conversion ratio of Thirty (30) clock hours to One (1) credit hour for students transferring to Wyoming to complete their training in cosmetology and related fields. The transferring credit hours must be in the field of cosmetology and have been completed within the five (5) years immediately preceding application.

Chapter 1
GENERAL PROVISIONSGeneral Provisions

Section 1. Authority and Purpose. These rules are adopted by the Wyoming State Board of Cosmetology, hereafter “Board”, pursuant to under the authority granted by W.S. 33-12-123 and 134 ~~in order~~ to assist the Board in performing its responsibilities pursuant ~~to~~ under W.S. 33-12-119 through 140.

Section 2. Disposition of Fees. Under no circumstances will fees be refunded.

Section 3. Correspondence Courses and Apprenticeship Training. Correspondence courses are not recognized by the Board. Apprenticeship training is only recognized if it is a certified program through a State Regulatory Agency. The applicant must submit certification of record from the licensing or state regulatory agency.

Section 4. Display of License, Rules, and Notices. All licensees, including schools, and salons, ~~and independent contractors;~~ shall conspicuously display the appropriate license(s), ~~sanitation rules and regulations,~~ most recent inspection report sheet, infection control, wet disinfection and blood exposure standards, plus pedi spa standards if applicable ~~wet disinfection and blood spill procedures,~~ in an unobstructed location accessible and visible to the consumer, ~~without obstructions.~~

Section 5. Credit Allowed to Barbers.

(a) A barber/stylist licensed in Wyoming who has completed one thousand (1,000) three hundred fifty (350) hours in a board certified school of cosmetology with special focus on esthetics and nail technology qualifies to take the cosmetology examination.

(a)-(b) A barber licensed in Wyoming who has completed six hundred (600) hours in a board certified school of cosmetology with special focus on chemicals, esthetics, and nail technology qualifies to take the cosmetology examination.

Section 6. Definitions; Scope of Practice.

~~(a) “Cosmetologist” means a person who engages in and is licensed to perform services for others for the improvement and beautification of human hair, skin, and nails for cosmetic purposes by using one or more methods or practices including but not limited to:~~

~~(i) Cutting, clipping or trimming hair;~~

~~(ii) Massaging, cleansing, stimulating, manipulating, exercising, beautifying; applying oils, lotions, or other preparations; styling, arranging, dressing, braiding, curling, waving, chemical waving, straightening, singeing, bleaching, tinting, coloring or similar functions, upon the scalp, hair, wig or hairpiece of any person;~~

~~(iii) Applying extensions to a person’s hair by bonding, sewing, braiding, or any other means;~~

~~(iv) Nail Technology; as defined in this chapter; section 6 (d);~~

~~(v) Esthetics; as defined in this chapter; section 6 (f).~~

~~(b) "Hairstylist" means a person who engages in and is licensed to perform services listed in Section 6 (a), (i), (ii) and (iii) for the improvement and beautification of hair and scalp.~~

~~(c) "Hairstylist/Wax" means a person who has completed the hairstylist program and the additional training as required by Chapter 6; Section 5, to acquire the skills to safely remove superfluous hair.~~

~~(d) "Nail Technician" means a person who engages in and is licensed to perform services for others for the improvement and beautification of the hands, arms to the elbows, the feet, and ankles to the knees, for cosmetic purposes by using one or more methods or practices including, but not limited to:~~

~~(i) Cutting, trimming, polishing, coloring, cleansing or otherwise treating nails;~~

~~(ii) Applying artificial nails;~~

~~(iii) Massaging, cleansing, stimulating, manipulating, exercising, beautifying; applying oils, lotions, or other preparations, to a person's hands, arms to the elbows, feet, and ankles to the knees, by any means.~~

~~(e) "Nail/Wax Technician" means a person who has completed the nail technology training and the additional training as required by Chapter 6; Section 5, to acquire the skills to safely remove superfluous hair.~~

~~(i) Beginning March 1, 2011 Nail Technicians will only be allowed to perform services for the removal of superfluous hair if they have completed the additional training required by Chapter 6; Section 5 and have passed the required written and practical exam.~~

~~(f) "Esthetician" means a person who engages in and is licensed to perform services for others for the improvement and beautification of the skin for cosmetic purposes using one or more methods or practices including but not limited to:~~

~~(i) Massaging, cleansing, exfoliating, stimulating, manipulating, exercising, beautifying; applying makeup, oils, lotions, or other preparations using hands, chemicals, mechanical or electrical apparatuses or appliances;~~

~~(ii) Removal of superfluous hair by means other than electrolysis;~~

~~(iii) Arching or tinting eyebrows; tinting, chemical waving, or applying extensions to eyelashes;~~

~~(iv) Performing extractions of the face using hands or mechanical or electrical apparatuses or appliances;~~

~~(v) Using procedures which do not penetrate below the Epidermal layer of the skin are considered non-invasive and are permitted.~~

~~(vi) Procedures which penetrate into the dermal layer of the skin are considered invasive and are prohibited.~~

~~(vii) Using the term or title of "Medical Esthetician" is not allowed.~~

~~(g) "Instructor" means a person who is licensed to instruct students in the study of cosmetology or related fields. An instructor can only instruct within the scope of practice for his/her professional license.~~

~~(h) Cosmetology related fields include hairstylist, esthetics and nail technology.~~

~~(c) "Independent Contractor" is an individual holding a current cosmetology, hairstylist, nail technician, or esthetician, license who is working as a booth renter within a licensed salon. The license for an Independent Contractor is renewable no later than August 31 of each year.~~

Section 6. Scope of Practice.

(a) Hairstyling.

(i) Cutting, clipping, or trimming hair;

(ii) Massaging, cleansing, stimulating, manipulating, beautifying, applying oils, lotions, or other preparations, styling, arranging, dressing, braiding, curling, waving, chemical waving, straightening, singeing, bleaching, tinting, coloring or similar functions, upon the scalp, hair, wigs, or hairpiece of any person; and

(iii) Applying extensions to a person's hair by bonding, sewing, braiding, or any other means.

(b) Nail Technology.

(i) Cutting, trimming, polishing, coloring, cleansing, or otherwise treating nails;

(ii) Applying artificial nails; and

(iii) Massaging, cleansing, stimulating, manipulating, beautifying, applying oils, lotions, or other preparations to a person's hands and arms to the elbows, feet and ankles to the knees, by any means.

(c) Esthetics.

(i) Massaging, cleansing, exfoliating, stimulating, manipulating, beautifying, applying makeup, oils, lotions, or other preparations to the skin using hands, chemicals, mechanical or electrical apparatuses or appliances;

(ii) Removal of superfluous hair by means other than electrolysis or laser;

(iii) Arching or tinting eyebrows, tinting, chemical waving, or applying extensions to eyelashes; and

(iv) Performing extractions of the face using hands, or mechanical or electrical apparatuses or appliances.

~~(v)~~ (v) Procedures which do not pierce the epidermal layer (outermost layer) of skin are considered noninvasive and are permitted.

(vi) Procedures which pierce the dermal layer (live layer of connective tissues) of the skin are considered invasive and are prohibited.

(vii) Using the term or title of "Medical Esthetician" is not allowed.

(d) Cosmetology.

(i) Encompasses hairstylist, nail technician and esthetics as defined in this chapter, section 6 (a), (b), and (c).

(e) Hairstylist/Wax Technician or Nail/Wax Technician. A licensed Hairstylist or Nail Technician that has completed the additional training and has passed the required examination as required by Chapter 6, Section 6, to acquire the skills to safely remove superfluous hair.

Section 7. Independent Contractor.

~~(j)-(a) An individual holding a current cosmetology, hairstylist, nail technician, or esthetician license who is self-employed working within a licensed salon.~~

Section 8. Unprofessional or Dishonest Conduct. Unprofessional or dishonest conduct pursuant to W.S. 33-12-135 (iii) includes, but is not limited to, the following:

~~Section 7.(a) Working with an expired or lapsed license is considered non-licensed practice. Any grace period associated with a license is to delay late fee, and does not continue the license;~~

~~(a)-(b) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice or instruction of cosmetology, nail technology, esthetics, or hair styling;~~

~~(b)-(c) Misrepresentation or concealment of a material fact in obtaining or renewing a license;~~

~~(c)-(d) Advertising which is false, fraudulent, or misleading;~~

~~(d)-(e) Incompetence, negligence, or any practice which results in injury to a patron or which creates an unreasonable risk of harm to a patron;~~

~~(e)-(f) Suspension, revocation, or restriction of a license by a competent authority in another jurisdiction that also violates Wyoming law;~~

~~(f)-(g) Unlawful possession, use, or delivery of a controlled substance;~~

~~(g)-(h) Violation of any state statute or administrative rule relating to the practice of cosmetology, nail technology, esthetics, or hair styling;~~

~~(h)-(i) Failure to cooperate with the Board or its agents by:~~

(i) Not furnishing papers, documents, records, or other items requested;

(ii) Not furnishing a full and complete written explanation in response to any complaint filed with the Board;

(iii) Not responding to a subpoena issued by the Board; and

(iv) Interfering with or refusing access to any Board member, agent, or assistant seeking to ~~inspect~~perform an inspection.

~~(i)-(j) Failure to comply with any order issued by the Board;~~

~~(j)-(k) Aiding or abetting the practice of cosmetology, nail technology, esthetics, or hair styling by an unlicensed person;~~

~~(k)-(l) Practicing beyond the scope of practice authorized by the person's license;~~

~~(l) Fraud or misrepresentation;~~

(m) Practicing while suffering from a contagious or infectious disease involving serious risk to patrons;

(n) Promotion for personal gain of any inefficacious product, treatment, or service;

(o) Interference with an investigation or disciplinary proceeding by willfully ~~misrepresentation~~misrepresenting of facts, ~~the use~~using of threats or harassment against any witness to prevent them from providing evidence in a disciplinary proceeding or other legal action, or ~~by the use of~~using financial inducements to any

witness to prevent or attempt to prevent the witness ~~for~~from providing evidence in a disciplinary proceeding or other legal action;

~~(p) Current misuse of alcohol or controlled substances; and~~

~~(q)~~(p) Abuse of a patron or nonconsensual sexual ~~contract~~conduct with a patron.

~~**Section 8.**~~**Section 9.** Publications. Current licensees will be notified of rule changes by mail, ~~when changes have been made.~~ All changes will be available on the Board's official web site and ~~upon receipt of a self-addressed stamped #10 envelope,~~ the Board will send the current Rules and Regulations to the licensee; upon receipt of a self-addressed stamped #10 envelope. ~~All new applicants for licensure will be provided a copy of the Wyoming Board of Cosmetology Statutes, Rules and Regulations as required in W.S. 33-12-138. Additional Rule books may be purchased from the Board office for the fee set in Chapter 13 of the Boards rules and regulations.~~

~~**Section 9.**~~**Section 10.** Credit Hours vs. Clock Hours. The Board will recognize a conversion ratio of Thirty (30) clock hours to One (1) credit hour for students transferring to Wyoming to complete their training in cosmetology and related fields. The transferring credit hours must be in the field of cosmetology and have been completed within the ~~past~~ five (5) years immediately preceding application.

Chapter 2

Personal Licensing Requirements and Procedures

Section 1. Licensing by Examination.

(a) An applicant who graduated from a cosmetology school with equal or greater hour requirements may apply for licensure by taking the theory and practical examination.

(b) An applicant who is licensed in another state, but has not taken a board administered practical examination may apply for licensure by taking the practical phase of the examination.

(c) Applications for examination shall be submitted to the Board office on the prescribed form accompanied by required documentation and the appropriate fees. Exam applications shall be received in the Board office no later than fifteen (15) days prior to the examination date.

(d) Examinations are administered in English only.

(e) An applicant who fails the examination must retake any phase of the examination failed, applicants must reapply and pay the appropriate fee before retaking the examination.

(f) Any applicant who has failed any phase of an examination and does not pass all phases within one year of failing must retake the entire examination.

Section 2. International Applicants. All international applicants must apply for licensure by examination. In order to qualify to take Wyoming theory and practical exam the applicants must:

(a) Provide the Board with an English translation of all documentation pertaining to his/her training and licensing; and

(b) Apply for the examination in accordance with section 1 (c) through (f) of this chapter.

Section 3. Licensing by Endorsement.

(a) An applicant from another state who meets the requirements of W.S. 33-12-132 who has passed a board administered theory and the practical examination meets the requirements for licensure by endorsement; and

(b) Applications for endorsement shall be submitted to the Board office on the prescribed forms and accompanied by required documentation and appropriate fees.

Chapter 2

LICENSING BY EXAMINATION Personal Licensing Requirements and Procedures

Section 1. Licensing by Examination.~~Application for Examination.~~

(a) An applicant who graduated from a cosmetology school with equal or greater hour requirements may apply for licensure by taking the theory and practical examination.

(b) An applicant who is licensed in another state, but has not taken a board administered practical examination may apply for licensure by taking the practical phase of the examination.

~~**Section 1.**(c) Applications for examination shall be submitted to the Board office on the prescribed form accompanied by required documentation by and the appropriate fees. and Exam applications shall be received in the Board office no later than fifteen (15) days before the prior to the examination date is to be given.~~

~~**Section 2.**(d) Failure to Pass. The examination for licensure is made up of two (2) phases, Theory and Practical.~~

(e) Examinations are administered in English only.

~~(a)-(f) An applicant who fails the examination must retake any phase of the examination failed; applicants must reapply and pay the appropriate fee before retaking the examination.~~

~~(b) Applicants who have failed any phase of an examination must reapply and pay the appropriate fee before retaking the examination;~~

~~(c)-(g) Any applicant who has failed any phase of an examination and does not pass all phases within one year of failing; must retake the entire examination;~~

~~(h) No applicant is entitled to a license until all phases of the examination have been taken and passed.~~

Section 2. International Applicants. All international applicants must apply for licensure by examination. In order to qualify to take Wyoming theory and practical exam the applicants must:

(a) Provide the Board with an English translation of all documentation pertaining to his/her training and licensing; and

~~(d)-(b) Apply for the examination in accordance with section 1 (c) through (f) of this chapter.~~

Section 3. Waiver of Examination~~Licensing by Endorsement.~~

~~(a) An applicant from another state that does not require a board administered practical examination, who has passed the nationally standardized theory examination required in Wyoming, is only required to take the practical phase of the examination.~~

(a) An Applicant from another state who meets the requirements of W.S. 33-12-1302 who has passed both at the same nationally standardized board administered theory and the practical examination given by the Board, meets the requirements for licensure by endorsement.

(b) Applications for endorsement shall be submitted to the Board office on the prescribed forms and accompanied by required documentation and appropriate fees.

~~**Section 4.** When Eligibility is Unclear. If the Board is unable to ascertain from documents submitted by the applicant that the applicant is eligible for examination or licensure, it may require the applicant to provide additional documentation or information deemed necessary to make that decision. Oral interviews may be requested.~~

~~**Section 5.****Section 4.** Notification of Applicants and Right of Appeal. Board approval of the applicant's initial application will be communicated in writing to the applicant along with information and instructions for sitting for the examination. Denial on the basis of initial application materials, including the reasons shall be communicated in writing to the applicant. The applicant shall have the right of reconsideration based on submission of new information and/or an appearance before the Application Review Committee with the opportunity to demonstrate that they meet all the licensure requirements.~~

Chapter 3

Schools

Section 1. Application and License. No person, association, partnership, corporation, or other form of business organization may operate a postsecondary or secondary cosmetology school without first securing a license from the Board.

Section 2. Postsecondary. As used in these regulations, and in application forms issued by the Board, the term “postsecondary” shall mean an institution or school that has certified in its application to the Board that it will only enroll individuals who meet one of the following qualifications;

- (a) Holds a high school diploma;
- (b) Holds a general education development (GED) certification or its equivalent;
- (c) Has completed a home schooling program that meets the requirements of the state in which it occurred and contains at least twelve (12) high school credits; or

(d) Has provided acceptable proof of prior enrollment, commencing at any date prior to July 1, 2012, in a Title IV eligible academic program at a Title IV eligible postsecondary institution. With respect to an institution, “Title IV eligible” shall have the meaning given in 34 C.F.R. § 600.2 as the regulation existed at the time of such prior enrollment, and with respect to an academic program, “Title IV eligible” shall have the meaning given in 34 C.F.R. § 668.8 as the regulation existed at the time of such prior enrollment. The status of being postsecondary is optional, and an applicant may apply to operate a cosmetology school in Wyoming without such status.

Section 3. Secondary. As used in these regulations and in application forms issued by the Board the term “secondary” shall mean an institution or school that has certified on its application to the Board that it is a public or private vocational-technical school.

Section 4. Applications. All applications shall be made on the prescribed form and be accompanied by the appropriate fee. The completed application shall include or be accompanied by the following:

(a) The name of the school, the owner and proprietor, the street address, mailing address if different, and a description of the exact location of the school;

(b) For Cosmetology or Hairstyling. A detailed floor plan of the school building showing a minimum of 2,000 square feet of floor space; the location of separate restrooms

for male and female students; the location of at least one classroom which is separated from the clinic area by walls or partitions; shampoo area; dispensary; entrances and exits; and carpeted areas of floor and location of all equipment required;

(c) For Nail Technician or Esthetics. A detailed floor plan of the school showing a minimum of 1,000 square feet of floor space; the location of separate restrooms for male and female students; the location of at least one classroom that is separated from the clinic area by walls or partitions; a sink area; dispensary; entrance and exits; and locations of all equipment required;

(d) For Nail Technician and Esthetics. A detailed floor plan of the school showing a minimum of 1,500 square feet of floor space; the location of separate restrooms for male and female students; the location of at least one classroom that is separated from the clinic area by walls or partitions; a sink area; dispensary; entrances and exits; and location of all equipment required;

(e) Proof of ownership or a lease agreement covering the premises of the school;

(f) Copies of the school's information brochure, school rules and regulations and policies, and the financial agreements required of students;

(g) A statement that management personnel are knowledgeable about applicable federal, state, and local laws and regulations that apply to the school; and

(h) The names, addresses, and license numbers of all instructors.

Section 5. Inspections. All areas licensed and regulated by the Board shall be open to inspection by authorized representatives of the Board anytime during normal business hours.

Section 6. Premises.

(a) The use of a school as living or sleeping quarters is prohibited. Beds or mattresses are not allowed on the premises.

(b) When a school occupies the same building as another business the school shall be separated from the other areas by a solid partition from floor to ceiling.

(c) Access to a school shall be by means of an outside or separate entrance or from a passageway in a public building. All doors to a school from adjacent areas used for other purposes shall be closeable.

(d) Every school shall provide and maintain two (2) toilets and hand washing facilities for employees, students, and patrons. Restroom facilities shall be convenient and accessible.

(e) All schools shall be adequately heated, lighted, and ventilated.

(f) Walls and ceilings shall be kept clean, painted, or otherwise in good repair. Floors shall be easily cleaned and shall be smooth, washable, and in good repair. Acceptable flooring is a smooth non-porous surfaced material. Carpeting shall be permitted only in the following areas;

(i) Under nail technician stations;

(ii) Esthetics rooms; and

(iii) Reception/drying area.

Section 7. Consideration of Applications. Applications for school licenses are considered by the Board at regularly scheduled meetings. Applicants will be notified of the Board's action by letter.

Section 8. Definitions. The following definitions shall apply throughout these rules:

(a) Clinic area or "floor" is the part of a school where students with more than the minimum basic training and instruction are permitted to provide services for patrons. No student with fewer hours than fifteen (15) percent of the total required hours per their course of study is permitted to practice cosmetology on patrons or clients.

(b) A class consists of lectures, demonstrations, and discussion designed to provide students with a basic understanding of the principals necessary to the practice of cosmetology and related fields.

Section 9. Facility and Equipment Requirements. Each school must provide and maintain no fewer than the following:

(a) Six work stations;

(b) Six styling chairs;

(c) Three shampoo bowls;

- (d) Three shampoo chairs;
- (e) One facial booth or room and one facial chair;
- (f) Three manicure tables;
- (g) Adequate wet disinfectant containers;
- (h) Adequate storage for clean implements;
- (i) One classroom size chalkboard, white board, or screen;
- (j) One anatomical chart showing the nervous, skeletal, circulatory, and vascular systems of the body to be displayed in each classroom;
- (k) One chart showing the structures of the hair, skin, and nails to be displayed in each classroom;
- (l) One mannequin head and hand or finger per cosmetology student, one mannequin head per esthetics student, and one mannequin hand per nail technician student;
- (m) One English dictionary and one medical dictionary;
- (n) An instructor training manual and curriculum lesson plans for student instructor training courses;
- (o) Course outlines and curriculum lesson plans for courses in cosmetology and related fields;
- (p) Two copies of the Wyoming State Board of Cosmetology Law Book in the school's library;
- (q) A copy of the Wyoming State Board of Cosmetology Law Book shall be provided to each student upon enrollment and shall become the student's personal copy;
- (r) A seal bearing the name of the school shall be impressed on all official documents such as diplomas;

(s) Diplomas shall be delivered to students who complete the prescribed course of study and shall bear the name of the school, the school seal, date of completion, the student's name, and instructor signature(s);

(t) A locking file cabinet for safeguarding student files and records;

(u) A conspicuous sign posted at the school entrance bearing the words "beauty school" or "cosmetology school" and a sign with the words "student work only" posted in plain sight in the clinic area;

(v) Schools designated as nail technician schools must provide all the facility and equipment items in this section except those in subsections (a), (b), (c), (d), and (e);

(w) Schools designated as esthetics schools must provide all of the above facility and equipment items excluding (a), (b), (c), (d), and (f) ; and

(x) Schools designated as hairstyling schools must provide all of the above facility and equipment items excluding (e) and (f).

Section 10. Distance Learning. When distance learning is offered by the school, it must be approved by the Board before implementation. Adequate school records must be kept and provided to the Board monthly.

Section 11. Advertising. All advertising for a school shall clearly denote that the establishment is a school of cosmetology and that all services are provided by students.

Section 12. School Closing. If a school ceases its operation or is sold as a school the Board shall be immediately notified and all records of instruction for all students attending the school at or before the time of its closing or transfer must be filed with the Board within ten (10) days.

Section 13. School License Renewal. All school licenses expire on December 31st of each year. Failure to renew the license on or before the expiration date shall result in a late fee. A license that has been expired less than ninety (90) days may be renewed. An applicant for renewal of a School license that has been expired for more than ninety (90) days must apply for an original license and meet the current requirements and submit current fees.

Section 14. Annual Records Update. Each school shall submit updated copies of items listed in Section 4 (e), (f), (g), and (h) to the Board at the beginning of each year.

Section 15. Schools Licensed as a Salon. If a school is also licensed as a salon, professional practice is only allowed when the school is closed and no students are present.

Chapter 3 SCHOOLSchools

Section 1. Application and License. No person, association, partnership, corporation, or other form of business organization may operate a postsecondary or secondary cosmetology school without first securing a license from the Board. ~~Applications shall be made on the prescribed form and be accompanied by the appropriate fee. The completed application shall include or be accompanied by the following information:~~

Section 2. Postsecondary. As used in these regulations, and in application forms issued by the Board, the term “postsecondary” shall mean an institution or school that has certified in its application to the Board that it will only enroll individuals who meet one of the following qualifications;

- (a) Holds a high school diploma;
- (b) Holds a general education development (GED) certification or its equivalent;
- (c) Has completed a home schooling program that meets the requirements of the state in which it occurred and contains at least twelve (12) high school credits; or
- (d) Has provided acceptable proof of prior enrollment, commencing at any date prior to July 1, 2012, in a Title IV eligible academic program at a Title IV eligible postsecondary institution. With respect to an institution, “Title IV eligible” shall have the meaning given in 34 C.F.R. § 600.2 as the regulation existed at the time of such prior enrollment, and with respect to an academic program, “Title IV eligible” shall have the meaning given in 34 C.F.R. § 668.8 as the regulation existed at the time of such prior enrollment. The status of being postsecondary is optional, and an applicant may apply to operate a cosmetology school in Wyoming without such status.

Section 3. Secondary. As used in these regulations and in application forms issued by the Board the term “secondary” shall mean an institution or school that has certified on its application to the Board that it is a public or private vocational-technical school.

~~Section 1.~~**Section 4.** Applications. All applications shall be made on the prescribed form and be accompanied by the appropriate fee. The completed application shall include or be accompanied by the following:

- (a) The name of the school, the owner and proprietor, the street address, mailing address if different, and a description of the exact location of the school;
- (b) For Cosmetology or Hairstyling. A detailed floor plan of the school building showing a minimum of 2,000 square feet of floor space; the location of separate restrooms for male and female students; the location of at least one classroom which is separated from the clinic area by walls or partitions; ~~the~~ shampoo area; dispensary; entrances and exits; and carpeted areas of floor and location of all equipment required;
- (c) For Nail Technician or Esthetics. A detailed floor plan of the school showing a minimum of 1,000 square feet of floor space; the location of separate restrooms for male and female students; the location of at least one classroom ~~which that~~ is separated from the clinic area by walls or partitions; a sink area; dispensary; entrance and exits; and locations of all equipment required;

(d) For Nail Technician and Esthetics. A detailed floor plan of the school showing a minimum of 1,500 square feet of floor space; the location of separate restrooms for male and female students; the location of at least one classroom ~~which that~~ is separated from the clinic area by walls or partitions; a sink area; dispensary; entrances and exits; and location of all equipment required;

(e) Proof of ownership or a lease agreement covering the premises of the school;

(f) Copies of the school's information brochure, school rules and regulations and policies, and the financial agreements required of students;

(g) A statement that management personnel are knowledgeable about applicable federal, state, and local laws and regulations ~~which that may~~ apply to the school; and

(h) The names, addresses, and license numbers of all instructors.

Section 5. Inspections. All areas licensed and regulated by the Board shall be open to inspection by authorized representatives of the Board anytime during normal business hours.

Section 6. Premises.

(a) The use of a school as living or sleeping quarters is prohibited. Beds or mattresses are not allowed on the premises.

(b) When a school occupies the same building as another business the school shall be separated from the other areas by a solid partition from floor to ceiling.

(c) Access to a school shall be by means of an outside or separate entrance or from a passageway in a public building. All doors to a school from adjacent areas used for other purposes shall be closeable.

(d) Every school shall provide and maintain two (2) toilets and hand washing facilities for employees, students, and patrons. Restroom facilities shall be convenient and accessible.

(e) All schools shall be adequately heated, lighted, and ventilated.

(f) Walls and ceilings shall be kept clean, painted, or otherwise in good repair. Floors shall be easily cleaned and shall be smooth, washable, and in good repair. Acceptable flooring is a smooth non-porous surfaced material. Carpeting shall be permitted only in the following areas;

(i) Under nail technician stations;

(ii) Esthetics rooms; and

~~(h)~~ (iii) Reception/drying area.

~~**Section 2.**~~ **Section 7.** Consideration of Applications. Applications for school licenses are considered by the Board at regularly scheduled meetings. Applicants will be notified of the Board's action by letter.

~~**Section 3.**~~ **Section 8.** Definitions. The following definitions shall apply throughout these rules:

~~(a) A student is a person enrolled in a school for cosmetologist, nail technician, esthetician, hairstylist or instructor training;~~

~~(b)~~ (a) Clinic area or "floor" is the part of a school where students with more than the minimum basic training and instruction ~~required below~~ are permitted to provide services for patrons. No student with fewer hours than fifteen (15) percent of the total

required hours per their course of study is permitted to practice cosmetology on patrons or clients.~~Hours required to work in clinic area;~~

- ~~(i) Cosmetologist, 300 hours;~~
- ~~(ii) Hairstylist, 200 hours;~~
- ~~(iii) Nail Technician, 50 hours;~~
- ~~(iv) Esthetician, 100 hours;~~
- ~~(v) (i) Hairstylist/Nail Technician Wax Training, 10 hours.~~

~~(c) A patron is a customer in a school or elsewhere who comes primarily for his own benefit. He remains a patron even when the customary fee for services is waived;~~

~~(d) Models are volunteers who may be utilized in class for the demonstration and practice of various procedures. Models do not pay for the services rendered and come to the school primarily to aid the school and the student. Students with less than the required basic training and instruction may practice on models only under the direct supervision of an instructor;~~

~~(e) (b) A class consists of lectures, demonstrations, and discussion designed to provide students with a basic understanding of the principals necessary to the practice of cosmetology and related fields;~~

~~(f) A cosmetologist is a person who engages in the improvement and beautification of the human hair, skin and nails for cosmetic purposes;~~

~~(g) A hairstylist is a cosmetologist whose practice is limited to hair care only;~~

~~(h) A nail technician is a cosmetologist whose practice is limited to the beautification of the hands and feet as defined in Chapter 1, Section 6 (d), including the application and care of any type of artificial nail or nail extension;~~

~~(i) An esthetician is a cosmetologist whose practice is limited to the care and beautification of the skin as defined in Chapter 1 Section 6 (f);~~

~~(j) An hairstylist or nail technician with wax training is a cosmetologist whose practice is defined in Chapter 1 Section 6 (b) or (d) who has additional training in the temporary removal of superfluous hair;~~

~~(k) An instructor means a person licensed to instruct students in the study of cosmetology or related fields in a school of cosmetology. Instructors can only instruct in the scope of practice of his/her professional license.~~

Section 4. Section 9. Facility and Equipment Requirements. Each school must provide and maintain no fewer than the following:

- ~~(a) Three chair style hair dryers;~~
- ~~(b) (a) Six work stations;~~
- ~~(c) (b) Six styling chairs;~~
- ~~(d) (c) Three shampoo bowls;~~
- ~~(e) (d) Three shampoo chairs;~~
- ~~(f) (e) One facial booth or room and one facial chair;~~
- ~~(g) (f) Three manicure tables;~~
- (g) Adequate wet and dry disinfectant containers;
- (h) Adequate storage for clean implements;
- ~~(h)–~~

- (i) One classroom size chalkboard, white board, or screen;
- (j) One anatomical chart showing the nervous, skeletal, circulatory, and vascular systems of the body, ~~and to be~~ displayed in each classroom;
- (k) One chart showing the structures of the hair, ~~and skin, and nails which must be~~ to be displayed in ~~all~~each classrooms;
- (l) One mannequin head, and hand or finger ~~for~~per cosmetology student, one mannequin head ~~for~~per esthetics per esthetics student, and one mannequin hand ~~for~~per nail technicians student ~~per each student~~;
- (m) One English dictionary and one medical dictionary;
- (n) An instructor training manual and curriculum lesson plans for student instructor training courses;
- (o) Course outlines and curriculum lesson plans for courses in cosmetology and related fields;
- (p) Two copies of the Wyoming State Board of Cosmetology Law Book ~~to be kept~~ in the school's library;
- (q) A copy of the Wyoming State Board of Cosmetology Law Book shall be provided ~~for~~to each student upon enrollment and shall become the student's personal copy;
- (r) A seal bearing the name of the school ~~which~~ shall be impressed on all official documents such as diplomas;
- (s) ~~Diplomas, which are to~~ Diplomas shall be delivered to students ~~upon their~~who complete ~~ion of~~ the prescribed course of study and shall bear the name of the school, the school seal, date of completion, the student's name, and instructor signature(s);
- (t) A locking file cabinet for safeguarding student files and records;
- (u) A conspicuous sign posted at the school entrance bearing the words "beauty school" or "cosmetology school" and a sign with the words "student work only" posted in plain sight in the clinic area;
- (v) Schools designated as nail technician schools must provide all ~~of the above~~ facility and equipment items, in this section except those in subsections (a), (b), (c), (d), and (e), and (f) are not required;
- (w) Schools designated as esthetics schools must provide all of the above facility and equipment ~~items, items excluding (a), (b), (c), (d), (e), and (f) are not required~~; and
- (x) Schools designated as hairstyling schools must provide all of the above facility and equipment items, excluding (f)(e) and (g)(f) are not required.

Section 10. Distance Learning.

~~(*)~~ (a) When distance learning is offered by the school, it must be approved by the Board before implementation. Adequate school records must be kept and provided to the Board monthly.

~~Section 5.~~ **Section 11.** Advertising. All advertising for a school shall clearly denote that the establishment is a school of cosmetology and that all services are provided by students.

~~Section 6.~~ **Section 12.** School Closing. If a school ceases its operation or is sold as a school ~~to another party~~, the Board shall be immediately notified and all records of

instruction for all students attending the school at/or before the time of its closing or transfer must be filed with the Board within ten (10) days.

~~Section 7.~~**Section 13.** School License Renewal. ~~Each school license shall be renewed on a yearly basis.~~All school licenses expire on December 31st of each year. no later than December 31, of each year. Failure to renew the license on or before the expiration date shall result in a late fee. A license that has been expired less than ninety (90) days may be renewed. An applicant for renewal of a School license that has been expired for more than ninety (90) days must apply for an original license and meet the current requirements and submit current fees.

Section 14. Annual Records Update. ~~At the beginning of each year, e~~Each school shall submit, updated copies of items listed in Section 14, (e), (f), (g), and (h) to the Board at the beginning of each year.

~~Section 8.~~**Section 15.** Schools Licensed as a Salon. If a school is also licensed as a salon, professional practice is only allowed when the school is closed and no students are present.

Chapter 4

Instructor Licensing and Requirements

Section 1. Instructor License.

(a) Licensing by examination:

(i) Applicant shall meet all requirements set forth in chapter 5, section 3 (a) through (d); and

(ii) Graduated from an instructor program with equal or greater hour requirements as set forth in chapter 6, section 7; or

(iii) Have equal or greater study in teaching from outside a cosmetology school; or

(iv) A combination of training and work history that is equal or greater to the requirements set forth in chapter 6, section 7; and

(v) Submit an application for examination on the prescribed form accompanied by required documentation and appropriate fees, received no later than fifteen (15) days prior to the examination date.

(b) Licensing by endorsement:

(i) Applicant shall meet the requirements in this chapter, section 1 (a);

(ii) Passed a board administered theory and practical examination; and

(iii) Submit an application for endorsement on the prescribed forms accompanied by required documentation and appropriate fees.

Section 2. Instructor/Student Ratio.

(a) At least one licensed instructor must be present on the school premises at all times students are present. There shall be no more than twenty (20) students present per instructor. Of the twenty (20) students permitted per instructor, no more than three (3) shall be student instructors. Instruction for student instructors is a separate course.

(b) If the school has a total enrollment of twelve (12) students or less, one instructor may instruct two (2) separate courses. If a third course is offered a separate instructor is required. Hairstyling students are included in the total number of cosmetology students. If the school has a total enrollment of thirteen (13) students or more, a separate instructor is required for each course.

Section 3. Practice by Instructors.

(a) No one actively engaged as an instructor of cosmetology shall practice cosmetology in the school except as necessary for instructional purposes. Practice in a salon on one's own time is not prohibited.

(b) Instructors may only instruct in the field of their professional license.

Chapter 4
INSTRUCTORS Instructor Licensing and Requirements

Section 1. Instructor License.

(a) Licensing by examination:

(i) Applicant shall meet all requirements set forth in chapter 5, section 3 (a) through (d) and;

(ii) Graduated from an instructor program with equal or greater hour requirements as set forth in chapter 6, section 7; or

(iii) Have equal or greater study in teaching from outside a cosmetology school; or

(iv) A combination of training and work history that is equal or greater to the requirements set forth in chapter 6, section 7; and

(v) Submit an application for examination on the prescribed form accompanied by required documentation and appropriate fees, received no later than fifteen (15) days prior to the examination date.

(b) Licensing by endorsement:

(i) Applicant shall meet the requirements in this chapter, section 1 (a);

(ii) Passed a board administered theory and practical examination; and

(iii) Submit an application for endorsement on the prescribed forms accompanied by required documentation and appropriate fees.

Section 1. Section 2. Instructor/Student Ratio. At least one licensed instructor must be present on the school premises at all times students are present. There shall be no more than twenty (20) students present ~~for each~~ per instructor. Of the twenty (20) students permitted per instructor, no more than three (3) shall be student instructors. Instruction for student instructors is a separate course.

~~(a) If, in addition to the full cosmetology course, a school offers separate nail technology and/or esthetics courses, one additional instructor is required for each separate course offered;~~

~~(b)~~ **(a)** If the school has a total enrollment of twelve (12) students or less, one instructor may instruct two (2) separate courses. If a third course is offered a separate instructor is required. Hairstyling students are included in the total number of cosmetology students. **If the school has a total enrollment of thirteen (13) students or more, a separate instructor is required for each course.**

~~(c)~~ ~~(b)~~ **If the school has a total enrollment of thirteen (13) students or more, a separate instructor is required for each course.**

Section 3. Practice by Instructors.

(a) No one actively engaged as an instructor of cosmetology shall practice cosmetology in the school except as ~~is absolutely~~ necessary for instructional purposes. Practice in a salon on one's own time is not prohibited.

Section 2. (b) **Instructors may only instruct in the field of their professional license.**

Chapter 5

Student and Student Instructors

Section 1. Student Qualifications. Students enrolled in any course in cosmetology or a related field must be at least sixteen (16) years of age and have received at least a tenth grade education or its equivalent.

Section 2. Enrollment Reports. Within ten (10) days of the date of enrollment the school shall submit the original Board approved enrollment report to the Board office, and include the following:

- (a) Name and address of the school;
- (b) Name, date of birth, and address of the student;
- (c) Date student will commence training;
- (d) Signatures of student and registrar;
- (e) Proof of lawful presence in the United States;
- (f) Government issued picture I.D.;
- (g) Social security number;
- (h) Proof that the student completed the tenth grade or its equivalent; and
- (i) Student hours will not be recorded at the Board office until the completed enrollment form (including all supporting documents) have been received.

Section 3. Student Instructor Qualifications. Students must meet the following qualifications before enrolling in a school's instructor training course:

- (a) Have a high school diploma or its equivalent;
- (b) Be at least eighteen (18) years of age;
- (c) Have a Wyoming license in cosmetology or related field; and

(d) Have practiced cosmetology or a related field in a salon for at least fifty (50) weeks with no less than thirty six (36) hour per week within the last five (5) years immediately preceding enrollment.

Section 4. Student Instructor Enrollment. Within ten (10) days of the date of enrollment the school shall submit the original Board approved enrollment report to the Board office and include the following:

(a) Refer to section 2 of this chapter (b) through (h);

(b) Proof of high school graduation or equivalency certificate; and

(c) Proof of work experience as required in Section 3 (d) of this chapter. Proof shall be by notarized statement(s) of employer(s).

(d) Student instructor hours will not be recorded at the Board office until the completed enrollment form (including all supporting documents) has been received.

Section 5. Supervision of Students and Student Instructors. All students and student instructors shall be under the supervision of a licensed instructor throughout the entire course of instruction.

Section 6. Student Records and Reports

(a) Each school shall keep a daily record of every student's activities that shall be signed by an instructor each day the student attends school. Daily student records are to be kept on the school premises at all times.

(b) On or before the tenth (10th) day of each month, all schools shall report the actual number of instruction and practice hours each student acquired during the previous month to the Board office. The school shall also report any student who is in arrears of tuition by submitting a statement of the arrearage signed by the student and a school representative. The school shall notify the Board office upon settlement of tuition that the hours are no longer to be held. The Board will not approve transfer of any student hours without first confirming with the school that all tuition has been paid.

(c) All records and reports shall be made on forms approved by the Board and furnished by the school and shall be made in triplicate: the school shall send the original report to the Board, one copy to the student, and retain one copy. Reports shall be signed by the student and an instructor.

Section 7. Transfers.

(a) Students may transfer from one school to another upon notification to the Board.

(b) Transfer students from licensed schools in other states or foreign countries having comparable requirements to those of Wyoming will be granted credit for the hours of instruction completed, provided the hours were earned less than five (5) years before transferring. Students must provide the Board certification of hours from the states or country's governing board or licensing agency. If hours cannot be certified by the state or licensing agency, certification must be provided by the school. Hours certified by a school must be on school letter and notarized. The school must also provide documentation that they are a licensed or authorized facility of the state.

Section 8. Withdrawals. The school shall submit the required documentation to the Board within five (5) days of a student's withdrawal from school.

Section 9. Reentry.

(a) Reentering students shall be enrolled in accordance with sections 2 and 4 of this chapter.

(b) Credit for previously earned hours will not be granted to students who have interrupted their studies for a period of five (5) years or more and they shall complete the full hours required to complete the specific course they have enrolled in.

Section 10. Student Practice. No Student with fewer hours than designated in chapter 3, section 8 (a) shall be permitted to practice cosmetology or related fields on patrons and no student instructor shall practice cosmetology or related fields in the school except as necessary for instructional purposes.

Chapter 5

STUDENT AND STUDENT INSTRUCTORS Student and Student Instructors

Section 1. Student Qualifications. Students enrolled in any course in cosmetology or a related field must be at least sixteen (16) years ~~old~~ of age and have received at least a tenth grade education or its equivalent.

Section 2. Enrollment Reports.

~~**Section 2.**(a) Within ten (10) days of the date of enrollment any student enrolls, the school shall submit the original Board approved enrollment report to the Board office, on forms approved by the Board, which shall~~ and include the following information:

- ~~(a) The name and address of the school;~~
- ~~(b) The name and address of the student;~~
- ~~(c) The date student will commence training;~~
- ~~(d) Student's date of birth;~~
- ~~(e) Proof of completion of tenth grade or its equivalent;~~
- ~~(f) Signatures of student and registrar;~~
- ~~(g) Proof of Lawful Presence;~~
- ~~(h) Copy of government issued picture I.D.;~~
- ~~(i) Social Security Number.~~

(b) Name and address of the school;

(c) Name, date of birth, and address of the student;

(d) Date student will commence training;

(e) Signatures of student and registrar;

(f) Proof of lawful presence in the United States;

(g) Government issued picture I.D.;

(h) Social security number;

(i) Proof that the student completed the tenth grade or its equivalent; and

~~(i)-(j) Student hours will not be recorded at the Board office until the completed enrollment form (including all supporting documents) ~~has~~ have been received.~~

Section 3. Student Instructor Qualifications. Students must meet the following qualifications ~~Prior before~~ to enrollment in a school's instructor training course; ~~students must have either graduated from high school or received an equivalency certificate, and be at least 18 years of age; must have obtained a Wyoming license in cosmetology or related field; and must have practiced cosmetology or a related field in a salon for at least fifty (50) weeks with no less than thirty six (36) hours practice per week.~~

(a) Have a high school diploma or its equivalent;

(b) Be at least eighteen (18) years of age;

(c) Have a Wyoming license in cosmetology or related field; and

~~**Section 3.**(d) Have practiced cosmetology or a related field in a salon for at least fifty (50) weeks with no less than thirty six (36) hour per week within the last five (5) years immediately proceeding enrollment.~~

Section 4. Student Instructor Enrollment.

Section 4. ~~(a)~~ Within ten (10) days of the date of enrollment ~~any student instructor enrolls,~~ the school shall submit the original Board approved enrollment report to the Board, Board office on forms approved by the Board, ~~and which shall~~ include the following information:

~~(a) The name and address of the school;~~

~~(b) The name and address of the student instructor;~~

~~(c) The date student will commence training;~~

~~(d) Student's date of birth;~~

~~(e) Proof of high school graduation or equivalency certificate;~~

~~(f) Copy of government issued picture I.D.;~~

~~(g) Signatures of the student and registrar;~~

(b) Refer to section 2 of this chapter (b) through (h);

(c) Proof of high school graduation or equivalency certificate; and

(d) Proof of work experience as required in Section 3 (d) of this chapter. Proof shall be by notarized statement(s) of employer(s).

~~(h)-(e)~~ Student instructor hours will not be recorded at the Board office until the completed enrollment form (including all supporting documents) has been received.

Section 5. Supervision of Students and Student Instructors, ~~to be Supervised.~~ All students and student instructors shall be under the supervision of a licensed instructor throughout the entire course of instruction.

Section 6. Student Records and Reports

(a) Each school shall keep a daily record of every student's activities ~~which that~~ shall be signed by an instructor each day the student attends school. Daily student records are to be kept on the school premises at all times.

(b) On or before the tenth (10th) day of ~~every~~ each month, ~~each~~ all schools shall report the actual number of instruction and practice hours ~~of instruction and practice~~ each student acquired during the previous month to the Board. The school shall also report any student who is in arrears of tuition by submitting a statement of the arrearage signed by the student and a school representative. The school shall notify the Board office upon settlement of tuition that the hours are no longer to be held. The Board will not approve transfer of any student hours without first confirming with the school that all tuition has been paid. ~~The actual number of performance credits shall be reported to the Board monthly.~~

(c) All records and reports shall be made on forms approved by the Board and furnished by the school and shall be made in triplicate; the school shall send the original report sent to the Board, one copy to the student, and retain one copy. ~~one copy retained by the school.~~ Reports shall be signed by the student and an instructor.

~~(d) Schools are required to submit the report required by subsection (b) of this section for students who are in arrears in the payment of tuition at the time such report is due. The school shall submit a statement of the arrearage signed by the student and the school owner or representative. Immediately upon settlement of the tuition arrearage by the student, the school shall submit notification that the hours are no longer to be held to the Board. The Board will not approve transfer of any student~~

~~hours to another school or for an out of state transfer without first confirming with the school that all tuition has been paid.~~

Section 7. Transfers.

(a) Students may transfer from one school to another upon notification to the Board.

(b) Transfer students from licensed schools in other states or foreign countries having comparable requirements to those of Wyoming will be granted credit for the hours of instruction completed, provided the hours were earned less than five (5) years before transferring, upon furnishing Students must provide the Board certification of hours from the ~~state's~~ states or country's governing board or licensing agency, If hours cannot be certified by the state or licensing agency, certification must be provided by the school. Hours certified by a school must be on school letter and notarized. The school must also provide documentation that they are a licensed or authorized facility of the state, provided the hours were earned less than five (5) years before transferring.

Section 8. Withdrawals. The school shall submit the required documentation to the Board ~~Within five (5) days of a student's withdrawal from school, the school shall so notify the Board.~~

Section 9. Reentry.

(a) Reentering students shall be enrolled in accordance with ~~as provided for in~~ Sections 2 and 4 of this chapter.

(b) Credit for previously earned hours will not be granted to students who have interrupted their studies for a period of five (5) years or more and they shall complete the full hours required to complete the specific course they have enrolled in.

Section 10. Student Practice.

(a) No Student with fewer hours than designated in ~~Chapter 3, Section 38~~ Chapter 3, Section 38 (a) shall be permitted to practice cosmetology or related fields on patrons and no student instructor shall practice cosmetology or related fields in the school except as ~~is~~ absolutely necessary for instructional purposes.

~~(b) Students who have satisfactorily completed the basic training and educational requirements of Chapter 3, Section 3 (b), may practice cosmetology or related fields on patrons under the direct supervision of an instructor in a school as part of their course of instruction.~~

Chapter 6 Course of Study

Section 1. General Infection Control and Professional Standards. All cosmetology, hairstylist, nail technology, and esthetics courses will require one hundred (100) hours of course study in the following subjects:

- (a) Professional development;
- (b) Effective communication;
- (c) Human relations;
- (d) Business management/ownership;
- (e) State law;
- (f) Infection control in a licensed facility;
- (g) Infection control standards and guidelines;
- (h) Infection control for implements and equipment;
- (i) First aid; and
- (j) Blood exposure standards.

Section 2. Course of Study for Cosmetology Students. The cosmetology program of all schools shall include no less than eight (8) months of study and no less than sixteen hundred (1600) hours of instruction.

(a) One thousand five hundred (1500) hours shall consist of the following:

(i) The science of cosmetology, hair, skin and nails, two hundred (200) hours of theory work, and ninety (90) hours of practical work. In this section students will learn:

- (A)** Health, safety and infection control;
- (B)** General anatomy and physiology;

- (C)** Skin diseases, disorders and structure;
- (D)** Properties of the hair and scalp;
- (E)** Nail structure, growth, diseases, and disorder;
- (F)** Product chemistry;
- (G)** Basic nutrition;
- (H)** Basics of chemistry; and
- (I)** Basics of electricity.

(ii) General cosmetology, twenty (20) hours of theory work, and four hundred eighty (480) hours of practical work. In this section the students will learn:

- (A)** Principles of hair design;
- (B)** Scalp care, shampooing, and conditioning;
- (C)** Haircutting;
- (D)** Hairstyling;
- (E)** Braiding and extensions; and
- (F)** Wigs and hair additions.

(iii) Chemical services, seventy five (75) hours of theory work, and one hundred seventy five (175) hours of practical work. In this section students will learn:

- (A)** Chemical texture services; and
- (B)** Hair coloring.

(iv) Skin sciences, fifty (50) hours of theory work, and twenty (20) hours of practical work. In this section the students will learn:

- (A)** Physiology and histology of the skin;
- (B)** Skin analysis; and
- (C)** Skin care products: chemistry, ingredients, and selection.

(v) General esthetics, thirty (30) hours of theory work, and one hundred fifty (150) hours of practical work. In this section students will learn:

- (A)** The treatment room;
- (B)** Basic facial;
- (C)** Facial massage;
- (D)** Hair removal;
- (E)** Advanced topics and treatments; and
- (F)** Makeup.

(vi) General nail technology, fifteen (15) hours of theory work, and seventy five (75) hours of practical work. In this section the students will learn:

- (A)** Pre and post service procedures;
- (B)** Performing basic manicures and pedicures;
- (C)** Hand, arm, foot, and leg message;
- (D)** Wraps, tips, and paraffin wax treatments; and
- (E)** Polishing, UV gel, and design.

(vii) The art of nail technology, twenty (20) hours of theory work, and one hundred (100) hours of practical work. In this section the students will learn:

- (A)** Electric filing;

(B) Nail tips and wraps;

(C) Monomer liquid and polymer powder nail enhancement;

(D) UV gels; and

(E) Creative design.

Section 3. Course of Study for Hairstyling Students. The hairstylist program of all schools shall include no less than six (6) months of study and no less than one thousand (1000) hours of instruction.

(a) Nine hundred (900) hours shall consist of the following:

(i) The science of hairstyling, one hundred ten (110) hours in theory work, and forty (40) hours in practical work, in this section students will learn:

(A) Health, safety, and infection control, specifically for hairstyling;

(B) General anatomy and physiology;

(C) Skin diseases, disorders, and structure;

(D) Properties of the hair and scalp;

(E) Basics of chemistry; and

(F) Basics of electricity.

(ii) General cosmetology, twenty (20) hours of theory work, and four hundred eighty (480) hours of practical work. In this section the students will learn:

(A) Principles of hair design;

(B) Scalp care, shampooing, and conditioning;

(C) Haircutting;

(D) Hairstyling;

(E) Braiding and extensions; and

(F) Wigs and hair additions.

(iii) Chemical services, seventy five (75) hours of theory work, and one hundred seventy five (175) hours of practical work. In this section students will learn:

(A) Chemical texture services; and

(B) Hair coloring.

Section 4. Course of Study for Nail Technician Students. The nail technician program of all schools shall include no less than four hundred (400) hours of instruction.

(a) Three hundred (300) hours shall consist of the following:

(i) The science of nail technology, thirty (30) hours of theory work, and ten (10) hours of practical work. In this section students will learn:

(A) Health, safety, and infection control, specifically for nail technology;

(B) General anatomy and physiology;

(C) Skin structure and growth;

(D) Nail structure and growth;

(E) Nail diseases and disorders;

(F) Basics of chemistry;

(G) Nail product chemistry; and

(H) Electricity.

(ii) General nail technology, ten (10) hours of theory work, and one hundred (100) hours of practical work. In this section students will learn:

- (A) Pre and post service procedures;
- (B) Handling and exposure incidents;
- (C) Performing basic manicures and pedicures;
- (D) Hand, arm, foot and leg massage;
- (E) Wraps, tips, and paraffin wax treatments; and
- (F) Polishing, UV gel, and design.

(iii) The art of nail technology, ten (10) hours of theory work, and one hundred forty (140) hours of practical work. In this section the students will learn:

- (A) Advanced manicuring and pedicuring;
- (B) Electric filing;
- (C) Nail tips and wraps;
- (D) Monomer liquid and polymer powder nail enhancements;
- (E) UV gels; and
- (F) Creative design.

Section 5. Course of Study for Esthetician Students. The esthetics program for all schools shall include no less than six hundred (600) hours of instruction.

(a) Five hundred (500) hours shall consist of the following:

(i) The science of esthetics, seventy (70) hours of theory work, and twenty (20) hours of practical work. In this section the students will learn:

- (A) Health, safety, and infection control, specifically for esthetics;
- (B) General anatomy and physiology;

(C) Basics of chemistry;

(D) Basics of electricity; and

(E) Basics of nutrition.

(ii) Skin sciences, twenty (20) hours of theory work, and one hundred (100) hours of practical work. In this section the students will learn:

(A) Physiology and histology of the skin;

(B) Disorders and diseases of the skin;

(A) Skin analysis; and

(B) Skin care products: chemistry, ingredients, and selection.

(iii) General esthetics, ten (10) hours of theory work, and two hundred eighty (280) hours of practical work. In this section students will learn:

(A) The treatment room;

(B) Basic Facial;

(C) Facial massage;

(D) Hair removal;

(E) Advanced topics, and treatments; and

(F) Makeup.

Section 6. Course Study for Licensed Hairstylist and Nail Technicians to acquire training in the removal of superfluous hair. The hair removal program of all schools shall include no less than one hundred twenty-five (125) hours of instruction.

(a) One hundred twenty (125) hours shall consist of the following:

(ii) General infection control, ten (10) hours of theory work. In this section the students will recap:

- (A) Health, safety, and infection control;
- (B) Infection control in the licensed facility;
- (C) First aid; and
- (D) Blood exposure standards.

(iii) The science of waxing, thirty five (35) hours of theory work, and eight (80) hours of practical work. In this section the students will learn:

- (A) Pre and post services;
- (B) Application of hair removal;
- (C) Types of hair removal;
- (D) Analysis; and
- (E) Anatomy and physiology.

Section 7. Course of Study for Student Instructors. The instructor program for all schools shall include no less than five hundred (500) hours of instruction. No more than one hundred (100) hours may be acquired through distance learning. Distance learning programs shall be approved by the Board prior to implementation and adequate records must be kept by the school and provided to the Board.

(b) Five hundred (500) hours shall consist of the following:

(i) General professional standards, one hundred fifty (150) hours of theory work. In this section the students will learn:

- (A) Health, safety, and infection control;
- (B) Introduction to teaching;
- (C) Ethics of personality development;

(D) Laws and rules governing cosmetology;

(E) Student supervision; and

(F) Record keeping.

(ii) The science of teaching, one hundred fifty (150) hours of theory work, and two hundred (200) hours of practical work. In this section the students will learn:

(A) Lesson plans;

(B) Use of audio and visual teaching aids and tools;

(C) Test construction and analysis;

(D) Theory class lectures;

(E) Performance, class demonstrations; and

(F) Student supervision (no more than 100 hours).

Section 8. Hours outside of school premises. If any hours are accomplished outside the school premises, they must be acquired under the supervision or guidance of an instructor and be relevant to the course of study. Supporting documentation must be made available if requested by the Board.

Section 9. Client protection. Proper infection control standards should be taught and utilized throughout all educational courses in accordance with Wyoming law and the manufacturer's directions.

Section 10. Credits Allowed When Transferring from One Course to Another. A student registered for a hairstyling, nail technician, or esthetician course, or a licensed hairstylist, nail technician, or esthetician may transfer to or enroll in a full cosmetologist course with full credit of the applicable hours. A student enrolled as a cosmetology student may transfer only course specific hours to hairstyling, nail technology, or esthetics courses and the transfer hours shall be approved by the Board.

Chapter 6
~~COURSE OF STUDY~~Course of Study

Section 1. General Infection Control and Professional Standards. All cosmetology, hairstylist, nail technology, and esthetics courses will require one hundred (100) hours of course study in the following subjects:

- (a) Professional development;
- (b) Effective communication;
- (c) Human relations;
- (d) Business management/ownership;
- (e) State law;
- (f) Infection control in a licensed facility;
- (g) Infection control standards and guidelines;
- (h) Infection control for implements and equipment;
- (i) First aid; and
- (j) Blood exposure standards.

~~Section 1.~~**Section 2. Course of Study for Cosmetology Students.** The educational cosmetology program of all schools shall include no less than ten and one half (10 1/2) months of study and no less than two thousand sixteen hundred (2000 1600) hours for a complete cosmetologist course of instruction.

~~(a) One thousand eight hundred thirty five (1835) hours shall consist of the following minimum training requirements and shall include related theory:~~

(a) One thousand five hundred (1500) hours shall consist of the following:

(i) The science of cosmetology, hair, skin and nails, two hundred (200) hours of theory work, and ninety (90) hours of practical work. In this section students will learn:

- (A) Health, safety and infection control;
- (B) General anatomy and physiology;
- (C) Skin diseases, disorders and structure;
- (D) Properties of the hair and scalp;
- (E) Nail structure, growth, diseases, and disorder;
- (F) Product chemistry;
- (G) Basic nutrition;
- (H) Basics of chemistry; and
- (I) Basics of electricity.

(ii) General cosmetology, twenty (20) hours of theory work, and four hundred eighty (480) hours of practical work. In this section the students will learn:

- (A) Principles of hair design;
- (B) Scalp care, shampooing, and conditioning;
- (C) Haircutting;
- (D) Hairstyling;

- (E) Braiding and extensions; and
- (F) Wigs and hair additions.

(iii) Chemical services, seventy five (75) hours of theory work, and one hundred seventy five (175) hours of practical work. In this section students will learn:

- (A) Chemical texture services; and
- (B) Hair coloring.

(iv) Skin sciences, fifty (50) hours of theory work, and twenty (20) hours of practical work. In this section the students will learn:

- (A) Physiology and histology of the skin;
- (B) Skin analysis; and
- (C) Skin care products: chemistry, ingredients, and selection.

(v) General esthetics, thirty (30) hours of theory work, and one hundred fifty (150) hours of practical work. In this section students will learn:

- (A) The treatment room;
- (B) Basic facial;
- (C) Facial massage;
- (D) Hair removal;
- (E) Advanced topics and treatments; and
- (F) Makeup.

(vi) General nail technology, fifteen (15) hours of theory work, and seventy five (75) hours of practical work. In this section the students will learn:

- (A) Pre and post service procedures;
- (B) Performing basic manicures and pedicures;
- (C) Hand, arm, foot, and leg message;
- (D) Wraps, tips, and paraffin wax treatments; and
- (E) Polishing, UV gel, and design.

(vii) The art of nail technology, twenty (20) hours of theory work, and one hundred (100) hours of practical work. In this section the students will learn:

- (A) Electric filing;
- (B) Nail tips and wraps;
- (C) Monomer liquid and polymer powder nail enhancement;
- (D) UV gels; and
- (E) Creative design.

~~(i) Cosmetology~~

~~(A) Theory of Hair and Scalp~~ _____

165 hours

~~(I) Anatomy/Physiology~~

~~(II) Structure/Disease~~

~~(III) Analysis~~

~~(B) Theory and Chemistry of Hair Technology~~ _____

250

hours

- (I) Shampoo
- (II) Massage
- (III) Treatments
- (IV) Restructure
- (V) Color/Lighter
- (VI) Hair Cut/Shaping
- (VII) Dressing
- (VIII) Additions/Wigs
- (IX) Disinfection, Infection Control, and Safety

**(C) Application of
Hair Technology** _____
_____ **500**
hours

_____ **Minimum Applications**

(I) Shampoo	25
(II) Massage	25
(III) Treatments	10
(IV) Restructure	
(1.) Waving	50
(2.) Relaxing	10
(V) Color	
(1.) Lightening	25
(2.) Tinting	25
(3.) Dimensional	25
(VI) Cut/Shaping	
(1.) Clippers	25
(2.) Shear	25
(3.) Razor	25
(VII) Dressing	
(1.) Wet Styling (to include but not limited to)	25
a. Roller bases	
b. Pin curls	
c. Fingerwave	
(2.) Thermal	20
a. Blow dry	
b. Iron	
(3.) Braiding	10
(4.) Additions/Wigs	6
(VIII) Disinfection, Infection Control, and Safety	
(D) Theory of Nails and Related Structures	_____

65 hours

	(I) Anatomy/Physiology	
	(II) Structure/Disease	
	(III) Analysis	
65 hours	(E) Theory and Chemistry of Nail Technology	200
	(I) Manicures	
	(II) Pedicures	
	(III) Electric Files	
	(IV) Massage	
	(V) Acrylic	
	(VI) Tips/Wraps	
	(VII) Gels	
	(VIII) Exfoliation	
	(IX) Disinfection, Infection Control, and Safety	
	(F) Application of Nail Technology	200
	hours	
	Minimum Applications	
	(I) Manicures	10
	(II) Pedicures	10
	(III) Electric Files	10
	(IV) Massage	20
	(V) Acrylic/Sculptured	50
	(VI) Tips w/overlay	
	(1.) Wraps	10
	(2.) Acrylic	10
	(VII) Gels	10
	(VIII) Disinfection, Infection Control, and Safety	
hours	(G) Theory of Skin	180
	(I) Anatomy/Physiology of the Body	
	(II) Structure/Disease	
	(III) Analysis	
hours	(H) Theory and Chemistry of Skin Technology	200
	(I) Facials and Treatments	
	(II) Exfoliation (physical/chemical)	
	(III) Machines (non-ablative/non-medical)	
	(IV) Hair Removal	
	(V) Massage	

- ~~(VI) Analysis~~
- ~~(VII) Extraction~~
- ~~(VIII) Make-up~~
- ~~(IX) Body Treatments~~
- ~~(X) Chemical Treatment of Lash/Brow, Including Lash Extensions~~
- ~~(XI) Disinfection, Infection Control, and Safety~~

**(I) Applications of
Skin Technology** _____
_____ **150**
hours

- Minimum Applications
- ~~(I) Cleaning/Steaming/Masks~~ _____ 10
 - ~~(II) Exfoliation~~ _____ 10
 - ~~(III) Hair Removal~~ _____
 - ~~(1.) Facial~~ _____ 5
 - ~~(2.) Brow~~ _____ 12
 - ~~(3.) Arms~~ _____ 3
 - ~~(4.) Underarms~~ _____ 3
 - ~~(5.) Chest/Back~~ _____ 1
 - ~~(6.) Leg~~ _____ 3
 - ~~(7.) Bikini~~ _____ 3
 - ~~(IV) Massage~~ _____ 10
 - ~~(V) Skin Analysis~~ _____ 10
 - ~~(VI) Extraction~~ _____ 5
 - ~~(VII) Lash Extensions~~ _____ 4
 - ~~(VIII) Make-up~~ _____ 3

~~(IX) Disinfection, Infection Control, and Safety~~
(J) Professional Standards _____ **50**

hours

(K) Wyoming Law _____ **10**

hours

(L) Discretionary Hours (hours must be documented and records kept in student's file) _____

165 hours

~~(i) Total hours required are one thousand eight hundred thirty five (1835) plus the one hundred sixty five (165) discretionary hours for a total of two thousand (2000).~~

~~(iii) The course of training for the remaining one hundred sixty five (165) hours shall be at the discretion of the school to determine and may include as many as forty (40) hours of instruction by individuals other than cosmetology instructors where such instruction may serve to enrich the education program offered such as~~

health and safety or salon management. No more than eighty (80) hours shall be used for observation in a salon.

~~(III) If any hours are accomplished outside the school premises, they must be acquired under supervision or guidance of an instructor and supporting documents must be made available if requested by the Board.~~

~~(IV) Client protection and proper infection control, and disinfection should be taught, and utilized as necessary according to Wyoming law, and manufacturer's directions.~~

Section 4. Section 3. Course of Study for Hairstyling Students. The educational hairstylist program of all schools shall include no less than six (6) months of study and no less than one thousand (1000) hours ~~for a complete hairstylist course of instruction.~~

~~(a) Nine hundred seventy five (975) hours shall consist of the following minimum training requirements and shall include related theory:~~

~~(a) Nine hundred (900) hours shall consist of the following:~~

~~(i) The science of hairstyling, one hundred ten (110) hours in theory work, and forty (40) hours in practical work, in this section students will learn:~~

~~(A) Health, safety, and infection control, specifically for hairstyling;~~

~~(B) General anatomy and physiology;~~

~~(C) Skin diseases, disorders, and structure;~~

~~(D) Properties of the hair and scalp;~~

~~(E) Basics of chemistry; and~~

~~(F) Basics of electricity.~~

~~(ii) General cosmetology, twenty (20) hours of theory work, and four hundred eighty (480) hours of practical work. In this section the students will learn;~~

~~(A) Principles of hair design;~~

~~(B) Scalp care, shampooing, and conditioning;~~

~~(C) Haircutting;~~

~~(D) Hairstyling;~~

~~(E) Braiding and extensions; and~~

~~(F) Wigs and hair additions.~~

~~(iii) Chemical services, seventy five (75) hours of theory work, and one hundred seventy five (175) hours of practical work. In this section students will learn:~~

~~(A) Chemical texture services; and~~

~~(B) Hair coloring.~~

~~**(i) Hairstyling**~~

~~**(A) Theory of Hair and Scalp**~~

~~**165 hours**~~

~~(1) Anatomy/Physiology~~

	(II) Structure/Disease	
	(III) Analysis	
	(B) Theory and Chemistry of Hair Technology	250
hours		
	(I) Shampoo	
	(II) Massage	
	(III) Treatments	
	(IV) Restructure	
	(V) Color/Lightener	
	(VI) Hair Cut/Shaping	
	(VII) Dressing	
	(VIII) Additions/Wigs	
	(IX) Disinfection, Infection Control, and Safety	
		(C) Appl
		ication of Hair
		Technology
		<hr/>
		500 hours
	<hr/> Minimum Applications	
	(I) Shampoo	25
	(II) Massage	25
	(III) Treatments	10
	(IV) Restructure	
	(1.) Waving	50
	(2.) Relaxing	10
	(V) Color	
	(1.) Lightening	25
	(2.) Tinting	25
	(3.) Dimensional	25
	(VI) Cut/Shaping	
	(1.) Clipper	25
	(2.) Shear	25
	(3.) Razor	25
	(VII) Dressing	
	(1.) Wet Styling (to include but not limited to)	25
	a. Roller bases	
	b. Pin curls	
	c. Fingerwave	
	(2.) Thermal	20
	a. Blow dry	
	b. Iron	

	(3.) Braiding	10
	(4.) Additions/Wigs	6
	(VIII) Disinfection, Infection Control, and Safety	
hours	(D) Professional Standard	50
hours	(E) Wyoming Law	10
25 hours	(F) Discretionary Hours <small>(hours must be documented and records kept in student's file)</small>	

(I) Total hours required are nine hundred seventy five (975) plus the twenty five (25) discretionary hours for a total of one thousand (1000).

(II) The course of training for the remaining twenty five (25) hours shall be at the discretion of the school to determine and may include as many as ten (10) hours of instruction by individuals other than cosmetology instructors where such instruction may serve to enrich the education program offered such as health and safety or salon management.

(III) If any hours are accomplished outside the school premises, they must be acquired under supervision or guidance of an instructor and supporting documents must be made available if requested by the Board.

(IV)(I) Client protection and proper infection control, and disinfection should be taught, and utilized as necessary according to Wyoming law, and manufacturer's directions.

Section 5. Section 4. Course of Study for Nail Technician Students. The educational nail technician program for all schools shall include no less than four hundred (400) hours for a complete nail technician course of instruction.

~~(a) Three hundred ninety (390) hours shall consist of the following minimum training requirements and shall include related theory:~~

(a) Three hundred (300) hours shall consist of the following.

(i) The science of nail technology, thirty (30) hours of theory work, and ten (10) hours of practical work. In this section students will learn:

- (A) Health, safety, and infection control, specifically for nail technology;
- (B) General anatomy and physiology;
- (C) Skin structure and growth;
- (D) Nail structure and growth;
- (E) Nail diseases and disorders;
- (F) Basics of chemistry;
- (G) Nail product chemistry; and
- (H) Electricity.

(ii) General nail technology, ten (10) hours of theory work, and one hundred (100) hours of practical work. In this section students will learn:

- (A) Pre and post service procedures;
- (B) Handling and exposure incidents;
- (C) Performing basic manicures and pedicures;
- (D) Hand, arm, foot and leg massage;
- (E) Wraps, tips, and paraffin wax` treatments; and
- (F) Polishing, UV gel, and design.

(iii) The art of nail technology, ten (10) hours of theory work, and one hundred forty (140) hours of practical work. In this section the students will learn:

- (A) Advanced manicuring and pedicuring;
- (B) Electric filing;
- (C) Nail tips and wraps;
- (D) Monomer liquid and polymer powder nail enhancements;
- (E) UV gels; and
- (F) Creative design.

~~(i) Nail Technician~~

~~(A) Theory of Nails and Related Structures~~ _____

65 hours

- ~~(I) Anatomy/Physiology~~
- ~~(II) Structure/Disease~~
- ~~(III) Analysis~~

~~(B) Theory and Chemistry of Nail Technology~~ _____

65 hours

- ~~(I) Manicures~~
- ~~(II) Pedicures~~
- ~~(III) Electric Files~~
- ~~(IV) Massage~~
- ~~(V) Acrylic~~
- ~~(VI) Tips/Wraps~~
- ~~(VII) Gels~~
- ~~(VIII) Exfoliation~~
- ~~(IX) Disinfection, Infection Control, and Safety~~

~~(C) Application of Nail Technology~~ _____

200

hours

— Minimum Applications

- ~~(I) Manicures~~ _____ 10
- ~~(II) Pedicures~~ _____ 10
- ~~(III) Electric Files~~ _____ 10
- ~~(IV) Massage~~ _____ 20

~~(V) Acrylic/Sculptured 50~~

~~(VI) Tips w/overlay~~

~~(1.) Wraps 10~~

~~(2.) Acrylic 10~~

~~(VII) Gels 10~~

~~(VIII) Disinfection, Infection Control, and Safety~~

~~(D) Professional Standards 50~~

hours

~~(E) Wyoming Law 10~~

hours

~~(F) Discretionary Hours (hours must be documented and records kept in student's file) 10~~

10 hours

~~(I) Total hours required are three hundred ninety (390) plus the ten (10) discretionary hours for a total of four hundred (400).~~

~~(II) The course of training for the remaining ten (10) hours shall be at the discretion of the school to determine and may include as many as five (5) hours of instruction by individuals other than cosmetology instructors where such instruction may serve to enrich the education program offered such as health and safety or salon management.~~

~~(III) In any hours are accomplished outside the school premises, they must be acquired under supervision or guidance of an instructor and supporting documents must be made available if requested by the Board.~~

~~(IV)(I) Client protection and proper infection control, and disinfection should be taught, and utilized as necessary according to Wyoming law, and manufacturer's directions.~~

~~Section 6. Section 5. Course of Study for Esthetician Students. The educational esthetics program for all schools shall include no less than six hundred (600) hours for a complete esthetics course of instruction.~~

~~(a) Five hundred and ninety (590) hours shall consist of the following minimum training requirements and shall include related theory:~~

~~(a) Five hundred (500) hours shall consist of the following:~~

~~(i) The science of esthetics, seventy (70) hours of theory work, and twenty (20) hours of practical work. In this section the students will learn:~~

~~(A) Health, safety, and infection control, specifically for esthetics;~~

~~(B) General anatomy and physiology;~~

~~(C) Basics of chemistry;~~

~~(D) Basics of electricity; and~~

~~(E) Basics of nutrition.~~

~~(ii) Skin sciences, twenty (20) hours of theory work, and one hundred (100) hours of practical work. In this section the students will learn:~~

- (A) Physiology and histology of the skin;
- (B) Disorders and diseases of the skin;
- (C) Skin analysis; and
- (D) Skin care products: chemistry, ingredients, and selection.

(iii) General esthetics, ten (10) hours of theory work, and two hundred eighty (280) hours of practical work. In this section students will learn:

- (A) The treatment room;
- (B) Basic Facial;
- (C) Facial massage;
- (D) Hair removal;
- (E) Advanced topics, and treatments; and
- ~~(a)~~ (F) Makeup.

~~(i) Esthetics~~

hours	<p>(A) Theory of Skin _____ 180</p> <p>(I) Anatomy/Physiology of the Body</p> <p>(II) Structure/Disease</p> <p>(III) Analysis</p>
200 hours	<p>(B) Theory & Chemistry of Skin Technology _____</p> <p>(I) Facials and Treatments</p> <p>(II) Exfoliation (physical/chemical)</p> <p>(III) Machines (non-ablative/non-medical)</p> <p>(IV) Hair Removal</p> <p>(V) Massage</p> <p>(VI) Analysis</p> <p>(VII) Extraction</p> <p>(VIII) Make-up</p> <p>(IX) Body Treatments</p> <p>(X) Chemical Treatment of Lash/Brow, Including Lash Extensions</p> <p>(XI) Disinfection, Infection Control, and Safety</p>
	<p>(C) Applications of Skin Technology _____</p> <p>_____ 150</p> <p>hours</p>
	<p>— Minimum Applications</p> <p>(I) Cleaning/Steaming/Masks _____ 10</p> <p>(II) Exfoliation _____ 10</p> <p>(III) Hair Removal _____</p> <p>(1.) Facial _____ 5</p>

(2.) Brow	12
(3.) Arms	3
(4.) Underarms	3
(5.) Chest/Back	1
(6.) Leg	3
(7.) Bikini	3
(IV) Massage	10
(V) Skin Analysis	10
(VI) Extractions	5
(VII) Lash Extensions	4
(VIII) Make-up	3
(IX) Disinfection, Infection Control, and Safety	
(D) Professional Standards	50

hours

(E) Wyoming Law	10
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hours

(F) Discretionary Hours <small>(hours must be documented and records kept in student's file)</small>	10
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10 hours

(I) Total hours required are five hundred ninety (590) plus the ten (10) discretionary hours for a total of six hundred (600).

(II) The course of training for the remaining ten (10) hours shall be at the discretion of the school to determine and may include as many as five (5) hours of instruction by individuals other than cosmetology instructors where such instruction may serve to enrich the education program offered such as health and safety or salon management.

(III) If any hours are accomplished outside the school premises, they must be acquired under supervision or guidance of an instructor and supporting documents must be made available if requested by the Board.

(IV)(I) Client protection and proper infection control, and disinfection should be taught, and utilized as necessary according to Wyoming law, and manufacturer's directions.

Section 7. Section 6. Course Study for Licensed Hairstylist and Nail Technicians to acquire training in the removal of superfluous hair. The educational hair removal program of all schools shall include no less than one hundred twenty-five (125) hours for a complete hair removal course of instruction.

(a) One hundred twenty (125) hours shall consist of the following: minimum training requirements and shall include related theory:

(i) General infection control, ten (10) hours of theory work. In this section the students will recap:

(A) Health, safety, and infection control;

- (B) Infection control in the licensed facility;
- (C) First aid; and
- (D) Blood exposure standards.

(ii) The science of waxing, thirty five (35) hours of theory work, and eight (80) hours of practical work. In this section the students will learn:

- (A) Pre and post services;
- (B) Application of hair removal;
- (C) Types of hair removal;
- (D) Analysis; and
- ~~(a)-(E) Anatomy and physiology.~~

~~(i) Hairstylist/Nail Technician~~

30 hours

~~(A) Theory of Waxing~~ _____

- ~~(I) Anatomy/Physiology~~
- ~~(II) Structure/Disease~~
- ~~(III) Analysis~~

65 hours

~~(B) Theory & Chemistry of Wax Technology~~ _____

- ~~(I) All Wax Types~~
- ~~(II) Depilatories~~
- ~~(III) Threading~~
- ~~(IV) Sugaring~~
- ~~(V) Tweezing~~
- ~~(VI) Disinfection, Infection Control, and Safety~~

30 hours

~~(C) Applications of Wax Technology~~ _____

~~(I) Hair Removal~~

_____ Minimum Application

(1.) Facial _____	5
(2.) Brow _____	12
(3.) Arms _____	3
(4.) Underarms _____	3
(5.) Chest/Back _____	1
(6.) Leg _____	3
(7.) Bikini _____	3

~~(II) Disinfection, Infection Control, and Safety~~

~~(ii) Total hours required are one hundred twenty five (125).~~

~~(iii) Client protection and proper infection control, and disinfection should be taught, and utilized as necessary according to Wyoming law, and manufacturer's directions.~~

~~Section 8.~~Section 7. Course of Study for Student Instructors. The ~~education~~instructor program for all schools shall include no less than ~~one thousand~~five hundred (1000500) hours ~~for a complete instructor course~~of instruction. No more than one hundred (100) hours may be acquired through distance learning. Distance learning programs shall be approved by the Board prior to implementation and adequate records must be kept by the school and provided to the Board.

(a) ~~One thousand~~Five hundred (1000500) hours shall consist of the following: ~~minimum training requirements and shall include related theory:~~

(i) General professional standards, one hundred fifty (150) hours of theory work. In this section the students will learn:

- (A) Health, safety, and infection control;
- (B) Introduction to teaching;
- (C) Ethics of personality development;
- (D) Laws and rules governing cosmetology;
- (E) Student supervision; and
- (F) Record keeping.

(ii) The science of teaching, one hundred fifty (150) hours of theory work, and two hundred (200) hours of practical work. In this section the students will learn:

- (A) Lesson plans;
- (B) Use of audio and visual teaching aids and tools;
- (C) Test construction and analysis;
- (D) Theory class lectures;
- (E) Performance, class demonstrations; and
- ~~(a)~~ (F) Student supervision (no more than 100 hours).

~~(i) Student Instructor~~

(A) Introduction to Teaching	25
hours	
(B) Ethics and Personality Development	25
hours	
(C) Preparation of Lesson Plans	100
hours	
(D) Use of Audio and Visual Teaching Aids/Technology	25
hours	
(E) Test Construction and Analysis	50
hours	
(F) Record Keeping for Schools and Students	25
hours	
(G) Theory Class Lectures	80
hours	

(H)	Performance Class Demonstrations	150
hours		
(I)	Law and Rules Governing Cosmetology	20
hours		
	(J) Student Supervision	(maximum)
500	hours	

~~(I) Total hours required are one thousand (1000).~~

~~(II) Student Instructors shall not exceed five hundred (500) hours supervising students in the clinic area.~~

~~(III) No more than two hundred (200) hours may be acquired by means of Board approved distant learning program. These hours must be related to topics listed in section 6, (a) through (g). All distant learning programs must be pre-approved by the Board.~~

~~(I) Client protection, proper infection control, and disinfection should be taught, and utilized as necessary according to Wyoming law, and manufacturer's directions.~~

Section 8. Hours outside of school premises. If any hours are accomplished outside the school premises, they must be acquired under the supervision or guidance of an instructor and be relevant to the course of study. Supporting documentation must be made available if requested by the Board.

~~(IV)~~**Section 9. Client protection.** Proper infection control standards should be taught and utilized throughout all educational courses in accordance with Wyoming law and the manufacturer's directions.

~~Section 9.~~**Section 10. Credits Allowed When Transferring from One Course to Another.** A student registered for a hairstyling, nail technician, or esthetician course, or a licensed hairstylist, nail technician, or esthetician may transfer to, or enroll in a full cosmetologist course with full credit of the applicable hours. A student enrolled as a cosmetology student may transfer only course specific hours to hairstyling, nail technology, or esthetics courses and the transfer hours ~~must~~shall be approved by the Board.

Chapter 7

Salon and Independent Contractors

Section 1. Salon Applications and License. No person, association, partnership, or corporation may operate a salon without first securing a license from the Board. Applications shall be made on the prescribed forms and be accompanied by the appropriate fee and shall include the following:

(a) The name of the salon, owner/proprietor, and the physical address of the salon;

(b) A detailed floor plan of the salon showing work space, the location of restrooms, entrances, and exits, carpeted areas of floor and the location of all other equipment required;

(c) Anticipated date of opening; and

(d) Application and fees must be received 15 days before the opening date.

Section 2. Salon Minimum Equipment. As a minimum requirement each salon shall provide and maintain the following:

(a) One shampoo bowl with hot and cold running water;

(b) One work station; and

(c) A handwashing sink, independent from restrooms.

Section 3. Salon Equipment Waiver. Salons offering limited services may apply in writing for a waiver of the equipment requirement. The waiver shall state services offered, the required equipment which the salon wishes to have waved, and an explanation of why.

Section 4. Display of Rules and Notices. Salons shall post a current copy of the recent inspection report, infection control, wet disinfection, and blood exposure standards, plus pedi spa standards if applicable in an unobstructed location accessible and visible to the consumer.

Section 5. Display of Licenses. Salon and personal licenses shall be displayed either at the work station or in the patron waiting area.

Section 6. Inspections.

(a) All areas licensed and regulated by the Board shall be open to inspection by authorized representatives of the Board anytime during normal business hours.

(b) All areas not regulated by the Board must be clearly designated as “not regulated by the Board of Cosmetology” and posted in clear view of the public.

Section 7. Premises.

(a) The use of a salon as living or sleeping quarters is prohibited. Beds or mattresses are not allowed on the premises.

(b) When a salon occupies the same building as another business, the salon shall be separated from the other areas by walls or partitions at least six feet high.

(c) Access to a salon shall be by means of an outside or separate entrance or from a passageway in a public building. All doors to a salon from adjacent areas used for other purposes shall be closeable.

(d) In-home salons, in compliance with city ordinances, must have the salon entrance clearly marked.

(e) In-home salon entrance shall not pass through any living quarters of the residence.

(f) Every salon shall provide and maintain toilet and hand washing facilities for employees and patrons. Restroom facilities shall be accessible and shall not require passage through living quarters for access. All existing salons shall comply with this regulation upon sale or relocation.

(g) All salons shall be adequately heated, lighted, and ventilated.

(h) Walls and ceilings shall be kept clean, painted, or otherwise in good repair. Floors shall be of such construction as to be easily cleaned and shall be smooth, washable, and in good repair. Acceptable flooring is tile, vinyl, or other smooth non-porous material. Carpeting shall be permitted only in the following areas;

(i) Under nail technician stations;

(ii) Esthetics rooms; and

(iii) Reception/drying areas.

Section 8. Salon Sale, Relocation, or Closing of Salon.

(a) Salon licenses may not be transferred upon sale of a salon. The new owners shall apply for a salon license pursuant to section 1 (a) through (d) of this chapter.

(b) Prior to relocation of a salon, the information required in Section 1 (a) through (d) of this chapter shall be filed with the Board. The original license may be transferred to the new location if the salon remains in the same city and ownership is unchanged. Application and fees must be received 15 days prior to anticipated opening date.

(c) The salon owner shall notify the Board office if the salon is permanently closed.

Section 9. Barbering in Salons/Cosmetology in a Barber Shop.

(a) Barbers may practice in a salon if the salon holds a current barber shop license.

(b) Cosmetologist may practice in a barber shop if the barber shop holds a current salon license.

(c) Combined salons and barber shops shall adhere to the requirements of both Boards. In any case of conflicting requirements, the more exacting standard shall be applied.

Section 10. Salon License Renewal. All salon licenses expire on December 31st of each year. Failure to renew the license on or before the expiration date shall result in late fees. A license that has been expired less than ninety (90) days may be renewed. A license that has been expired for more than ninety (90) days must apply for a new license and meet the current requirements and submit current fees.

Section 11. Temporary Location and License. A temporary location is a place where cosmetology and related fields may be practiced for no longer than fourteen (14) consecutive days. No area of a residence which does not qualify for a salon license may be used as a temporary location. No persons, association, partnership, corporation, or other form of business may operate in a temporary location without first securing a license from the Board. Applications shall be made on the prescribed form and be accompanied by the

appropriate fee. The completed application shall include or be accompanied by the following:

- (a) The name and address of the applicant;
- (b) The complete address of the proposed temporary location;
- (c) A list of services being provided;
- (d) Date and times of operation;
- (e) Detailed summary of disinfection and infection control procedures;
- (f) List of licensees and license numbers for those providing services; and
- (g) All licensees performing services must have a Board issued license, wet disinfection standards, and infection control standards posted at the temporary location.

Section 12. Permitted Locations. Licensed cosmetologist, hairstylist, nail technicians, and estheticians may practice in the following unlicensed locations:

- (a) The personal residence of a patron;
- (b) The place of regular employment of the patron;
- (c) The hospital, health care facility, senior citizen center, nursing, or convalescent home in which the patron is presently living or staying; and
- (d) The hotel, motel, or boarding facility in which the patron is presently residing.

Section 13. Permitted Events and Services.

- (a) Licensees may provide services within the scope of practice of their license at special events such as, but not limited to, weddings and photography sessions.
- (b) Permitted services shall consist of make-up, polish application, and hairstyling only.
- (c) All infection control procedures shall be followed.

Section 14. Limitations.

(a) A person other than those actually living in the personal residence or working in the place of employment may not be serviced in those locations.

(b) Service to individual patrons in a hotel, motel, or place of employment shall be provided in the individual room, rooms, or office of the patron. If a room in such a facility is used for servicing more than one patron, that room shall be licensed as a salon.

Section 15. Independent Contractor Application and License. No person may operate as an independent contractor within a licensed salon without first securing an independent contractor license from the Board. Application shall be made on the prescribed form and be accompanied by the appropriate fee. The completed application shall include the following information:

(a) Applicants name, address, and personal license number; and

(b) Name and license number of the salon where the applicant will be contracting.

Section 16. Independent Contractor Minimum Equipment and Common Areas. As a minimum requirement, each independent contractor will provide and maintain the basic equipment to perform services related to the scope of their individual license.

(a) Shared equipment such as, but not limited to, shampoo bowls and pedi spas will be considered as a common area and will be the responsibility of the salon owner to maintain for inspection purposes.

(b) The salon owner is responsible for all common areas.

Section 17. Independent Contractor Change of Status. The Board office shall be notified by the independent contractor if services are discontinued or if the independent contractor relocates to a new location. Upon relocation both the license and inspection sheet shall be moved to the new location.

Section 18. Independent Contractor Inspection Requirements. The independent contractor is responsible for maintaining their individual work area to meet all health and infection control procedures set forth by the Board Rules and Regulations, chapter 8.

(a) The work area must be accessible for inspection during salon business hours.

(b) If the work area cannot be inspected, the independent contractor will be required to provide documentation of a compliance with requirements set for in the Board Rules and Regulations, in this section, and in chapter 8.

(c) A complete list of products and procedures used for infection control shall be maintained and a copy provided to the salon owner.

(d) The independent contractor's license and most recent inspection shall be posted at the work station.

Section 19. Independent Contractor License Renewal. All independent contractor licenses expire on August 31st of each year. Failure to renew the license on or before the expiration date shall result in a late fee.

Chapter 7

SALON/INDEPENDENT CONTRACTORSSalon and Independent Contractors

Section 1. Salon Applications and License. No person, association, partnership, or corporation may operate a salon without first securing a license from the Board. Applications shall be made on the prescribed forms and be accompanied by the appropriate fee. and ~~The completed application shall include or be accompanied by the following:~~

(a) The name of the salon, ~~the owner-/and-proprietor, the street address,~~ and the physical address of the salon; ~~a description of the exact location of the salon.~~

(b) A detailed floor plan of the salon showing work space, the location of restrooms, entrances, and exits, carpeted areas of floor and the location of all other equipment required;

(c) Anticipated date of opening; ~~and The anticipated date of hooking up the water, electricity, telephone and opening the salon for business.~~

(d) Application and fees must be received 15 days ~~prior~~before ~~to~~ the opening date.

Section 2. Salon Minimum Equipment. As a minimum requirement each salon shall provide and maintain the following:

(a) One shampoo bowl with hot and cold running water;

(b) One work station; and

(c) A Hhand-washing sink, independent from restrooms. ~~(manicure & esthetics salons)~~

Section 3. Salon Equipment Waiver. Salons offering limited services may apply in writing for a waiver of the equipment requirement. The waiver shall state services offered, the required equipment which the salon wishes to have waved, and an explanation of why.

~~(a) Salons offering limited services may apply in writing to the Board for a waiver of the equipment requirement. The application shall state the services offered the required equipment which the salon wishes to have waived, and an explanation of why the requirement is unreasonable.~~

Section 4. Display of Rules and Notices. Salons shall post a current copy of the recent inspection report, infection control, wet disinfection, and blood exposure standards plus pedi spay standards if applicable in an unobstructed location accessible and visible to the consumer.

Section 5. Display of Licenses. Salon and personal licenses shall be displayed either at the work station or in the patron waiting area.

Section 6. Inspections.

(a) All areas licensed and regulated by the Board shall be open to inspection by authorized representatives of the Board anytime during normal business hours.

(b) All areas not regulated by the Board must be clearly designated as "not regulated by the Board of Cosmetology" and posted in clear view of the public.

Section 7. Premises.

(a) The use of a salon as living or sleeping quarters is prohibited. Beds or mattresses are not allowed on the premises.

(b) When a salon occupies the same building as another business, the salon shall be separated from the other areas by walls or partitions at least six feet high.

(c) Access to a salon shall be by means of an outside or separate entrance or from a passageway in a public building. All doors to a salon from adjacent areas used for other purposes shall be closeable.

(d) In-home salons, in compliance with city ordinances, must have the salon entrance clearly marked.

(e) In-home salon entrance shall not pass through any living quarters of the residence.

(f) Every salon shall provide and maintain toilet and hand washing facilities for employees and patrons. Restroom facilities shall be accessible and shall not require passage through living quarters for access. All existing salons shall comply with this regulation upon sale or relocation.

(g) All salons shall be adequately heated, lighted, and ventilated.

(h) Walls and ceilings shall be kept clean, painted, or otherwise in good repair. Floors shall be of such construction as to be easily cleaned and shall be smooth, washable, and in good repair. Acceptable flooring is tile, vinyl, or other smooth non-porous material. Carpeting shall be permitted only in the following areas;

(i) Under nail technician stations;

(ii) Esthetics rooms; and

(iii) Reception/drying areas.

~~Section 4~~Section 8. Salon Sale, Relocation, or Closing of Salon.

~~(a) Salon licenses may not be transferred upon sale of a salon. The new owners must make application~~shall apply for a salon license pursuant to §section 1 (a) through (d) of this chapter.

~~(b) Prior to relocation of a salon, the information required in Section 1 (a) through (d) of this chapter shall be filed with the Board. The original license may be transferred to the new location if the salon remains in the same city and ownership is unchanged. Application and fees must be received 15 days prior to scheduled~~anticipated opening date.

~~(c) Upon the permanent closing of a salon, the owner proprietor shall immediately notify the Board~~The salon owner shall notify the Board office if the salon is permanently closed.

~~Section 5~~Section 9. Barbering in Salons/Cosmetology in a Barber Shop.

~~(a) Barbers may practice in a salon if the salon holds a current barber shop license. Licensed barbers may practice in a salon so long as the salon has also been granted a barber shop license by the Board of Barber Examiners.~~

~~(b) Cosmetologist may practice in a barber shop if the barber shop holds a current salon license so long as the barber shop is also licensed as a salon.~~

~~(c) Combined salons and barber shops shall adhere to the requirements of both Boards, and in the any case of conflicting requirements, the more exacting standard shall be applied.~~

Section 10. Salon License Renewal. All salon licenses expire on December 31st of each year. Failure to renew the license on or before the expiration date shall result in late fees. A license that has been expired less than ninety (90) days may be renewed. A license that has been expired for more than ninety (90) days must apply for a new license and meet the current requirements and submit current fees.~~Each Salon license shall be renewed on a yearly basis, no later than December 31, of each year. Failure to renew the license on or before the expiration date shall result in a late fee. A license that has been expired less than 90 days may be renewed. An applicant for a renewal of a Salon license that has been expired for more than 90 days may apply for an original license under the current requirements and fees.~~

Section 11. Temporary Location and License. A temporary location is a place where cosmetology and related fields may be practiced for no longer than fourteen (14) consecutive days. No area of a residence which does not qualify for a salon license may be used as a temporary location. No persons, association, partnership, corporation, or other form of business may operate in a temporary location without first securing a license from the Board. Applications shall be made on the prescribed form and be accompanied by the appropriate fee. The completed application shall include or be accompanied by the following:

- (a) The name and address of the applicant;
- (b) The complete address of the proposed temporary location;
- (c) A list of services being provided;
- (d) Date and times of operation;
- (e) Detailed summary of disinfection and infection control procedures;
- (f) List of licenses and license numbers for those providing services; and
- (g) All licensees performing services must have a Board issued license, wet disinfection standards, and infection control standards posted at the temporary location.

Section 12. Permitted Locations. Licensed cosmetologist, hairstylist, nail technicians, and estheticians may practice in the following unlicensed locations:

- (a) The personal residence of a patron;
- (b) The place of regular employment of the patron;
- (c) The hospital, health care facility, senior citizen center, nursing or convalescent home in which the patron is presently living or staying; and
- (d) The hotel, motel, or boarding facility in which the patron is presently residing.

Section 13. Permitted Events and Services.

(a) Licensees may provide services within the scope of practice of their license at special events such as, but not limited to, weddings and photography sessions.

(b) Permitted services shall consist of make-up, polish application, and hairstyling only.

(c) All infection control procedures shall be followed.

Section 14. Limitations.

(a) A person other than those actually living in the personal residence or working in the place of employment may not be serviced in those locations.

~~Section 6.~~ (b) Service to individual patrons in a hotel, motel, or place of employment shall be provided in the individual room, rooms, or office of the patron. If a room in such a facility is used for servicing more than one patron, that room shall be licensed as a salon.

~~Section 7.~~ Section 15. Independent Contractor Application and License. No person may operate as an ~~independent contractor~~ within a licensed salon without first securing an independent contractor license from the Board. Application shall be made on the prescribed form and be accompanied by the appropriate fee. The completed application shall include ~~or be accompanied by~~ the following information:

(a) Applicants name, address, and personal license number; and ~~The name and address of the Independent Contractor, and personal license number.~~

(b) Name and license number of the salon where the applicant will be contracting. ~~A schedule of proposed days of operation to assist the inspector during annual inspections.~~

(c) ~~Independent Contractor license and most recent inspections sheet must be posted at the workstation. Upon relocation, both the license and inspection sheet must be moved to the new location.~~

~~Section 8.~~ Section 16. Independent Contractor Minimum Equipment and Common Areas. As a minimum requirement, each independent contractor will provide and maintain the basic equipment to perform services related to the scope of their individual license.

(a) Shared equipment such as, but not limited to, shampoo bowls and pedi spas will be considered as a common area and will be the responsibility of the ~~S~~salon owner to maintain for inspection purposes.

(b) The Ssalon owner is responsible for all common areas.

~~Section 9.~~ Section 17. Independent Contractor Change of Status. The Board office shall be notified by the independent contractor if services are discontinued or if the independent contractor relocates to a new location. Upon relocation both the license and inspection sheet shall be moved to the new location. ~~If an Independent Contractor chooses to discontinue services as an Independent Contractor, they must notify the Board office in writing.~~

~~Section 10.~~ Section 18. Independent Contractor Inspection Requirements. The ~~independent contractor~~ is responsible for maintaining their individual work area to meet all health and infection control procedures set forth by the Board Rules and Regulations, ~~Chapter 108.~~

(a) The Wwork area must be accessible for inspection during salon business hours.

(b) If the work area cannot be inspected, the ~~independent contractor~~ will be required to provide documentation of a compliance with requirements set forth in the Board Rules and Regulations, in this ~~Chapter, Section 7,~~ and in ~~Chapter 108.~~

(c) A complete list of products and procedures used for infection control shall be maintained and a copy provided to the salon owner.

~~(c)~~ (d) The independent contractor's license and most recent inspection shall be posted at the work station.

~~Section 11.~~ **Section 19.** Independent Contractor License Renewal. All independent contractor licenses expire on August 31st of each year. Failure to renew the license on or before the expiration date shall result in a late fee. ~~Each Independent Contractor license shall be renewed on a yearly basis, no later than August 31 of each year. Failure to renew the license on or before the expiration date shall result in a late fee.~~

Chapter 8

Infection Control

Section 1. Infection Control and Safety Standards, adopted from the National Interstate Council of Cosmetology (NIC).

(a) Wet disinfection and storage standards.

(i) Prior to use on any client, all non-porous tools and implements or multi-use items must be cleaned AND disinfected. Items must be cleaned with soap and warm water or a chemical cleaner. The items must then be disinfected by complete immersion in an EPA registered, bactericidal, virucidal, fungicidal (formulated for hospitals) disinfectant that is mixed and used according to the manufacturer's directions. Items that are porous are not able to be disinfected and must be disposed of after each use.

(ii) Items MUST stay immersed or visibly moist with disinfectant for the entire contact time listed on the manufacturer's label to be effective.

(iii) All disinfectant solution must be changed per the manufacturer's label or sooner if contaminated.

(b) Dry storage standards.

(i) Disinfected implements must be stored in a disinfected, dry covered container and be isolated from contaminants. At no time can these items come into contact with used/dirty items.

(c) Hand washing.

(i) Thoroughly wash hands and the exposed portions of arms with soap and water before providing services to each client and after, smoking, drinking, eating, and using the restroom.

Section 2. Sanitation Standards for Pedicure Spas.

(a) After each client or service:

(i) Drain tub;

(ii) Clean the tub according to manufacturer's instructions. Take special care to remove all film, especially at the water line. Rinse tub well;

(iii) Fill tub with water, add appropriate disinfectant into the water according to the following;

(iv) At minimum use an EPA registered, bactericidal, virucidal, fungicidal, and pseudomonacidal (formulated for hospitals) disinfectant that is mixed and used according to the manufacturer's directions;

(v) If tub has come in contact with blood or body fluids, at minimum use an EPA registered disinfectant that is effective against HIV-1 and human hepatitis B virus or tuberculocidal that has been mixed and used according to the manufacturer's directions; and

(vi) Allow the disinfectant to stand for non-circulating tubs or circulate for circulating tubs for the time specified according to the manufacturer's instructions.

(b) At the end of the day remove all parts (filters, screens drains, jets, etc.) Clean and disinfect the removable parts as follows:

(i) Scrub with brush and soap or detergent until free from debris;

(ii) Rinse;

(iii) Completely immerse in an EPA registered, bactericidal, virucidal, fungicidal, and pseudomonacidal (formulated for hospitals) disinfectant that is mixed and used according to the manufacturer's directions;

(iv) Rinse;

(v) Air dry; and

(vi) Replace the disinfected parts into the tubs or store them in a disinfected, dry, covered container that is isolated from contaminants.

Section 3. Blood Exposure Procedure Standards, adopted from NIC.

(a) If a blood exposure should occur, the following steps must be followed:

(i) When possible injured party should go to a sink and rinse injury with running water and "milk" the injury if possible to remove any bacteria that may have entered the wound.

(ii) Supply injured party with antiseptic or single use packet of antibacterial ointment on the appropriate dressing to cover the injury.

(iii) Bag all blood-soiled (contaminated) porous articles and dispose of in trash. Immediately wash and disinfect all non-porous items (do not continue service with these items).

(b) The following is the responsibility of the candidate/student/licensee and should be executed as follows. Candidate, Student, License injury.

(i) Protection – if a cut is sustained, stop the service, put on gloves (if appropriate) and clean the injured area.

(ii) Apply antiseptic to the injured area;

(iii) Dressing – cover the injury with the appropriate adhesive dressing;

(iv) Cover injured area with finger guard or glove if appropriate;

(v) Bag and dispose of all contaminated single use items;

(vi) Remove gloves and wash hands;

(vii) Clean model/client;

(viii) Clean and disinfect implements and station;

(ix) Clean hands; and

(x) Return to the service.

(c) Model/Client injury

(i) Stop service;

(ii) Glove hands of candidate/student/licensee;

(iii) Clean injured area;

(iv) Apply antiseptic;

(v) Cover the injury with the appropriate dressing to prevent further blood exposure;

(vi) Bag and dispose of all contaminated single use items;

(vii) Clean and disinfect any implements or surfaces contaminated;

(viii) Clean hands; and

(ix) Return to services.

(d) Examination.

(i) Examiners are to use new disposable latex gloves or non-allergenic equivalent when checking the candidate's service. Bag and dispose used gloves;

(ii) Follow with washing hands;

(iii) Documents incident in blood exposure log; and

(iv) Do not allow containers, brushes, nozzles or liquid styptic container to touch the skin or contact the wound. Use an applicator.

Section 4. Additional Infection Control.

(a) Restroom facilities shall be adequately supplied with disposable hand towels and liquid or powder soap. Cloth towels are not allowed.

(b) All facilities shall have an adequate supply of potable hot and cold water under pressure. The water supply shall comply with the requirements of the Federal Safe Drinking Water Act, the safe drinking water amendments of 1977, 42 U.S.C. § et seq. and the regulations adopted there under.

(c) All refuse shall be deposited in suitable receptacles with lids. Lids shall be kept in place at all times. All refuse shall be disposed of in a manner so as not to be unsightly, offensive, or a menace to health. Hair cuttings shall be swept up and properly disposed of after each haircut.

(d) No dogs, cats, birds, fish, or animals of any kind shall be allowed on premises designated as a salon or school. Seeing eye, guide, or service dogs for impaired persons are permitted. Therapy dogs are not permitted.

(e) Clippers and trimmers must be cleaned and disinfected after each uses with disinfectant designed for clippers and trimmers, and used according to manufactures recommendations. Clipper wash may be used as a cleaner prior to disinfection but is not acceptable as a disinfectant unless it is labeled as a germicidal, virucidal, and fungicidal with proven effectiveness against HIV, HEPB, and Staphylococcus aureus (including MRSA). Clipper blades must be stored in closed container or blades covered.

(f) All items in multi-use containers such as lotions, creams, powders, and waxes shall be stored, handled, and applied in such a manner as to be protected from contamination. Ungloved hands should never be used in removing product from multi-use containers. All items in multi-use containers shall be removed from containers with a clean spatula which never touches the client or separated into single use, disposable containers for application. No implement shall be double dipped back into the original container Powder shall be dispensed from shaker and liquid preparations shall be dispensed from an atomizer or applicator bottle without contamination.

(g) A clean neck strip and/or towel shall be provided and used for each client. Shampoo capes and comb out capes shall not come in direct contract with the skin of the patron.

(h) A clean covering shall be used on the esthetic table for each client.

(i) Nail tables shall be cleaned after each use with approved disinfectant. Drawers and cabinets shall be kept clean and free of debris. All implements and supplies shall be stored in covered containers.

(j) Paraffin wax shall be used in single use bags only. Wax shall be kept covered when not in use.

(k) Shampoo bowls shall be cleaned with approved disinfectant after each use. Disinfectant must be kept on back bar in an appropriately labeled dispenser, and changed according to manufacture directions.

(l) Coffee and other refreshments shall be served only in single use containers with lids. No open food or drink is allowed in the work area.

Section 5. Prohibited items.

- (a) Implements that penetrate into the dermal layer of the skin;
- (b) Methylemethacrylate Monomer (MMA);
- (c) Neck brushes;
- (d) Roll on wax;
- (e) Credo blades;
- (f) Multi use puffs or sponges;
- (g) Styptic pencil; and
- (h) Table dusters.

Chapter 8

TEMPORARY LOCATION

~~**Section 2. Definition.** Temporary location means a place where cosmetology and related fields may be practiced for no longer than fourteen (14) days consecutively by persons licensed to perform cosmetology or related services. No area of residents which does not qualify for a salon license may be used as a temporary location.~~

~~**Section 3. Application and License.** No person, association, partnership, corporation or other form of business organization may operate in a temporary location without first securing a license from the Board. Applications shall be made on the prescribed form and be accompanied by the appropriate fee. The completed application shall include or be accompanied by the following information:~~

- ~~(a) The name and address of the applicant;~~
- ~~(b) The complete address of the proposed temporary location;~~
- ~~(c) A list of services being provided;~~
- ~~(d) Date and Times of operation during the licensed period;~~
- ~~(e) Detailed summary of disinfection and infection control procedures;~~
- ~~(f) List of licensees and their license numbers for those providing services;~~
- ~~(g) All licensees performing services must have a board issued original copy of their license, wet disinfection standards and sanitation rules and regulations posted at the temporary location.~~

Chapter 108

SANITATION/Infection Control

Section 1. Infection Control and Safety Standards, adopted from the National Interstate Council of Cosmetology (NIC).

(a) Wet disinfection and storage standards.

(i) Prior to use on any client, all non-porous tools and implements or multi-use items must be cleaned AND disinfected. Items must be cleaned with soap and warm water or a chemical cleaner. The items must then be disinfected by complete immersion in an EPA registered, bactericidal, virucidal, fungicidal (formulated for hospitals) disinfectant that is mixed and used according to the manufacturer's directions. Items that are porous are not able to be disinfected and must be disposed of after each use.

(ii) Items MUST stay immersed or visibly moist with disinfectant for the entire contact time listed on the manufacturer's label to be effective.

(iii) All disinfectant solution must be changed per the manufacturer's label or sooner if contaminated.

(b) Dry storage standards.

(i) Disinfected implements must be stored in a disinfected, dry covered container and be isolated from contaminants. At no time can these items come into contact with used/dirty items.

(c) Hand washing.

(i) Thoroughly wash hands and the exposed portions of arms with soap and water before providing services to each client and after, smoking, drinking, eating, and using the restroom.

Section 2. Sanitation Standards for Pedicure Spas, adopted from NIC.

(a) After each client or service:

(i) Drain tub;

(ii) Clean the tub according to manufacturer's instructions. Take special care to remove all film, especially at the water line, rinse the tub well;

(iii) Fill the tub with water, add appropriate disinfectant into the water according to the following;

(iv) At minimum, use an EPA registered, bactericidal, virucidal, fungicidal, and pseudomonocidal (formulated for hospitals) disinfectant that is mixed and used according to the manufacturer's directions;

(v) If tub has come in contact with blood or body fluids, at minimum use an EPA registered disinfectant that is effective against HIV-1 and human hepatitis B virus or tuberculocidal that has been mixed and used according to the manufacturer's directions; and

(vi) Allow all disinfectant to stand for non-circulating tubs or to circulate for circulating tubs for the time specified according to the manufacturer's instructions.

(b) At the end of the day remove all parts (filters, screens drains, jets, etc.) Clean and disinfect the removable parts as follows:

(i) Scrub with a brush and soap or detergent until free from debris;

(ii) Rinse;

(iii) Completely immerse in a EPA registered, bactericidal, virucidal, fungicidal, and pseudomonacidal disinfectant that is mixed and used according to the manufacturer's directions;

(iv) Rinse; and

(v) Air dry.

(vi) Replace the disinfected parts into the tubs, (drains, jets, etc.) or store them in a disinfected, dry, covered container that is isolated from contaminants.

Section 3. Blood Exposure Procedure Standards, adopted from NIC.

(a) If a blood exposure should occur, the following steps must be followed:

(i) When possible injured party should go to a sink and rinse injury with running water and "milk" the injury if possible to remove any bacteria that may have entered the wound.

(ii) Supply injured party with antiseptic or single use packet of antibacterial ointment on the appropriate dressing to cover the injury.

(iii) Bag all blood-soiled (contaminated) porous articles and dispose of in trash. Immediately wash and disinfect all non-porous items (do not continue service with these items).

(b) The following is the responsibility of the candidate/student/licensee and should be executed as follows. Candidate, Student, License injury.

(i) Protection – if a cut is sustained, stop the service, put on gloves (if appropriate) and clean the injured area.

(ii) Apply antiseptic to the injured area;

(iii) Dressing – cover the injury with the appropriate adhesive dressing;

(iv) Cover injured area with finger guard or glove if appropriate;

(v) Bag and dispose of all contaminated single use items;

(vi) Remove gloves and wash hands;

(vii) Clean model/client;

(viii) Clean and disinfect implements and station;

(ix) Clean hands; and

(x) Return to the service.

(c) Model/Client injury

(i) Stop service;

(ii) Glove hands of candidate/student/licensee;

(iii) Clean injured area;

(iv) Apply antiseptic;

(v) Cover the injury with the appropriate dressing to prevent further blood exposure;

(vi) Bag and dispose of all contaminated single use items;

(vii) Clean and disinfect any implements or surfaces contaminated;

(viii) Clean hands; and

(ix) Return to services.

(d) Examination

- (i) Examiners are to use new disposable latex gloves or non-allergenic equivalent when checking the candidate's service. Bag and dispose used gloves;
- (ii) Follow with washing hands;
- (iii) Documents incident in blood exposure log; and
- (i)-(iv) Do not allow containers, brushes, nozzles or liquid styptic container to touch the skin or contact the wound. Use an applicator.

~~**Section 2.** Display of Rules and Notices. Every salon and school shall post a copy of the Sanitation Rules, Blood Spill and Wet Disinfection Standards in a conspicuous location in the place of business. The recent inspection notice shall be posted with the rules.~~

~~**Section 3.** Display of Licenses. Licenses must be displayed either at work stations or in the patron waiting area. Independent Contractor Licenses must be displayed at contractors work station.~~

~~**Section 4.** Inspections. All areas licensed and regulated by the Board shall be open to inspection by authorized representatives of the Board any time during normal business hours.~~

~~**Section 5.** Premises.~~

~~(a) The use of a salon or school as living or sleeping quarters is prohibited. Beds or mattresses are not allowed on the premises.~~

~~(b) When a salon or school occupies the same building as another business or residence, the salon or school shall be separated from the other areas by walls or partitions no less than six feet high.~~

~~(c) Access to a salon or school shall be by means of an outside or separate entrance or from a passageway in a public building. All doors to a salon or school from adjacent areas used for other purposes shall be closeable.~~

~~(d) Every salon and school shall provide and maintain toilet and hand washing facilities for employees, students, and patrons. Restroom facilities shall be convenient and accessible and shall not require passage through living quarters, for access. All existing salons and schools shall comply with this regulation upon sale or relocation.~~

~~(e) All salons and schools shall be adequately heated, lighted and ventilated.~~

~~(f) Walls and ceilings shall be kept clean, painted, or otherwise in good repair. Floors shall be of such construction as to be easily cleaned and shall be smooth, washable, and in good repair. Acceptable flooring is tile, vinyl, or other smooth non-porous surfaced material. Carpeting shall be permitted only in the following areas:~~

- ~~(i) Under nail technicians station;~~
- ~~(ii) Esthetics room;~~
- ~~(iii) Reception/drying areas.~~

~~**Section 6.**~~**Section 4. General Sanitation Requirements**~~**Additional Infection Control.**~~

~~(a) Restroom facilities shall be adequately supplied with disposable hand towels and liquid or powder antibacterial soap. Cloth towels are not allowed.~~

~~(b) All licensees shall wash their hands thoroughly with soap and water after using restroom facilities and before rendering cosmetological services to a patron. Hand sanitizer shall be provided in all work areas.~~

~~(c)~~(b) All establishments/facilities shall have an adequate supply of potable hot and cold water under pressure. The water supply shall comply with the requirements of the Federal Safe Drinking Water Act, the safe drinking water amendments of 1977, 42 U.S.C. § et seq. and the regulations adopted there under.

~~(d)~~(c) All refuse shall be deposited in suitable receptacles with lids. Lids shall be kept in place at all times. All refuse shall be disposed of in a manner so as not to be unsightly, ~~or~~ offensive, or a menace to health. Hair cuttings shall be swept up and properly disposed of after each haircut. ~~Refer to Blood Spill Procedures for proper disposal of Blood and Body Fluids. Chapter 10, Section 6.~~

~~(e)~~(d) No dogs, cats, birds, fish, or animals of any kind shall be allowed on premises designated as a salon or school. Seeing eye, guide, or service dogs for impaired persons are permitted. Therapy dogs are not permitted.

~~(f)~~ All tools and implements used in cosmetology and related fields, shall either be disinfected with an EPA registered, hospital grade, bactericidal, virucidal, fungicidal, and pseudomonacidal disinfectant or discarded after each use. Disinfected tools and implements of all types shall be provided for each patron.

~~(i)~~ Disinfecting Procedure: Remove debris from implements, wash with soap and water, rinse, completely immerse in wet disinfectant for the time specified by the manufacturer, rinse and store in disinfected dry closed container. After each use all tools and implements shall be placed in a separate container maintained exclusively for soiled articles.

~~(g)~~(e) Clippers and trimmers must be cleaned and disinfected after each uses with disinfectant designed for clippers and trimmers, and used according to manufactures recommendations. -shall be disinfected after each use with a EPA registered, hospital grade, bactericidal, virucidal, fungicidal, and pseudomonacidal disinfectant, designed for clippers. Debris must be removed from clipper blades prior to disinfecting. Clipper blade must be kept covered when not in use. Clipper wash may be used as a cleaner prior to disinfection but is not acceptable as a disinfectant unless it is labeled as a germicidal, virucidal, and fungicidal with proven effectiveness against HIV, HEPB, and Staphylococcus aureus (including MRSA). Clipper blades must be stored in closed container or blades covered.

~~(h)~~ All disinfected tools, instruments, cotton, and towels shall be stored in closed disinfected, dry cabinets or containers.

~~(i)~~(f) All items in multi-use containers such as lotions, creams, powders, and waxes shall be stored, handled, and applied in such a manner as to be protected from contamination. Ungloved hands should never be used in removing product from multi-use containers. All items in multi-use containers shall be removed from containers with a clean spatula which never touches the client or separated into single use, disposable containers for application. Powder shall be dispensed from shaker and liquid preparations shall be dispensed from an atomizer or applicator bottle without contamination.~~All preparations shall be stored, handled, and applied in such a manner as to be protected from contamination. Creams shall be removed from containers with a clean spatula, powder shall be dispensed from shaker and liquid preparations shall be~~

~~dispensed from an atomizer or applicator bottle without contamination. Multiple use of puffs, sponges, makeup brushes, neck brushes, or any porous implement and the use of styptic pencils is prohibited.~~

~~(j) A wet disinfectant container must be large enough that all articles placed in it are completely immersed in the disinfecting solution. At least one such disinfectant container shall be provided in all salons and schools. The container shall be cleaned and the solution changed daily. Metal instruments, implements, and glass electrodes shall be disinfected with an EPA registered, hospital grade, bactericidal, virucidal, fungicidal, and pseudomonacidal disinfectant.~~

~~(k)(g) A clean neck strip and/or towel shall be provided and used for each client patron. Shampoo capes and comb out capes shall not come in direct contact with the skin of the patron.~~

~~(l)(h) A clean covering shall be used on the esthetic table for each client. table/bed covering and client covering shall be provided for each client receiving esthetic services.~~

~~(m)(i) Nail tables shall be cleaned after each use with approved disinfectant. Drawers and cabinets shall be kept clean and free of debris. All implements and supplies shall be stored in covered containers. disinfected after each use with an EPA registered, hospital grade, bactericidal, virucidal, fungicidal, and pseudomonacidal disinfectant. Table drawers and cabinets shall be kept clean and free of debris. All implements and supplies (including cotton) shall be stored in covered containers. All preparations shall be dispensed in accordance with subsection (i) of this section. Request for approval of multi use files should be directed to: The Wyoming Board of Cosmetology, 2515 Warren Avenue, Suite 302, Cheyenne WY, 82002, (307)777-3534.~~

~~(n)(j) Paraffin Wax shall be used in single use bags only. Wax shall be kept covered when not in use, a manner which does not contaminate the wax remaining in the paraffin bath and, the paraffin bath shall be kept covered when not in use. Hands and feet shall be washed with antibacterial soap and water prior to paraffin wax treatment.~~

~~(o) No tool or implement that penetrates into the dermal layer of the skin shall be used in a salon or school.~~

~~(p) Under no circumstance will a nail technician, or cosmetologist, or any location licensed by the Board of Cosmetology to perform cosmetology services, use the product Methylmethacrylate Monomer (MMA) in doing sculptured nails.~~

~~(q)(k) Shampoo bowls shall be cleaned with approved disinfectant after each use. Disinfectant must be kept on back bar in an appropriately labeled dispenser, and changed according to manufacture directions. disinfected with an EPA registered hospital grade, bactericidal, virucidal, fungicidal, and pseudomonacidal after each use. Disinfectant must be kept on back bar in an appropriately labeled dispenser, changed according to manufacture directions, and used to disinfect shampoo bowl after each use.~~

~~(r)(l) Coffee and other refreshments shall be served only in single use containers with lids. No open food or drink is allowed in the work area.~~

~~(s) No person infected with a disease in a communicable form which can be transmitted in the course of his employment, shall work in a salon or school. Licensees shall not treat or attempt to treat any disease of the skin.~~

~~(t) Implements used to remove superfluous hair shall be disinfected in an EPA registered, hospital grade, bactericidal, virucidal, fungicidal, and pseudomonacidal disinfectant. All implements shall be stored in a clean disinfected closed container. Wax machines shall be kept clean and free of debris and provided with a lid. Roll on wax is prohibited.~~

~~**Section 7.** Blood Spill Procedure, Wet Disinfection Standards, and Pedi Spa Standards comply with the current standards and procedure set forth by the National Interstate Council of State Boards of Cosmetology. For copies contact The Board of Cosmetology, 2515 Warren Ave., Suite 302, Cheyenne, WY 82002 (307)777-3534.~~

~~**Section 8.** Questions concerning approved disinfectants and their effectiveness should be directed to the Wyoming Board of Cosmetology at 2515 Warren Avenue, Suite 302, Cheyenne, WY 82002.~~

Section 5. Prohibited items.

- (a) Implements that penetrate into the dermal layer of the skin;
- (b) Methylemethacrylate Monomer (MMA);
- (c) Neck brushes;
- (d) Roll on wax;
- (e) Credo blades;
- (f) Multi use puffs or sponges;
- (g) Styptic pencil; and
- (h) Table dusters.

Chapter 9

Application Review, Complaint, Practice, and Procedure

Section 1. Application Review Process.

(a) Upon receipt of a completed application, the Board Office shall review the application, determine if it is complete, and if there are no known grounds for denial of the license requested, the license will be issued. If further information is required the board office shall request that the applicant provide additional documentation or information to the Board or verification company approved by the Board. Any related fees will be at the applicant's expense. If eligibility is still unclear the Board office shall forward the application to the Application Review Committee (ARC).

(b) The ARC shall review the application and all other information available and following the review may:

(i) Approve the application if the applicant meets all requirements; or

(ii) Deny the application. If the application is denied a denial letter shall be sent to the applicant stating the basis for the denial including relevant statutes and rules.

(c) If denied, the applicant may request a denial hearing. The applicant must submit a written request for a hearing within thirty (30) days of the date of the denial letter.

Section 2. Application denial hearing.

(a) An application denial hearing is a formal contested case hearing conducted pursuant to the Wyoming Administrative Procedure Act.

(b) The hearing is to be conducted in the presence of a quorum of the Board with a hearing officer presiding.

(c) The applicant has the burden of proving that he or she meets all requirements for the license requested.

Section 3. Complaints. All complaints against a licensee or registrant shall be filed with the Board in writing and shall contain:

(a) Name and address of licensee or registrant;

(b) Name, address, and telephone number of complainant;

- (c) Nature of alleged violations;
- (d) A short and concise statement of facts relating to the alleged violations; and
- (e) Signature of complainant.

Section 4. Investigation.

(a) The Board shall consider the complaint to determine if further investigation of the matter is warranted. If further investigation is necessary, the Board shall assign an investigator. The investigator may be a Board member or the Board may hire an independent investigator to assist a representative of the Attorney General's Office and the investigative committee.

(b) Upon completing the investigation the committee may:

(i) Prepare and file a formal complaint and notice of hearing with the Board setting the matter for a contested case hearing; or

(ii) Recommend to the Board that the complaint be dismissed.

(c) The Board may resolve a complaint at any time by:

(i) Accepting a voluntary surrender of a license;

(ii) Accepting conditional terms for settlement; or

(iii) Dismissal.

Section 5. Service of Notice and Formal Complaint. Notice and Complaint shall be served by the Board's Investigative Committee by mail at least twenty (20) days before the hearing. The Board shall send it by certified or registered mail with return receipt requested to the last known address of the registrant or licensee.

Section 6. Docket. A contested case docket number shall be assigned when a complaint is filed with the Investigative Committee. A separate file shall be established for each docketed case in which shall be placed all papers, pleadings, documents, transcripts, evidence, and exhibits.

Section 7. Answer or Appearance. The licensee or registrant shall file a Notice of Appearance at least twenty (20) working days before the date set for hearing.

Section 8. Default in Licensee Answering or Appearing. Default shall be entered in the event the registrant or licensee fails to answer or otherwise appear within the time allowed. A registrant or licensee in default may attend and participate in any subsequent hearing but may not introduce evidence.

Section 9. Contested Case Hearing.

(a) The hearing shall be conducted by the Office of Administrative Hearings in accordance with its Uniform Rules for Contested Case Practice and Procedure. The hearing officer shall submit proposed findings of fact, conclusions of law, and a proposed order to the Board within thirty (30) days of the hearing's conclusion. The parties may submit exceptions to the proposed order within ten (10) days after its service.

(b) By incorporating the Office of Administrative Hearings' Uniform Rules, the Board makes the following findings;

(i) Incorporating the full text of the Uniform Rules would be cumbersome and inefficient given the length and nature of the rules;

(ii) The incorporation is limited to the Uniform Rules of the Office of Administrative Hearing, effective on October 17, 2014, and shall not include any subsequent editions or amendments to the Uniform Rules;

(iii) Copies of the Uniform Rules are available to the public at the Board's office at 2515 Warren Avenue, Suite 302, Cheyenne, WY 82002 or at <http://cosmetology.wy.gov>.

(c) Proposed orders shall be given consideration, but are not binding upon the Board. All final decisions shall be issued by the Board and shall be based exclusively on the evidence in the record and matters officially noticed. The Investigative Review Committee shall not participate in the Board's final decision.

(d) The Board shall, following the full and complete hearing, make and enter a written decision and order containing findings of fact and conclusions of law. The decision and order shall be filed with the Board.

Section 10. Record of Proceedings. When the denial, revocation, or suspension of any license or registrant is the subject for hearing, it shall be a contested case and the proceedings shall be reported by a court reporter or other adequate means or device.

Section 11. Restoration of License. Upon completing all requirements of a suspended or revoked license, the licensee may apply for reinstatement of licensure by:

(a) Providing the Board office a completed application for reinstatement and any corresponding paper work required for reinstatement.

(b) The application will go before the original investigative Board member, or alternate Board member should the original Board member be no longer in service.

(c) The investigative Board member will present to the Board all findings and conclusions.

(d) The Board shall hold a hearing to approve or decline the reinstatement application.

Chapter 9
~~PRACTICE OUTSIDE OF
LICENSED ESTABLISHMENTS~~

Section 1. Permitted Locations. ~~Licensed cosmetologists, hairstylists, nail technicians, and estheticians may practice in the following unlicensed locations:~~

- ~~(a) The personal residence of a patron;~~
- ~~(b) The office, place of business, or place of regular employment of the patron;~~
- ~~(c) The hospital, health care facility, senior citizen center, nursing or convalescent home in which the patron is presently living or staying;~~
- ~~(d) The hotel, motel or boarding facility in which the patron is presently living or staying.~~

Section 2. Limitations.

~~(a) Persons other than those actually living in the personal residence or working in the office, place of business or place of employment may not be serviced in those places.~~

~~(b) Service to patrons in a hotel, motel, office, place of business, or place of employment shall be provided in the individual room, rooms, or office of the patron. If a room in such a facility is used for servicing more than one patron, that room shall be licensed as a salon.~~

Section 3. Prohibited Location. ~~The home or place of business of the cosmetologist shall not be used to provide cosmetological services without proper salon licensing.~~

Chapter 119
APPLICATION REVIEW, COMPLAINTS,
AND
~~HEARING PROCEDURES~~Application Review, Complaint, Practice, and Procedure

Section 1. Application Review Process.

(a) Upon receipt of a completed application, the Board Office shall review the application, ~~determine and~~ if it is complete, and, if there ~~is~~ are no known grounds for denial of the license requested, the license will be issued ~~the license~~. If further information is required there are known grounds for denial, the Board Office shall request that the applicant provide additional documentation or information to the Board or verification company approved by the Board. Any related fees will be at the applicant's expense. If eligibility is still unclear the Board office shall forward the application to the Application Review Committee (ARC).

(b) The ARC shall review the application and all other information available and following the review may:

(i) Approve the application if the applicant meets all requirements; or

(ii) Deny the application. If the application is denied a denial letter shall be sent to the applicant stating the basis for the denial including relevant statutes and rules. If there are questions as to whether denial is appropriate, forward the application and an ARC report to the Assistant Attorney General assigned to the Board for prosecution to review.

~~(c) If, after review, the ARC and Assistant Attorney General recommend denial of an application:~~

~~(i) A preliminary denial letter shall be sent to applicant. The letter shall:~~

~~(A) State basis for the denial including relevant statutes and rules; and~~

~~(B) Advise the applicant of the right to request reconsideration.~~

~~(ii) If the applicant fails to request reconsideration in writing within thirty (30) days of the date of the preliminary denial letter, the preliminary denial becomes final.~~

~~(iii) If the applicant requests reconsideration within thirty (30) days, a reconsideration conference shall be held with the ARC, the Assistant Attorney General, and the applicant.~~

~~(iii) Following a reconsideration conference, the ARC shall either approve or deny the application.~~

(iv)(c) If denied, the applicant may request a denial hearing. The applicant must submit a written request for a hearing within thirty (30) days of the date of the denial letter.

~~(v) If denied, the applicant must submit a written request for a hearing within thirty (30) days of the date of the denial letter.~~

~~(d) **Section 2.** Application denial hearing. Application denial hearing.~~

(i)(a) An application denial hearing is a formal contested case hearing conducted pursuant to the Wyoming Administrative Procedure Act.

~~(ii)(b)~~ The hearing is to be conducted in the presence of a quorum of the Board, with a hearing officer presiding.

~~(iii)(c)~~ The applicant has the burden of proving that he/ or she meets all requirements for the license requested.

~~Section 2. Complaints.~~

~~(a) A disciplinary action is initiated against a license holder by submitting a written complaint to the Board office. A complaint concerning an alleged violation of the Act or Board Rules may be submitted by any person or entity, a Board member, or a Board staff member. The written complaint should provide as much of the following information as may be available and applicable:~~

- ~~(i) The name and address of the complainant;~~
- ~~(ii) The name, address, place of employment, and telephone number of the license holder against whom the charges are made;~~
- ~~(iii) The specific conduct alleged to constitute the violation;~~
- ~~(iv) The name and address of any other witnesses; and~~
- ~~(v) The signature of the complainant.~~

~~Section 3. Review of Written Complaint.~~

~~(a) Written complaints shall be referred to an Investigative Board Member (IBM) selected by Board staff from a rotating schedule. License holders against whom charges are made will be advised of the investigation, the name of the IBM, and the nature of the complaint.~~

- ~~(i) The IBM shall not take part in the consideration of any contested case.~~
- ~~(ii) The IBM shall not, by this rule, be barred from attending any disciplinary hearing.~~

~~Section 4. Investigations and Board Action.~~ ~~The IBM and Board staff shall investigate those written complaints received which merit further investigation.~~

~~(a) Upon completion of the investigation, an investigative report shall be prepared.~~

- ~~(i) The report shall include:~~
 - ~~(A) The findings;~~
 - ~~(B) A list of statutes and/or Board rules believed to have been violated;~~

and

~~(C) Any relevant additional information.~~

~~(b) The IBM shall review the investigative report, forward the report and his/her recommendations to the Assistant Attorney General assigned to the Board for prosecution, and consult with the Assistant Attorney General.~~

- ~~(c) Following consultation with the Assistant Attorney General, the IBM may:~~
 - ~~(i) Send the notice required by Section 5;~~
 - ~~(ii) Prepare and file a formal petition and notice of hearing setting the matter for a contested case hearing before the Board;~~
 - ~~(iii) Recommend the Board accept an offer of conditional terms for settlement, which may include educational courses;~~
 - ~~(iv) Recommend the Board dismiss the complaint.~~
- ~~(d) The Board may resolve a complaint at any time by:~~

- ~~(i) Accepting a voluntary surrender of a license;~~
- ~~(ii) Accepting conditional terms for settlement;~~
- ~~(iii) Dismissal~~

~~**Section 5.** Service of Notice and Opportunity to Show Compliance. Prior to commencement of a formal hearing, the IBM shall give notice by mail to the license holder of the facts or conduct which warrants his/her intended action. The notice shall give the license holder an opportunity to show compliance with all lawful requirements for retention of the license within twenty (20) days of the mailing of the notice. Such notice shall be sent to the license holder's last known address both by certified mail with return receipt requested and by first class mail.~~

~~**Section 6.** Formal Hearing Procedures.~~

~~(a) A formal proceedings for a hearing before the Board regarding action against a license holder shall be commenced by petition and notice of hearing, served in person, or by both certified mail and first class mail sent to the address last known by the Board at least thirty (30) days prior to the date set for the hearing. The petition and notice shall contain at least:~~

- ~~(i) The name and address of the license holder;~~
- ~~(ii) A statement, in ordinary and concise language, of the nature of the complaint filed with the Board, the facts upon which the complaint is based, as well as the specific statute(s) or Board rules and regulations alleged to have been violated;~~
- ~~(iii) The time, place, and nature of the hearing;~~
- ~~(iv) That the hearing is being held pursuant to the authority provided by W.S.33-12-135; and~~

~~(v) The license holder shall file an Answer or Notice of Appearance, which must be received by the Board at least ten (10) working days prior to the date set for hearing, or the license holder, will be in default.~~

~~**Section 7.** Continuance. For good cause shown, extensions and continuance may be granted or denied at the discretion of the Board or the hearing officer.~~

~~**Section 8.** Default. The Board may enter an order based on the allegations in a petition in any case where the applicant or license holder has not answered or appeared in writing ten (10) working days before the hearing, or in any case in which the applicant or license holder or his/her representative has not appeared at a scheduled hearing for which they had notice.~~

~~**Section 9.** Hearing Officer. The Board may appoint a hearing officer to take evidence at the hearing, or the chairperson or a Board member may serve as the hearing officer.~~

~~**Section 10.** Discovery. In all formal proceedings before the Board, discovery shall be afforded in accordance with the Wyoming Administrative Procedure Act.~~

~~**Section 11.** Subpoenas.~~

~~(a) A Board member or the hearing officer may issue subpoenas for the attendance of witnesses and for the production of books, records, documents, and other evidence, and shall have the power to administer oaths.~~

~~(b) Service of a subpoena must be made at the expense of the party applying for it and shall be made in the manner provided by law for service for subpoenas in civil actions.~~

~~**Section 12.** — Witnesses.~~

~~(a) All persons testifying at any hearing before the Board shall be administered a standard oath or affirmation.~~

~~(b) No testimony will be received from a witness except under oath or affirmation.~~

~~(c) The party calling a witness shall bear the costs associated with his/her appearance.~~

~~(d) The Board and hearing officer shall have an opportunity to examine any witness.~~

~~**Section 13.** — Representation.~~

~~(a) A license holder may represent him/herself or be represented by counsel, provided that such counsel is licensed to practice law in the State of Wyoming or is associated at the hearing with one or more attorneys licensed to practice law in the State of Wyoming.~~

~~(b) In any case before the Board, an appearance in person or the filing of an answer or other pleading shall constitute an appearance of record by an attorney.~~

~~(c) A request for withdrawal from representation by an attorney shall be submitted to the Board in writing.~~

~~(d) The Assistant Attorney General assigned to the Board for prosecution shall present all matters in a contested case on behalf of the IBM.~~

~~**Section 14.** — Prehearing Conference.~~

~~(a) The hearing officer may direct the parties to appear before him/her to consider:~~

~~(i) The simplification of the issues;~~

~~(ii) The necessity or desirability of amending the pleadings;~~

~~(iii) The possibility of obtaining admissions of fact and of documents to avoid unnecessary proof;~~

~~(iv) Formulating procedures to govern the hearing; or~~

~~(v) Such other matters as may aid in the disposition of the case.~~

~~(b) Prehearing conferences shall be conducted informally. An order will be prepared which recite the actions taken at the conference, amendments allowed, agreements of the parties, and the issues to be determined at the hearing.~~

~~**Section 15.** — Order of Procedure at Hearing. The hearing will be conducted in substantially the following order:~~

~~(a) Opening announcements are made by the hearing officer, including case name and docket number, the issue(s) to be considered, parties and counsel present, and subpoenas issued.~~

~~(b) Witnesses should be identified and sworn;~~

~~(c) Opening statements may be made at the discretion of the hearing officer. In cases of license denial, the applicant should go first. In disciplinary cases the IBM should go first;~~

~~(d) Presentation of evidence. The order above will be followed with each party, the hearing officer, and the Board having the opportunity to cross-examine the witnesses. Rebuttal evidence may be presented;~~

~~(e) Exhibits offered in evidence by the applicant or the license holder will be marked with the letters of the alphabet. Those offered by the IBM will be marked numerically;~~

~~(f) Closing arguments may be made at the discretion of the hearing officer. Time may be limited, the order of presentation is as above, and brief rebuttal time may be allowed. The hearing and the evidence are then closed, unless reopened by the hearing officer for good cause shown.~~

~~**Section 16.** Decisions.~~

~~(a) Proposed Decisions:~~

~~(i) At the discretion and direction of the Board, the parties may file proposed findings of fact, conclusions of law, and order after the hearing and before the deadline announced in the hearing's closing announcements.~~

~~(ii) At the discretion and direction of the Board, the hearing officer shall prepare proposed findings of fact, conclusions of law, and order.~~

~~(b) Final Decisions. Proposed decisions will be given consideration but are not binding upon the Board. All final decisions will be issued by the Board and shall be based exclusively upon the evidence in the record and matters officially noticed. All final decisions issued by the Board shall be served to all parties by first class mail sent to their last known address.~~

~~**Section 17.** Appeals. A Petition for Judicial Review of the Board decision may be filed in the district court in accordance with the Wyoming Rules of Appellate Procedure.~~

~~**Section 18.** Transcripts. If a Petition for Judicial Review is filed in the district court, the petitioner shall either arrange the preparation and pay for the transcript of the testimony, or reimburse the Board for the cost of the transcript if previously prepared at Board expense.~~

~~**Section 3.** Complaints. All complaints against a licensee or registrant shall be filed with the Board in writing and shall contain:~~

~~(a) Name and address of licensee or registrant;~~

~~(b) Name, address, and telephone number of complainant;~~

~~(c) Nature of alleged violations;~~

~~(d) A short and concise statement of facts relating to the alleged violations; and~~

~~(e) Signature of complainant.~~

~~**Section 4.** Investigation.~~

~~(a) The Board shall consider the complaint to determine if further investigation of the matter is warranted. If further investigation is necessary, the Board shall assign an investigator. The investigator may be a Board member or the Board may hire an independent investigator to assist a representative of the Attorney General's Office and the investigative committee.~~

~~(b) Upon completing the investigation the committee may:~~

(i) Prepare and file a formal complaint and notice of hearing with the Board setting the matter for a contested case hearing; or

(ii) Recommend to the Board that the complaint be dismissed.

(c) The Board may resolve a complaint at any time by:

(i) Accepting a voluntary surrender of a license;

(ii) Accepting conditional terms for settlement; or

(iii) Dismissal.

Section 5. Service of Notice and Formal Complaint. Notice and Complaint shall be served by the Board's Investigative Committee by mail at least twenty (20) days before the hearing. The Board shall send it by certified or registered mail with return receipt requested to the last known address of the registrant or licensee.

Section 6. Docket. A contested case docket number shall be assigned when a complaint is filed with the Investigative Committee. A separate file shall be established for each docketed case in which shall be placed all papers, pleadings, documents, transcripts, evidence, and exhibits.

Section 7. Answer or Appearance. The licensee or registrant shall file a Notice of Appearance at least twenty (20) working days before the date set for hearing.

Section 8. Default in Licensee Answering or Appearing. Default shall be entered in the event the registrant or licensee fails to answer or otherwise appear within the time allowed. A registrant or licensee in default may attend and participate in any subsequent hearing but may not introduce evidence.

Section 9. Contested Case Hearing.

(a) The hearing shall be conducted by the Office of Administrative Hearings in accordance with its Uniform Rules for Contested Case Practice and Procedure. The hearing officer shall submit proposed findings of fact, conclusions of law, and a proposed order to the Board within thirty (30) days of the hearing's conclusion. The parties may submit exceptions to the proposed order within ten (10) days after its service.

(b) By incorporating the Office of Administrative Hearings' Uniform Rules, the Board makes the following findings;

(i) Incorporating the full text of the Uniform Rules would be cumbersome and inefficient given the length and nature of the rules;

(ii) The incorporation is limited to the Uniform Rules of the Office of Administrative Hearing, effective on October 17, 2014, and shall not include any subsequent editions or amendments to the Uniform Rules;

(iii) Copies of the Uniform Rules are available to the public at the Board's office at 2515 Warren Avenue, Suite 302, Cheyenne, WY 82002 or at <http://cosmetology.wy.gov/Barbers.aspx>.

(c) Proposed orders shall be given consideration, but are not binding upon the Board. All final decisions shall be issued by the Board and shall be based exclusively on the evidence in the record and matters officially noticed. The Investigative Review Committee shall not participate in the Board's final decision.

(d) The Board shall, following the full and complete hearing, make and enter a written decision and order containing findings of fact and conclusions of law. The decision and order shall be filed with the Board.

Section 10. Record of Proceedings. When the denial, revocation, or suspension of any license or registrant is the subject for hearing, it shall be a contested case and the proceedings shall be reported by a court reporter or other adequate means or device.

Section 11. Restoration of License. Upon completing all requirements of a suspended or revoked license, the licensee may apply for reinstatement of licensure by:

(a) Providing the Board office a completed application for reinstatement and any corresponding paper work required for reinstatement.

(b) The application will go before the original investigative Board member, or alternate Board member should the original Board member be no longer in service.

(c) The investigative Board member will present to the Board all findings and conclusions.

(d) The Board shall hold a hearing to approve or decline the reinstatement application.

Chapter 10
Fees

Section 1. The Board has established the following schedule of non-refundable fees:

(i)	Examination fee	\$100.00
(ii)	Personal license fee to include: Cosmetologist, Nail Technician, Esthetician, Hairstylist, and Instructors	\$ 48.00 per year
(iii)	Independent contractor license	\$ 75.00 per year
(iv)	Salon license	\$ 75.00 per year
(v)	Salon application fee	\$225.00
(vi)	Salon relocation fee	\$225.00
(vii)	School application fee	\$375.00
(viii)	School license	\$200.00 per year
(ix)	Salon/School late fee (up to 30 days)	\$ 20.00
(x)	Salon/School late fee (up to 60 days)	\$ 40.00
(xi)	Salon/School late fee (up to 90 days)	\$ 60.00
(xii)	Endorsement fee	\$225.00
(xiii)	License reinstatement fee	\$175.00
(xiv)	Temporary location license	\$ 75.00
(xv)	Law book	\$ 5.00
(xvi)	Certification fee	\$ 25.00
(xvii)	License application packet fee	\$ 7.50

(xviii) Duplicate license	\$ 10.00
(xix) Retake single phase or theory exam only	\$ 60.00
(xx) Credit card fee	\$ 4.00
(xxi) Mailing list of names (30 names or 1 page)	\$ 2.00 per page
(xxii) Mailing list of names/labels (30 names or 1 page)	\$ 3.00 per page

Section 2. Initial Licensing Fee Calculation.

(a) A new salon application that is received during October, November or December will be assessed a pro-rated fee for the rest of the year plus the license fee for the following year.

(b) A new independent contractor application that is received during June, July or August will be assessed a pro-rated fee for the rest of the year plus the license fee for the following year.

(c) The first year a Wyoming cosmetology, hairstylist, nail technician, esthetician, or instructor license is obtained the license is issued for one (1) year from the month of acquisition. After the first year all renewal licensees will be set up on a two (2) year renewal expiring in the month of the licensee's birth pro-rated license amounts will apply.

Section 3. Request for Copies.

(a) Pursuant to W.S. 16-4-204 each of the following fees may be assessed for the cost and services required to provide copies or printouts of public records.

- (i) Photocopies (per page); \$.55
- (ii) Applicable postage charges:
- (iii) Applicable hourly pay rate for staff time involved to produce copies: and
- (iv) Cost of computer disks, document mailers, envelopes and other supplies as applicable.

Chapter 1310

FEES: Fees

Section 1. The Board has established the following Schedule of non-refundable fees:

(a) ~~Fees effective March 1, 2011:~~

- (i) Examination fee \$ ~~75.00~~100.00
- (ii) Personal license fee to include:
 - Cosmetologist, Nail Technician,
Esthetician, Hairstylist, and Instructors \$ 48.00 per year
- (iii) Independent contractor license \$ 75.00 per year
- (iv) Salon license \$ 75.00 per year
- (v) Salon application fee \$225.00
- (vi) Salon relocation fee \$225.00
- (vii) School application fee \$375.00
- (viii) School license \$200.00 per year
- (ix) Salon/School late fee (up to 30 days) \$ 20.00
- (x) Salon/School late fee (up to 60 days) \$ 40.00
- (xi) Salon/School late fee (up to 90 days) \$ 60.00
- (xii) Endorsement fee \$225.00
- (xiii) License reinstatement fee \$175.00
- (xiv) Temporary location license \$ 75.00
- (xv) Law book \$ 5.00
- (xvi) Certification fee \$ 25.00
- (xvii) License application packet fee \$ 7.50
- (xviii) Duplicate license \$ 10.00
- (xix) ~~Online examination fee (theory only)~~ Retake single phase or theory exam only \$ ~~75~~60.00
- ~~(xx) Credit card fee (transactions up to \$25) \$ 3.00~~
- ~~(xxi) Credit card fee (transactions from \$26-\$150) \$ 4.00~~
- ~~(xxii) Credit card fee (transactions over \$150) \$ 5.00~~
- ~~(xxiii) Mailing list of names (30 names or 1 page) \$ 2.00 per page~~
- ~~(xxiv) Mailing list of names/labels (30 names or 1 page) \$ 3.00 per page~~

(b) All fees are non-refundable.

Section 2. Initial Licensing Fee Calculation.

(a) A new salon application that is received during October, November or December will be assessed a pro-rated fee for the rest of the year plus the license fee for the following year.

(b) A new independent contractor application that is received during June, July or August will be assessed a pro-rated fee for the rest of the year plus the license fee for the following year.

(c) The first year a Wyoming cosmetology, hairstylist, nail technician, esthetician, or instructor license is obtained the license is issued for one (1) year from

the month of acquisition. After the first year all renewal licensees will be set up on a two (2) year renewal expiring in the month of the licensee's birth pro-rated license amounts will apply.

Section 3. Request for Copies. ~~Pursuant to W. S. 16-4-204 each of the following fees may be assessed for the cost and services required to provide copies or printouts of public records:~~

Section 2. (a) Pursuant to W.S. 16-4-204 each of the following fees may be assessed for the cost and services required to provide copies or printouts of public records.

~~(a) (i)~~ Photocopies (per page); \$.55

~~(b) (ii)~~ Applicable postage charges;

~~(c) (iii)~~ Applicable hourly pay rate for staff time involved to produce copies;

and

~~(d) (iv)~~ Cost of computer disks, document mailers, envelopes and other supplies as applicable.

Chapter 12
RESTORATION OF LICENSE

~~**Section 1. Voting on Restoration of License.** For reasons deemed sufficient and by majority vote, the Board may restore a license which has been revoked, reduce the period of suspension or withdraw a reprimand.~~

~~**Section 2. Applying for Restoration of License.**~~

~~(a) Request for such action by the applicant shall be made in writing addressed to the Board of Cosmetology;~~

~~(b) This request shall specifically detail the reasons believed by the applicant to warrant Board action. A revoked, suspended, or denied license shall not be reinstated before one (1) year has elapsed from the time of revocation.~~

~~**Section 3. Board Action in Restoration Procedure.**~~

~~(a) Following examination of the evidence presented by the applicant in the petition, the Board shall, by majority vote:~~

~~(i) Grant the petition;~~

~~(ii) Deny the petition, or;~~

~~(iii) Establish a hearing date to hear further evidence upon the applicant's position within ninety (90) days.~~

~~**Section 4. Notification and Hearing.** Written notification of the Board's decision shall be mailed to the applicant within ten (10) days after the Board's decision. If the Board's decision is to conduct a hearing on the petition, the applicant shall be notified of the date and location of such hearing. The same hearing procedures shall be followed as set forth in Chapter 11 of these rules.~~