



Notice of Intent to Adopt Rules

A copy of the proposed rules may be obtained at <https://rules.wyo.gov>

Revised June 2020

1. General Information

a. Agency/Board Name*		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address		
h. Date of Public Notice	i. Comment Period End Date	
j. Public Comment URL or Email Address:		
k. Program		

Amended Program Name (if applicable):

* ☐ By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.

2. Legislative Enactment For purposes of this Section 2, "new" only applies to regular non-emergency rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these non-emergency regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

☐ No. ☐ Yes. If the rules are new, please provide the Legislative Chapter Numbers and Years Enacted (e.g. 2015 Session Laws Chapter 154):

3. Rule Type and Information For purposes of this Section 3, "New" means an emergency or regular rule that has never been previously created.

a. Provide the Chapter Number, Title and Proposed Action for Each Chapter. Please use the "Additional Rule Information" form to identify additional rule chapters.

Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
	Amended Chapter Name (if applicable):	
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
	Amended Chapter Name (if applicable):	
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 Repealed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 Repealed
	Amended Chapter Name (if applicable):	

4. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. ☐ No. ☐ Yes. Please complete the boxes below.

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 Agency Liaison listed in Section 1 above.

5. Federal Law Requirements

a. These rules are created/amended/repealed to comply with federal law or regulatory requirements. ☐ No. ☐ Yes. Please complete the boxes below.

Applicable Federal Law or Regulation Citation:	
Indicate one (1):	
<input type="checkbox"/> The proposed rules meet, but do not exceed, minimum federal requirements.	
<input type="checkbox"/> 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:	
<input type="checkbox"/> To the Agency at the physical and/or email address listed in Section 1 above.	
<input type="checkbox"/> At the following URL: _____	

6. 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. ☐ The Agency has completed a takings assessment as required by 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: _____

7. Additional APA Provisions

a. Complete all that apply in regards to uniform rules:

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

☐ 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 Principal Reasons).

(Provide chapter numbers)

b. Checklist

☐ The Statement of Principal 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.

☐ If applicable: 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 (Chapter 3, *Types of Rules Filings*, Section 1, Proposed Rules, of the Rules on Rules).

8. Authorization

a. I certify that the foregoing information is correct.

Printed Name of Authorized Individual

Title of Authorized Individual

Date of Authorization



Additional Rule Information

Revised June 2020

Include this page only if needed.

<u>1. General Information</u>			
a. Agency/Board Name*			
b. Agency/Board Address		c. City	d. Zip Code
e. Name of Agency Liaison		f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address			
h. Program			
Amended Program Name (if applicable):			
<u>2. Rule Type and Information, Cont.</u>			
a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.			
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		Amended Chapter Name (if applicable):	

WYOMING

EXECUTIVE DIRECTOR

Sharon Bennett

2515 Warren Ave., Suite 302
Cheyenne, WY 82002

BOARD OF COSMETOLOGY

STATE OF WYOMING

Mark Gordon, Governor

307- 777-3534
307- 777-3681 (fax)

Statement of Principal Reasons For Adoption of Rules

The Wyoming Board of Cosmetology is proposing general rule updates to aid the Board in establishing current health, safety and infection control standards and to assist cosmetologist, salon owners, cosmetology students, and schools. First the board is proposing to update requirements for licensing certificates that will add current photos of the licensee to help with unlicensed practice.

In addition, the board is adding clarification to their rules regarding scope of practice for licensees and guidelines regarding medical treatments that may be offered in a salon.

The Board is also defining how schools may use remote education tools. The Board is proposing to allow cosmetology schools to teach up to 25% of theory-based hours outside of school premises, and any non-clinical floor hours using live audio and video connection education tools to give schools and students more flexibility. The Board is not proposing to allow cosmetology schools to use remote education tools to teach clinical floor work because cosmetologists must learn their profession in a hands-on environment.

The Board is proposing general clean up and updates to out-of-date requirements for schools, and updates to the curriculum standards.

For salons, the Board is proposing general clean up to rules and to add licensing that will allow for mobile salons within the state. The Board is also requesting to lower the required fee associated with a change of ownership within an established salon.

Additionally, the Board is proposing updates to their chapter on Infection Control to help aid in the health and safety of the public.

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, and infection control standards, 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. Required Photo for Licensure. All licensees are required to provide the board office with a current passport-type (headshot only) photo. Applicants shall submit an updated photo every eight (8) years.

Section 7. 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 pierce the epidermal or dermal layer of the skin are considered invasive and are prohibited.

(vi) 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 5, to acquire the skills to safely remove superfluous hair.

Section 8. Independent Contractor. An individual holding a current cosmetology, hairstylist, nail technician, or esthetician license who is self-employed working within a licensed salon.

Section 9. 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) Any act which constitutes the practice of medicine, unless the cosmetologist is also licensed or certified to perform the act in question by another licensing board.

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

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

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

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

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

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

(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; or
- (iv) Interfering with or refusing access to any Board member, agent, or assistant seeking to perform an inspection.
- (j) Failure to comply with any order issued by the Board.
- (k) Aiding or abetting the practice of cosmetology, nail technology, esthetics, or hairstyling by an unlicensed person.
- (l) Practicing beyond the scope of practice authorized by the person's license.
- (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 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.
- (p) Abuse of a patron or nonconsensual sexual conduct with a patron.

Section 10. Publications. Current licensees will be notified of proposed rule changes by mail. All changes will be available on the Board's website, cosmetology.wyo.gov and at the Wyoming Secretary of State website, rules.wyo.gov. To obtain a Wyoming law book send a self-addressed stamped #10 envelope to the board office at 2515 Warren Avenue, Suite 302, Cheyenne, WY 82002.

Section 11. 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 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 and does not have a least one (1) year work history 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, current passport-type (headshot only) photo and the appropriate fees. Exam applications shall be received in the Board office no later than twenty (20) days prior to the examination date.

(d) 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.

(e) 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. Approval of international applicants will be based on provided documentation translated in English pertaining to training, hours, and licensure. Applications shall be made in accordance with section 1 (c) through (e) 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 practical examination; or

(b) An applicant from another state who meets requirements of W.S. 33-12-132 who has passed a board administered theory examination, and has a least one (1) year work history.

(c) Applications for endorsement shall be submitted to the Board office on the prescribed forms and accompanied by required documentation, current passport-type (headshot only) photo, and appropriate fees.

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) Hold 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 the 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 forms and be accompanied by the appropriate fee. The completed application shall include or be accompanied by the following:

- (a) For Cosmetology or Hairstyling. A detailed floor plan of the school building showing a minimum of 2,000 square feet of floor space to include the location of restrooms; at least one classroom which is separated from the clinic area by walls or partitions; shampoo area; dispensary; entrances and exits; carpeted areas; and location of all equipment required;
- (b) For Nail Technician or Esthetics. A detailed floor plan of the school showing a minimum of 1,000 square feet of floor space to include the location of restrooms; at least one

classroom that is separated from the clinic area by walls or partitions; a sink area; dispensary; entrance and exits; carpeted areas; and locations of all equipment required;

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

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

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

(f) Names 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. 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 smooth non-porous surfaced material. Carpeting shall be permitted in reception area only.

Section 7. Consideration of Applications. Applications for school licenses are considered by the Board at regularly scheduled meetings.

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

(a) Clinic area or “floor” is the part of the 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 consist 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 mannequin head and hand per cosmetology student, one mannequin head per esthetics student, and one mannequin hand per nail technician student;
- (k) Training manuals and curriculum lesson plans for all courses offered;
- (l) Two copies of the Wyoming State Board of Cosmetology Law Book in the school’s library;

(m) 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;

(n) A seal bearing the name of the school shall be impressed on all official documents such as diplomas;

(o) 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);

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

(q) A conspicuous sign posted at the school entrance bearing the word "School" and a sign with the words "student work only" posted in plain sight in the clinic area;

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

(s) Schools designated as esthetics schools must provided all the above facility and equipment items in this section excluding (a), (b), (c), (d), and (f); and

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

Section 10. Remote Education.

(a) Schools may offer remote education subject to the limitations in Chapter 6, Section 7 of these rules.

(b) In addition to any other recordkeeping requirements, all courses with any hours obtained remotely, schools shall maintain records of:

(i) Course syllabi;

(ii) Which software the school used to implement remote education; and

(iii) Any contracts or agreements the school enters with the software providers.

Section 11. Instructor/Student Ratio.

(a) At a minimum each school must employ two (2) instructors;

(b) At least one licensed instructor must be present on the school premises at all times students are present;

(c) There shall be no more than twenty (20) students present on school premises per instructor; and

(d) All students and student instructors shall be under supervision of a licensed instructor throughout the entire course of instruction.

Section 12. 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 13. 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 14. 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 than ninety (90) days must apply for an original license and meet the current requirements and submit current fees.

Section 15. Course Update. Schools must notify the board office of any course changes, and submit new brochures if applicable.

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 6; 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 6; and
 - (v) Submit to the Board office an application for examination on the prescribed form accompanied by required documentation and appropriate fees, received no later than twenty (20) days prior to the examination date.
- (b) Licensing by endorsement:
 - (i) A licensed Instructor from another state who meets the requirements of W.S. 33-12-132 who has passed a theory and practical examination administered by a state board of testing company; or
 - (ii) A licensed Instructor from another state who meets the requirements of W.S. 33-12-132 who has passed a theory examination administered by a state board or testing company and has at least one (1) year work history as an Instructor; and
 - (iii) Submit to the Board office an application for endorsement on the prescribed forms accompanied by required documentation and appropriate fees.

Section 2. Practice by Instructor.

- (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 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. Student Enrollment Application. Within ten (10) days of the date of enrollment the school shall submit the prescribed enrollment application to the Board office, accompanied by the following:

- (a) Copy of current state-issued driver's license or ID card and social security card or U.S. birth certificate; or
- (b) Copy of a current U.S. passport or current permanent resident card; and
- (c) Proof of tenth grade education or its equivalent.

Section 3. Student Instructor Qualifications. Student 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 current 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 Application. Within ten (10) days of the date of enrollment the school shall submit the prescribed enrollment application to the Board office accompanied by the following;

- (a) Proof of high school graduation or equivalency certificate; and
- (b) Proof of work experience as required in Section 3 (d) of this chapter. Proof shall be by notarized statement from employer or tax records.

Section 5. Student Records and Reports.

(a) School shall keep a daily record of student hours 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, schools shall report student hours acquired during the previous month to the Board office.

(c) All records and reports shall be made on prescribed forms and when applicable be signed by the student and the instructor or school representative. Schools shall maintain a copy of all forms, and provide copies for the student and the board office.

(d) Applications for examination or final course records shall be accompanied by a current passport-type (headshot only) photo.

Section 6. Transfers.

(a) Upon student transfer from one Wyoming school to another, schools shall submit the appropriate notice of withdrawal and enrollment forms to the Board office.

(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 and are specific to hours within Wyoming curriculum requirements. 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 an original final course record, and be signed by a school representative.

Section 7. Withdrawals. The school shall submit the required documentation to the Board within fifteen (15) days of a student's withdrawal from school.

Section 8. Reentry.

(a) Reentering students shall be enrolled in accordance with section 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.

Section 9. 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 6

Course of Study

Section 1. Course of Study for Cosmetology Students. The cosmetology program for all schools shall consist of no less than eight (8) months of education in the study of hair, skin, and nails and meet the state requirement of no less than sixteen hundred (1600) hours of theory and practical instruction to include the following:

(a) Eight hundred fifty (850) hours in the science of hair, general hairstyling and chemical services to include:

rules;

- (i) Health, safety, and infection control as outlined in Chapter 10 of these

- (ii) Anatomy, physiology and histology of the hair and scalp;

- (iii) Scalp and hair analysis;

- (iv) Scalp disorders and diseases;

- (v) Hair care products (chemistry, ingredients, and selection);

- (vi) Basics of chemistry;

- (vii) Basics of electricity;

- (viii) State laws and regulations;

- (ix) Professional development;

- (x) Pre-and post-service procedures;

- (xi) Scalp care, shampooing, and conditioning;

- (xii) Haircutting;

- (xiii) Hairstyling;

- (xiv) Braiding and extensions;

- (xv) Wigs and hair additions;

- (xvi) Chemical texture services; and

(xvii) Hair color and lightening.

(b) Four hundred fifty (450) hours in the science of esthetics and general esthetics to include:

rules;

(i) Health, safety, and infection control as outlined in Chapter 10 of these

(ii) Anatomy, physiology, and histology of the skin;

(iii) Skin analysis;

(iv) Skin disorders and diseases;

(v) Skin care products (chemistry, ingredients, and selection);

(vi) Basics of chemistry;

(vii) Basics of electricity;

(viii) State laws and regulations;

(ix) Professional development;

(x) Pre-and post-service procedures;

(xi) The treatment room;

(xii) Basic facials;

(xiii) Facial massage;

(xiv) Hair removal;

(xv) Advanced topics and treatments; and

(xvi) Makeup.

(c) Three hundred (300) hours in the science of nail technology and general nail technology to include:

- rules;
- (i) Health, safety, and infection control as outlined in Chapter 10 of these
 - (ii) Anatomy, physiology, and histology of the skin and nails;
 - (iii) Skin and nail analysis;
 - (iv) Nail diseases and disorders;
 - (v) Nail and skin care products (chemistry, ingredients, and selection);
 - (vi) Basics of chemistry;
 - (vii) Basics of electricity;
 - (viii) State laws and regulations;
 - (ix) Professional development;
 - (x) Pre-and post-service procedures;
 - (xi) Basic and advanced manicures and pedicures;
 - (xii) Polishing and design;
 - (xiii) Hand, arm, foot, and leg massage;
 - (xiv) Hand and feet treatments;
 - (xv) Nail tips and wraps;
 - (xvi) Nail enhancements;
 - (xvii) Electric filing; and
 - (xviii) Creative design.

Section 2. Course of study for Hairstyling Students. The hairstyling program for all schools shall consist of no less than five (5) months of education in the study of hair and meet the state requirement of no less than one thousand (1000) hours of theory and practical instruction to include the following:

(a) One thousand (1000) hours in the science of hair, general hairstyling and chemical services to include;

rules;

- (i) Health, safety, and infection control as outlined in Chapter 10 of these

- (ii) Anatomy, physiology, and histology of the hair and scalp;

- (iii) Scalp and hair analysis;

- (iv) Scalp disorders and diseases;

- (v) Hair care products (chemistry, ingredients, and selection);

- (vi) Basics of chemistry;

- (vii) Basics of electricity;

- (viii) State laws and regulations;

- (ix) Professional development;

- (x) Pre-and post-service procedures;

- (xi) Scalp care, shampooing, and conditioning;

- (xii) Haircutting;

- (xiii) Hairstyling;

- (xiv) Braiding and extensions;

- (xv) Wigs and hair additions;

- (xvi) Chemical texture services; and

- (xvii) Hair color and lightening.

Section 3. Course of Study for Nail Technology Students. The nail technology program for all schools shall consist of no less than two (2) months of education in the study of nails and meet the state requirement of no less than four hundred (400) hours of theory and practical instruction to include the following:

(a) Four hundred (400) hours in the science of nail technology, and general nail technology to include;

rules;

- (i) Health, safety, and infection control as outlined in Chapter 10 of these rules;
- (ii) Anatomy, physiology and histology of the skin and nails;
- (iii) Skin and nail analysis;
- (iv) Nail diseases and disorders;
- (v) Nail and skin care products (chemistry, ingredients, and selection);
- (vi) Basics chemistry;
- (vii) Basics of electricity;
- (viii) State laws and regulations;
- (ix) Professional development;
- (x) Pre-and post-service procedures;
- (xi) Basic and advanced manicures and pedicures;
- (xii) Polishing and design;
- (xiii) Hand, arm, foot, and leg massage;
- (xiv) Hand and feet treatments;
- (xv) Nail tips and wraps;
- (xvi) Nail enhancements;
- (xvii) Electric filing; and
- (xviii) Creative design.

Section 4. Course of Study for Esthetician Students. The esthetician program for all schools shall consist of no less than three (3) months of education in the study of skin and meet

the state requirement of no less than six hundred (600) hours of theory and practical instruction to include the following:

- (a) Six hundred (600) hours in the science of esthetics and general esthetics to include;
 - (i) Health, safety, and infection control as outlined in Chapter 10 of these rules;
 - (ii) Anatomy, physiology and histology of the skin;
 - (iii) Skin analysis;
 - (iv) Skin disorders and diseases;
 - (v) Skin care products (chemistry, ingredients, and selection);
 - (vi) Basics of chemistry;
 - (vii) Basics of electricity;
 - (viii) State laws and regulations;
 - (ix) Professional development;
 - (x) Pre-and post-service procedures;
 - (xi) The treatment room;
 - (xii) Basic facials;
 - (xiii) Facial massage;
 - (xiv) Hair removal;
 - (xv) Advanced topics and treatments; and
 - (xvi) Makeup.

Section 5. Course of Study for Add-On Hair Removal License. This course of study is for licensed hairstylists and nail technicians to acquire education in the removal of superfluous hair. The hair removal program shall meet the state requirements of no less than

one hundred twenty-five (125) hours of theory and practical instruction to include the following:

- (a) One hundred twenty-five (125) hours in hair removal to include;
 - (i) Health, safety, and infection control as outlined in Chapter 10 of these rules.
 - (ii) Anatomy of the skin;
 - (iii) Skin analysis;
 - (iv) Pre-and post-service procedures; and
 - (v) Hair Removal.

Section 6. Course of Study for Student Instructors. The instructor program for all schools shall consist of no less than two and one-half (2 ½) months of education in the study of teaching and meet the state requirement of no less than five hundred (500) hours of theory and practical instruction to include the following:

- (a) Five hundred (500) hours in the science of teaching and general education to include:
 - (i) Health, safety, and infection control as outlined in Chapter 10 of these rules;
 - (ii) Introduction to teaching;
 - (iii) Ethics;
 - (iv) State laws and regulations;
 - (v) Hours and record keeping;
 - (vi) Lesson plans;
 - (vii) Use of audio and visual teaching aids and tools;
 - (viii) Test construction and analysis;
 - (ix) Theory class lectures;

- (x) Class demonstrations; and
- (xi) Student supervision (no more than 100 hours).

Section 7. Hours Earned Remotely.

- (a) A student may earn up to 25% of theory related hours outside of school premises. The instructor shall supervise the student through regular assessments and written work product.
- (b) A student may earn any non-clinical floor hours by synchronous remote education.
- (c) If a student earns any portion of their hours remotely, the student's final course record shall reflect which hours the student earned remotely.

Section 8. 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. 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 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 received a minimum of fifteen (15) days prior to opening date, submitted on the prescribed forms and be accompanied by the following:

- (a) Fees;
- (b) Completed inspection sheet;
- (c) 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; and
- (d) Equipment waiver (if applicable).

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) One handwashing sink. If a restroom is shared with other business, a hand washing sink is required in the salon area, and must be independent from the shampoo bowl.

Section 3. Salon Equipment Waiver. Salons offering limited services (nail services and/or esthetic services) may apply in writing for a waiver of the shampoo bowl requirement.

Section 4. Services Not Regulated by The Board of Cosmetology. Services allowed in a salon that are not regulated by the board of cosmetology:

- (a) Tattooing (Permanent Makeup);
- (b) Massage Therapy;
- (c) Piercing;
- (d) Tanning; and

(e) Medical.

(i) All medical services and treatments must be offered in a separate room from cosmetology services; and

(ii) Only licensed medical staff may perform medical services or treatments in a salon.

Section 5. 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 or licensed by the Board of Cosmetology” and posted in clear view of the public.

Section 6. Salon Premises.

(a) Commercial building or space:

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

(ii) When the salon occupies the same building as another business, the salon shall be separated from the other business by walls or partitions at least six (6) feet high.

(iii) Salons shall provide and maintain toilet and hand washing facilities that are clean and in good repair for employees and patrons.

(iv) Salons shall be adequately heated, lighted, and ventilated.

(v) Walls and ceilings shall be kept clean and in good repair. Floors shall be of such construction as to be easily cleaned and kept in good repair. Acceptable flooring is tile, vinyl, or other smooth non-porous material. Carpeting shall be permitted in reception area only.

(b) In-home Salons:

(i) In-home salons, in compliance with city ordinances, must have a separate clearly marked salon entrance. Entrance way into the salon area shall not pass through any living quarters of the residence.

(ii) In-home salons shall provide and maintain toilet and hand washing facilities that are designated for salon use only and be kept clean and in good repair. Restrooms shall not require passage through living quarters of the residence.

(iii) In-home salons shall be adequately heated, lighted, and ventilated.

(iv) Walls and ceilings in the salon area shall be kept clean and in good repair. Floors in the salon area shall be of such construction as to be easily cleaned and kept in good repair. Acceptable flooring is tile, vinyl, or other smooth non-porous material. Carpeting shall be permitted in reception area only.

Section 7. Mobile Salon.

(a) Mobile salon means a self-contained, enclosed mobile unit licensed for the practice of cosmetology and related fields.

(b) No person shall establish or operate a mobile salon until such person has obtained a mobile salon license from the Board. Applications shall be received a minimum of fifteen (15) days prior to opening date and shall be made on the prescribed forms and accompanied by the following;

(i) Fees;

(ii) A detailed floor plan of the mobile salon work space, location of restrooms, entrances, and exits, and all other equipment required; and

(iii) Salon waiver (if applicable).

(c) Mobile salon must pass board inspection, or receive verbal approval from the board prior to opening.

(d) All salon requirements, rules and infection control standards apply to mobile salons.

(e) All equipment shall be securely anchored to the mobile unit.

(f) Fire extinguisher shall be mounted in full view.

(g) No services shall be performed while unit is in motion.

(h) Sleeping provisions shall not be placed or maintained in mobile unit.

(i) Each mobile unit shall, at a minimum, be equipped with each of the following functioning systems:

(i) A self-contained, potable water supply of not less than 100 gallons, and waste water collection tanks of adequate capacity;

(ii) Continuous, on-demand hot water tanks which shall have not less than a six-gallon capacity;

(iii) A self-contained, flushing chemical toilet, with holding tanks;

(iv) A cooling and heating system sufficient to maintain a comfortable room temperature in the mobile salon during all hours of operation; and

(v) Generator with a capacity of no less than 6500 watts and shall be vented outside.

(j) Mobile salons shall provide an itinerary showing dates, locations and operating hours if requested by the board.

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

(a) Salon and mobile salon licenses may not be transferred upon sale of salon. The new owners shall apply for a salon or mobile 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. Relocation only applies 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 or mobile salon owner shall notify the Board office if the salon is permanently closed.

Section 9. Add or Remove Owner on Facility License. For currently licensed salons that are changing ownership with at least one original owner remaining:

(a) Submit change of ownership application and fee to the board office.

(b) A new salon license will be issued with change of ownership information reflected.

Section 10. Barbering in Salons/Cosmetology in a Barber Shop.

- (a) Barbers may practice in a salon or mobile salon if the salon holds a current barber shop or mobile barber shop license.
- (b) Cosmetologist may practice in a barber shop or mobile barber shop if the barber shop holds a current salon or mobile 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 11. Salon and Mobile 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 12. 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, accompanied by licensing fees and be received at the board office ten (10) days prior to the event. All licensees performing services must have a current Wyoming license. All licenses and infection control standards must be posted at the temporary location in clear view of the public. All applicable infection control standards must be adhered to.

Section 13. Permitted Locations. Licensed cosmetologist, hairstylist, nail technicians, and estheticians may practice in the following unlicensed locations, all applicable infection control standards must be adhered to:

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

Section 14. 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 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.

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.

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

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

(b) A completed independent contractor inspection form shall be kept on the salon premise and available to the inspector.

(c) 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 10

Infection Control

Section 1. Definitions.

(a) Clean: Removal of surface and/or visible debris by using soap, detergent or chemical “cleaner”, followed by a clean water rinse. Prepares non-porous items for disinfection by removing debris, product residues, organic matter and oils that may interfere with disinfection chemicals. Reduces the number and slows the growth of pathogens on both porous and non-porous surfaces. Cleaning does not make multi-use items safe for use.

(b) Disinfect: The process of making a non-porous item safe for use requires the use of a chemical intended to kill or denature a bacteria, virus or fungus. Items to be disinfected must be cleaned prior to disinfection. Proper disinfection requires adherence to manufacture’s label with regard to concentration and contact time. UV light is not acceptable for disinfection.

(c) Disinfectant: EPA registered bactericidal, virucidal and fungicidal disinfectant that is approved for use in a salon, or spa setting. Instruction label must be followed for dilution ratio and contact time. Disinfectant used when there is contact with blood or body fluids must be labeled as effective against HIV-1 and human Hepatitis B virus.

(d) Contact Time: The amount of wet contact time required for a disinfectant to be effective against the pathogens on the label. Clean items or surfaces must remain completely immersed or visible wet (spray or wipes) for full contact time to be effective.

(e) Non-porous: Material that has no pores and does not allow for liquids to be absorbed or pass through. Common non-porous materials include glass, metal and plastic.

(f) Porous: Material that has minute spaces or holes through which liquid or air may pass. (Permeable, penetrable, cellular)

Section 2. Wet Disinfection and Storage Standards.

(a) 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 water or a chemical cleaner. Items must then be disinfected by complete immersion in a properly diluted, EPA registered, bactericidal, virucidal, fungicidal disinfectant that is mixed and used according to the manufacturer’s directions. EPA registered bactericidal, virucidal, and fungicidal wipes and sprays may be used where designated in these rules.

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

(c) All disinfectant must be prepared daily according to manufacturer's directions or more often if solution becomes contaminated or cloudy.

Section 3. Single Use Items (porous items).

(a) Any item that cannot be cleaned and disinfected, is considered single use and must be disposed of after each use. This includes, but is not limited to, nail files/emery boards made of any material except metal, plastic or glass, all cotton, buffing blocks, pumice stones, orange wood sticks, toe separators, wooden spatulas, neck strips, and paper coverings.

(b) Single use items may not be stored for customers on the premises and customers may not take single use items home and return with them for service.

(c) All single use items must be stored in a clean, covered container marked "clean" or in their original, single use packaging.

Section 4. Dry Storage Standards. 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.

Section 5. Clippers and Trimmers. Clippers and trimmers must be cleaned and disinfected after each use with a disinfectant spray or wipe, used according to manufacturer's label. Clipper wash may be used as a cleaner prior to disinfection, but is not acceptable as a disinfectant unless labeled as a bactericidal, virucidal and fungicidal disinfectant. Clippers must be stored in a clean place such as on a hook, stand or on a clean towel covered by a clean towel when not in use.

Section 6. Hand Hygiene. Thoroughly wash hands and exposed portions of the arms with soap and water before providing services to each client, and after smoking, drinking, eating, and using the restroom. An equally effective hand sanitizer is acceptable except for after using the restroom.

Section 7. Pedicure Spa Standards.

(a) After each client or service:

(i) Drain tub.

- (ii) Remove all parts (filters, screens, drains, jets, etc.); and
- (iii) Clean and disinfect the removable parts as follows:
 - (A) Scrub with brush and soap or detergent until free of debris;
 - (B) Rinse;
 - (C) Completely immerse in an EPA registered, bactericidal, virucidal, fungicidal disinfectant mixed and used according to the manufacturer's directions;
 - (D) Rinse;
 - (E) Air dry; and
 - (F) Replace the disinfected parts into the tubs or store them in a clean, dry, covered container.
- (iv) Clean tub according to manufacturer's instructions. Take special care to remove all film, especially at the water line. Rinse tub well;
- (v) Fill tub with fresh water, add appropriate amount of disinfectant into water according to the disinfectant manufacturer's label;
- (vi) At minimum use an EPA registered bactericidal, virucidal, and fungicidal disinfectant that is mixed and used according to the manufacturer's directions;
- (vii) Allow the disinfectant to stand for non-circulating tubs or circulate for circulating tubs for the contact time specified according to the manufacturer's instructions; and
- (viii) Drain tub and rinse with fresh water.

Section 8. Blood Exposure Procedure. If a blood exposure should occur, the following steps must be followed:

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

(b) Supply injured party with antiseptic or single use packet of antibacterial ointment and the appropriate dressing to cover the injury; and

(c) Dispose of all soiled articles in trash. Immediately clean and disinfect all non-porous items. Do not continue service with these items.

Section 9. Chemical Safety.

(a) Chemicals shall be transported and stored in accordance with the manufacture's label.

(b) Chemicals must be stored in the original containers.

(c) Chemicals must be stored in overhead cabinets or locked cabinets. They may not be stored in areas used by customers such as bathrooms.

(d) Chemicals may only be mixed and applied to customers specifically as instructed on manufacture's label, including patch test.

(e) Chemicals must be discarded in accordance with manufacture's label, local, state, and federal rules.

(f) Chemicals shall not be mixed with any other substance unless expressly instructed on the label.

Section 10. Communicable Disease. Licensee's shall not perform any service if they have been diagnosed with a communicable disease until cleared by a medical professional for return to work. Licensees shall not perform a service on a client who has visible swelling, eruption, redness, bruising on skin or rash in an area where a service is to be performed. Clients with a physician's note indicating they are not contagious, (such as psoriasis) are an exception to this rule.

Section 11. Product Safety.

(a) All products in multiuse containers such as lotions, creams, powders, and waxes shall be stored, handled, and applied in such a manner as to prevent contamination of the remaining product in the container.

(b) All product in multiuse containers shall be removed from containers with a new, single use spatula or a non-porous spatula that has been cleaned and disinfected.

(c) A single spatula may be used for product that is separated into single use, disposable container for application, but all remaining product, the container and spatula must be disposed of immediately following the service.

(d) No implement shall be doubled dipped back into the original container.

(e) Powder shall be dispensed from shaker and liquid preparations shall be dispensed from an atomizer or applicator bottle without contamination.

Section 12. Nail Services.

(a) Nail tables shall be cleaned and disinfected after each use with an approved disinfectant.

(b) Electric nail files and attachments shall be properly disinfected after each use. Attachments shall be stored in a clean, closed drawer, cabinet or container.

(c) Paraffin was shall be used in single use bags only.

Section 13. Esthetics Services.

(a) Esthetic devices allowed must be commercially available and not pierce, ablate, or destroy the live tissue of the skin, and be operated within manufacturer guidelines.

Section 14. Eyelash Extensions Services.

(a) Eyelash stands, holders, pallets, and trays must be cleaned and disinfected before use with each client.

(b) Glue pallets and holders must be cleaned and disinfected before each client.

(c) Eyelash extensions must be stored in a clean, closed container or in closed original packaging. Eyelash extensions that are removed from the container or original packaging for client's eyelash service and not used must be disposed of and not used for another client.

Section 15. Towels and Coverings.

- (a) A clean cape shall be provided for each client.
- (i) If it is not possible to use a clean cape for each client, a neck strip or clean towel must be used.
- (b) A clean covering shall be used on the esthetic table for each client.
- (c) All clean towels, table, bed and client coverings shall be stored in a clean closed dry cabinet or container.
- (d) All soiled linens shall be kept in a ventilated container with a lid. All linens (towels, sheets, robes, etc.) must be laundered prior to use. Laundry may be done through commercial laundry services or on site. If laundry is being done on-site, there must be a functional washing machine and dryer on the premises.

Section 16. Common Areas.

- (a) Shampoo bowls shall be cleaned with approved disinfectant after each use.
- (b) Wax containers and pots shall be kept clean and free of debris, and covered when not in use. **No implement shall be double dipped back into the wax container.** If wax becomes contaminated or has visible debris, pot must be emptied and disinfected. No wax may be re-used, only new wax may be used in the pot.
- (c) Restroom facilities shall be adequately supplied with disposable hand towels and liquid soap. Cloth towels are not allowed.
- (d) Hand sanitizer shall be available.
- (e) 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, and the safe drinking amendments of 1977, 42 U.S.C. § et seq. and regulations adopted there under.
- (f) 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 client.

(g) All coffee and other refreshments shall be served in a single use container with lids. No open food or drink is allowed in the work area.

(h) Animals may not be used to perform any service in a salon.

Section 17. Prohibited Items. The following items shall not be present in a salon.

(a) Methylemethacrylate Monomer (MMA);

(b) Wooden handle, natural bristle neck brushes or table dusters;

(c) Roll on wax;

(d) Multiuse puffs or sponges; and

(e) Styptic pencil.

Chapter 11

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, registrant, or postsecondary institution shall be filed with the Board in writing and shall contain:

(a) Name and address of licensee, registrant, or postsecondary institution;

(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) day 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 Hearing 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 July 20, 2017, 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, cosmetology.wyo.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 13

Fees

Section 1. The Board has established the following schedule of non-refundable fees:

(a)	Examination fee	\$100.00
(b)	Personal license fee to include: Cosmetologist, Nail Technician, Esthetician, Hairstylist, and Instructors	\$ 48.00 per year
(c)	Independent contractor license	\$ 75.00 per year
(d)	Salon license	\$ 75.00 per year
(e)	Salon application fee	\$225.00
(f)	Salon relocation fee	\$225.00
(g)	Salon change of ownership fee	\$100.00
(h)	School application fee	\$375.00
(i)	School license	\$200.00 per year
(j)	Salon/School late fee (up to 30 days)	\$ 20.00
(k)	Salon/School late fee (up to 60 days)	\$ 40.00
(l)	Salon/School late fee (up to 90 days)	\$ 60.00
(m)	Endorsement fee	\$225.00
(n)	License reinstatement fee	\$175.00
(o)	Temporary location license	\$ 75.00
(p)	Law book	\$ 5.00
(q)	Certification fee	\$ 25.00
(r)	Duplicate license	\$ 10.00

(s)	Retake single phase of theory exam only	\$ 60.00
(t)	Credit card fee	\$ 4.00
(u)	Mailing list of names (30 names or 1 page)	\$ 2.00
(v)	Mailing list of names/labels (30 names or 1 page)	\$ 3.00

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. Adoption of Uniform Rules. The Board of Cosmetology hereby incorporates by reference the following uniform rules:

(a) Chapter 2 – Uniform Procedures, Fees, Costs and Charges for Inspecting, Copying, and Producing Public Records adopted by the Department of Administration and Information and effective on September 6, 2016, found at: <http://rules.wyo.gov>

(b) For these rules incorporated by reference:

(i) The Board of Cosmetology has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendment or editions of the incorporated matter beyond the applicable date identified in subsection (a) of this section; and

(iii) The incorporated rules are maintained at the Board of Cosmetology office and are available for public inspection and copying at the same location.

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 thought 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, and infection control standards, wet disinfection and blood exposure standards, plus pedi spa standards if applicable, ~~and infection control standards, 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. Required Photo for Licensure. All licensees are required to provide the board office with a current passport-type (headshot only) photo. Applicants shall submit an updated photo every eight (8) years.

Section 7. 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.~~

(v) Procedures which pierce the epidermal or dermal layer of the skin are considered invasive and are prohibited.

(vi) 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 5, to acquire the skills to safely remove superfluous hair.

Section 8. Independent Contractor. An individual holding a current cosmetology, hairstylist, nail technician, or esthetician license who is self-employed working within a licensed salon.

Section 9. 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) Any act which constitutes the practice of medicine, unless the cosmetologist is also licensed or certified to perform the act in question by another licensing board.

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

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

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

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

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

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

(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; or

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

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

(k) Aiding or abetting the practice of cosmetology, nail technology, esthetics, or hairstyling by an unlicensed person.

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

(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 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.

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

Section 10. Publications. Current licensees will be notified of proposed rule changes by mail. All changes will be available on the Board's ~~official~~ website, cosmetology.wyo.gov and at the Wyoming Secretary of State website, rules.wyo.gov. ~~the Board will send the current Rules and Regulations to the licensee upon receipt of~~ To obtain a Wyoming Law book send a self-addressed stamped #10 envelope to the board office at 2515 Warren Avenue, Suite 302, Cheyenne, WY 82002.

Section 11. 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 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 and does not have a least one (1) year work history 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, current passport-type (headshot only) photo and the appropriate fees. Exam applications shall be received in the Board office no later than ~~fifteen (15)~~ twenty (20) days prior to the examination date.

~~(d) Examinations are administered in English only.~~

(d) 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.

(e) 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. Approval of international applicants will be based on provided documentation translated in English pertaining to training, hours, and licensure. Applications shall be made in accordance with section 1 (c) through (e) of this chapter. ~~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 practical examination; or

(b) An applicant from another state who meets requirements of W.S. 33-12-132 who has passed a board administered theory examination, and has a least one (1) year work history.

(c) Applications for endorsement shall be submitted to the Board office on the prescribed forms and accompanied by required documentation, current passport-type (headshot only) photo, and appropriate fees.

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) Hold 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 the 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 forms 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;~~
- (a) For Cosmetology or Hairstyling. A detailed floor plan of the school building showing a minimum of 2,000 square feet of floor space to include; 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;

(b) For Nail Technician or Esthetics. A detailed floor plan of the school showing a minimum of 1,000 square feet of floor space to include; 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; carpeted areas; and locations of all equipment required;

(c) For Nail Technician and Esthetics. A detailed floor plan of the school showing a minimum of 1,500 square feet of floor space to include; 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; carpeted areas; and location of all equipment required;

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

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

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

(f) ~~The n~~ 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 m~~ 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 smooth non-porous surfaced material. Carpeting shall be permitted in reception area 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 the 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 consist 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;~~
- (j) One mannequin head and hand ~~or finger~~ per cosmetology student, one mannequin head per esthetics student, and one mannequin hand per nail technician student;
- ~~(k) One English dictionary and one medical dictionary;~~
- ~~(k) An instructor training manual and curriculum lesson plans for student instructor training courses;~~
- ~~(l) Course outlines and curriculum lesson plans for courses in cosmetology and related fields;~~
- (k) Training manuals and curriculum lesson plans for all courses offered;
- (l) Two copies of the Wyoming State Board of Cosmetology Law Book in the school's library;
- (m) 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;
- (n) A seal bearing the name of the school shall be impressed on all official documents such as diplomas;
- (o) 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);
- (p) A locking file cabinet for safeguarding student files and records;

(q) 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;

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

(s) Schools designated as esthetics schools must provided all the above facility and equipment items in this section excluding (a), (b), (c), (d), and (f); and

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

Section 10. Remote Education ~~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.~~

(a) Schools may offer remote education subject to the limitations in Chapter 6, Section 7 of these rules.

(b) In addition to any other recordkeeping requirements, all courses with any hours obtained remotely, schools shall maintain records of:

(i) Course syllabi;

(ii) Which software the school used to implement remote education; and

(iii) Any contracts or agreements the school enters with the software providers.

Section 11. Instructor/Student Ratio.

(a) At a minimum each school must employ two (2) instructors;

(b) At least one licensed instructor must be present on the school premises at all times students are present;

(c) There shall be no more than twenty (20) students present on school premises per instructor; and

(d) All students and student instructors shall be under supervision of a licensed instructor throughout the entire course of instruction.

Section 12. 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 13. 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 14. 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 than ninety (90) days must apply for an original license and meet the current requirements and submit current fees.

Section 15. ~~Annual Records~~ Course 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. Schools must notify the board office of any course changes, and submit new brochures if applicable.~~

Section 16. ~~Schools Licensed as a Salon~~. ~~If a school is also license as a salon, professional practice is only allowed when 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 6; and
 - (v) Submit to the Board office an application for examination on the prescribed form accompanied by required documentation and appropriate fees, received no later than ~~fifteen (15)~~ twenty (20) days prior to the examination date.
- (b) Licensing by endorsement:
- (i) ~~Applicant shall meet the requirements in this chapter, section 1 (a); A~~ licensed Instructor from another state who meets the requirements of W.S. 33-12-132 who has passed a theory and practical examination administered by a state board of testing company; or
 - (ii) ~~Passed a board administered theory and practical examination; and~~
 - (ii) A licensed Instructor from another state who meets the requirements of W.S. 33-12-132 who has passed a theory examination administered by a state board or testing company and has at least one (1) year work history as an Instructor; and
 - (iii) Submit to the Board office an application for endorsement on the prescribed forms accompanied by required documentation and appropriate fees.

~~Section 2. Instructor/Student Ratio.~~

~~(b) — At least one licensed instructor must be present on the school premises at all times student 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.~~

~~(c) — If the school has 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 2. Practice by Instructor.

(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 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. Student Enrollment Application Reports. Within ten (10) days of the date of enrollment the school shall submit the ~~original Board-approved~~ prescribed enrollment application report to the Board office, ~~and include~~ accompanied by 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;~~
- (a) Copy of current state-issued driver's license or ID card and social security card or U.S. birth certificate; or
- (b) Copy of a current U.S. passport or current permanent resident card; and
- (e) ~~Proof of lawful presence in the United States;~~
- (f) ~~Government issued picture I.D.;~~
- (g) ~~Social security number;~~
- (c) Proof of tenth grade education or its equivalent. ~~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. Student 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 current 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 Application. Within ten (10) days of the date of enrollment the school shall submit the ~~original Board approved~~ prescribed enrollment application ~~report~~ to the Board office ~~and include~~ accompanied by the following;

- ~~(a) Refer to section 2 of this chapter (b) through (h);~~
- (a) Proof of high school graduation or equivalency certificate; and
- (b) Proof of work experience as required in Section 3 (d) of this chapter. Proof shall be by notarized statement(s) of from employer(s) or tax records.
- ~~(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 5. Student Records and Reports.

- (a) ~~Each~~ School shall keep a daily record of ~~every student's~~ hours 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~~ student 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 prescribed forms and when applicable be approved by the Board and furnished by the school signed by the student and the instructor or school representative. Schools shall maintain a copy of all forms, and provide copies for the student and the board office. 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.

(d) Applications for examination or final course records shall be accompanied by a current passport-type (headshot only) photo.

Section 6. Transfers.

(a) Upon ~~student~~ Students may transfer from one Wyoming school to another, schools shall submit the appropriate notice of withdrawal and enrollment forms to the Board office. 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 and are specific to hours within Wyoming curriculum requirements. 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 an original final course record, and be signed by a school representative. on school letter and notarized. ~~The school must also provide documentation that they are a licensed or authorized facility of the state.~~

Section 7. Withdrawals. The school shall submit the required documentation to the Board within ~~five (5)~~ fifteen (15) days of a student's withdrawal from school.

Section 8. Reentry.

(a) Reentering students shall be enrolled in accordance with section 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 9. 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 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) On 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) — Basic of electricity.~~

~~(ii) — General cosmetology, twenty (20) hours of theory work, and four hundred eight (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 let 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 1. Course of Study for Cosmetology Students. The cosmetology program for all schools shall consist of no less than eight (8) months of education in the study of hair, skin, and nails and meet the state requirement of no less than sixteen hundred (1600) hours of theory and practical instruction to include the following:

(a) Eight hundred fifty (850) hours in the science of hair, general hairstyling and chemical services to include:

rules;

- (i) Health, safety, and infection control as outlined in Chapter 10 of these
- (ii) Anatomy, physiology and histology of the hair and scalp;
- (iii) Scalp and hair analysis;
- (iv) Scalp disorders and diseases;
- (v) Hair care products (chemistry, ingredients, and selection);
- (vi) Basics of chemistry;
- (vii) Basics of electricity;
- (viii) State laws and regulations;
- (ix) Professional development;
- (x) Pre-and post-service procedures;
- (xi) Scalp care, shampooing, and conditioning;
- (xii) Haircutting;
- (xiii) Hairstyling;
- (xiv) Braiding and extensions;
- (xv) Wigs and hair additions;
- (xvi) Chemical texture services; and
- (xvii) Hair color and lightening.

(b) Four hundred fifty (450) hours in the science of esthetics and general esthetics to include:

rules;

- (i) Health, safety, and infection control as outlined in Chapter 10 of these
- (ii) Anatomy, physiology, and histology of the skin;
- (iii) Skin analysis;
- (iv) Skin disorders and diseases;
- (v) Skin care products (chemistry, ingredients, and selection);
- (vi) Basics of chemistry;
- (vii) Basics of electricity;
- (viii) State laws and regulations;
- (ix) Professional development;
- (x) Pre-and post-service procedures;
- (xi) The treatment room;
- (xii) Basic facials;
- (xiii) Facial massage;
- (xiv) Hair removal;
- (xv) Advanced topics and treatments; and
- (xvi) Makeup.

(c) Three hundred (300) hours in the science of nail technology and general nail technology to include:

rules;

- (i) Health, safety, and infection control as outlined in Chapter 10 of these
- (ii) Anatomy, physiology, and histology of the skin and nails;
- (iii) Skin and nail analysis;

- (iv) Nail diseases and disorders;
- (v) Nail and skin care products (chemistry, ingredients, and selection);
- (vi) Basics of chemistry;
- (vii) Basics of electricity;
- (viii) State laws and regulations;
- (ix) Professional development;
- (x) Pre-and post-service procedures;
- (xi) Basic and advanced manicures and pedicures;
- (xii) Polishing and design;
- (xiii) Hand, arm, foot, and leg massage;
- (xiv) Hand and feet treatments;
- (xv) Nail tips and wraps;
- (xvi) Nail enhancements;
- (xvii) Electric filing; and
- (xviii) 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 of 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 eight (480) hours of practical work. In this section the students will learn:~~

~~(A) — Principles of hair design;~~

~~(B) — Scalp care, shampooing, and condition;~~

~~(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 (175) hours of practical work. In this section students will learn:~~

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

~~(B) — Hair coloring.~~

Section 2. Course of study for Hairstyling Students. The hairstyling program for all schools shall consist of no less than five (5) months of education in the study of hair and meet the state requirement of no less than one thousand (1000) hours of theory and practical instruction to include the following:

(a) One thousand (1000) hours in the science of hair, general hairstyling and chemical services to include;

(i) Health, safety, and infection control as outlined in Chapter 10 of these rules;

(ii) Anatomy, physiology, and histology of the hair and scalp;

- (iii) Scalp and hair analysis;
- (iv) Scalp disorders and diseases;
- (v) Hair care products (chemistry, ingredients, and selection);
- (vi) Basics of chemistry;
- (vii) Basics of electricity;
- (viii) State laws and regulations;
- (ix) Professional development;
- (x) Pre-and post-service procedures;
- (xi) Scalp care, shampooing, and conditioning;
- (xii) Haircutting;
- (xiii) Hairstyling;
- (xiv) Braiding and extensions;
- (xv) Wigs and hair additions;
- (xvi) Chemical texture services; and
- (xvii) Hair color and lightening.

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 3. Course of Study for Nail Technology Students. The nail technology program for all schools shall consist of no less than two (2) months of education in the study of nails and meet the state requirement of no less than four hundred (400) hours of theory and practical instruction to include the following:

(a) Four hundred (400) hours in the science of nail technology, and general nail technology to include;

rules;

- (i) Health, safety, and infection control as outlined in Chapter 10 of these

- (ii) Anatomy, physiology and histology of the skin and nails;

- (iii) Skin and nail analysis;

- (iv) Nail diseases and disorders;

- (v) Nail and skin care products (chemistry, ingredients, and selection);

- (vi) Basics chemistry;

- (vii) Basics of electricity;

- (viii) State laws and regulations;

- (ix) Professional development;

- (x) Pre-and post-service procedures;

- (xi) Basic and advanced manicures and pedicures;

- (xii) Polishing and design;

- (xiii) Hand, arm, foot, and leg massage;

- (xiv) Hand and feet treatments;

- (xv) Nail tips and wraps;

- (xvi) Nail enhancements;

- (xvii) Electric filing; and

(xviii) 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;~~

~~(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~~

~~(F) — Makeup.~~

Section 4. Course of Study for Esthetician Students. The esthetician program for all schools shall consist of no less than three (3) months of education in the study of skin and meet the state requirement of no less than six hundred (600) hours of theory and practical instruction to include the following:

(a) Six hundred (600) hours in the science of esthetics and general esthetics to include;

rules;

(i) Health, safety, and infection control as outlined in Chapter 10 of these

(ii) Anatomy, physiology and histology of the skin;

(iii) Skin analysis;

(iv) Skin disorders and diseases;

(v) Skin care products (chemistry, ingredients, and selection);

(vi) Basics of chemistry;

(vii) Basics of electricity;

(viii) State laws and regulations;

(ix) Professional development;

(x) Pre-and post-service procedures;

(xi) The treatment room;

(xii) Basic facials;

(xiii) Facial massage;

(xiv) Hair removal;

(xv) Advanced topics and treatments; and

(xvi) Makeup.

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

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

~~(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~~

~~(E) Anatomy and physiology.~~

Section 5. Course of Study for Add-On Hair Removal License. This course of study is for licensed hairstylists and nail technicians to acquire education in the removal of superfluous hair. The hair removal program shall meet the state requirements of no less than one hundred twenty-five (125) hours of theory and practical instruction to include the following:

(a) One hundred twenty-five (125) hours in hair removal to include;

(i) Health, safety, and infection control as outlined in Chapter 10 of these rules.

(ii) Anatomy of the skin;

(iii) Skin analysis;

- (iv) Pre-and post-service procedures; and
- (v) Hair Removal.

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.~~

- ~~(a) 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 6. Course of Study for Student Instructors. The instructor program for all schools shall consist of no less than two and one-half (2 ½) months of education in the study of teaching and meet the state requirement of no less than five hundred (500) hours of theory and practical instruction to include the following:

(a) Five hundred (500) hours in the science of teaching and general education to include:

rules;

(i) Health, safety, and infection control as outlined in Chapter 10 of these

(ii) Introduction to teaching;

(iii) Ethics;

(iv) State laws and regulations;

(v) Hours and record keeping;

(vi) Lesson plans;

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

(viii) Test construction and analysis;

(ix) Theory class lectures;

(x) Class demonstrations; and

(xi) 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 7. Hours Earned Remotely.

(a) A student may earn up to 25% of theory related hours outside of school premises. The instructor shall supervise the student through regular assessments and written work product.

(b) A student may earn any non-clinical floor hours by synchronous remote education.

(c) If a student earns any portion of their hours remotely, the student's final course record shall reflect which hours the student earned remotely.

Section 8. 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. 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 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 received a minimum of fifteen (15) days prior to opening date, shall be made submitted on the prescribed forms and be accompanied by the ~~appropriate fee and shall include the~~ following:

- (a) Fees; ~~The name of the salon, owner/proprietor, and the physical address of the salon;~~
- (b) Completed inspection sheet;
- (c) 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; and
- (d) Equipment waiver (if applicable).
- (e) ~~Anticipated date of opening; and~~
- (f) ~~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) One handwashing sink. If a restroom is shared with other business, a hand washing sink is required in the salon area, and must be independent from the shampoo bowl. ~~independent from the restroom is required.~~

Section 3. Salon Equipment Waiver. ~~Salons offering limited services may apply in writing for a waiver of the equipment required. The waiver shall state services offered, the required equipment which the salon wishes to have waived, and an explanation of why. Salons offering limited services (nail services and/or esthetic services) may apply in writing for a waiver of the shampoo bowl requirement.~~

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 4. Services Not Regulated by The Board of Cosmetology. Services allowed in a salon that are not regulated by the board of cosmetology:

(a) Tattooing (Permanent Makeup);

(b) Massage Therapy;

(c) Piercing;

(d) Tanning; and

(e) Medical.

(i) All medical services and treatments must be offered in a separate room from cosmetology services; and

(ii) Only licensed medical staff may preform medical services or treatments in a salon.

Section 5. ~~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 or licensed by the Board of Cosmetology” and posted in clear view of the public.

Section 6. ~~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 salons shall have a bathroom that is designated for salon use only.~~

~~(f) In-home salons entrance shall not pass through any living quarters of the residence.~~

~~(g) Every salon shall provide and maintain toilet and hand washing facilities that are clean and in good repair 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.~~

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

~~(i) 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 6. Salon Premises.

(a) Commercial building or space:

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

(ii) When the salon occupies the same building as another business, the salon shall be separated from the other business by walls or partitions at least six (6) feet high.

(iii) Salons shall provide and maintain toilet and hand washing facilities that are clean and in good repair for employees and patrons.

(iv) Salons shall be adequately heated, lighted, and ventilated.

(v) Walls and ceilings shall be kept clean and in good repair. Floors shall be of such construction as to be easily cleaned and kept in good repair. Acceptable flooring is tile, vinyl, or other smooth non-porous material. Carpeting shall be permitted in reception area only.

(b) In-home Salons:

(i) In-home salons, in compliance with city ordinances, must have a separate clearly marked salon entrance. Entrance way into the salon area shall not pass through any living quarters of the residence.

(ii) In-home salons shall provide and maintain toilet and hand washing facilities that are designated for salon use only and be kept clean and in good repair. Restrooms shall not require passage through living quarters of the residence.

(iii) In-home salons shall be adequately heated, lighted, and ventilated.

(iv) Walls and ceilings in the salon area shall be kept clean and in good repair. Floors in the salon area shall be of such construction as to be easily cleaned and kept in good repair. Acceptable flooring is tile, vinyl, or other smooth non-porous material. Carpeting shall be permitted in reception area only.

Section 7. Mobile Salon.

(a) Mobile salon means a self-contained, enclosed mobile unit licensed for the practice of cosmetology and related fields.

(b) No person shall establish or operate a mobile salon until such person has obtained a mobile salon license from the Board. Applications shall be received a minimum of fifteen (15) days prior to opening date and shall be made on the prescribed forms and accompanied by the following;

(i) Fees;

(ii) A detailed floor plan of the mobile salon work space, location of restrooms, entrances, and exits, and all other equipment required; and

(iii) Salon waiver (if applicable).

(c) Mobile salon must pass board inspection, or receive verbal approval from the board prior to opening.

(d) All salon requirements, rules and infection control standards apply to mobile salons.

(e) All equipment shall be securely anchored to the mobile unit.

(f) Fire extinguisher shall be mounted in full view.

(g) No services shall be performed while unit is in motion.

(h) Sleeping provisions shall not be placed or maintained in mobile unit.

(i) Each mobile unit shall, at a minimum, be equipped with each of the following functioning systems:

(i) A self-contained, potable water supply of not less than 100 gallons, and waste water collection tanks of adequate capacity;

(ii) Continuous, on-demand hot water tanks which shall have not less than a six-gallon capacity;

(iii) A self-contained, flushing chemical toilet, with holding tanks;

(iv) A cooling and heating system sufficient to maintain a comfortable room temperature in the mobile salon during all hours of operation; and

(v) Generator with a capacity of no less than 6500 watts and shall be vented outside.

(j) Mobile salons shall provide an itinerary showing dates, locations and operating hours if requested by the board.

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

(a) Salon and mobile salon licenses may not be transferred upon sale of salon. The new owners shall apply for a salon or mobile 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.~~ Relocation only applies 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 or mobile salon owner shall notify the Board office if the salon is permanently closed.

Section 9. Add or Remove Owner on Facility License. For currently licensed salons that are changing ownership with at least one original owner remaining:

- (a) Submit change of ownership application and fee to the board office.
- (b) A new salon license will be issued with change of ownership information reflected.

Section 10. Barbering in Salons/Cosmetology in a Barber Shop.

- (a) Barbers may practice in a salon or mobile salon if the salon holds a current barber shop or mobile barber shop license.
- (b) Cosmetologist may practice in a barber shop or mobile barber shop if the barber shop holds a current salon or mobile 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 11. Salon and Mobile 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 12. 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, accompanied by licensing fees and be received at the board office ten (10) days prior to the event. All licensees performing services

must have a current Wyoming license. All licenses and infection control standards must be posted at the temporary location in clear view of the public. All applicable infection control standards must be adhered to, 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 13. Permitted Locations. Licensed cosmetologist, hairstylist, nail technicians, and estheticians may practice in the following unlicensed locations, all applicable infection control standards must be adhered to:

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

Section 14. 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 15. ~~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~~ standards set forth by the board Rules and Regulations, Chapter ~~8~~10.

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

(b) ~~f 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.~~

(b) ~~A complete list of products and procedures used for infection control shall be maintained and a copy provided to the salon owner.~~ A completed independent contractor inspection form shall be kept on the salon premise and available to the inspector.

(c) 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 10

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 1. Definitions.

(a) Clean: Removal of surface and/or visible debris by using soap, detergent or chemical "cleaner", followed by a clean water rinse. Prepares non-porous items for disinfection by removing debris, product residues, organic matter and oils that may interfere with disinfection chemicals. Reduces the number and slows the growth of pathogens on both porous and non-porous surfaces. Cleaning does not make multi-use items safe for use.

(b) Disinfect: The process of making a non-porous item safe for use requires the use of a chemical intended to kill or denature a bacteria, virus or fungus. Items to be disinfected must be cleaned prior to disinfection. Proper disinfection requires adherence to manufactures label with regard to concentration and contact time. UV light is not acceptable for disinfection.

(c) Disinfectant: EPA registered bactericidal, virucidal and fungicidal disinfectant that is approved for use in a salon, or spa setting. Instruction label must be followed for dilution ratio and contact time. Disinfectant used when there is contact with blood or body fluids must be labeled as effective against HIV-1 and human Hepatitis B virus.

(d) Contact Time: The amount of wet contact time required for a disinfectant to be effective against the pathogens on the label. Clean items or surfaces must remain completely immersed or visible wet (spray or wipes) for full contact time to be effective.

(e) Non-porous: Material that has no pores and does not allow for liquids to be absorbed or pass through. Common non-porous materials include glass, metal and plastic.

(f) Porous: Material that has minute spaces or holes through which liquid or air may pass. (Permeable, penetrable, cellular)

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 2. Wet Disinfection and Storage Standards.

(a) 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 water or a chemical cleaner. Items must then be disinfected by complete immersion in a properly diluted, EPA registered, bactericidal, virucidal, fungicidal disinfectant that is mixed and used according to the manufacturer's directions. EPA registered bactericidal, virucidal, and fungicidal wipes and sprays may be used where designated in these rules.

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

(c) All disinfectant must be prepared daily according to manufacturer's directions or more often if solution becomes contaminated or cloudy.

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 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 of 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 3. Single Use Items (porous items).

(a) Any item that cannot be cleaned and disinfected, is considered single use and must be disposed of after each use. This includes, but is not limited to, nail files/emery boards made of any material except metal, plastic or glass, all cotton, buffing blocks, pumice stones, orange wood sticks, toe separators, wooden spatulas, neck strips, and paper coverings.

(b) Single use items may not be stored for customers on the premises and customers may not take single use items home and return with them for service.

(c) All single use items must be stored in a clean, covered container marked "clean" or in their original, single use packaging.

Section 4. Additional Infection Control.

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

~~(b) — Hand sanitizer shall be available in salon.~~

~~(c) — 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. 5 et seq. and the regulations adopted there under.~~

~~(d) — 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.~~

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

~~(f) — 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.~~

~~(g) — 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 form 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.~~

~~(h) — 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.~~

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

~~(j) — All clean towels, table, bed, and client coverings shall be stored in a disinfected closed, dry cabinet or container.~~

~~(k) — Soiled linens shall be kept in a ventilated container with lid.~~

~~(l) — Nail tables shall be cleaned after each use with approved disinfectant.~~

~~(m) — Electric nail files and attachments shall be properly disinfected after each use. Attachments shall be stored in a disinfected closed dry drawer, cabinet or container.~~

~~(n) — Drawers and cabinets shall be kept clean and free of debris.~~

~~(o) — Paraffin wax shall be used in single use bags only.~~

~~(p) — All wax containers shall be kept clean, free of debris, and covered when not in use.~~

~~(q) — 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.~~

~~(r) — 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 4. Dry Storage Standards. 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.

Section 5. The following items shall not be present in a salon:

~~(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.~~

Section 5. Clippers and Trimmers. Clippers and trimmers must be cleaned and disinfected after each use with a disinfectant spray or wipe, used according to manufacturer's label. Clipper wash may be used as a cleaner prior to disinfection, but is not acceptable as a disinfectant unless labeled as a bactericidal, virucidal and fungicidal disinfectant. Clippers must be stored in a clean place such as on a hook, stand or on a clean towel covered by a clean towel when not in use.

Section 6. Hand Hygiene. Thoroughly wash hands and exposed portions of the arms with soap and water before providing services to each client, and after smoking, drinking, eating, and using the restroom. An equally effective hand sanitizer is acceptable except for after using the restroom.

Section 7. Pedicure Spa Standards.

(a) After each client or service:

(i) Drain tub.

(ii) Remove all parts (filters, screens, drains, jets, etc.); and

(iii) Clean and disinfect the removable parts as follows:

(A) Scrub with brush and soap or detergent until free of debris;

(B) Rinse;

(C) Completely immerse in an EPA registered, bactericidal, virucidal, fungicidal disinfectant mixed and used according to the manufacturer's directions;

(D) Rinse;

(E) Air dry; and

(F) Replace the disinfected parts into the tubs or store them in a clean, dry, covered container.

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

(v) Fill tub with fresh water, add appropriate amount of disinfectant into water according to the disinfectant manufacturer's label;

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

(vii) Allow the disinfectant to stand for non-circulating tubs or circulate for circulating tubs for the contact time specified according to the manufacturer's instructions; and

(viii) Drain tub and rinse with fresh water.

Section 8. Blood Exposure Procedure. If a blood exposure should occur, the following steps must be followed:

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

(b) Supply injured party with antiseptic or single use packet of antibacterial ointment and the appropriate dressing to cover the injury; and

(c) Dispose of all soiled articles in trash. Immediately clean and disinfect all non-porous items. Do not continue service with these items.

Section 9. Chemical Safety.

(a) Chemicals shall be transported and stored in accordance with the manufacture's label.

(b) Chemicals must be stored in the original containers.

(c) Chemicals must be stored in overhead cabinets or locked cabinets. They may not be stored in areas used by customers such as bathrooms.

(d) Chemicals may only be mixed and applied to customers specifically as instructed on manufactures label, including patch test.

(e) Chemicals must be discarded in accordance with manufactures label, local, state, and federal rules.

(f) Chemicals shall not be mixed with any other substance unless expressly instructed on the label.

Section 10. Communicable Disease. Licensee's shall not perform any service if they have been diagnosed with a communicable disease until cleared by a medical professional for return to work. Licensees shall not perform a service on a client who has visible swelling, eruption, redness, bruising on skin or rash in an area where a service is to be performed. Clients with a physician's note indicating they are not contagious, (such as psoriasis) are an exception to this rule.

Section 11. Product Safety.

(a) All products in multiuse containers such as lotions, creams, powders, and waxes shall be stored, handled, and applied in such a manner as to prevent contamination of the remaining product in the container.

(b) All product in multiuse containers shall be removed from containers with a new, single use spatula or a non-porous spatula that has been cleaned and disinfected.

(c) A single spatula may be used for product that is separated into single use, disposable container for application, but all remaining product, the container and spatula must be disposed of immediately following the service.

(d) No implement shall be doubled dipped back into the original container.

(e) Powder shall be dispensed from shaker and liquid preparations shall be dispensed from an atomizer or applicator bottle without contamination.

Section 12. Nail Services.

(a) Nail tables shall be cleaned and disinfected after each use with an approved disinfectant.

(b) Electric nail files and attachments shall be properly disinfected after each use. Attachments shall be stored in a clean, closed drawer, cabinet or container.

(c) Paraffin was shall be used in single use bags only.

Section 13. Esthetics Services.

(a) Esthetic devices allowed must be commercially available and not pierce, ablate, or destroy the live tissue of the skin, and be operated within manufacturer guidelines.

Section 14. Eyelash Extensions Services.

(a) Eyelash stands, holders, pallets, and trays must be cleaned and disinfected before use with each client.

(b) Glue pallets and holders must be cleaned and disinfected before each client.

(c) Eyelash extensions must be stored in a clean, closed container or in closed original packaging. Eyelash extensions that are removed from the container or original packaging for client's eyelash service and not used must be disposed of and not used for another client.

Section 15. Towels and Coverings.

(a) A clean cape shall be provided for each client.

(i) If it is not possible to use a clean cape for each client, a neck strip or clean towel must be used.

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

(c) All clean towels, table, bed and client coverings shall be stored in a clean closed dry cabinet or container.

(d) All soiled linens shall be kept in a ventilated container with a lid. All linens (towels, sheets, robes, etc.) must be laundered prior to use. Laundry may be done through commercial laundry services or on site. If laundry is being done on-site, there must be a functional washing machine and dryer on the premises.

Section 16. Common Areas.

- (a) Shampoo bowls shall be cleaned with approved disinfectant after each use.
- (b) Wax containers and pots shall be kept clean and free of debris, and covered when not in use. **No implement shall be double dipped back into the wax container.** If wax becomes contaminated or has visible debris, pot must be emptied and disinfected. No wax may be re-used, only new wax may be used in the pot.
- (c) Restroom facilities shall be adequately supplied with disposable hand towels and liquid soap. Cloth towels are not allowed.
- (d) Hand sanitizer shall be available.
- (e) 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, and the safe drinking amendments of 1977, 42 U.S.C. § et seq. and regulations adopted there under.
- (f) 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 client.
- (g) All coffee and other refreshments shall be served in a single use container with lids. No open food or drink is allowed in the work area.
- (h) Animals may not be used to perform any service in a salon.

Section 17. Prohibited Items. The following items shall not be present in a salon.

- (a) Methylemethacrylate Monomer (MMA);
- (b) Wooden handle, natural bristle neck brushes or table dusters;
- (c) Roll on wax;
- (d) Multiuse puffs or sponges; and

(e) Styptic pencil.

Chapter 11

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, or postsecondary institution shall be filed with the Board in writing and shall contain:

(a) Name and address of licensee, ~~or~~ registrant, or postsecondary institution;

(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) day 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 Hearing 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 July 20, 2017, 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> ~~http://cosmetology.wy.gov~~ cosmetology.wyo.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 13 Fees

Section 1. **The Board has established the following schedule of non-refundable fees:**

(a)	Examination fee	\$100.00
(b)	Personal license fee to include: Cosmetologist, Nail Technician, Esthetician, Hairstylist, and Instructors	\$ 48.00 per year
(c)	Independent contractor license	\$ 75.00 per year
(d)	Salon license	\$ 75.00 per year
(e)	Salon application fee	\$225.00
(f)	Salon relocation fee	\$225.00
(g)	<u>Salon change of ownership fee</u>	<u>\$100.00</u>
(h)	School application fee	\$375.00
(i)	School license	\$200.00 per year
(j)	Salon/School late fee (up to 30 days)	\$ 20.00
(k)	Salon/School late fee (up to 60 days)	\$ 40.00
(l)	Salon/School late fee (up to 90 days)	\$ 60.00
(m)	Endorsement fee	\$225.00
(n)	License reinstatement fee	\$175.00
(o)	Temporary location license	\$ 75.00
(p)	Law book	\$ 5.00
(q)	Certification fee	\$ 25.00
(r)	License application packet fee	\$ 7.50

(r)	Duplicate license	\$ 10.00
(s)	Retake single phase of theory exam only	\$ 60.00
(t)	Credit card fee	\$ 4.00
(u)	Mailing list of names (30 names or 1 page)	\$ 2.00
(v)	Mailing list of names/labels (30 names or 1 page)	\$ 3.00

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. Adoption of Uniform Rules. The Board of Cosmetology hereby incorporates by reference the following uniform rules:

(a) Chapter 2 – Uniform Procedures, Fees, Costs and Charges for Inspecting, Copying, and Producing Public Records adopted by the Department of Administration and Information and effective on September 6, 2016, found at: <http://rules.wyo.gov>

(b) For these rules incorporated by reference:

(i) The Board of Cosmetology has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendment or editions of the incorporated matter beyond the applicable date identified in subsection (a) of this section; and

(iii) The incorporated rules are maintained at the Board of Cosmetology office and are available for public inspection and copying at the same location.