

BARBERING AND COSMETOLOGY LICENSURE

RULE 1 - ADVISORY COMMITTEE

The purpose of this rule to clarify the terms and scope of the five member advisory committee established pursuant to § 12-8-108(2), C.R.S.

[Expired 5/15/05 per Senate Bill 05-183]

- B. The Director may remove any member for cause as the Director deems appropriate.
- C. Any member may resign at any time by filing a written notice with the Director. Upon receipt of a resignation, the Director may appoint an individual to serve the remainder of the unexpired term, which shall constitute as one full term regardless of the time remaining.
- D. The members shall be responsible for making recommendations concerning regulation of the barbering, cosmetician, cosmetology, hairstyling, and manicuring professions to the Director. Such recommendations are subject to the final approval by the Director.
- E. The committee shall meet as needed upon the request of the Director at such times as deemed necessary.

RULE 2 - SANITATION AND DISINFECTION

The purpose of this rule to enhance the safe and efficacious sanitation and disinfection practices within the profession that is necessary to protect the public's health, safety and welfare pursuant to §12-8-101 et seq., C.R.S.

A. General Requirements and Definitions.

1. As used herein, "Office" means the Colorado Office of Barbering and Cosmetology Licensure.
2. All places of business and licensees shall utilize clean and disinfected equipment, tools, implements, and supplies as outlined in this rule and commonly accepted professional standards, and shall personally employ good hygiene habits while providing barbering, cosmetician, cosmetology, hairstyling, and manicuring services.
3. A licensee may not perform services on a client if the licensee has reason to believe the client has a communicable disease; contagious condition; inflamed, infected, broken, raised or swollen skin or nail tissue; or an open wound or sore in the area to be worked on that would contraindicate the efficacy of the service.
4. As used herein, "cleaning" means washing with liquid soap and water, detergent, or antiseptics, or other adequate methods, to remove all visible debris. Cleaning is not disinfection.
5. As used herein, "disinfection" is the use of chemicals that destroy pathogens on implements and other nonliving surfaces that renders an item safe for handling, use, and disposal. Appropriate disinfectants include one of the following (See appropriate disinfectant use below in paragraphs I through L):
 - (a) EPA-registered bactericidal, fungicidal, or virucidal disinfectants used according to manufacturer's instructions (See paragraph I);

- (b) Bleach solution (See paragraph K);
 - (c) Isopropyl alcohol, 70%-90% solution (See paragraph J); or
 - (d) Ethyl alcohol, 70%-90% solution (See paragraph J).
6. Multi-use equipment, implements, or materials not addressed in this rule shall be cleaned and disinfected before use on every client. Multi-use means items constructed of hard materials with smooth surfaces such as metal, glass, or plastic typically for use on more than one client and include, but is not limited to such items as scissors, combs, nippers, and some nail files.
 7. Single-use equipment, implements, or porous material not addressed in this rule shall be discarded after use on a single client. "Porous" means items made or constructed of cloth, wood, or other absorbent materials having rough surfaces usually intended for single use and include, but is not limited to such items as tissues, orangewood sticks, cotton balls, some buffer blocks, and gauze.
 8. Electrical equipment that cannot be immersed in liquid shall be wiped clean and sprayed with an EPA-registered bactericidal, fungicidal, or virucidal disinfectant; isopropyl alcohol; ethyl alcohol; or bleach solution prior to each use on a client.
 9. Lancets, disposable razors, and other sharp objects shall be disposed in puncture resistant containers marked with a biohazard symbol for disposal immediately after use on a client.
 10. All clean and disinfected implements and materials when not in use shall be stored in a clean dry container, or other sanitary manner, that is separate from soiled implements and materials.

B. Cleaning and Disinfection Standards Applicable to Manicuring.

1. All equipment, implements, and materials should be properly cleaned and disinfected prior to servicing each client in accordance with this rule.
2. Cosmetologists and manicurists shall clean their hands, and ensure that each client's hands or feet are cleaned, prior to performing any manicuring service. Soap and water, or a waterless hand sanitizer, shall be used for this cleaning.
3. Prior to each manicuring service, the surface(s) of all equipment that comes in direct contact with a client's skin, including manicuring tables, mats, and cushions, shall be cleaned of all visible debris.
4. After each client, the following implements shall be cleaned to remove all visible debris and disinfected by complete immersion in an appropriate disinfectant in accordance with this rule (see appropriate disinfectant use below in paragraphs I through L):
 - (a) Metal pusher;
 - (b) Non-porous nail files;
 - (c) Cuticle nipper;
 - (d) Tweezers;
 - (e) Nail brush;

- (f) Fingernail clippers; and
 - (g) Electric file bits.
5. The following implements are single-use items and shall be discarded in a trash container after use:
- (a) Orangewood stick;
 - (b) Cotton balls; and
 - (c) Nail wipes.
6. Buffer blocks and porous nail files (rough surfaced or absorbent materials) shall be cleaned by manually brushing or other adequate methods to remove all visible debris after each use, and then sprayed with isopropyl or ethyl alcohol. If a buffer block or porous nail file is exposed to broken skin (skin that is not intact) or unhealthy skin or nails, it must be discarded immediately after use in a trash container.
7. The following materials that are used during a manicure shall be exchanged with new or clean articles for each client:
- (a) Disposable and terry cloth towels;
 - (b) Cotton balls; and
 - (c) Spatulas that contact skin or products from multi-use containers.

C. Cleaning and Disinfection Standards for Electric File Bits.

1. After each use, diamond, carbide, natural and metal bits shall be cleaned by either:
- (a) Using a brush;
 - (b) Using an ultrasonic cleaner; or
 - (c) Immersing the bit in acetone for 5 to 10 minutes.
2. Immediately after cleaning all visible debris, diamond, carbide, natural and metal bits shall be disinfected by complete immersion in an appropriate disinfectant between clients. (See appropriate disinfectant use below in paragraphs I through L).
3. Buffing bits and chamois shall be cleaned with soap and water, or washed with detergent in a dishwasher or washing machine, at the end of every day of use despite multiple uses between clients.
4. Arbor or Sanding bands or sleeves are single-use items and shall be discarded immediately after use.

D. Cleaning and Disinfection of Pedicure Foot Spas.

1. After each client:
- (a) Drain all water and remove all debris from the foot spa;

- (b) Clean the surfaces and walls of the foot spas with soap or detergent to remove all visible debris, and rinse with clean, clear water;
 - (c) Disinfect by spraying the surface of the foot basin with either an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, or virucidal activity used according to manufacturer's instructions, or bleach solution, or isopropyl or ethyl alcohol (See appropriate disinfectant use below in paragraphs I through L); and
 - (d) Wipe dry with a disposable towel.
2. At the end of each day:
- (a) Remove the screen. All debris trapped behind the screen of each foot spa shall be removed, and the screen and the inlet shall be cleaned with soap or detergent and water;
 - (b) Before replacing the screen, totally immerse the screen in an EPA-registered disinfectant with an appropriate disinfectant according to manufacturer's instructions, or bleach solution;
 - (c) Flush the spa system with low-suds soap and warm water for 5 minutes, then rinse and drain;
 - (d) Make a record of the date and time of this cleaning and disinfecting. The record for the last 30 days shall be readily accessible and available upon client or Office inspector request. Separate logs for daily and weekly procedures is needed but may be kept in the same document log.
3. Each week:
- (a) After following the outlined required procedures for the end of each day, fill the foot spa tub with cold water and 1 tablespoon of 5.25% bleach (or the equivalent) for each one gallon of water;
 - (b) Circulate the solution through the foot spa system for 5 to 10 minutes;
 - (c) Let the solution sit overnight (at least 6 – 10 hours);
 - (d) The following morning and before the first client, drain and flush the system with water;
 - (e) Blow out the jets for 3-5 seconds to remove any water remaining; and
 - (f) Make a record of the date and time of this cleaning and disinfecting. The record for the last 90 days shall be readily accessible and available upon client or Office inspector request. Separate records for weekly and daily procedures is needed but may be kept in the same document log.

E. Paraffin Wax

1. Paraffin wax shall be used in such a manner so as not to contaminate the wax remaining in the paraffin bath.
2. Clients' hands or feet shall be washed with soap and water, or a waterless hand sanitizer shall be applied, prior to performing paraffin wax services.

F. Cleaning and Disinfection Standards Applicable to Hairstyling and Barbering.

1. All equipment, implements, and materials should be properly cleaned and disinfected prior to servicing each client in accordance with this rule.
2. After each client, the following implements shall be wiped with a disposable towel and sprayed with either an EPA-registered bactericidal, fungicidal, or virucidal disinfectant, isopropyl alcohol, ethyl alcohol, or bleach solution (see appropriate disinfectant use below in paragraphs I through L):
 - (a) Haircutting shears;
 - (b) Thinning shears;
 - (c) Straight razors and razor shapers;
 - (d) Clippers and edgers;
 - (e) Rods; and
 - (f) All combs and picks.
3. At the end of each day of use, the above items in subsection (2) along with any other tools, such as sectioning clips and brushes, shall be cleaned by manually scrubbing with soap and water or other adequate methods, and then disinfected by one of the following methods:
 - (a) Complete immersion in an EPA-registered bactericidal, fungicidal, or virucidal disinfectant in accordance with manufacturer's instructions;
 - (b) Complete immersion in isopropyl alcohol;
 - (c) Complete immersion in ethyl alcohol; or
 - (d) Complete immersion in bleach solution.

G. Cleaning and Disinfection Standards Applicable to Cosmetician Services.

1. All equipment, implements, and materials should be properly cleaned and disinfected prior to servicing each client in accordance with this rule.
2. Cosmetologists and cosmeticians shall wash their hands prior to performing any cosmetician services with soap and water, or use a waterless hand sanitizer.
3. Before providing any cosmetician service, facial chairs and beds shall be cleaned prior to each client.
4. After each client, the following implements shall be cleaned of all visible debris and disinfected by an appropriate disinfectant (see appropriate disinfectant use below in paragraphs I through L):
 - (a) Tweezers;
 - (b) Eyebrow brush; and

- (c) Comedone extractors.
5. The following implements are single-use items and shall be discarded in a trash container after use:
- (a) Cotton pads, balls and pledgets;
 - (b) Gauze;
 - (c) Wooden applicators;
 - (d) Disposable gloves;
 - (e) Tissues;
 - (f) Disposable wipes; and
 - (g) Fabric strips.
6. The following materials that are used during cosmetician services shall be replaced with clean items for each client:
- (a) Disposable and terry cloth towels;
 - (b) Hair caps or headbands;
 - (c) Brushes;
 - (d) Gowns;
 - (e) Makeup brushes;
 - (f) Spatulas that contact skin or products from multi-use containers; and
 - (g) Sponges.
7. Items subject to possible cross contamination such as creams, cosmetics, astringents, lotions, removers, waxes, moisturizers, masks, and oils shall be used in a manner so as not to contaminate the remaining product. Permitted procedures to avoid cross contamination are:
- (a) Disposing of the remaining product in between clients;
 - (b) Using a single-use disposable implement to apply product and disposing of such implement after use; or
 - (c) Using an applicator bottle to apply the product.

H. Cleaning and Disinfection for contact with Blood or Body Fluid.

1. In the case of blood or body fluid contact on any surface area such as a table, chair, or the floor, an EPA-registered-hospital disinfectant, or a 10% bleach solution, shall be used per manufacturer's instructions to clean up all visible blood or body fluid. Universal Precautions should be addressed as to the cleanup of blood and body fluids.

2. Powdered alum, styptic powder, or cyanoacrylate (e.g. liquid-type bandage) may be used to contract the skin to stop minor bleeding, and should be applied to the open area with a disposable cotton pledget or cotton-tipped orangewood stick that is immediately discarded after application
 3. If any non-porous instrument is contacted with blood or body fluid, it shall be immediately cleaned and disinfected using an EPA registered-hospital disinfectant in accordance with manufacturer's instructions, or totally immersed in a 10% bleach solution for 5 minutes.
 4. If any porous instrument contacts blood or body fluid, it shall be immediately double-bagged and discarded in a closed trash container or biohazard box.
- I. EPA-registered bactericidal, fungicidal, or virucidal disinfectants are low-level disinfectants that become inactivated and ineffective when visibly contaminated with debris, hair, dirt, particulates or when heavily soiled. Thus, implements and surfaces shall first be thoroughly cleaned of all visible debris prior to disinfection. Disinfectants shall be prepared fresh daily or more often if solution becomes diluted or soiled. In all cases, the disinfectant used shall be in accordance with the manufacturers' recommendation or other guidance in this rule. These chemicals are harsh and may affect the long term use of scissors and other sharp objects so the Office does not recommend leaving items in solution beyond the time required by the manufacturers' recommendation for effective disinfection.
 - J. Isopropyl and ethyl alcohol at concentrations of 70%-90% are low-level disinfectants. Alcohol shall not be used for blood spills. All alcohol shall be kept in a covered container. Alcohol deteriorates some plastics, metals and rubber items. Alcohol may affect the long-term use of scissors and other sharp objects so the Office does not recommend leaving items in alcohol beyond the time required by this rule for effective disinfection. When using alcohol on surfaces other than non-porous materials, the time of contact shall be between 1 to 3 minutes after proper cleaning that removed all visible debris. Alcohol may be sprayed onto porous or absorbent surfaces after cleaning, with contact time on the surface of the item for at least 1 minute, provided the porous items have not contacted broken or unhealthy skin or nails.
 - K. Bleach is an effective disinfectant for all purposes in a salon. Bleach solutions shall be mixed daily at the following minimum standard: ¼cup of 5.25% bleach per gallon of water. Bleach shall be kept in a closed covered container and not exposed to sunlight. Bleach may affect the long-term use of scissors and other sharp objects so the Office does not recommend leaving items in bleach solution beyond 2 minutes for effective disinfection. Bleach vapors might react with vapors from other chemicals, and therefore, should not be placed or stored near other chemicals used in salons (i.e. acrylic monomers, alcohol, other disinfecting products, or near flame). Used or soiled bleach solution shall be discarded every day by pouring down sink basin or toilet bowl.
 - L. All bottles and containers other than the original manufacturers' container used for application of "appropriate disinfectant" shall be properly labeled as to contents, percentage solution, and date mixed.

RULE 3 - COSMETIC RESURFACING EXFOLIATING PROCEDURES

The purpose of this rule to enhance the safe and efficacious application of professional cosmetic resurfacing exfoliating substances as provided by licensed cosmeticians and cosmetologists that are necessary to protect the public's health, safety and welfare pursuant to § 12-8-102, § 12-8-120, § 12-8-132(l)(c), and § 12-8-103(7) & (9), C.R.S.

A. Definitions Applicable To This Rule

1. "Cosmetic Resurfacing Exfoliating Substances and Equipment" includes cosmetic use of the

following:

- (a) 30% alpha hydroxy acid (AHAs which includes glycolic, tartaric, malic, and lactic acids with a pH of 3.0 or lower strength);
- (b) 20% beta hydroxy acid (BHAs which include salicylic acid);
- (c) trichloroacetic Acid (TCA) with levels less than 20%;
- (d) Jessner's solutions;
- (e) 2% resorcinol;
- (f) proteolytic enzymes (such as papain and bromelain) when used with an accelerator;
- (g) lancets with blades less than 2mm used specifically for extraction of impurities from the skin; and
- (h) microdermabrasion equipment.

1.5 "Cosmetic Resurfacing Exfoliating Substances and Equipment" does not include the following, which are deemed beyond the scope of practice for Licensed Practitioners and such independent use by Licensed Practitioners is prohibited:

- (a) retinoids;
- (b) carbolic acid (phenol);
- (c) products listed above that exceed the stated maximum levels or combinations thereof;
- (d) lancets when used to penetrate the stratum corneum or remove hair;
- (e) all adulterated chemical exfoliating/peeling substances; and
- (f) devices that penetrate beyond the stratum corneum of the epidermis.

2. "Cosmetic Resurfacing Exfoliating Procedures" means the application of Cosmetic Resurfacing Exfoliating Substances by Licensed Practitioners for the purpose of improving the aesthetic appearance of the skin.

3. "Licensed Practitioner" means a Colorado licensed cosmetologist or cosmetician practicing in places of business registered with the Office of Barber and Cosmetology Licensing.

4. "Microdermabrasion Equipment. The FDA lists microdermabrasion equipment as Class I devices intended for use by Licensed Practitioners trained in the appropriate use of such equipment. For purposes of this rule, microdermabrasion equipment is considered a Cosmetic Resurfacing Exfoliating Equipment only if they are used in a manner that is not intended to remove viable (living) skin below the stratum corneum.

5. "Microdermabrasion." A mechanical form of exfoliation that uses a vacuum to spray microcrystals across the skin.

B. Scope

1. Cosmetic Resurfacing Exfoliating Procedures as defined in this rule can only be performed by Licensed Practitioners and are limited to the removal of the stratum corneum of the epidermis to improve the aesthetic appearance of the skin.
2. Cosmetic Resurfacing Exfoliating Procedures do not include the removal of viable (living) skin below the stratum corneum or those that cause viable epidermal and/or dermal wounding or injury that, as a result, are considered medical resurfacing procedures administered by physicians only.
3. Licensed Practitioners who satisfy the training requirements below can independently use Cosmetic Resurfacing Exfoliating Substances and Equipment as defined above in section A(1). This rule is not applicable to Licensed Practitioners who work under the supervision of a Colorado-licensed physician in conformance with Rule 800 as promulgated by the Colorado Board of Medical Examiners.

C. Training Requirements

1. Licensed Practitioners using Cosmetic Resurfacing Exfoliation Substances as defined above in section A(1), but not including Microdermabrasion, must receive adequate training regarding safe application procedures by completing a minimum of twenty-four (24) hours in cosmeceutical courses. Licensed Practitioners must attain the training through schools approved by the Colorado Division of Private Occupational Schools or Colorado Community College System to be deemed competent to practice such procedures pursuant to § 12-8-132(1)(c), C.R.S. If a Licensed Practitioner has not received training in accordance with this rule, then such Licensed Practitioners cannot use any Cosmetic Resurfacing Exfoliating Substances as defined above in subsection A(I). The twenty-four (24) hours of training must include the following:
 - (a) Skin Analysis, Conditions, Contraindications and Aftercare 8 hours
 - (b) Product Ingredients of Cosmetic Resurfacing Exfoliating Substances 8 hours
 - (c) Chemical Peel Treatment Procedures and Treatment of Reactions 8 hours
2. Licensed Practitioners can only use Cosmetic Resurfacing Exfoliating Equipment from manufacturers who provide procedural guidelines, practical demonstration, video or written directions with the initial purchase of its products or equipment by or for Licensed Practitioners.

Manufacturer courses taken prior to March 31, 2004 will count towards the 24 hours of training required in section C(1) only if the training can be documented. After April 1, 2004, all training must be obtained, or completed if in transition, from a school program approved by the Division of Private Occupational Schools or Colorado Community College System.

3. To be deemed competent to practice Microdermabrasion pursuant to § 12-8-132(l)(c), C.R.S., Licensed Practitioners must take a minimum of fourteen (14) hours of training in Microdermabrasion attained through courses taught at schools approved by the Colorado Division of Private Occupational Schools or Colorado Community College System. If a

Licensed Practitioner has not received this training, then such Licensed Practitioners cannot perform microdermabrasion. The fourteen (14) hours of microdermabrasion training must include the following:

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| (a) | Skin | 1 hour |
| (b) | Skin Type/Conditions | 1 hour |
| (c) | Microexfoliation | 2 hours |
| (d) | Treatment Procedures | 5 hours |
| (e) | Sanitation, Sterilization,
and Safety | 2 hours |
| (f) | Law, Rule, and
Regulations | 1 hour |
| (g) | Salesmanship | 1 hour |
| (h) | Occupational Safety and
Health | 1 hour |

4. Licensed Practitioners must be able to supply written documentation, upon request by the Director, which substantiates appropriate training as required above. Accepted documentation is the Record of Completion Form issued by the approved school containing the school's official seal. Failure to provide written documentation is a violation of this rule, and is evidence that the Licensed Practitioner is not competent to practice or use Cosmetic Resurfacing Exfoliating Substances and Procedures.
5. Licensed Practitioners who do not possess the training required by this rule may continue to perform Cosmetic Resurfacing Exfoliating Procedures and Microdermabrasion until June 30, 2005. Such Licensed Practitioners have until June 30, 2005 to obtain the necessary Microdermabrasion and cosmeceutical training contained in this rule. After July 1, 2005, Licensed Practitioners may not perform Cosmetic Resurfacing Exfoliating Procedures, including Microdermabrasion, without the necessary training as required herein.

D. Cosmetic Resurfacing Exfoliating Procedures

1. Licensed Practitioners can only apply Cosmetic Resurfacing Exfoliation Substances in places of business registered with the Office, and must follow the disinfection and sanitation rules promulgated by the Office and any additional recommendations by manufacturers.
2. The Licensed Practitioner must take a client history of conditions related to the application of Cosmetic Resurfacing Exfoliation Substances. Relevant topics include, but are not limited to: currently under physician care/treatment; HSV (cold sores) predisposition; whether client is currently pregnant; history of cosmetic related irritant/allergic reaction; frequency of sun exposure or tanning bed use; use of topical and/or oral medications such as tretinoin (a.k.a., Retin-A, Renova), isotretinoin (a.k.a. Accutane); Previous facial plastic/reconstructive surgery - all of which may increase an individual's susceptibility to adverse reactions.
3. The Licensed Practitioner must perform a physical examination and evaluation of client's skin that (1) checks for degree of sebaceous activity (skin oiliness), acne, telangiectasias (broken capillaries) and degree of photodamage; and (2) checks for open cuts, sores, lesions or apparent skin irritation or sensitivity.
4. Licensed Practitioners must use and apply Cosmetic Resurfacing Exfoliation Substances and Equipment according to manufacturer's directions and within the equipment's approved scope of use pursuant to its 510K filing with the FDA.

5. Conclude all procedures with application of UVA/UVB SPF 15 (or higher) sunscreen to client before discharge.

E. Restrictions Regarding Use

1. The use of multiple cosmetic resurfacing exfoliating services, chemical and/or mechanical, are prohibited during the same procedure.
2. Cosmetic Resurfacing Exfoliating Substances cannot be performed when a client is under the supervision of a physician for skin related disorders; pregnant; post chemical peel, laser treatments or plastic/reconstructive surgery without the written approval of the physician.
3. If client history reveals cosmetic related irritant/allergic reactions, HSV (cold sores) predisposition, frequency of sun exposure or tanning bed use, or topical and/or oral medications; a predisposition patch test must be performed 24 hours before the procedure is performed or written approval from a physician must be provided to authorize the procedure.
4. Cosmetic Resurfacing Exfoliating Substances cannot be administered to skin exhibiting open cuts, sores, sunburn, chemical or thermal burns, apparent skin irritation or sensitivity. Sensitivity to chemical exfoliating products can only be determined by administering a predisposition patch test, and thus, such procedure must be performed 24 hours before the application of chemical exfoliating substances.
5. Cosmetic Resurfacing Exfoliating Equipment cannot be used beyond its appropriate scope. The appropriate scope is evidenced by either the 510K filing with the FDA, if one exists; written manufacturers directions; a Licensed Practitioner's liability insurance, if applicable; or the Barbers and Cosmetologists Practice Act at § 12-8-101 *et seq.*, C.R.S.

RULE 4 - DECLARATORY ORDERS

The purpose of this rule is to establish procedures for the handling of requests for declaratory orders filed pursuant to the Colorado Administrative Procedures Act at § 24-4-105(11), C.R.S.

- A. Any person or entity may petition the Director for a declaratory order to terminate controversies or remove uncertainties as to the applicability of any statutory provision or of any rule or order of the Director.
- B. The Director will determine, at her discretion and without notice to petitioner, whether to rule upon any such petition. If the Director determines that she will not rule upon such a petition, the Director shall promptly notify the petitioner of her action and state the reasons for such decision.
- C. In determining whether to rule upon a petition filed pursuant to this rule, the Director will consider the following matters, among others:
 1. Whether a ruling on the petition will terminate a controversy or remove uncertainties as to the applicability to petitioner of any statutory provisions or rule or order of the Director.
 2. Whether the petition involves any subject, question or issue that is the subject of a formal or informal matter or investigation currently pending before the Director or a court involving one or more petitioners.
 3. Whether the petition involves any subject, question or issue that is the subject of a formal or informal matter or investigation currently pending before the Director or a court but not

involving any petitioner.

4. Whether the petition seeks a ruling on a moot or hypothetical question or will result in an advisory ruling or opinion.
5. Whether the petitioner has some other adequate legal remedy, other than an action for declaratory relief pursuant to CRCP 57, which will terminate the controversy or remove any uncertainty as to the applicability to the petitioner of the statute, rule or order in question.

D. Any petition filed pursuant to this rule shall set forth the following:

1. The name and address of the petitioner and whether the petitioner is licensed pursuant to Title 12, Article 8.
2. The statute, rule or order to which the petition relates.
3. A concise statement of all of the facts necessary to show the nature of the controversy or uncertainty and the manner in which the statute, rule, or order in question applies or potentially applies to the petitioner.

E. If the Director determines that she will rule on the petition, the following procedures shall apply:

1. The Director may rule upon the petition based solely upon the facts presented in the petition. In such a case:
 - a. Any ruling of the Director will apply only to the extent of the facts presented in the petition and any amendment to the petition.
 - b. The Director may order the petitioner to file a written brief, memorandum or statement of position.
 - c. The Director may set the petition, upon due notice to petitioner, for a non-evidentiary hearing.
 - d. The Director may dispose of the petition on the sole basis of the matters set forth in the petition.
 - e. The Director may request the petitioner to submit additional facts in writing. In such event, such additional facts will be considered as an amendment to the petition.
 - f. The Director may take administrative notice of facts pursuant to the Administrative Procedure Act at § 24-4-105(8), C.R.S., and may utilize her experience, technical competence, and specialized knowledge in the disposition of the petition.
2. If the Director rules upon the petition without a hearing, she shall promptly notify the petitioner of her decision.
3. The Director may, at her discretion, set the petition for hearing, upon due notice to petitioner, for the purpose of obtaining additional facts or information or to determine the truth of any facts set forth in the petition or to hear oral argument on the petition. The notice to the petitioner shall set forth, to the extent known, the factual or other matters into which the Director intends to inquire.

For the purpose of such a hearing, to the extent necessary, the petitioner shall have the burden of proving all the facts stated in the petition; all of the facts necessary to show the nature of the controversy or uncertainty; and the manner in which the statute, rule, or order in question applies or potentially applies to the petitioner and any other facts the petitioner desires the Director to consider.

- F. The parties to any proceeding pursuant to this rule shall be the Director and the petitioner. Any other person may seek leave of the Director to intervene in such a proceeding, and leave to intervene will be granted at the sole discretion of the Director. A petition to intervene shall set forth the same matters as are required by Section D of this Rule. Any reference to a "petitioner" in this Rule also refers to any person who has been granted leave to intervene by the Director.
- G. Any declaratory order or other order disposing of a petition pursuant to this Rule shall constitute agency action subject to judicial review pursuant to the Colorado Administrative Procedures Act at § 24-4-106, C.R.S.

RULE 5 - REGISTRATION OF PLACES OF BUSINESS.

The purpose of this rule is to clarify the requirements pertaining to the registration for places of business as required in § 12-8-114.5, C.R.S.

- A. Section 12-8-114.5 of the Barbers and Cosmetologists Practice Act ("the Act") states that all places of business shall be registered with the Office of Barber and Cosmetology Licensing ("the Office"). A place of business is a location where one or more persons engage in the practice of barbering, cosmetician services, cosmetology, hairstyling, or manicuring, and customers go to that location to receive those services. Private Occupational Barber, Beauty and Cosmetology Schools and Colleges are regarded as places of business subject to registration.
- B. All places of business required to register are those defined in § 12-8-103(13), as well as barber, beauty, and cosmetology schools, but does not include:
 - 1. Free-lance shop operators;
 - 2. Independent contractors; and
 - 3. Booth renters.
- C. Temporary locations that must be registered are places where customers go to receive barbering, cosmetician services, cosmetology, hairstyling, or manicuring services, but the services are provided at a location on an interim, irregular, seasonal, temporary, or transitional basis.
- D. No Colorado-licensed barber, cosmetician, cosmetologist, hairstylist, or manicurist shall provide services at a place of business that is not registered with the Office.
- E. All registrations for places of business issued by the Office shall be conspicuously displayed in the place of business.
- F. When a place of business closes, the owner or person responsible must notify the Office within five (5) days after closing.
- G. All registrations issued to places of business shall not exceed two years, and must be renewed prior to the expiration date on the registration. A registration that is not timely renewed will lapse, and the place of business will have to register again by submitting an application and appropriate fee.

RULE 6 - REQUIREMENTS FOR PLACES OF BUSINESSES AND LICENSEES

The purpose of this rule to establish safe and efficacious requirements for places of business and licensees providing barbering, cosmetician/esthetician, cosmetology, hairstyling, and manicuring services that is necessary to protect the public's health, safety and welfare pursuant to § 12-8-102, C.R.S.

A. General Requirements.

1. All places of business and licensees that provide barbering, cosmetician/esthetician, cosmetology, hairstyling, or manicuring services shall comply with health, safety, and sanitation requirements set forth in this rules, the Barbers and Cosmetologists Practice Act at §§ 12-8-101 *et seq.*, C.R.S., and other applicable rules and regulations promulgated by the Director of Registrations. Compliance with these rules does not infer compliance with other requirements set forth by federal, state and local laws; city and county codes and ordinances; and other regulations applicable to business operations, physical construction and maintenance, safety, and public health.
2. Licensees shall not attempt to perform any service outside their scope of practice. Possession or storage of any item deemed outside a licensee's scope of practice shall be considered *prima facie* evidence of use.
3. It shall be the responsibility of shop and salon owners to assure that all persons providing barbering, cosmetician/esthetician services, cosmetology, hairstyling, and manicuring services hold current, valid Colorado licenses to practice such services, and that all licensees providing services in the shop or salon comply with the Colorado Barbers and Cosmetologists Practice Act, § 12-8-101 *et seq.*, C.R.S., and the Director's Rules and Regulations.
4. Licensees shall not use any product or supply that has been banned, or deemed to be a poisonous or unsafe in the barbering and cosmetology industry, by the United States Food and Drug Administration (FDA) or other local, state or federal governmental agencies responsible for making such determinations. Possession or storage of any item deemed poisonous, unsafe, or banned by the FDA or other governmental agency shall be considered *prima facie* evidence of use.
5. Material Safety Data Sheets (MSDS) relative to product ingredients, proper use, storage, disposal, and potential hazards for products in use at places of businesses that endanger the public shall be kept on the premises and available upon need or request.

B. Specific Requirements.

1. Bottles and Containers . All bottles and containers in use shall be distinctly and correctly labeled to disclose their contents. All bottles containing poisonous or caustic substances shall be additionally and distinctly marked as such and shall be stored in an area not open to the public. All poisonous or caustic substances shall be stored according to manufacturer's instructions.
2. Cleaning and Disinfection . All items used to provide barbering, cosmetician/esthetician, cosmetology, hairstyling, and manicuring services shall be cleaned and disinfected in accordance with Rule 2.
3. First Aid Kit . All places of business shall have a first aid kit on the premises available for use that contains, at a minimum, bandages, gauze, and powdered alum/styptic powder (styptic pencils are acceptable if Immediately disposed after use).
4. Liquids, Creams, and Other Preparations . All liquids, creams, and other preparations shall be kept in properly labeled clean and closed containers.

5. Physical Facilities . All work areas in a place of business shall be kept clean and free from excessive accumulation of hair, dust, and other debris.
6. Storage of Tools . Implements, and Supplies. Clean and disinfected tools, implements, supplies and other items, when not in use, shall be stored in a clean manner or container separate from soiled or dirty items. Soiled or dirty tools, implements, supplies and other items shall be stored in a container separate from clean items until such time it is cleaned and disinfected.
7. Towels . After a towel has been used, it shall be deposited in a receptacle separate from clean towels, and not used again until cleaned. Clean towels shall be stored hi a separate area from soiled or used towels.

RULE 7 - QUALIFICATIONS OF APPLICANTS

The purpose of this rule is to establish the criteria for an applicant's examination eligibility pursuant to § 12-8-108(l)(e) and § 12-8-114(3), C.R.S.

A. The following number of clock or contact hours in the respective subject areas shall remain in effect for all applicants by examination who apply for licensure on or before June 30, 2006:

1. Barber	
Sanitation, sterilization & safety	45
Permanent waving & chemical relaxing	250
Massage & skin care	150
Shampoo & scalp treatments	150
Hair tinting	135
Hair cutting - styling	300
Shaving, honing, & stropping	150
Law and rules and regulations	25
Management, ethics, interpersonal skills & salesmanship	25
Occupational safety and health	20
TOTAL	1,250

2. Cosmetologist	
Sanitation, sterilization & safety	45
Permanent waving & chemical relaxing	250
Hairstyling - wet styling, hair pressing & iron	250

curling	
Massage, skin care & makeup	100
Shampoo & scalp treatments	75
Hair tinting & bleaching	225
Hair cutting	225
Basic manicuring and pedicuring	75
Application of artificial nails	135
Law and rules and regulations	25
Management, ethics, interpersonal skills & salesmanship	25
Occupational safety and health	20
TOTAL	1,450

3. Cosmetician

3. Cosmetician	
Sanitation, sterilization & safety	70
Electricity, chemistry and light therapy	235
Massage, skin care & makeup	175
Law and rules and regulations	25
Management, ethics, interpersonal skills & salesmanship	25
Occupational safety and health	20
TOTAL	550

4. Hairstylist

4. Hairstylist	
Sanitation, sterilization & safety	45
Permanent waving & chemical relaxing	250
Hairstyling - wet styling, hair pressing & iron curling	250
Shampoo & scalp treatments	75
Hair tinting & bleaching	225
Hair cutting	225
Law and rules and regulations	25
Management, ethics, interpersonal skills & salesmanship	25
Occupational safety and health	20
TOTAL	1,140

5. Manicurist

5. Manicurists	
Sanitation, sterilization & safety	70
Basic manicuring and pedicuring	75
Application of artificial nails	135
Law and rules and regulations	25
Management, ethics, interpersonal skills & salesmanship	25
Occupational safety and health	20
TOTAL	350

- B. Effective July 1, 2006, an applicant for licensure must show the number of hours of course completion measured in credit hours. The Director of Registrations interprets the hours required

in section 12-8-114(3), C.R.S., to be credit hours at the ratios established by the Colorado Division of Private Occupational Schools and Colorado Community Colleges System. An applicant on or after July 1, 2006 shall furnish proof of training in the subject areas in which the applicant seeks licensure with the following minimum number of credit hours:

1. Barber

1. Barber	
Treatment of hair & scalp	2
Facial massage & treatments	3
Shaving	3
Haircutting	9
Hairstyling	9
Permanent waving & chemical hair relaxing	8
Haircoloring	8
Law, rules & regulations	1
Management, ethics, interpersonal skills & salesmanship	1
Disinfection, sanitation & safe work practices	6
TOTAL	50

2. Cosmetologist

2. Cosmetologist	
Shampooing, rinsing & conditioning	2
Haircoloring	8
Haircutting	8
Hairstyling	7
Chemical texture services	4
Manicuring & pedicuring	7
Application of artificial nails	5
Facials & skin care	7
Facial makeup	1
Hair removal	3
Law, rules & regulations	1
Management, ethics, interpersonal skills & salesmanship	1
Disinfection, sanitation & safe work practices	6
TOTAL	60

3. Cosmetician

3. Cosmetician	
Facials & skin care	7
Facial makeup	1
Hair removal	3
Law, rules & regulations	1
Management, ethics, interpersonal skills & salesmanship	1
Disinfection, sanitation & safe work practices	7
TOTAL	20

4. Hairstylist

4. Hairstylist	
Shampooing, rinsing & conditioning	2
Haircoloring	8
Haircutting	8
Hairstyling	7
Chemical texture services	4
Law, rules & regulations	1
Management, ethics, interpersonal skills & salesmanship	1
Disinfection, sanitation & safe work practices	9
TOTAL	40

5. Manicurist

5. Manicurist	
Manicuring & pedicuring	7
Application of artificial nails	5
Law, rules & regulations	1
Management, ethics, interpersonal skills & salesmanship	1
Disinfection, sanitation & safe work practices	6
TOTAL	20

- C. At least 75% of the credit hours in section (B) shall be obtained by clinical instruction. The remaining 25% may be obtained by theory or lecture.
- D. Any applicant enrolled in a training program prior to July 1, 2004, shall have until June 30, 2007 to satisfy the clock/contact hour requirement in section (A) above. Failure to complete the program by June 30, 2007 will require the applicant to convert his/her training into credit hours and complete any deficient credit hours before being eligible to apply for licensure.
- E. Credit hours earned in similar subject areas in one training program may be applied towards the hours required in another licensure type if earned from a school approved by the Colorado Division of Private Occupational Schools or Colorado Community Colleges System.
- F. Applicants who have graduated from a school located outside Colorado and apply after July 1, 2006, shall furnish certified proof that he/she has obtained the minimum total number of credit hours in section (B) above. If such training is reported in clock/contact hours, a ratio of one (1) credit hour will be recognized per thirty (30) clock hours obtained to determine when the applicant is eligible to sit for the licensure examinations.

RULE 8 - EXAMINATION CONDUCT

The purpose of this rule is to delineate conduct and penalties for applicants seeking licensure by examination as required by § 12-8-114 and 12-8-110, C.R.S., who attempt or engage in dishonest conduct that subverts the examination process.

A. Subversion of Examination Process

1. An examinee who engages or attempts to engage in conduct that subverts or undermines the integrity of the examination process shall be subject to the sanctions specified in this rule.
2. Conduct which subverts or undermines the integrity of the examination process shall be deemed to include, but is not limited to:
 - (a) refusing or failing to fully and promptly comply with any rules, procedures, instructions, directions, or requests made or prescribed by the examination proctors;
 - (b) removing from the examination room any of the examination materials;
 - (c) reproducing or reconstructing by copying, duplication, memorization, written notes or electronic recording, any portion of the licensing examination;
 - (d) selling, distributing, buying, receiving, obtaining, or having unauthorized possession of a future, current, or previously administered licensing examination;
 - (e) communicating in any manner with any other examinee or any other person, other than a proctor, during the administration of the examination;
 - (f) copying answers from another examinee or permitting one's answers to be copied by another examinee during the administration of the examination;

- (g) having in one's possession during the administration of the examination any materials or objects other than the examination materials distributed, including, without limitation, any books, notes, recording devices, or other written, printed or recorded materials or data of any kind;
- (h) impersonating an examinee;
- (i) permitting another person to appear for and take the examination on an applicant's behalf and in an applicant's name; or
- (j) engaging in any conduct that disrupts the examination or the taking thereof by other examinees.

B. Finding of Subversion

1. When, during the administration of an examination, there exists reasonable cause to believe that an applicant/examinee is engaging or attempting to engage in subversion, action shall be taken as deemed necessary or appropriate to terminate such conduct and such conduct shall be reported to the Office of Barber and Cosmetology Licensing ("the Office").
2. When the Director of Registrations ("the Director") has reasonable cause to believe that an applicant has engaged or attempted to engage in conduct that subverts or undermines the integrity of the examination process, the Director shall so advise the applicant and provide him/her with an opportunity for hearing pursuant to the Colorado Administrative Procedure Act.

C. Sanctions for Subversion of Examination

1. An applicant who is found by the Director prior to the administration of the examination to have engaged in conduct or to have attempted to engage in conduct, which subverts or undermines the integrity of the examination process shall not be seated for the upcoming examination, and may be sanctioned or disciplined in accordance with this rule and the Barbers and Cosmetologists Practice, § 12-8-101 *et seq.*, C.R.S.
2. An applicant/examinee who is found by the Director to have engaged or to have attempted to engage in conduct that subverts or undermines the integrity of the examination process shall be deemed to have failed the examination, and may be sanctioned or disciplined in accordance with this rule and the Barbers and Cosmetologists Practice, § 12-8-101 *et seq.*, C.R.S. Such failure shall be recorded in the official records of the Office.
3. In addition to the sanctions permitted or mandated above, as to an applicant/examinee found by the Director to have engaged or to have attempted to engage in conduct which subverts or undermines the integrity of the examination process, the Director may:
 - (a) deny the applicant's application for licensure;
 - (b) revoke, suspend, or impose probationary conditions on any license issued to such applicant; or
 - (c) disqualify the applicant for a specified number of subsequent administrations of the examination.

RULE 9 - MANICURING

The purpose of this rule to enhance the safe and efficacious application of manicuring services as provided by licensed manicurists and cosmetologists that are necessary to protect the public's health, safety and welfare pursuant to § 12-8-102, sect; 12-8-103(9) & (10.5), § 12-8-108(l)(a) & (c), § 12-8-120, and § 12-8-132(l)(c), C.R.S.

A. Electric Files.

1. Electric files can be used for manicuring and limited to the following procedures:
 - (a) Natural nail services;
 - (b) Filing, maintenance, and removal of artificial enhancement products; and
 - (c) Pedicure services.
2. Only electric files, drills, or machines specifically designed for use in the professional nail industry can be used at places of business. Craft, hardware, and hobby tools cannot be used under any circumstances,
3. To be deemed competent to use an electric file pursuant to § 12-8-132(l)(c), C.R.S., licensed cosmetologists and manicurists must obtain certification by the Association of Electric File Manufacturers (AEFM), which is 26 U.S.C. sec. 501(c) organization exempt from the provisions of private occupational schools pursuant to § 12-59-104(1)(p), C.R.S., or a substantially equivalent certification. If a licensed cosmetologists and manicurists has not received an AEFM certification or a substantially equivalent certification, then such licensed cosmetologists and manicurists cannot use electric files.

To be deemed a substantially equivalent certification in lieu of an AEFM certification, the following eight (8) hours must be obtained for each subject area from school programs approved by the Colorado Division of Private Occupational Schools or Colorado Community College System:

(a)	Sanitation and disinfection	2 1/2 hours
(b)	Client protection during filing	1 hour
(c)	Bit selection and use	1/2 hour
(d)	Machine specifications and uses	1/2 hour
(e)	Natural nail procedures	1/2 hour
(f)	Artificial enhancements	2 hours
(g)	Pedicure procedures	1 hour

4. Licensed cosmetologists and manicurists using electric files must display their certificate at their workstations in plain view. Licensed cosmetologists and manicurists must be able to supply written documentation, upon request by the Director, which substantiates appropriate training as required above. Failure to post or provide written documentation is a violation of this rule, and is *prima facie* evidence that the licensed cosmetologist or manicurist is not competent to use an electric file.
5. Licensed cosmetologists and manicurists who do not possess a certification may continue to use an electric file until September 30, 2004. Such licensed cosmetologists and manicurists have until September 30, 2004 to obtain their certification as required by this rule. After September 30, 2004, licensed cosmetologists and manicurists who do not

possess certification or training as required by this rule may not use an electric file under any circumstances.

6. All drill bits must be sanitized and disinfected in between clients as required in Rule 2. Arbor or sanding bands are single use items, and must be disposed of after use on a single client.

B. Prohibited Practices. Licensed cosmetologists and manicurists may not use any of the following substances or products:

1. Methyl Methacrylate Liquid Monomers, a.k.a., MMA; and
2. Razor-type callus shavers designed and intended to cut growths of skin such as corns and calluses.

Possession or storage of the above substances and products shall be considered *prima facie* evidence of use.

C. Scope of Practice. Licensed manicurists may not perform any services beyond the scope of their licensure as defined in section 12-8-103(10.5), C.R.S., including but not limited to:

1. Waxing, except for paraffin wax treatments to the hands and feet;
2. Removing superfluous hair by the use of depilatories, waxing, or tweezers; and
3. Cutting growths of skin such as corns and calluses.

RULE 10 - LICENSURE BY ENDORSEMENT

The purpose of this rule is to establish the qualifications and procedures for applicants seeking licensure by endorsement pursuant to § 12-8-118, C.R.S.

- A. An applicant for licensure by endorsement must have a verification of licensure sent directly to the Office of Barber and Cosmetology Licensing from all states or foreign countries in which the applicant has been licensed to practice during the last five (5) years from the date of application. The applicant must possess at least one (1) active, valid license in good standing at the time of application to Colorado to seek licensure by endorsement. An applicant previously licensed in another jurisdiction who does not hold an active, valid license at the time of application shall be required to meet the educational qualifications set forth in section 12-8-114, C.R.S., the examination requirements in section 12-8-110, C.R.S., and any applicable rules to obtain Colorado licensure.
- B. Any work experience submitted by applicant must be attested by applicant's employer, or if self employed, substantiated by applicant's tax returns. The attestation must certify that the applicant has practiced as a licensed barber, cosmetician, cosmetologist, hairstylist, or manicurist at a minimum of 400 hours per year for at least two of the five years immediately proceeding the date of application. The two years of experience does not have to be consecutive. Work experience obtained prior to licensure will not be considered.
- C. For an applicant seeking to establish "substantially equivalent credentials and qualifications" under § 12-8-118(1)(a) of the Barbers and Cosmetologists Practice Act ("the Act"), the applicant must furnish proof of graduation from a barber or beauty school approved by the appropriate governmental agency responsible for approving such schools in that state or country, and passage of a written and practical examination administered by the appropriate licensing agency for that state or country.

- D. An applicant holding a current license from another jurisdiction who does not meet the work experience or substantially equivalent qualifications for licensure by endorsement as set forth in the Act and this rule shall be issued a license upon passage of Colorado's written, practical, or both examinations, depending on the applicant's missing credentials and qualifications:
1. An applicant who obtained a license without taking a written test will have to take the Colorado written examination;
 2. An applicant who obtained a license without taking a practical test may have to take the Colorado practical examination; and
 3. An applicant who obtained a license without taking written and practical tests will have to take the Colorado written examination and may have to take the Colorado practical examination.
- E. An applicant who did not take a practical examination may be waived from the Colorado practical examination if the applicant satisfies the minimum number of credits established herein. There is no waiver of the written examination for those applicants who did not take a written test at the time of initial licensure. The minimum number of credits required for waiver of the practical examination are as follows:
- | | |
|---------------|------------|
| Barber | 28 credits |
| Cosmetician | 14 credits |
| Cosmetologist | 32 credits |
| Hairstylist | 26 credits |
| Manicurist | 10 credits |
- F. The minimum number of credits cited above are accumulated as follows:
1. One (1) credit for each 50-clock hours of training in the subject area in which the applicant seeks licensure obtained from a barber or beauty school approved by the appropriate governmental agency responsible for approving such schools in that state or country;
 2. One (1) credit for each 75-clock hours of apprenticeship training in the subject area in which the applicant seeks licensure obtained from a barber or beauty school approved by the appropriate governmental agency responsible for approving such schools in that state or country or an apprenticeship program approved by the U.S. Department of Labor; and
 3. One (1) credit for each 400-clock hours of work experience in the respective profession for which the applicant seeks licensure.
- G. Foreign-trained and licensed applicants seeking licensure by endorsement must submit their qualifications, credentials, and work experience to a credentialing agency for review. The credentialing agency will review the applicant's qualifications, training, and work experience and determine whether such applicant satisfies the requirements for licensure by endorsement as contained in the Act and this rule.
1. Credential reviews will only be accepted from either International Credentialing Associates ("ICA") or International Education Research Foundation ("IERF"). The Director will not accept a credentials evaluation from an organization not listed in this rule.
 2. All expenses associated with the credential evaluation are the responsibility of the applicant.
 3. Failure to have a credentials evaluation completed pursuant to the terms of this rule will

result in the Director denying the application.

4. The Director reserves the right to accept and refuse any recommendation made in the credential evaluation.

RULE 11 – PERMANENT MAKEUP

The purpose of this rule to enhance the safe and efficacious application of permanent makeup and facial cosmetic pigment implantation services as provided by licensed cosmeticians and cosmetologists that are necessary to protect the public's health, safety and welfare pursuant to §12-8-102, §12-8-103(7), (8), & (9), and §12-8-132(1)(c), C.R.S.

A. General Requirements and Definitions.

1. Permanent Makeup or Facial Cosmetic Pigment Implantation Services means beautifying the face by inserting or implanting facial cosmetic pigment under the surface of the human skin or mucosa in which any color or pigment is applied with a needle, or other means, to produce a permanent or semi-permanent mark visible through the skin and above the jaw line and anterior to the ear and frontal hairline (i.e., the client's face) to include, but not limited to, application of eyeliner, eye shadow, lips, cheeks, and scars on the face.
2. Permanent Makeup or Facial Cosmetic Pigment Implantation Services does not include services to areas beyond the client's face as defined above, pigmentation of areas involving reconstructive surgery or trauma, repigmentation of the areola, and body art. The performance of such services are deemed beyond the scope of this rule, and licensed cosmeticians and cosmetologists may perform such services so long as they comply with the requirements, if any, of the Colorado Department of Health, Colorado Board of Medical Examiners, and local and county regulatory authority.
3. A Colorado-licensed cosmetician or cosmetologist may perform permanent makeup or facial cosmetic pigment implantation services only if the cosmetician or cosmetologist has obtained the necessary education as required herein.

B. Education Requirements.

1. To be deemed competent to perform permanent makeup or facial cosmetic pigment implantation services pursuant to §12-8-132(1)(c), C.R.S., licensed cosmetologists and cosmeticians must obtain 132 clock hours of training in the following topic areas specifically related to permanent makeup or facial cosmetic pigment implantation services:

Course Topic	Hours
Sanitation, Sterilization, and Safety	12
Skin Analysis	8
Equipment and Supplies	8
Color Theory and Effects	32
Client Consultation	8
Application of Pigment	64
Total	132

Sanitation, Sterilization, and Safety includes specialized knowledge of sanitation, sterilization, and safety; methods of sanitation and sterilization; selection of appropriate

procedures and products; identifying hazards; and legal requirements established by the Director of Registrations, Colorado Department of Health, and applicable local (city and county) jurisdictions.

Skin Analysis includes basic knowledge of diseases, disorders, and conditions that contraindicate the service; reasons for refusing or altering services; skin elasticity; skin tones; skin texture; and skin thickness.

Equipment and Supplies includes knowledge of the various types of implanters, proper storage, inspection of needles, sources of equipment and supplies, maintenance of equipment, and requirements set by the Occupational Safety and Health Administration (OSHA).

Color Theory and Effects includes knowledge of the color wheel, natural skin tones, principles of selection, and results of exposure to natural elements and aging.

Client Consultation includes knowledge of communication skills; ethics in decisions and selections; importance of decisions based upon permanency of application; methods of implanting, correcting, and removal; health and medical history; expectation of results; and aftercare.

Application of Pigment includes knowledge of shape selection, selection of technique, pain and swelling control, and conservative application.

2. On or after January 1, 2005, a licensee must obtain 132-clock hours as described above from either a school program approved by the Colorado Division of Private Occupational Schools or Colorado Community College Systems; a school program located in another state or country approved by the governmental agency responsible for approving such schools or programs in that state or country; or a course approved, sponsored, or affiliated by the Society of Permanent Cosmetic Professionals, American Institute of Permanent Color Technology, or American Academy of Micropigmentation.
3. Education obtained prior to January 1, 2005 will be accepted if 132 clock hours have been obtained from a program approved by either a Colorado Division of Private Occupational Schools or Colorado Community College Systems; a school program located in another state or country approved by the governmental agency responsible for approving such schools or programs in that state or country; or a course approved, sponsored, or affiliated by either the Society of Permanent Cosmetic Professionals, American Institute of Permanent Color Technology, or American Academy of Micropigmentation. . Such hours can vary by course topic as identified in subsection 1 above, but shall equal 132 clock hours of training in Permanent Makeup or Facial Cosmetic Pigment Implantation Services.

C. Compliance.

1. Licensed cosmetologists and cosmeticians must be able to supply written documentation, upon request by the Director, which substantiates appropriate training as required above. Failure to provide written documentation is a violation of this rule, and is prima facie evidence that the licensed cosmetologist or cosmetician is not competent and not permitted to perform permanent makeup or facial cosmetic pigment implantation services.
2. The rules and regulations governing body art in the state of Colorado as promulgated by the Colorado Department of Health, 6 Colo. Code Regs. 1010-22, are incorporated herein by reference and all cosmeticians and cosmetologists performing permanent makeup or

facial cosmetic pigment implantation services must comply with such rules. Failure to comply with the Colorado Department of Health's rules and regulations are a violation of this rule, and cosmeticians and cosmetologists will be subject to discipline pursuant to section 12-8-132(1)(i), C.R.S.

RULE 12 – LICENSURE REINSTATEMENT

The purpose of this rule is to establish the qualifications and procedures for applicants seeking reinstatement of expired licenses pursuant to § 12-8-115, C.R.S., § 24-34-102(8)(d)(II) & (10), C.R.S., and § 24-34-105, C.R.S.

A. An applicant seeking reinstatement of an expired license shall complete a reinstatement application and pay all applicable renewal and reinstatement fees.

[Expired 5/15/05 per Senate Bill 05-183]

C. An applicant seeking to reinstate a license that has been expired for more than five years will need to demonstrate "competency to practice" as required in § 24-34-102(8)(d)(II), C.R.S., by providing evidence of active practice as follows:

1. Submitting proof that the applicant has practiced as a barber, cosmetician, cosmetologist, hairstylist, or manicurist at a minimum of 400 hours per year for at least two of the five years immediately preceding the date of application. The work experience may either be attested by applicant's employer, or if self employed, substantiated by applicant's tax returns. The two years of experience does not have to be consecutive.
2. If the applicant provides work experience from another state or jurisdiction, the applicant must have a verification of licensure sent directly to the Office of Barber and Cosmetology Licensing from all states or jurisdictions in which the applicant has been actively practicing during the last five (5) years prior to the date of application.

D. An applicant for reinstatement that cannot prove active practice as required above, will have to pass the written examination used for initial licensure under § 12-8-110, C.R.S., in order to reinstate the expired license.

E. An applicant for reinstatement who has actively practiced in Colorado on an expired license in violation of § 12-8-120, C.R.S., is subject to denial of application, disciplinary action, and/or other penalties as authorized in the Barbers and Cosmetologists Practice Act at §§ 12-8-101 et seq., C.R.S., and in accordance with § 24-34-102 et seq., C.R.S.