



If you cannot find the answer to your question(s) regarding the Montana Board of Barbers and Cosmetologists on this FAQ we encourage you to review the board's website, www.cosmetology.mt.gov, or contact our customer service unit at dlibsbsdhelp@mt.gov.

Frequently Asked Questions (FAQ) Montana Board of Barbers and Cosmetologists

Question 1:

What professions does this board regulate?

Response 1:

Presently the board issues the following licenses:

- Barber
- Barber - Nonchemical
- Cosmetologist
- Electrologist
- Esthetician
- Instructors
- Manicurist
- Salon / Shop
- School or Course
- Booth Renter (all license types)

For more information on how to apply for a license and licensing requirements visit the board's website at <http://boards.bsd.dli.mt.gov/cos>. If you want to apply for a license we recommend you use the [online application \(www.ebiz.mt.gov/pol\)](http://www.ebiz.mt.gov/pol) as that is the fastest, most efficient way to apply for a license. Note that it is paying the fee that submits the application so that staff can begin their review.

Question 2:

Can the board/department give me legal advice/interpretation of its statutes and rules?

Response 2:

The board and its staff cannot offer advice, interpretation, or legal determinations. Doing so would be providing you legal advice/counsel. It is the responsibility of licensees and members of the public to review the relevant statutes and rules to determine whether a specific practice is legal and/or what licenses are required to operate. If legal advice is needed, you may consult your own attorney.

Question 3:

I am interested in applying for a license. What are the licensing requirements?

Response 3:

Each license type under this board has a licensing requirements and application checklist that summarizes the licensing requirements and lists that specific documents that applicants need to submit as part of the application. Click on the below links to access a particular checklist. The fee to apply for the license is also listed on the checklist.

- Barber
 - [Not currently licensed](#)
 - [Currently licensed in another jurisdiction](#)
- Barber-Nonchemical
 - [Not currently licensed](#)
 - [Currently licensed in another jurisdiction](#)
- Cosmetologist
 - [Not currently licensed](#)
 - [Currently licensed in another jurisdiction](#)
- Electrologist
 - [Not currently licensed](#)
 - [Currently licensed in another jurisdiction](#)
- Esthetician
 - [Not currently licensed](#)
 - [Currently licensed in another jurisdiction](#)
- [Instructor](#)
- Manicurist
 - [Not currently licensed](#)
 - [Currently licensed in another jurisdiction](#)
- Salon/Shop
 - [Salon](#)
 - [Shop](#)
- [School or Course](#)
- [Booth Renter \(all license types\)](#)

Staff are currently working on updating the checklists to create more user-friendly documents. For more information on how to apply for a license and licensing requirements visit the board's website at <http://boards.bsd.dli.mt.gov/cos>. If you want to apply for a license we recommend you use the [online application \(www.ebiz.mt.gov/pol\)](http://www.ebiz.mt.gov/pol) as that is the fastest, most efficient way to apply for a license. Note that it is paying the fee that actually submits the application so that staff can begin their review.

Question 4:

I am currently licensed as a [barber/barber-nonchemical/cosmetologist/electrologist/esthetician/instructor/manicurist] in another state or jurisdiction. Can I "transfer" my license? Does Montana have reciprocity agreements with any other states?

Response 4:

You cannot transfer a license nor does Montana have reciprocity agreements with any other jurisdictions. If you are interested in applying for a Montana license you will need to apply and pay the associated application fee. If you are actively licensed in another state your application will be considered under the "out-of-state" licensing rule for your particular license type. Also see Question/Response #3 for more information on licensing requirements and the application process.

Question 5:

I am thinking of going to school/am already in school and am interested in applying for licensure as a [barber/barber-nonchemical/cosmetologist/electrologist/esthetician/instructor/manicurist] in Montana at some point in the future. Do you have any schools or programs you would recommend? What classes should I take so I can eventually get licensed in Montana?

Response 5:

Neither the board nor staff can offer you legal advice. It is up to you to look at current licensing requirements in Montana and make your own choices when deciding which schools to attend. If you attend school in Montana, note that Montana does license schools. See the board's website at <http://boards.bsd.dli.mt.gov/cos> for more information.

Additionally, the Legislature and the board can change the board's licensing regulations. The requirements today might not be the same as the requirements at a future date. If you are interested in staying current on board activities and proposed rulemaking you can e-mail dlibsdcos@mt.gov and ask to be added to the board's interested parties list. Individuals on that list will receive notice of all board meeting agendas and proposals to change the administrative rules.

You should also keep in mind that different states and jurisdictions have different licensing requirements so if you are interested in eventually applying for a license in a jurisdiction other than Montana you should contact that jurisdiction(s) regulatory body as well.

Question 6:

I have reviewed the licensing requirements for [barber/barber-nonchemical/cosmetologist/electrologist/esthetician/instructor/manicurist/school/shop/salon] but I am not sure if I would qualify for a license. If I send you my [unofficial transcript, facts about a license I hold in another state, etc.] could you review the information and let me know if I would qualify and should apply for a license?

Response 6:

Neither staff nor the board preapprove application materials or give legal advice. It is up to you to review the licensing requirements and make your own determination regarding whether or not you would like to apply for a license. The only way staff will review your specific information is if you apply for a license and paid the application fee. Unless you pay the fee you have not submitted an application. If you do decide to apply we recommend you [apply online](#) as it is the



most efficient method. Once you apply and pay the fee processing staff will begin reviewing your information.

Question 7:

I have had [criminal conviction(s) in the past/am currently on probation/was disciplined by another state licensing board, etc.]. Could you review my legal history to let me know if I would qualify and should apply for a license?

Response 7:

Neither staff nor the board preapprove application materials or give legal advice. It is up to you to review the licensing requirements and make your own determination regarding whether or not you would like to apply for a license. Only after you apply will staff review your criminal history. With that said, having a criminal history does not automatically disqualify you from licensure. If you apply and pay the fee the specifics of your personal history will be evaluated as part of your application.

Applications that qualify as complete and routine can be issued by staff. Applications that are nonroutine must be evaluated by the board at a board meeting so a determination can be made to issue a license, issue a license with probation, or deny a license. "Nonroutine" is defined in a board rule below:

ARM 24.121.406 NONROUTINE APPLICATIONS

(1) The board shall review an application containing any of the following criteria:

(a) criminal convictions and charges:

(i) a felony conviction of any nature if the sentence imposed for any such conviction has not been fully discharged or if the conviction was entered within the past ten years;

(ii) any conviction involving use or sale of drugs, fraud, deceit, or theft, pursuant to [37-1-316\(1\)](#), MCA, if the sentence imposed for any such conviction has not been fully discharged or if the conviction was entered within the past five years;

(iii) a misdemeanor conviction relating to sex or violence, or three or more misdemeanor convictions if the sentence imposed for any such conviction has not been fully discharged or if the convictions were entered within the past five years;

(iv) a pending criminal charge if, as a conviction, it would cause the application to be "nonroutine" under (a)(i) through (iii); or

(v) for the purposes of this rule, a criminal charge resulting in a deferred sentence that has not been discharged as of the date of application is considered a conviction for purposes of determining whether the application is nonroutine. Misdemeanor traffic convictions not involving alcohol or drugs will not cause an application to be considered nonroutine.

(b) other unprofessional conduct:

(i) an investigation, complaint, consent agreement, or disciplinary action involving the applicant that either:

(A) resulted in a license or license application that was revoked, suspended, denied, withdrawn, or surrendered; or that was placed on probation or subjected to any condition or restriction for the period of two or more years; or

(B) resulted in a license or license application that is currently encumbered by a disciplinary sanction, meaning conditions imposed on the license have not been satisfied or

are ongoing if the action was based upon the applicant's underlying conduct and not based on another state's or jurisdiction's disciplinary action; or

(ii) the applicant was diagnosed with an addiction or participated in a chemical dependency or other addiction treatment program within three years of submitting application. However, if treatment has been successfully completed and any recommended follow-up is being complied with, the department may consider the application routine;

(iii) the applicant answered "yes" on the application regarding a diagnosis for a physical condition or mental health disorder involving a potential health risk to the public; or

(iv) for a salon operating on a temporary practice permit, an inspection report reflecting three or more sanitation violations, prohibited items, use of machines outside of scope, permitting unlicensed practice, or other grounds constituting unprofessional conduct.

(c) education:

(i) the applicant's barbering, cosmetology, electrology, esthetics, or manicuring education was obtained in a foreign jurisdiction other than Canada;

(d) application discrepancies:

(i) failure to accurately and completely respond to a question on the application form. The department may treat an application as routine under this subsection if the department receives an adequate explanation for such a failure;

(ii) the department may, but is not required to, submit an otherwise "routine" application for board review if:

(A) questions arise whether the applicant meets all requirements for licensure, including, but not limited to, the demonstration of good moral character; or

(B) inconsistencies, irregularities, or other matters of concern, including but not limited to allegations of unlicensed practice, exist in the application or related documentation;

(e) with the exception of instructor and school licenses, an application will be deemed "routine" if it is "nonroutine" under this policy, based on information previously considered by the board, relative to a prior application that resulted in the issuance of an unencumbered license or if it resulted in a complaint that was resolved without discipline; or

(f) a booth rental application is always routine, so long as the applicant holds a current practice license and is not restricted from working as a booth renter.

Question 8:

I have applied for a license as a [barber/barber-nonchemical/cosmetologist/electrologist/esthetician/instructor/manicurist/school/shop/salon] but have not been issued a license yet. Can I start practicing before a license is issued?

Response 8:

No. If you qualify and are issued a license that is when you may begin practicing and/or operating your facility.

Question 9:

What is the best way to submit supplemental documents to my application record that do not need to be sent to you directly from a primary source?

Response 9:

You can upload your own application documents to your [online application](#) record. For further assistance you can contact customer service staff at dlibsdfhelp@mt.gov or 406-841-2300.

Question 10:

Where can I find a copy of all the board's laws?

Response 10:

Links to the official, online versions of the board's statutes, administrative rules, and notices of proposed rulemaking can be found on the website at www.cosmetology.mt.gov under the regulations menu. Also, see the direct links below.

- **Statutes and Rules that Apply to All Licensing Boards under DLI**
 - [Title 37, chapter 1, MCA](#)
 - [ARM Title 24, chapter 101](#)
- **Statutes and Rules that Apply to Professions Regulated by the Board of Barbers and Cosmetologists**
 - [Title 2 chapter 15, part 17, MCA](#)
 - [Title 37, chapter 31, MCA](#)
 - [ARM Title 24, chapter 121](#)
- **[Proposed Rulemaking](#)**

Question 11:

What is the scope of practice for a [barber/barber-nonchemical/cosmetologist/electrologist/esthetician/instructor/manicurist/school/shop/salon]?

Response 11:

The scope(s) of practice for all professions licensed under this board can be found under ARM 24.121.604 below. In addition, you can view related definitions in [37-31-101, MCA](#), and [ARM 24.121.301](#).

You may also want to review [37-31-102, MCA](#), which lists the exemptions from licensure and [ARM 24.121.2301](#) and [37-1-316, MCA](#), which pertain to unprofessional conduct. See also Question/Response #12.

[ARM 24.121.604:...](#)

- (2) The scope of training required for the practice of barbering is as follows:
- (a) haircutting with proper uses of tools (e.g., shears, razor, clippers, and thinning shears);
 - (b) shampooing and scalp treatments;
 - (c) hairstyling, including weaves, braiding, and extensions;
 - (d) wet setting, blow drying, curling, and flat ironing; and the arranging of dry hair;
 - (e) hair coloring, hair lightening, waving, and relaxing;
 - (f) facial shaving with straight razor; and
 - (g) skin care.
- (3) The scope of training required for the practice of barbering nonchemical is as follows:
- (a) haircutting with proper uses of tools (e.g., shears, razor, clippers, and thinning shears);
 - (b) shampooing and scalp treatments;
 - (c) hairstyling, including weaves, braiding, and extensions;



- (d) wet setting, blow drying, curling, and flat ironing; and the arranging of dry hair;
- (e) facial shaving with straight razor; and
- (f) skin care.
- (4) The scope of training required for the practice of cosmetology is as follows:
 - (a) manicuring and pedicuring, including massage and polishing, nail art, and use of an electric nail file;
 - (b) application and removal of artificial nails, gels, tips, and wraps;
 - (c) skin care, skin exfoliation, facials, makeup application, epilation, electricity and light therapies, and application of artificial lashes;
 - (d) hair coloring, hair lightening, waving, and relaxing;
 - (e) shampoo and scalp treatments;
 - (f) hairstyling, including weaves, braiding, and extensions;
 - (g) wet setting, blow drying, curling and flat ironing, and the arranging of dry hair; and
 - (h) haircutting with proper uses of tools (e.g., shears, razor, clippers, and thinning shears).
- (5) The scope of training required for the practice of electrology is as follows:
 - (a) electrolysis;
 - (b) thermolysis;
 - (c) the blend;
 - (d) electricity, chemistry, and light therapy; and
 - (e) epilation.
- (6) The scope of training required for the practice of manicuring is as follows:
 - (a) manicuring;
 - (b) pedicuring; and
 - (c) applying and removing artificial nails, gels, tips, and wraps and use of an electric nail file.
- (7) The scope of training required for the practice of esthetics is as follows:
 - (a) skin care;
 - (b) skin exfoliation, facials, and makeup application;
 - (c) epilation;
 - (d) electricity and light therapies; and
 - (e) application of artificial lashes.

Question 12:

I am a licensed [barber/barber-nonchemical/cosmetologist/ electrologist/esthetician/instructor/ manicurist/school/shop/salon] and I want to perform [x procedure] using [x product]. Is that within my scope of practice?

Response 12:

You can also review all the board's statutes and rules to see if the specific procedure and/or product is specifically called out and defined by the board. See Question/Response #10 for links to all the board's regulations. Note that the board and its staff cannot offer advice, interpretation, or legal determinations. Doing so would be providing you legal advice/counsel. It is the responsibility of licensees and members of the public to review the relevant statutes and rules to determine whether a specific practice is legal and/or what licenses are required to operate. If legal advice is needed, you may consult your own attorney.

See also Question/Response #11 regarding scope of practice.



Question 13:

I am a licensed [barber/barber-nonchemical/cosmetologist/ electrologist/esthetician/instructor/ manicurist/school/shop/salon]. What are the board's regulations on tattooing and microblading? Are those within my scope of practice?

Response 13:

Regulations pertaining to microblading and tattooing fall under the jurisdiction of [the Department of Public Health and Human Services Food and Consumer Safety Section](#) as opposed to the Board of Barbers and Cosmetologists. See Question/Response #11 regarding scopes of practice and Question/Response #10 for links to all the board's regulations. You may want to specifically view the board's definitions in [ARM 24.121.301](#) and [37-31-101, MCA](#), in case any of those definitions relate to the procedure(s) and your scope(s) of practice under this board.

Note that the board and its staff cannot offer advice, interpretation, or legal determinations. Doing so would be providing you legal advice/counsel. It is the responsibility of licensees and members of the public to review the relevant statutes and rules to determine whether a specific practice is legal and/or what licenses are required to operate. If legal advice is needed, you may consult your own attorney.

Question 14:

I am a licensed [barber/barber-nonchemical/cosmetologist/ electrologist/esthetician/instructor/ manicurist]. Can I serve a client in their home or a location other than a salon/shop?

Response 14:

See [37-31-301\(2\)\(c\)](#), MCA, below.

[MCA 37-31-301](#). Prohibited acts. (1) Without an appropriate license issued under this chapter, it is unlawful to:

- (a) practice barbering, barbering nonchemical, cosmetology, electrology, esthetics, or manicuring for compensation;
- (b) own, manage, operate, or conduct a school of barbering, barbering nonchemical, cosmetology, electrology, esthetics, or manicuring;
- (c) manage or operate a salon or shop or a booth; or
- (d) teach in a school of barbering, barbering nonchemical, cosmetology, electrology, esthetics, or manicuring.

(2) It is unlawful:

- (a) for a person who owns, manages, or controls a salon or shop to employ or use an unlicensed person as a barber, a barber nonchemical, a cosmetologist, an electrologist, an esthetician, or a manicurist;
- (b) to operate a school of barbering, barbering nonchemical, cosmetology, electrology, esthetics, or manicuring without complying with all of the regulations of **37-31-311**;
- (c) to practice barbering, barbering nonchemical, cosmetology, electrology, esthetics, or manicuring in any place other than in a licensed salon or shop as provided in this chapter, except when a licensee is requested:



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- (i) by a customer to go to a place other than a licensed salon or shop and is sent to the customer from a licensed salon or shop; or
- (ii) by a customer with a disability or homebound customer to go to the customer's place of residence; or
- (d) to violate any of the provisions of this chapter.

See also [37-31-101\(8\), MCA](#), defines "place of residence" as: "a home and the following residences defined under **50-5-101**:

- (a) an assisted living facility;
- (b) an intermediate care facility for the developmentally disabled;
- (c) a hospice;
- (d) a critical access hospital;
- (e) a long-term care facility; or
- (f) a residential treatment facility."

Question 15:

I am a licensed [barber/barber-nonchemical/cosmetologist/electrologist/esthetician/instructor/manicurist]. Can I serve a client in a nursing home/assisted living facility if that facility does not have a licensed shop/salon?

Response 15:

See Question/Response #14 and the definition for "place of residence."

Question 16:

Does the board license mobile salons/shops?

Response 16:

The board's rules do not currently speak to mobile salons/shops. In order to be licensed as a salon/shop a facility must meet all the requirements described in [ARM 24.121.1301](#). The board is currently discussing proposing rules for mobile salons but that is still in the discussion state.

If you would like to be added to the board's interested parties list in order to stay informed of upcoming meeting agendas and proposed rulemaking on this and other topics of interest you can e-mail your request to dlibsdlhelp@mt.gov.

Question 17:

I am a [barber/barber-nonchemical/cosmetologist/electrologist/esthetician/instructor/manicurist] who [owns/works/has booth renter license] in a [salon/shop/school]. Can I perform my services on the property but outside the physical walls of the licensed [salon/shop/school]?

Response 17:

The board and its staff cannot offer advice, interpretation, or legal determinations. Doing so would be providing you legal advice/counsel. It is the responsibility of licensees and members of the public to review the relevant statutes and rules to determine whether a specific practice is



legal and/or what licenses are required to operate. If legal advice is needed, you may consult your own attorney.

What we can do is direct you to relevant statutes and rules so you can review them yourself (see [37-31-301, MCA](#), and [ARM 24.121.605](#) and [24.121.2301](#) below). The parts that seem most applicable to this question are highlighted but we encourage you to read all of the text in case there is something else that is relevant to your question.

MCA 37-31-301. Prohibited acts. (1) Without an appropriate license issued under this chapter, it is unlawful to:

- (a) practice barbering, barbering nonchemical, cosmetology, electrology, esthetics, or manicuring for compensation;
- (b) own, manage, operate, or conduct a school of barbering, barbering nonchemical, cosmetology, electrology, esthetics, or manicuring;
- (c) manage or operate a salon or shop or a booth; or
- (d) teach in a school of barbering, barbering nonchemical, cosmetology, electrology, esthetics, or manicuring.

(2) It is unlawful:

- (a) for a person who owns, manages, or controls a salon or shop to employ or use an unlicensed person as a barber, a barber nonchemical, a cosmetologist, an electrologist, an esthetician, or a manicurist;
- (b) to operate a school of barbering, barbering nonchemical, cosmetology, electrology, esthetics, or manicuring without complying with all of the regulations of **37-31-311**;
- (c) to practice barbering, barbering nonchemical, cosmetology, electrology, esthetics, or manicuring in any place other than in a licensed salon or shop as provided in this chapter, except when a licensee is requested:
 - (i) by a customer to go to a place other than a licensed salon or shop and is sent to the customer from a licensed salon or shop; or
 - (ii) by a customer with a disability or homebound customer to go to the customer's place of residence; or
 - (d) to violate any of the provisions of this chapter.

ARM 24.121.605 APPLICATION FOR POSTSECONDARY SCHOOL LICENSURE

(1) The board may give preliminary approval to applicants for school licensure before inspections are scheduled and conducted. If preliminary approval is denied, the applicant shall correct any deficiencies and resubmit the application. Failure to resubmit within 90 days shall be treated as a voluntary withdrawal of the application and the fees shall be forfeited.

(2) Applicants shall designate the type of school and which courses are to be offered as follows:

- (a) barbering school;
- (b) barbering nonchemical school;
- (c) school of cosmetology, consisting of a cosmetology course and one or more of the following:
 - (i) barbering course;
 - (ii) barbering nonchemical course;
 - (iii) esthetics course;
 - (iv) manicuring course; or
 - (v) supplemental barbering course.



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- (d) school of electrology;
- (e) school of esthetics;
- (f) school of manicuring; or
- (g) teacher-training course.

(3) School applicants shall present a bond or other security for each course in the amount of \$5000 and in a form and manner prescribed by the board. The bond or other security may only be used to provide a refund of prepaid tuition to enrolled students in the event the school ceases to operate or otherwise is unable to complete the course of instruction.

(4) Schools shall not allow the bond or other security to be cancelled or to expire as long as the school is licensed, and shall submit to the board proof of continuous annual renewal of the bond or other security.

(5) As part of the application, the school applicant shall submit a financial report prepared by a certified public accountant (CPA). The CPA must affirm that the financial statements and documentation provided by the applicant to the CPA show that the school is reasonably projected to be solvent.

(6) Schools shall provide true and accurate copies of all current school policies, procedures, rules, student contracts, tuition costs, and required deposits including, but not limited to, those policies, procedures, and rules addressing:

- (a) students;
- (b) school operating standards;
- (c) disciplinary procedures;
- (d) permissible attire;
- (e) ethics/conduct;
- (f) leaves of absence;
- (g) attendance;
- (h) holidays and school closures;
- (i) hours of operation;
- (j) refunds;
- (k) withdrawals;
- (l) grounds for termination;
- (m) grading standards;
- (n) final practical examination and passing score;
- (o) requirements for satisfactory progress;
- (p) release of information; and
- (q) instructional demonstrations.

(7) Schools shall be subject to unscheduled on-site inspections or audits by a designee directed by the board to determine:

- (a) compliance with board statutes, rules, policies, and procedures; and/or
- (b) adequacy of student files and required school documentation.

(8) As part of the inspection, investigation, or audit process, the board may use information found by or prepared for the Department of Education or other applicable national accrediting associations' or commissions' reviews.

(9) To qualify for licensure, a school shall be recognized by the board as an institution of postsecondary study under ARM [24.121.806](#).

(10) Each school shall be located in a structure that meets all applicable local and state building codes requirements.



(11) Applicants shall furnish the board with a blueprint or detailed scale drawing of the floor plan as part of the application for licensure. Floor plans lacking detailed scaled dimensions, including square footage, will not be accepted.

ARM 24.121.1301 SALONS/BOOTH RENTAL

(1) Each salon and shop shall be located in a structure that meets all applicable local and state building codes requirements.

(2) The board shall initially and annually, or when a complaint is received, inspect and approve all salons, shops, and booths. Within ten days of an annual or complaint-driven inspection, the salon or shop owner, booth renter, or manager shall respond to all inspection report violations by submitting a detailed written response, including any corrective action taken, to the board office.

(3) Applicants shall furnish the board with a blueprint or detailed scale drawing of the floor plan when filing a salon or shop application.

(4) Minimum requirements for a licensed salon or shop are as follows:

(a) at least one sink basin, appropriate for the practice, within the confines of the salon or shop. The sink basin must have hot and cold running water and be connected to a sewer or septic system;

(b) one covered wet sanitizer of suitable size and depth, and appropriate sanitizing and disinfecting agents as defined in ARM [24.121.1513](#) and [24.121.1514](#) (uncovered sanitizing agents may be used, provided the sanitizing agent is changed after each use);

(c) one covered soiled linen container;

(d) one covered garbage container; and

(e) one enclosed dust free cabinet for the storage of cleaned towels.

(5) In addition to the above requirements, electrology salons or shops shall have:

(a) either a high frequency generator, galvanic generator, or electrolysis machine (dispersive or inactive electrode with connections to the machine, such as wet pad, metal rod, or water jar, necessary for electrology treatments);

(b) needles in assorted sizes;

(i) only presterilized, disposable needles may be used for electrolysis services on any individual in a licensed salon, unless a properly installed, serviced, and operated autoclave is utilized for sterilization of reusable needles.

(c) covered containers for all lotions, soaps, and cotton to be used on clients;

(d) four fine-pointed epilation forceps; and

(e) six draping sheets or towels.

(6) All residential salons and shops shall have:

(a) outside entrances with doors; and

(b) a separate restroom within the confines of the salon that is not available for the personal use of the residents.

(7) Salon and shop licenses are not transferable. Upon a change in ownership and/or location, the salon or shop shall submit a new salon or shop application accompanied by the appropriate fees.

(8) A new salon or shop may be granted a temporary operating permit pending an initial inspection. No prior notice of the inspection is required. A temporary operating permit shall terminate and a license shall not be granted without board review, unless the salon or shop provides the board with a response within 30 days of the date of the inspection that indicates all the inspection violations have been corrected to the inspector's satisfaction. If a temporary permit terminates, the salon or shop must cease operation until the application is granted by

the board and a license issued. A subsequent temporary operating permit is not available unless the application times out pursuant to ARM [24.121.403](#) and a new application is filed.

(9) Holders of salon or shop licenses shall be responsible for safety and sanitation in the salon or shop except sanitation and safety violations caused by the booth renter taking place in the working area.

(10) A licensee may not renew a booth renter license, unless, at the time of renewal, the licensee has at least one currently active license to practice.

(11) It is the responsibility of the salon or shop to ensure that all personnel comply with the board's statutes and rules.

(12) A practice license is a condition to holding a booth rental license. All alleged violations arising against the booth renter shall be processed against the practice license, and a separate action against the corresponding booth rental license is unnecessary. Any final orders resulting from formal disciplinary action or an administrative suspension of an individual's practice license shall also be reflected against the individual's booth rental license.

Question 18:

I am in the process of opening a [shop/salon/school]. In addition to a license under this board, what type of insurance do I need?

Response 18:

Insurance falls outside the scope of regulatory authority of the Board of Barbers and Cosmetologists. You might try contacting the [Office of the Commissioner of Securities and Insurance](#) to see if it can direct you to any applicable laws that might fall outside this board's authority. If you require legal advice you will need to contact your own attorney as neither staff nor the board can offer you legal advice.

Question 19:

I am licensed under this board and would like to provide clients alcoholic beverages. What are the board's laws pertaining to alcohol in shops/salons?

Response 19:

The Board of Barbers and Cosmetologists and the Department of Labor and Industry do not regulate alcohol in salons/shops. For more information on these regulations you will need to contact the [Department of Revenue Alcoholic Beverage Control Division](#).

Question 20:

What are the board's regulations concerning facilities known as "medical spas?"

Response 20:

"Medical spa" is not defined by statute or rule. In common usage, and for purposes of this FAQ, the term medical spa means a facility offering cosmetic procedures that exceed the scope of practice of licensees under the Board of Barbers and Cosmetologists. In other words, a medical spa is a facility that offers medical cosmetic procedures. For more information on medical spas and regulations view the [medical spa specific FAQ](#) posted to the board's [FAQ webpage](#).



Question 21:

What are the board's requirements regarding face coverings/masks and other COVID-19 special requirements pertaining to health and safety?

Response 21:

See the board's [COVID-19 specific FAQ](#). This FAQ can also be found by visiting the board's homepage at www.cosmetology.mt.gov.

Question 22:

How do I obtain a list/mailling list of licensees under this board?

Response 22:

You can purchase a list of licensees from the licensee download service on our website at <https://app.mt.gov/download/>. Once you select all the criteria for the list then you pay by credit card to complete your purchase.

The cost is \$35 for up to and including 300 records (licensees) with an additional charge of \$0.03 per record after the initial 300 records. Note that we do not give out phone numbers or e-mail addresses for any of our licensees.

For further questions and assistance contact customer service staff at dlibsdhel@mt.gov.

Question 23:

What is the best way to submit a question to staff or the board?

Response 23:

First, we encourage you to visit the board's website to see if the information you require is already posted. If you cannot find the information on the website or have a comment for staff or the board you can e-mail the board at dlibsdhel@mt.gov or contact customer service staff at 406-841-2300. E-mail is usually the most efficient way to contact department staff and will also allow you to have your response in writing so you can reference it later.

If you have a question regarding an application you have already submitted for review you should also contact staff at dlibsdhel@mt.gov.