

Head Line Press

Board of Barbers and Cosmetologists, 301 S. Park Avenue, PO Box 200513, Helena, MT 59620-0513
www.cosmetology.mt.gov dlibsdcos@mt.gov (406) 841-2335

Upcoming Board Meetings: October 23, 2006 January 22, 2007 April 23, 2007

New Rule Highlights

The Board of Barbers and Cosmetologists has updated its rules for schools, students, salons, booth renters, and all occupational license holders. These rules became effective on June 1, 2006. Some highlights of the rule changes:

Special Interest Articles:

- Rule Change Highlights
- Skin Infections and Whirlpool Footbaths
- Sanitation vs. Sterilization

- ◆ 24.121.301, Definitions, "Distance Education" and "Inactive" have been defined.
- ◆ 24.121.401, Fees, the fee for student enrollment/re-enrollment has been repealed and a \$20.00 fee for "Variance Requests" has been adopted.
- ◆ 24.121.405, Variances, clarifies the Board's intent as to the purpose of variances and the standard used in considering whether to grant a variance.
- ◆ 24.121.601, Applications For Licensure, clarifies that the education required for licensure must be obtained from schools licensed in either Montana or other jurisdictions.
- ◆ 24.121.603, Out-Of-State Applicants, the Board will now accept other nationally recognized exams in addition to those administered by the National Interstate Council of State Boards of Cosmetology for out-of-state applicants seeking Montana licensure.
- ◆ 24.121.803, School Requirements, eliminates the requirement of specific equipment, tools and supplies that schools must provide to students as a kit.
- ◆ 24.121.805, School Operating Standards, eliminates the requirement for the Board office to receive and maintain records of student registration, daily attendance and final student hours. This amendment coincides with the elimination of the student registration fee proposed in the fee schedule. Also amends the rule to no longer specify the rounding requirements of the schools' time clocks as it is sufficient to simply require that the time-keeping systems are protected against tampering.
- ◆ 24.121.809, Student Withdrawal, Transfer or Graduating, eliminates the requirement for the Board office to receive and maintain records of students who withdraw, transfer or graduate. It requires schools to provide an official transcript to students as verification of attendance or completion of coursework and requires the student to obtain and maintain those records.
- ◆ 24.121.1105, Teacher-Training Curriculum, eliminates the requirement for the Board to receive and maintain records of teacher-training hours.
- ◆ 24.121.2101, Continuing Education – Instructors/Inactive Instructors, simplifies and more clearly delineates the Board's approval process for instructor continuing education (CE) not already recognized by the Board, the required record keeping associated with CE, and the Board's CE audit process. Ensures quality coursework through distance education providers. Clearly outline the consequences of failing to meet the CE requirements.
- ◆ 24.121.2301, Unprofessional Conduct, Includes failure to comply with a continuing education audit as an act of unprofessional conduct.
- ◆ New Rule I, Fee Abatement, Allows the Board to authorize the Department to perform renewal licensure fee abatements as appropriate and when needed, without further vote or action by the Board.
- ◆ New Rule II, Continuing education Licensees/Inactive Licensees, This rule was not adopted. There will be no continuing education requirements for any license type except instructors.
- ◆ 24.121.811, Field Trips, the Board repealed this rule as they determined field trips are an integral part of course instruction and do not require a separate rule to outline their requirements.

**The updated rules and statutes can be viewed and downloaded from our website at: www.cosmetology.mt.gov .
If you would like us to send you a hard copy, please contact the Board office.**

Licensees Beware

The Board of Barbers and Cosmetologists wants to inform you that not all products being sold in beauty supply stores or from vendors at trade shows are legal to use on clients in Montana salons and shops. For example, a razor edged-callus remover can cause serious injury to a foot if not used correctly. An individual licensed by the Board may not use this instrument. Even if your client were to bring in their

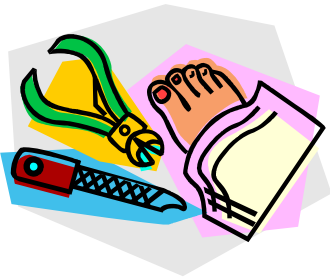
own callus remover and ask you to use it on them, YOU as the licensee should refuse this type of service. Some instruments are considered a medical device therefore; a medical doctor should perform the service. If found to be using illegal instruments, or even having on the premises of your salon/shop, the Board may issue an order for one or any combination of the following sanctions:

- ◆ **Revocation of license**
- ◆ **Suspension of license**
- ◆ **Restriction or limitation of practice**
- ◆ **Remedial education**
- ◆ **Monitoring of the practice**
- ◆ **Censure or reprimand, public or private**
- ◆ **Probation**
- ◆ **Fine up to \$1000.00 for each violation**
- ◆ **Refund of costs and fees to consumer**



“These skin boils usually start out looking like a spider bite that gradually grows in size”

Skin Infections and Whirlpool Footbaths Reprinted with permission from Northwest Stylist



Recently California health officials received complaints about a large outbreak of skin boils, which were traced back to a single nail salon in which footbaths had not been properly cleaned. These skin boils usually start out looking like a spider bite that gradually grows in size and eventually produce pus. The boils sometimes become opened wounds and may leave scars. These infections are caused by mycobacterium fortuitum and other related

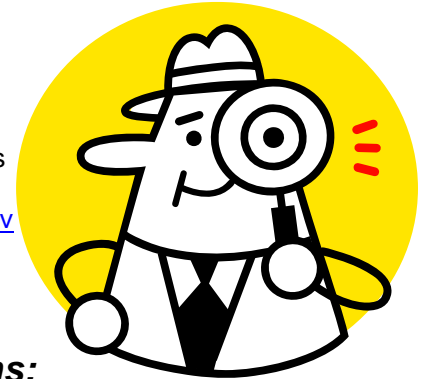
mycobacteria, which originate deep in the hair follicles, and are most common for women who shave their legs before receiving a pedicure and who receive an oil massage of their feet and calves after the footbath. Footspas that are not regularly cleaned and disinfected can pose a health risk for consumers since the bacteria is introduced through the municipal tap water and then flourishes in the footspas, which is a nutrient rich environment

fed by hair and skin debris. If salon whirlpool footbaths are cleaned and disinfected properly and in accordance with Montana State Cosmetology instructions that are given at the time of the inspection, the risk of these infections occurring in a salon setting is very small. Pedicures and footspas can be a wonderful experience if licensees are properly cleaning and disinfecting their footspas and tools.

FYI... The Germ Terminator Pro, a sanitizing machine that was recently approved by the Board is approved for **sanitizing** purposes only! You must still properly disinfect all equipment after using with this machine.

Inspector's Corner Contributed by: Dennis Clark, Inspector

If you have a copy of your inspection report, you already have a guide to what the inspector is looking for. Refer to it to help you stay in compliance and avoid the hassle of responding to violations, or worse, having a complaint filed against you. As a licensee you are responsible to know the *current* rules of the Board, and these rules do change. Take advantage of the Internet by visiting www.cosmetology.mt.gov to keep abreast of the current rules and information from your Board!



Avoid these common issues regarding inspections:

- All licenses should be current and displayed at the work area.
- Do not cut or alter your license in any manner, however, you may fold it to fit into an existing frame but be sure that the information is not covered. Violations require a duplicate license at a cost of \$5.00.
- The previous inspection report needs to be available to the inspector at the time of the visit. You may want to have it taped to the inside of your station cabinet door or your dispensary door, anywhere the inspector can find it, if you are not available.
- All booth renters should identify their booth with the required signage that indicates their name and that they are a booth renter. This indicates you are an independent contractor and **not** under the direction of the salon/shop owner. Other areas, outside the booth, also need to be identified with your name or business card, i.e. dispensary, containers, cabinets, rollabouts, sanitizer, etc.
- Label all unmarked bottles that have product in them, **including water**.
- The salon/shop facility should have mechanical ventilation that covers the square footage of the facility. It is to be on **continuously during business hours**, not just when doing perms, or nails. This can be portable filtration unit(s) and need not be that expensive. Open windows, doors, and fans are not considered mechanical ventilation. Restrooms require their own ventilation.
- The NIC Blood Spill posting should be in **public** view somewhere in the shop/salon. Break rooms, storage areas, and back doors are not considered public areas.
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- Alcohol is **not** permitted on the salon/shop premise.

Board Forms and Applications: Many of the applications, documents and forms used by the Board are available at the Board website for anyone who has access to the internet with Adobe Acrobat Reader™ and printing capabilities. Those who currently do not have Adobe Acrobat Reader™ may download the software free of charge from the Board's website at www.cosmetology.mt.gov . Printing an application document or form from the website helps to reduce printing costs and ensure that you obtain the most updated information available.

Sanitization Vs. Disinfection

“Sanitizing is simply cleaning to remove all visible residue...Disinfecting uses chemicals to destroy pathogens”

The first distinction you need to know: the difference between sanitization and disinfection. **Sanitizing** is simply cleaning to remove all visible residue. Cleaning an item doesn't kill germs; it simply removes dirt and debris from the item and reduces the risk of spreading infections from client to client. **Disinfection** involves using chemicals to destroy pathogens on nonliving surfaces. However, before you can disinfect an item, you must sanitize it. You can clean salon tools with several safe methods: scrubbing with soap and water, using an ultrasonic unit and using solvents. Once you clean your tools and equipment, you must disinfect

them. Disinfection kills most germs, but only when you use the disinfection product correctly. Follow the manufacturer's instructions for diluting the product, and remember that each disinfectant is different, so no universal disinfectant instructions exist. Remember, disinfectant solutions are pesticides and contain poisonous elements, make sure to wear gloves and goggles when mixing, and never use your bare fingers to remove implements from the disinfectant. Read the disinfectant's label to ensure the product is appropriate to use according Montana Board of Barbers and Cosmetology rules. How often should disinfectants be changed? Every single day! Once

mixed, disinfectants are usually effective for up to 24 hours. Disinfectants require 10-minute contact with an item in order to kill germs. One critical—but often overlooked—practice to keep in mind when using disinfectants: Immerse completely. Most disinfectant labels clearly state that the user needs to preclean items, and then disinfect them by completely immersing the items in the correctly diluted solution. This means that the solution must cover *all* surfaces of the item being disinfected—even the handles of nippers and the insides of pedicure equipment!

Licensing Contributed by: Andy Verbanac

We have just completed the 2006 Barbershop, Booth Renter and Salon renewal period. If you have not renewed your license, please do so immediately.



Passed by the 2005 Legislation, and effective July 1, 2005, MCA 37-1-141, states a licensee that has failed to renew their license by the renewal date will have their license placed in a "Lapsed" status for forty-five (45) days. At which time the licensee may still practice and can renew their license by submitting their renewal form and paying the renewal fee and late fee. On the forty-sixth (46) day, the license status changes

to "Expired", in this status, the licensee may not practice, but has the ability to renew their expired license for up to two (2) years from the original renewal deadline by submitting their renewal form and paying the renewal fee and the late renewal fee for each renewal period. Two years after the original renewal date, the license status changes to "Terminated". A terminated license is not

renewable and the licensee must re-apply and meet the licensing requirements in effect at the time.

The licensing requirements that are in effect at this time for the Board of Barbers and Cosmetologists for barbers, cosmetologists, estheticians, electrologists and manicurists are provided in ARM 24.121.607 and state that applicants must apply for licensure within five years of the applicant's graduation date from a licensed school.

Reminder: In accordance with 24.121.403 (4) Licensees shall ensure that their correct name and current mailing address is on file with the board by notifying the board of changes in name or address in writing within 30 days, and including the licensee's name, profession and license number.

You can do this by sending the information by mail to: Board of Barbers and Cosmetologists, PO Box 200513, Helena, MT 59620 or going to our website at: cosmetology.mt.gov and clicking on the "Address Change" link.

Montana Board of Barbers and Cosmetologists

Board Members

Wendell Petersen, Chairman
Cosmetologists, 10/01/2008

Darlene Battaiola, Vice-Chair
Cosmetologist, 10/01/2007

Maxine Collins, Secretary
Manicurist, 10/01/2010

Verna Dupuis
Cosmetologist, 10/01/2006

Edward Dutton
Barber, 10/01/2008

Karan Charles
Barber, 10/01/2006

Maggie Burton-Blize
Barber, 10/01/2007

Delores Lund
Public Member, 10/01/2010

Jamie Ausk-Crisafulli
Public Member, 10/01/2008

Board Staff

Grace Berger
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Andy Verbanac
Program Manager

Kathey Synness
Application Specialist

Dennis Clark
Inspector

Norm Olson
Inspector

Office Hours

Monday – Friday
8:00 am – 5:00 pm
Closed on all major holidays

Office Phone Numbers

Applications – (406) 841-2383
All Other – (406) 841-2335

Licensee Stats:

Barbers	562
Cosmetologists	5927
Electrologists	36
Estheticians	196
Manicurists	945
Salons	1153
Barbershops	197
Cos. Instructors	72
Bar. Instructors	2
Cos. Schools	10

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