

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Operation of Beauty Shops and Schools of Beauty Culture (3 CSR 4)

Type of Rule: X Legislative Interpretive Procedural

Agency Board of Barbers and Beauticians Address 4860 Brenda Lane, Guthrie Center
Charleston, WV 25312

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$	\$	\$ 0	\$ 0	\$ 0
Personal Services					
Current Expense					
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates. The changes will not alter the overall existing workload of the WV Board of Barbers and Beauticians.

3. Objectives of these rules:

The proposed amendments delete outdated language concerning water storage tanks where no running water is available; prohibit beauticians from wearing shorts and open toed shoes; and make a few "clean-up" changes.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

NONE

B. Economic Impact on Political Subdivisions; Specific Industries;
Specific groups of citizens.

A few individual beauticians may have expenses associated with the purchase of appropriate wearing apparel.

C. Economic Impact on Citizens/Public at Large.

NONE

Date September 14, 1987

Signature of Agency Head or Authorized Representative



Edwin Roush
Executive Director

WEST VIRGINIA BOARD OF BARBERS AND BEAUTICIANS

RULE ABSTRACT

Title: Operation of Beauty Shops and Schools of Beauty Culture

CSR Title and Series: 3 CSR 4

Type: Legislative

Summary: The proposed amendments delete outdated language concerning water storage tanks where no running water is available; prohibit beauticians from wearing shorts and open toed shoes; and make a few "clean-up" changes.

For further information contact: Regulatory Development Section, Health Department, 1800 Washington Street, Charleston, WV 25305, Telephone 348-3223, or WV Board of Barbers and Beauticians, 4860 Brenda Lane, Guthrie Center, Charleston, WV 25312, Telephone 348-2924.

FILED

1987 SEP 25 PM 12: 26

WEST VIRGINIA
SECRETARY OF STATE

[PROPOSED]

TITLE 3

WEST VIRGINIA LEGISLATIVE RULES
BOARD OF BARBERS AND BEAUTICIANS

Operation of Beauty Shops and Schools of Beauty Culture

Series 4

198_

For Public Hearing
October 26, 1987

[PROPOSED]
WEST VIRGINIA LEGISLATIVE RULES
BOARD OF BARBERS AND BEAUTICIANS

Operation of Beauty Shops and Schools of Beauty Culture

3 CSR 4

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[PROPOSED]
TITLE 3
WEST VIRGINIA LEGISLATIVE RULES
BOARD OF BARBERS AND BEAUTICIANS
Series 4

Title: Operation of Beauty Shops and Schools of Beauty Culture

Section 1. General

1.1. Scope - These ~~This~~ legislative rules governs the operation of beauty shops and schools of beauty culture.

1.2. Authority - These-legislative ~~This~~ rules are ~~is~~ issued under the authority of and are related to Chapter 30, Article 27, Section 10 of the West Virginia Code of 1931, as amended.

1.3. Filing Date -

1.4. Effective Date -

1.5. Supersession and Repeal of Former Regulations - This rule supersedes and repeals Operation of Beauty Shops and Schools of Beauty Culture, West Virginia Legislative Rule, 3 CSR 4, 1964.

Section 2. Application and Enforcement

2.1. Application - These-legislative ~~This~~ rules apply ~~applies~~ to the owners and operators of beauty shops and schools of beauty culture.

2.2. Enforcement - Enforcement of these-legislative ~~this~~ rules is vested in the West Virginia board of barbers and beauticians.

Section 3. Sanitation Requirements

3.1. Every beauty shop, or school of beauty culture, shall ~~before-opening-its-place-of-business-***-notify-the-board,-in-writing,-at-least-ten-days-before-the-proposed-opening-date-of-such-shop-or-school-***-(a-\$25.00-opening-inspection-fee-for-new,-or-change-of,-location-)~~ at least ten days prior to opening return to the board the completed shop opening application and twenty-five dollar inspection fee. All beauty shops must have cross, or approved, ventilation before opening.

3.2. All such shops, schools, bathrooms, toilets, and adjoining rooms, used in connection therewith, must be kept clean, sanitary, well lighted, and ventilated at all times. The use of powder puffs and styptic pencils in any such shop, or school, is prohibited. No pets such as cats, dogs, birds, etc. shall be kept in, or allowed to habit shops, or the entrance to such shops, or schools.

3.3. Each patron must be served with clean, freshly laundered linen which is kept in a closed cabinet used for that purpose alone. All linens, immediately after being used, shall be placed in a receptacle used for that purpose alone.

3.4. Each beautician, instructor, ~~junior-beautician~~, and student, shall thoroughly cleanse his, or her, hands with soap and water immediately before serving any patron.

3.5. A freshly laundered towel, or paper neck strip, must be placed around the neck of every patron so that the chair cloth, or shampoo apron, does not come in contact with the patron's skin.

3.6. The wiping of hands, or instruments of any kind, on linen being used on a patron is prohibited.

3.7. Shampoo bowls and boards must be cleansed after each shampoo.

3.8. All beauty shops must be equipped with hot and cold running water piped to hot and cold water faucets of a lavatory. (For purposes of the regulation, a lavatory is that plumbing fixture commonly used for hand washing.) Waste water must be drained through proper plumbing facilities into the public sewer system. ~~In places where there is no water pressure, storage tanks to supply running water may be used, one for hot and one for cold water. Openings in storage tanks shall not exceed two inches in diameter. The dipping of any towels or cloths of any nature, or other articles, into water tanks is prohibited.~~ The use of steamers, sterilizers, bowls, or receptacles of any kind into which to put hot towels, or hot water, is prohibited.

3.9. All rooms used for beauty shops must be equipped with all implements, supplies, sterilizers, linen, and all other equipment and requisites necessary to perform any, or all, of the services usually rendered in beauty shops. Shops located in residences must have a private entrance, proper toilet facilities, and must be confined strictly to rooms used exclusively for beauty culture.

3.10. Every beautician who uses hair brushes must have at least six in use. After each brush is used, it must be thoroughly washed and immersed in an approved disinfectant solution, dried, and placed in a cabinet sterilizer until used again.

3.11. Every beautician must have at least twelve combs in use. Every comb must be thoroughly washed and sterilized after each use.

3.12. Waving fluid, or other liquid preparations, must be applied to the hair only through a sanitary dispenser, or by dripping, pouring, or spraying on the hair.

3.13. All rollers must be cleaned and sterilized after each patron, and when not in use, kept in a closed cabinet used for that purpose only.

3.14. The advertised price of a permanent wave must include a shampoo and all other preparations necessary prior to giving the wave, and every act necessary to complete the permanent wave. The manager of each shop will be held responsible for

seeing that the shop has on hand at all times, all supplies required to give each individual permanent wave advertised, by name, by that particular shop.

3.15. All razors, scissors, tweezers, needles, blades, and other instruments shall be thoroughly cleaned and then disinfected by immersion in an approved disinfecting solution, after they have been in use, and such tools, instruments, and appliances, when not in use, be kept in a dry storage cabinet.

3.16. Each beautician, student, and junior student beautician, shall be responsible for keeping his, or her, individual chair, work stand, mirror, drawers, individual sterilizers, and entire booth, or stand, clean and neat during working hours. Each such operator practicing, in any capacity, must keep his entire personal appearance clean, neat, and above reproach at all times. (Shorts and slacks open toe shoes are prohibited.)

3.17. Every beauty operator must have adequate cabinet space for storing tools and accessories, only. Each beautician must have an individual dip sterilizer which must be of sufficient size to allow combs to be completely submerged. Dip sterilizers may be made of glass, or metal, and must contain, at all times, a fresh supply of an approved disinfectant. Combs and brushes shall be immersed in a dip sterilizer after washing, and prior to placing in a cabinet sterilizer.

3.18. No person practicing beauty culture, in any capacity, is permitted to remove warts, moles, or skin blemishes. Neither must they attempt to treat any disease of the skin or scalp. Persons desiring, or in need of treatment of any disease, must be referred to a licensed physician.

3.19. Floors must be kept clean and free from hair, and where possible, mopped each day.

3.20. Any member of the state board of barbers and beauticians, or its agents, shall be privileged to enter and inspect any beauty shop, or beauty school, during business hours, or check any part of the premises to ascertain whether or not any part of the law, or any rules and regulations, are being violated, and to take any other action necessary properly to enforce the law.

3.21. A copy of these this rules and regulations must be framed and posted in a conspicuous place in every beauty shop and every school of beauty culture.

3.22. Failure on the part of the owner, manager, or employee, to comply with the foregoing rules and regulations will be deemed a violation of the law, and sufficient cause for the state board of barbers and beauticians to revoke, or fail to renew, any certificate of registration.

3.23. All licenses must be framed and posted in the booth or work stand.

3.24. An approved disinfectant shall mean a 1/1000 solution of quaternary ammonium salts of high germicidal activity, or its equivalent.

Section 4. Duty to Carry Out Rules, Reporting, or Complaints

4.1. It shall be the duty of the proprietor of all beauty shops, beauty schools, and all registered beauticians, junior beauticians, students, and others to assist in carrying out these this rules and regulations by reporting any violation to the state board of barbers and beauticians, or any of its duly authorized agents.

4.2. All complaints will please be handed to an inspector on his visit to your beauty shop, or school. Such complaints will immediately be investigated. Complaints sent to the office of the division of barbers and beauticians cannot possibly receive prompt attention.