



**Cosmetology
Nail Technology
Esthetics
Electrology**

Statutes, Rules and Regulations
as of February 15, 2019

Agency Mission

The mission of the Kansas Board of Cosmetology is to protect the health and safety of the consuming public by licensing qualified individuals and enforcing high standards of practice in the professions of cosmetology, nail technology, esthetics and electrology.

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CURRENT BOARD FEES

Examination – Paid to Ergometrics

Practical Examination	\$75.00
Written Examination	\$75.00
Re-test Fee (Per Test)	\$75.00

Apprentice & Practitioner Licenses

Apprentice License	\$15.00
Temporary Permit	\$15.00
Practitioner License	\$60.00
Out-of-State Practitioner License	\$75.00
Senior Status License	\$30.00

Practitioner Renewal	\$50.00
Late Practitioner Renewal (\$50 + \$25 late fee)	\$75.00

Cosmetology Technician Renewal	\$45.00
Late Cosmetology Technician Renewal (\$45 + \$25 late fee)	\$70.00

Establishment Licenses

New Salon or Clinic License	\$60.00
Salon or Clinic Renewal	\$50.00
Late Salon or Clinic Renewal (\$50 + \$30 late fee)	\$80.00

Instructor & School Licenses

Instructor-in-Training Permit	\$15.00
Instructor License	\$75.00
Instructor License Renewal	\$50.00
Late Instructor Renewal (\$50 + \$25 late fee)	\$75.00

Other

Certification of Kansas Licensure	\$20.00
Duplicate License	\$25.00
Law Book (as of 02/14/14)	\$0.00

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Statutes Relating to Licensees and Establishments

65-1901. Definitions. As used in K.S.A. 65-1901 through 65-1912, and amendments thereto:

(a) "Apprentice" means any person engaged in learning the practice of cosmetology, nail technology, esthetics or electrology in a school of cosmetology, nail technology, esthetics or electrology licensed by the board, except until such time as an electrology school is established in this state apprenticing of electrology will be subject to approval by the board in a clinic or establishment.

(b) "Board" means the state board of cosmetology.

(c) "Cosmetologist" means any person, other than a manicurist or esthetician, who practices the profession of cosmetology for compensation.

(d) (1) "Cosmetology" means the profession of:

(A) Arranging, dressing, permanently curling, curling, waving, cleansing, temporarily or permanently coloring, bleaching, relaxing, conditioning or cutting the hair;

(B) cleansing, stimulating or performing any other noninvasive beautifying process on any skin surface by means of hands or mechanical or electrical appliances, other than electric needles, provided for esthetic rather than medical purposes;

(C) temporary hair removal from the face or any part of the body by use of the hands or mechanical or electrical appliances other than electric needles;

(D) using cosmetic preparations, antiseptics, lotions, creams or other preparations in performing any of the practices described in paragraphs (A), (B) and (C) of this subsection (d)(1); or

(E) manicuring, pedicuring or sculpturing nails.

(2) "Cosmetology" shall not include a service that results in tension on hair strands or roots by twisting, wrapping, weaving, extending, locking, or braiding by hand or mechanical device so long as the service does not include the application of dyes, reactive chemicals or other preparations to alter the color of the hair or to straighten, curl or alter the structure of the hair and so long as the requirements of K.S.A. 65-1928, and amendments thereto are met. Nothing in this paragraph shall be construed to preclude a licensed cosmetologist from performing the service described in this paragraph.

(e) "Esthetician" means any person who, for compensation practices the profession of cosmetology only to the following extent:

(1) Eyebrow and eyelash services, cleansing, stimulating or performing any other noninvasive beautifying process on any skin surface by means of hands or mechanical or electrical appliances, other than electric needles, provided for esthetic rather than medical purposes;

(2) temporary hair removal from the face or any part of the body by use of the hands or mechanical or electrical appliances other than electric needles; or

(3) using cosmetic preparations, antiseptics, lotions, creams or other preparations in performing any of the practices described in this subsection.

(f) "Manicurist" means any person who, for compensation practices the profession of cosmetology only to the extent of:

(1) Nail technology;

(2) cleansing, stimulating or performing similar work on the arms, hands or ankles and feet by means of hands or mechanical or electrical appliances, other than electric needles; or

(3) using cosmetic preparations, antiseptics, lotions, creams or other preparations in performing any practice described in subsection (f)(2).

(g) "Nail technology" means manicuring, pedicuring and sculpturing nails.

(h) "Electrologist" means any person who, for compensation removes hair from, or destroys hair on, the human body for beautification by use of an electric needle only.

(i) "Person" means any individual, corporation, partnership, association or other entity.

(j) "Instructor-in-training" means a person who is a licensed cosmetologist and has met the board's training requirements for obtaining an instructor-in-training permit.

(k) "Physician" means a person licensed to practice medicine and surgery by the state board of healing arts. History: L. 1927, ch. 245, § 1; L. 1943, ch. 222, § 1; L. 1975, ch. 322, § 1; L. 1983, ch. 212, § 1; L. 1984, ch. 231, § 1; L. 1987, ch. 238, § 1; L. 1992, ch. 108, § 1; L. 1995, ch. 120, § 1; L. 1998, ch. 160, § 1; L. 2000, ch. 109, § 1; L. 2002, ch. 187, § 1; L. 2008, ch. 108, § 1; July 1.

65-1902. Prohibited acts; exclusions from act; license as cosmetology technician; penalties for violations. (a) Except as provided in subsection (b), no person shall:

(1) Engage in practice of cosmetology, esthetics, nail technology or electrology unless the person holds a valid license, issued by the board, to engage in that practice;

(2) engage in the practice of tattooing, cosmetic tattooing or body piercing unless the person holds a valid license, issued by the board, to engage in such practice;

(3) teach cosmetology in a licensed school unless the person holds a valid cosmetology instructor's license issued by the board;

(4) conduct a school for teaching nail technology unless the person holds a valid license, issued by the board, to conduct the school;

(5) teach nail technology in a licensed school unless the person holds a valid cosmetology or manicuring instructor's license issued by the board;

(6) conduct a school for teaching electrology unless the person holds a valid license, issued by the board, to conduct the school;

(7) teach electrology in a licensed school or clinic unless the person holds a valid electrology instructor's license issued by the board;

(8) conduct a school for teaching esthetics unless the person holds a valid license, issued by the board, to conduct the school;

(9) teach esthetics in a licensed school unless the person holds a valid cosmetology or esthetics instructor's license issued by the board;

(10) own or operate a school, salon or clinic where cosmetology, esthetics, nail technology or electrology is taught or practiced unless the person holds a valid school, salon or clinic license issued by the board;

(11) teach or practice cosmetology, esthetics, nail technology or electrology in a school, salon or clinic unless the owner or operator of the school, salon or clinic holds a valid school, salon or clinic license issued by the board; or

(12) provide a service constituting the practice of cosmetology, nail technology, esthetics or electrology by use of a medical device registered with the federal food and drug administration, or as defined in federal or state law which may be distributed only upon the order of a physician. This act does not prohibit a board of cosmetology licensee from providing services using a medical device upon the order and under the supervision of a physician and in a location maintained by the physician.

(b) The provisions of this act shall not apply to:

(1) Any person licensed as a barber or apprentice barber;

(2) any person licensed to practice medicine and surgery, chiropractic, optometry, nursing or dentistry, while engaged in that practice;

(3) any person who is a licensed physical therapist or certified physical therapist assistant while engaged in that practice; or

(4) any teacher while engaged in instructing elementary or secondary school students in the proper care of their own persons.

(c) A person holding a license as a cosmetology technician on the day immediately preceding the effective date of this act shall continue to be a licensed cosmetology technician and perform the functions of a cosmetology technician, as such term was defined immediately prior to the effective date of this act, and may renew such license subject to the payment of fees and other conditions and limitations on the renewal of licenses under article 19 of chapter 65 of the Kansas Statutes Annotated and acts amendatory of the provisions thereof.

(d) If the board determines that an individual has violated subsection (a), in addition to any other penalties imposed by law, the board, in accordance with the Kansas administrative procedure act, may issue a cease and desist order against such individual or may assess such individual a fine of not to exceed \$1,500, or may issue such order and assess such fine. In determining the amount of fine to be assessed, the board may consider the following factors: (1) Willfulness of the violation, (2) repetitions of the violation and (3) risk of harm to the public caused by the violation.

(e) A violation of subsection (a) of this section is a class C misdemeanor.

History: L. 1927, ch. 245, § 2; L. 1943, ch. 222, § 2; L. 1949, ch. 334, § 1; L. 1963, ch. 316, § 1; L. 1963, ch. 317, § 1; L. 1970, ch. 256, § 1; L. 1972, ch. 232, § 1; L. 1975, ch. 322, § 2; L. 1983, ch. 212, § 2; L. 1984, ch. 231, § 2; L. 1987, ch. 238, § 2; L. 1992, ch. 108, § 2; L. 1995, ch. 120, § 2; L. 1998, ch. 160, § 2; L. 2002, ch. 187, § 2; L. 2003, ch. 128, § 23; L. 2008, ch. 108, § 2; July 1.

65-1903. Schools; licensure and fees; courses of instruction; instructor's license; instructor-in-training permit.

COSMETOLOGY SCHOOLS

(a) Licensed schools may be established and maintained in this state where the profession of cosmetology may be taught or acquired, under the following conditions and regulations:

(1)(A) Any person may apply to the board for a license for conducting a school for the teaching of the profession of cosmetology.

(B) The license shall be granted by the board upon proper and sufficient showing of competency of the applicant and assurance of compliance by the applicant with the requirements of this act, all reasonable rules and regulations adopted by the board for the proper conduct of the school and all applicable sanitation standards adopted by the secretary of health and environment pursuant to K.S.A. 65-1,148, and amendments thereto.

(C) Prior to issuance of the license, the applicant shall pay to the board the nonrefundable license application fee established under K.S.A. 65-1904, and amendments thereto.

(D) School licenses shall be renewed before July 1 of each year by submitting an application and payment of the nonrefundable license renewal fee established under K.S.A. 65-1904, and amendments thereto.

(E) Any license may be renewed by the applicant within 30 days after the expiration date of the last license upon payment of a delinquent renewal fee.

(F) No license fee shall be required of schools operating under the state board of regents or any tax-supported school.

(G) Nothing in this act shall prohibit any person who is a licensed electrologist, while acting as owner and manager of the person's clinic or establishment, from teaching electrology in the regular course of the person's business, but at no time shall any clinic or establishment have more than one apprentice or charge tuition for its teaching services.

(2)(A) Each school licensed under this subsection (a) shall remain under the constant supervision of the board.

(B) Before July 1, 2009, each licensed school at all times shall employ and maintain a sufficient number of instructors, duly licensed in the practices they teach, to provide at least one instructor for every 25 students. On and after July 1, 2009, each licensed school at all times shall employ and maintain a sufficient number of instructors, duly licensed in the practices they teach, to provide at least one instructor for every 25 students on the floor where the consumer services are provided in addition to one instructor for every 25 students in the instructional classroom.

(C) One instructor in training shall count as an instructor toward to the required ratio of instructors to students.

Cosmetology Course of Instruction

(D)(1) Each licensed school shall provide a course of instruction and practice in preparation for the profession of cosmetology.

(2) The course of instruction and practice shall require not less than 1,500 clock hours, or a licensed school may elect to base the course of instruction and practice on credit hours.

(3) The formula for conversion from clock hour to credit hour shall be provided by a recognized accrediting body which is approved by the United States department of education for the accreditation of schools of cosmetology and the licensed school applying the credit hour conversion must be accredited through the accrediting body providing the conversion formula.

(4) The formula for conversion from clock hour to credit hour shall be subject to review by the board.

(5) Each course of instruction and practice shall include those core areas of education as determined and defined by the board.

(6) Each licensed school of cosmetology shall cover a period of not less than nine nor more than 12 months of training for full-time students.

Nail Technology Course of Instruction

(E)(1) In addition, the school may provide a course of instruction and practice in preparation for the profession of nail technology.

(2) The course of instruction and practice shall require not less than 350 clock hours, or a licensed school may elect to base the course of instruction and practice on credit hours.

(3) The formula for conversion from clock hour to credit hour shall be provided by a recognized accrediting body which is approved by the United States department of education for the accreditation of schools of cosmetology and the licensed school applying the credit hour conversion must be accredited through the accrediting body providing the conversion formula.

(4) The formula for conversion from clock hour to credit hour shall be subject to review by the board.

(5) Each course of instruction and practice shall include those core areas of education as determined and defined by the board.

Esthetics Course of Instruction

(F)(1) Each licensed school of cosmetology may provide instruction and practice in the profession of esthetics.

(2) Before July 1, 2009, the course of instruction and practice shall require not less than 650 clock hours, or a licensed school may elect to base the course of instruction and practice on credit hours. On and after July 1, 2009, the course of instruction and practice shall require not less than 1,000 clock hours, or a licensed school may elect to base the course of instruction and practice on credit hours.

(3) The formula for conversion from clock hour to credit hour shall be provided by a recognized accrediting body which is approved by the United States department of education for the accreditation of schools of cosmetology and the licensed school applying the credit hour conversion must be accredited through the accrediting body providing the conversion formula.

(4) The formula for conversion from clock hour to credit hour shall be subject to review by the board.

(5) Each course of instruction and practice shall include those core areas of education as determined by the board.

(6)(i) Such course of training shall include the practices of cosmetology for all major ethnic groups residing in the state, and the board shall require by rules and regulations that each school shall provide instruction for part-time students who are unable to attend a full schedule of classes each week because of part-time employment; enrollment in an accredited public or private school of secondary education by a student who is pursuing a course of study leading to a diploma from such school; enrollment in a cooperative industrial training program, approved by the division of vocational education of the state department of education, by a student who is working toward an occupational objective; or the principles or tenets of the student's religion preventing full-time attendance.

(ii) Instruction of a part-time student shall be completed by the student within 18 months after the student's enrollment in the school.

COSMETOLOGY INSTRUCTOR'S LICENSE

(b) Any person who teaches the profession of cosmetology in a licensed school of cosmetology shall be required to obtain a cosmetology instructor's license from the board. To qualify for a cosmetology instructor's license, the applicant must:

(1) Be licensed as a cosmetologist under this act;

(2) either (A) have practiced as a cosmetologist for one year prior to licensure and successfully completed 300 hours of instructor training or (B) have successfully completed 450 hours of instructor training;

(3) pass a cosmetology instructor exam, administered by the board or the board's designee; and

(4) pay the nonrefundable instructor license application fee established by K.S.A. 65-1904, and amendments thereto.

A cosmetology instructor license shall be renewed every two years by furnishing satisfactory evidence that the applicant, except the first renewal period following licensure for applicants not holding a cosmetology instructor license on the effective date of this act, has completed 20 clock hours of continuing education approved by the board in the practice of cosmetology and teaching skills and methods, and by paying the nonrefundable license renewal fee established by K.S.A. 65-1904, and amendments thereto.

NAIL TECHNOLOGY SCHOOLS

(c) Licensed schools may be established and maintained in this state where nail technology may be taught or acquired, under the following conditions and regulations:

(1)(A) Any person may apply to the board for a license for conducting a school for the teaching of nail technology.

(B) The license shall be granted by the board upon proper and sufficient showing of competency of the applicant and assurance of compliance by the applicant with the requirements of this act, all reasonable rules and regulations adopted by the board for the proper conduct of the school and all applicable sanitation standards adopted by the secretary of health and environment pursuant to K.S.A. 65-1,148, and amendments thereto.

(C) Prior to issuance of the license, the applicant shall pay to the board the nonrefundable license application fee established under K.S.A. 65-1904, and amendments thereto.

(D) School licenses shall be renewed before July 1 of each year by submitting an application and payment of the nonrefundable license renewal fee established under K.S.A. 65-1904, and amendments thereto.

(E) Any license may be renewed by the applicant within 30 days after the expiration date of the last license upon payment of a delinquent renewal fee.

(F) No license fee shall be required of schools operating under the state board of regents or any tax-supported school.

(2)(A) Each school licensed under this subsection (c) shall remain under the constant supervision of the board.

(B) Before July 1, 2009, each licensed school at all times shall employ and maintain a sufficient number of instructors, duly licensed in the practices they teach, to provide at least one instructor for every 25 students. On and after July 1, 2009, each licensed school at all times shall employ and maintain a sufficient number of instructors, duly licensed in the practices they teach, to provide at least one instructor for every 25 students on the floor where the consumer services are provided in addition to one instructor for every 25 students in the instructional classroom.

(C) Not more than one instructor in training shall count as an instructor toward the required ratio of instructors to students.

(D) Each licensed school shall provide a course of instruction and practice in preparation for the profession of manicurist.

(E) The course of instruction and practice shall require not less than 350 clock hours, or a licensed school may elect to base the course of instruction and practice on credit hours.

(F) The formula for conversion from clock hour to credit hour shall be provided by a recognized accrediting body which is approved by the United States department of education for the accreditation of schools of cosmetology and the licensed school applying the credit hour conversion must be accredited through the accrediting body providing the conversion formula.

(G) The formula for conversion from clock hour to credit hour shall be subject to review by the board.

(H) Each course of instruction and practice shall include those core areas of education as determined and defined by the board.

(3)(A) The board shall require by rules and regulations that each school shall provide instruction for part-time students who are unable to attend a full schedule of classes each week because of part-time employment; enrollment in an accredited public or private school of secondary education by a student who is pursuing a course of study leading to a diploma from such school; enrollment in a cooperative industrial training program, approved by the division of vocational education of the state department of education, by a student who is working toward an occupational objective; or the principles or tenets of the student's religion preventing full-time attendance.

(B) Instruction of all students shall be completed by the student within six months after the student's enrollment in the school.

NAIL TECHNOLOGY (MANICURING) INSTRUCTOR'S LICENSE

(d) Any person who teaches nail technology in a licensed school of cosmetology or nail technology shall be required to obtain a manicuring instructor's license from the board, unless the person holds a valid cosmetology instructor's license issued under subsection (b). To qualify for a manicuring instructor's license, the applicant must:

(1) Be licensed as a cosmetologist or manicurist under this act;

(2) either (A) have practiced as a manicurist or cosmetologist for one year prior to licensure and successfully completed 300 hours of instructor training or (B) have successfully completed 450 hours of instructor training;

(3) pass a manicuring instructor exam, administered by the board or the board's designee; and

(4) pay a nonrefundable instructor license application fee established by K.S.A. 65-1904, and amendments thereto.

A manicuring instructor license shall expire every two years and shall be renewed by furnishing satisfactory evidence that the applicant, except the first renewal period following licensure for applicants not holding a manicuring instructor license on the effective date of this act, has completed 20 clock hours of continuing education, approved by the board, in the practice of manicuring and teaching skills and methods and paying the nonrefundable license renewal fee established by K.S.A. 65-1904, and amendments thereto.

ESTHETICS SCHOOLS

(e) Licensed schools may be established and maintained in this state where the profession of esthetics may be taught or acquired, under the following conditions and regulations:

(1)(A) Any person may apply to the board for a license for conducting a school for the teaching of the profession of esthetics.

(B) The license shall be granted by the board upon proper and sufficient showing of competency of the applicant and assurance of compliance by the applicant with the requirements of this act, all reasonable rules and regulations adopted by the board for proper conduct of the school and all applicable sanitation standards adopted by the secretary of health and environment pursuant to K.S.A. 65-1,148, and amendments thereto.

(C) Prior to issuance of the license, the applicant shall pay to the board the nonrefundable license application fee established under K.S.A. 65-1904, and amendments thereto.

(D) School licenses shall be renewed before July 1 of each year by submitting an application and payment of the nonrefundable license renewal fee established under K.S.A. 65-1904, and amendments thereto.

(E) Any license may be renewed by the applicant within 30 days after the date of expiration of the last license upon payment of a delinquent renewal fee.

(F) No license fee shall be required of schools operating under the state board of regents or any tax-supported school.

(2)(A) Each school licensed under this subsection (e) shall remain under the constant supervision of the board.

(B) Before July 1, 2009, each licensed school at all times shall employ and maintain a sufficient number of instructors, duly licensed in the practices they teach, to provide at least one full-time instructor for every 25 students. On and after July 1, 2009, each licensed school at all times shall employ and maintain a sufficient number of instructors, duly licensed in the practices they teach, to provide at least one instructor for every 25 students on the floor where the consumer services are provided in addition to one instructor for every 25 students in the instructional classroom.

(C) Not more than one instructor in training shall count as an instructor toward the required ratio of instructors to students.

(D) Each licensed school shall provide a course of instruction and practice in preparation for the profession of esthetics.

(E) Before July 1, 2009, the course of instruction and practice shall require not less than 650 clock hours, or a licensed school may elect to base the course of instruction and practice on credit hours. On and after July 1, 2009, the course of instruction and practice shall require not less than 1,000 clock hours, or a licensed school may elect to base the course of instruction and practice on credit hours.

(F) The formula for conversion from clock hour to credit hour shall be provided by a recognized accrediting body which is approved by the United States department of education for the accreditation of schools of cosmetology and the licensed school applying the credit hour conversion must be accredited through the accrediting body providing the conversion formula.

(G) The formula for conversion from clock hour to credit hour shall be subject to review by the board.

(H) Each course of instruction and practice shall include those core areas of education as determined and defined by the board.

ESTHETICS INSTRUCTOR'S LICENSE

(f) Any person who teaches esthetics in a licensed school of cosmetology or esthetics shall be required to obtain an esthetics instructor's license from the board, unless the person holds a valid cosmetology instructor's license issued under subsection (b). To qualify for an esthetics instructor's license, the applicant must:

(1) Be licensed as a cosmetologist or esthetician under this act;

(2) either (A) have practiced as an esthetician or cosmetologist for one year prior to licensure and successfully completed 300 hours of instructor training or (B) have successfully completed 450 hours of instructor training;

(3) pass an esthetician instructor exam, administered by the board or the board's designee; and

(4) pay a nonrefundable license application fee established by K.S.A. 65-1904, and amendments thereto.

An esthetics instructor license shall expire every two years and shall be renewed by furnishing satisfactory evidence that the applicant, except the first

renewal period following licensure for applicants not holding an esthetics instructor license on the effective date of this act, has completed 20 clock hours of continuing education, approved by the board, in the practice of esthetics and teaching skills and methods and by paying the nonrefundable license renewal fee established by K.S.A. 65-1904, and amendments thereto.

ELECTROLOGY SCHOOLS

(g) Licensed schools may be established and maintained in this state where the profession of electrology may be taught or acquired, under the following conditions and regulations:

(1)(A) Any person may apply to the board for a license for conducting a school for the teaching of the profession of electrology.

(B) The license shall be granted by the board upon proper and sufficient showing of competency of the applicant and assurance of compliance by the applicant with the requirements of this act, all reasonable rules and regulations adopted by the board for the proper conduct of the school and all applicable sanitation standards adopted by the secretary of health and environment pursuant to K.S.A. 65-1,148, and amendments thereto.

(C) Prior to issuance of the license, the applicant shall pay to the board the nonrefundable license application fee established under K.S.A. 65-1904, and amendments thereto.

(D) School licenses shall be renewed before July 1 of each year by submitting an application and payment of the nonrefundable license renewal fee established under K.S.A. 65-1904, and amendments thereto.

(E) Any license may be renewed by the applicant within 30 days after the expiration date of the last license upon payment of a delinquent renewal fee.

(F) No license fee shall be required of schools operating under the state board of regents or any tax-supported school.

(G) Nothing in this act shall prohibit any person who is a licensed instructor of electrology or who is and has been for at least three years a licensed electrologist, while acting as owner and manager of the person's salon, clinic or establishment, from teaching electrology in the regular course of the person's business, but at no time shall any salon, clinic or establishment have more than one apprentice or charge tuition for its teaching services.

(2)(A) Each school licensed under this subsection (g) shall remain under the constant supervision of the board.

(B) Each licensed school at all times shall employ and maintain a sufficient number of instructors, duly licensed in the practices they teach, to provide at least one full-time instructor for every four students on the floor where the consumer services are provided in addition to one instructor for every four students in the instructional classroom.

(C) Each licensed school shall provide a course of instruction and practice in preparation for the profession of electrology.

(D) The course of instruction and practice shall require not less than 500 clock hours, or a licensed school may elect to base the course of instruction and practice on credit hours.

(E) The formula for conversion from clock hour to credit hour shall be provided by a recognized accrediting body which is approved by the United States department of education for the accreditation of schools of cosmetology and the licensed school applying the credit hour conversion must be accredited through the accrediting body providing the conversion formula.

(F) The formula for conversion from clock hour to credit hour shall be subject to review by the board.

(G) Each course of instruction and practice shall include those core areas of education as determined and defined by the board.

ELECTROLOGY INSTRUCTOR'S LICENSE

(h) Any person who teaches electrology in a licensed school of cosmetology or electrology shall be required to obtain an electrology instructor's license from the board. To qualify for an electrology instructor's license, the applicant must:

(1) Be licensed as an electrologist under this act;

(2) either (A) have practiced as an electrologist for one year prior to licensure and successfully completed 300 hours of instructor training or (B) have successfully completed 450 hours of instructor training;

(3) pass an electrology instructor exam, administered by the board or the board's designee; and

(4) pay a nonrefundable instructor license application fee established under K.S.A. 65-1904, and amendments thereto.

Electrology instructor licenses shall expire every two years and may be renewed by furnishing satisfactory evidence that the applicant, except the first renewal period following licensure for applicants not holding an electrology instructor license on the effective date of this act, has completed 20 clock hours of continuing education, approved by the board, in the practice and teaching of electrology and paying the nonrefundable license renewal fee established under K.S.A. 65-1904, and amendments thereto.

To teach in a licensed salon, the electrologist is issued a license for the period of training for the student. To qualify they must:

(1) Be a licensed practicing electrologist for a three-year period and

(2) pay a nonrefundable instructor license application fee established under K.S.A. 65-1904, and amendments thereto.

INSTRUCTOR TRAINING CURRICULUM & LICENSE RENEWAL

(i) The board may adopt through rules and regulations a curriculum for cosmetology, nail technology, esthetics and electrology instructor training to be provided in a licensed school of cosmetology.

(j) Any instructor's license may be renewed by an applicant within one month after the date of expiration of the applicant's last license upon submission of proof, satisfactory to the board, of the applicants current hours and qualifications to renew practice as an instructor and payment of the applicable nonrefundable renewal fee and delinquent fee prescribed in K.S.A. 65-1904, and amendments thereto.

Any applicant whose instructor's license has expired for more than one month may obtain a license in the same manner and on payment of the same nonrefundable fees as provided for an applicant for an original license.

INSTRUCTOR-IN-TRAINING PERMITS

(k)(1) The board shall provide by rules and regulations instructor-in-training permits for applicants wishing to become an instructor in any of the schools listed in subsections (a) through (i).

(2) To obtain an instructor-in-training permit the applicant shall:

(A) One week prior to starting the 100 clock hours of teaching skills and methodology required under (B)(ii) submit to the board a notice of intent to become an instructor-in-training and be enrolled in a board-approved instructor's training program. This notification shall be on the application form for the instructor-in-training permit and accompanied by a nonrefundable fee set by the board.

(B) Upon the applicant's submitting to the board proof, satisfactory to the board, of achieving the following terms the applicant shall obtain the instructor-in-training permit:

(i) Be licensed as a cosmetologist or licensed in the profession in which the application would be instructing;

(ii) have completed 100 clock hours of the required clock hours of teaching skills and methodology; and

(iii) pay the required nonrefundable application fee.

(3) The instructor-in-training permit shall be good for six months. If the student does not complete the required training, the board, upon good cause shown, may extend the permit for an additional six months.

(4) For purposes of the required student-to-instructor ratio, there shall be only one student with a student instructor permit who may be a student instructor on the school staff.

(5) At no time shall an instructor-in-training practice without the supervision of a licensed instructor.

(6) Failure to complete the instructor curriculum or to take the required exam within six months of the date of application will require the submission of a new instructor's application and the required number of clock hours of instructor's training. History: L. 1927, ch. 245, § 3; L. 1943, ch. 222, § 3; L. 1951, ch. 361, § 1; L. 1963, ch. 316, § 2; L. 1965, ch. 381, § 1; L. 1967, ch. 343, § 1; L. 1969, ch. 298, § 1; L. 1970, ch. 257, § 1; L. 1970, ch. 256, § 2; L. 1971, ch. 210, § 1; L. 1972, ch. 232, § 2; L. 1975, ch. 322, § 3; L. 1981, ch. 249, § 1; L. 1983, ch. 212, § 3; L. 1984, ch. 231, § 3; L. 1987, ch. 238, § 3; L. 1989, ch. 195, § 5; L. 1992, ch. 108, § 3; L. 1995, ch. 120, § 3; L. 1998, ch. 160, § 3; L. 2002, ch. 187, § 3; L. 2008, ch. 108, § 3; July 1.

65-1904. Licenses; application and examination; reinstatement of expired license; fees; effect of service in armed forces. (a) Unless revoked for cause, all licenses of cosmetologists, cosmetology technicians, estheticians, electrologists and manicurists issued or renewed by the board shall expire on the expiration dates established by rules and regulations adopted by the board under this section.

Subject to the other provisions of this subsection, each such license shall be renewable on a biennial basis upon the filing of a renewal application prior to the expiration of the license, payment of the nonrefundable license renewal fee established under this section and the filing of a successfully completed written renewal examination prescribed by the board under this subsection.

For renewal applications the board shall prescribe a written renewal examination for each classification of licensee under this subsection that will test the applicant's understanding of the laws relating to the practice for which the applicant holds a license, will test the applicant's understanding of health and sanitation matters relating to the practice for which the applicant holds a license and will test the understanding of the applicant about safety matters relating to the practice for which the applicant holds a license. The board shall fix the score for the successful completion of a written renewal examination.

At least 30 days prior to the expiration of a license, the board shall provide to the licensee notice of the date of expiration of the license.

(b)(1) Any cosmetologist's, cosmetology technician's, esthetician's, electrologist's or manicurist's license may be renewed by the applicant within six months after the date of expiration of the applicant's last license upon submission of proof, satisfactory to the board, of the applicant's qualifications to practice as a cosmetologist, cosmetology technician, esthetician, electrologist or manicurist, successfully completing the renewal exam and payment of the applicable nonrefundable renewal fee and delinquent fee prescribed pursuant to this section.

(2) Any applicant whose license as a cosmetologist, cosmetology technician, esthetician, electrologist or manicurist has been expired for more than six months may obtain reinstatement of such license upon application to the board, upon filing with the board a successfully completed written renewal examination and upon payment of the applicable nonrefundable delinquent renewal fee and a nonrefundable renewal penalty fee of \$100.

(c) Any applicant for a license other than a renewal license shall make a verified application to the board on such forms as the board may require and, upon payment of the license application fee and the examination fee shall be examined by the board or their appointees and shall be issued a license, if found to be duly qualified to practice the profession of cosmetologist, esthetician, electrologist or manicurist.

(d) The board is hereby authorized to adopt rules and regulations fixing the amount of nonrefundable fees for the following items and to charge and collect the amounts so fixed, subject to the following limitations:

Cosmetologist license application fee, for two years-not more than	\$60
Cosmetologist license renewal fee	60
Delinquent cosmetologist renewal fee	25
Cosmetology technician license renewal fee, for two years-not more than	60
Delinquent cosmetology technician renewal fee	25
Electrologist license application fee, for two years-not more than	60
Electrologist license renewal fee	60
Delinquent electrologist renewal fee	25
Manicurist license application fee, for two years-not more than	60
Manicurist license renewal fee	60
Delinquent manicurist renewal fee	25
Esthetician license application fee, for two years-not more than	60
Esthetician license renewal fee.....	60
Delinquent esthetician renewal fee	25
Any apprentice license application fee-not more than	15
New school license application fee	150
School license renewal fee-not more than	75
Delinquent school license fee-not more than	50
New cosmetology services salon/electrology clinic license application fee-not more than	100
Cosmetology services salon/electrology clinic license renewal fee-not more than	50
Delinquent cosmetology services salon or electrology clinic renewal fee	30
Cosmetologist's examination-not more than	75
Electrologist's examination-not more than	75
Manicurist's examination-not more than	75
Esthetician examination-not more than	75
Instructor's examination-not more than.....	75
Reciprocity application fee-not more than	75
Senior status license fee.....	30
Verification of licensure	20
Any duplicate of license	25
Instructor's license application fee, for two years-not more than	100
Renewal of instructor's license fee	75
Delinquent instructor's renewal fee-not more than	75
Temporary permit fee	15
Statutes and regulations book	5
Instructor-in-training permit	50

(e) Whenever the board determines that the total amount of revenue derived from the fees collected pursuant to this section is insufficient to carry out the purposes for which the fees are collected, the board may amend its rules and regulations to increase the amount of the fee, except that the amount of the fee for any item shall not exceed the maximum amount authorized by this subsection. Whenever the amount of fees collected pursuant to this section provides revenue in excess of the amount necessary to carry out the purposes for which such fees are collected, it shall be the duty of the board to decrease the amount of the fee for one or more of the items listed in this subsection by amending the rules and regulations which fix the fees.

(f) Any person who has held a license issued by the board for at least 10 years and is 60 years or more of age and not regularly engaged in cosmetology practice in Kansas shall be entitled to a senior status license upon application and payment of the one-time senior status license fee. The holder of the senior status license shall not be required to renew the license and shall not be entitled to practice cosmetology.

(g) Any person who failed to obtain a renewal license while in the armed forces of the United States shall be entitled to a renewal license upon filing

application, paying the nonrefundable renewal fee for the current year during which the person has been discharged and successfully completing the renewal exam. History: L. 1927, ch. 245, § 7; L. 1933, ch. 279, § 3; L. 1943, ch. 222, § 4; L. 1945, ch. 253, § 1; L. 1949, ch. 334, § 2; L. 1951, ch. 361, § 2; L. 1963, ch. 317, § 2; L. 1970, ch. 256, § 3; L. 1975, ch. 322, § 4; L. 1980, ch. 192, § 1; L. 1983, ch. 212, § 4; L. 1987, ch. 238, § 4; L. 1995, ch. 119, § 1; L. 1995, ch. 248, § 1; L. 1997, ch. 146, § 6; L. 1998, ch. 160, § 4; L. 2001, ch. 193, § 1; L. 2002, ch. 187, § 4; L. 2009, ch. 80, § 1; Apr. 23; L. 2014, ch. 130, § 5; L. 2018, ch. 22, § 1; July 1.

65-1904a. Salon or clinic license; application and fee; inspection and reinspection; practice in private residence; renewal; practice outside salon, clinic or private residence. (a) Any licensed cosmetologist, esthetician, electrologist, manicurist, or person desiring to establish a salon or clinic shall make application, on a form provided, to the Kansas state board of cosmetology, accompanied by the new salon or clinic license fee established under K.S.A. 65-1904, and amendments thereto.

Upon filing of the application, the board shall inspect the equipment as to safety and sanitary condition of the premises and if the equipment and premises are found to comply with the rules and regulations of the secretary of health and environment and the rules and regulations of the Kansas state board of cosmetology, the board shall issue a new salon or clinic license.

(b) Nothing herein contained shall be construed as preventing any licensed cosmetologist, manicurist, esthetician or electrologist from practicing in the field for which licensed in such licensee's private home or residence if the home or residence complies with rules and regulations of the secretary and the state board.

A licensed cosmetologist, manicurist, esthetician or electrologist may provide services in the field in which licensed in a place other than the licensed salon or clinic or a private home or residence of the licensed cosmetologist, manicurist, esthetician or electrologist.

Excluding services provided by a licensed cosmetologist, manicurist, esthetician or electrologist in a health care facility, hospital or nursing home or in the residence of a person requiring home care arising from physical or mental disabilities, in order to provide such services, such licensed cosmetologist, manicurist, esthetician or electrologist shall be employed in a salon or clinic or in the licensed cosmetologist's, manicurist's, esthetician's or electrologist's private home or residence for at least 51% of the total hours per week employed; and shall attest by affidavit that such cosmetology, manicuring, esthetics or electrology services shall be provided only in the residence or office of the person receiving services.

(c) Licensed salons and clinics may be reinspected in accordance with a schedule determined by the board by rules and regulations or upon a complaint made to the board that such salon or clinic is not being maintained in compliance with rules and regulations of the board. The license shall expire one year from the last day of the month of its issuance. Any such license may be renewed upon application accompanied by the salon or clinic license renewal fee made to the board prior to the expiration date of the license. Any license may be renewed by the applicant within 60 days after the date of expiration of the last license upon payment of the annual renewal fee plus the delinquent renewal fee.

(d) On or after July 1, 2014, salon and clinic renewal application fees will be prorated to reflect an expiration date one year from the last day of the month of the initial issuance of the license. History: L. 1943, ch. 222, § 5; L. 1945, ch. 253, § 2; L. 1949, ch. 334, § 3; L. 1963, ch. 317, § 3; L. 1970, ch. 256, § 4; L. 1975, ch. 322, § 5; L. 1987, ch. 238, § 5; L. 1998, ch. 160, § 5; L. 2000, ch. 109, § 3; L. 2002, ch. 187, § 5; L. 2014, ch. 130, § 5; July 1.

65-1904b. Licensure, reciprocity, conditions. (a) Upon application to the Kansas state board of cosmetology on a form provided for application for a cosmetologist, esthetician or electrologist license, accompanied by the application fee, a person practicing as a cosmetologist, esthetician or electrologist under the laws of another state or jurisdiction shall be granted a license entitling the person to practice in this state if:

(1) The person is not less than 17 years of age and a graduate of an accredited high school, or equivalent thereof, or the person has held a current license in another state or jurisdiction in the area of practice in which the person seeks a license for not less than 10 years prior to the date of application;

(2) the person submits to the board verification of date of birth; and

(3) the person holds a current license in another state in the area of practice in which the person seeks a license and meets at least one of the following criteria:

(A) The person passes a written and a practical examination administered by the board relating to the area of practice in which the person seeks a license; or

(B) the person has the number of hours of training required for licensure in this state and passes the written examination administered for license renewal under subsection (a) of K.S.A. 65-1904, and amendments thereto.

(b) The renewal of a license issued pursuant to this section shall be in the manner provided in K.S.A. 65-1904, and amendments thereto. History: L. 1943, ch. 222, § 6; L. 1963, ch. 317, § 4; L. 1970, ch. 256, § 5; L. 1975, ch. 322, § 6; L. 1981, ch. 249, § 2; L. 1983, ch. 212, § 5; L. 1987, ch. 238, § 6; L. 1998, ch. 160, § 6; L. 2002, ch. 187, § 6; L. 2008, ch. 108, § 4; L. 2014, ch. 130, § 5; July 1.

65-1905. Examinations; qualifications of applicants; temporary permit. (a) All examinations held or conducted by the board shall be in accordance with rules and regulations adopted by the board. The examinations shall include a written test administered at the completion of 1,000 hours of training. If the applicant has attended a licensed school electing to base the course of instruction and practice on credit hours as provided in K.S.A. 65-1903, and amendments thereto, the written test shall be administered at the completion of the credit hours which are the equivalent of 1,000 clock hours under the formula for conversion used by the licensed school.

A practical test may be administered prior to licensure.

Examinations to qualify for an instructor's license shall be limited to written tests.

(b) Each applicant for licensure by examination shall:

(1) Be at least 17 years of age;

(2) be a graduate of an accredited high school, or equivalent thereof. The provisions of this paragraph shall not apply to any applicant who was at least 25 years of age and licensed as an apprentice on May 21, 1998;

(3) submit to the board verification of date of birth; and

(4) have served as an apprentice for the period of time provided by K.S.A. 65-1912, and amendments thereto.

(c) Any person making application who possesses the necessary qualifications to take an examination provided herein, upon application and payment of the nonrefundable temporary permit fee, may be issued a temporary permit by the board to practice cosmetology until the next regular examination conducted by the board. History: L. 1927, ch. 245, § 8; L. 1943, ch. 222, § 7; L. 1951, ch. 361, § 3; L. 1963, ch. 316, § 3; L. 1965, ch. 381, § 2; L. 1971, ch. 210, § 2; L. 1972, ch. 232, § 3; L. 1975, ch. 322, § 7; L. 1981, ch. 249, § 3; L. 1983, ch. 212, § 6; L. 1998, ch. 160, § 7; L. 1999, ch. 14, § 1; L. 2002, ch. 187, § 7; L. 2008, ch. 108, § 5; L. 2014, ch. 130, § 5; July 1.

65-1906. Display of license, inspection report and sanitation standards.

(a) Each licensed cosmetologist, cosmetology technician, esthetician, manicurist, electrologist and instructor shall display such person's license in a conspicuous place in the salon, clinic or school where the holder thereof is employed or working.

(b) Each holder of a salon, clinic or school license shall display the license and most recent inspection report and the sanitation standards prescribed by the secretary of health and environment pursuant to K.S.A. 65-1,148, and amendments thereto, in a conspicuous place in the salon, clinic or school. History: L. 1927, ch. 245, § 9; L. 1943, ch. 222, § 8; L. 1949, ch. 334, § 4; L. 1998, ch. 160, § 8; L. 2008, ch. 108, § 6; July 1.

65-1907. Inspectors, duties and training; student requirements. The chairperson, with the approval of the board, shall employ inspectors to inspect schools, salons and clinics and the inspectors shall perform all of the inspection duties of the board, as required by this act, rules and regulations of the board and sanitation standards adopted by the secretary of health and environment pursuant to K.S.A. 65-1,148 and amendments thereto.

The board shall provide training to the inspectors to enable the inspectors to provide current information to school, salon and clinic personnel regarding requirements of applicable statutes and regulations.

It shall be the duty of the board to determine the number of hours and practice work required of students in each subject of cosmetology, nail technology, esthetics and electrology taught in a licensed school. History: L. 1927, ch. 245, § 10; L. 1961, ch. 385, § 4; L. 1975, ch. 462, § 94; L. 1987, ch. 238, § 7; L. 1989, ch. 195, § 6; L. 1995, ch. 120, § 5; L. 1998, ch. 160, § 9; May 21.

65-1908. Revocation, censure, limitation or condition, suspension, nonrenewal or refusal of license; assessment of fines; grounds; authority of inspectors.

(a) The board, in accordance with the provisions of the Kansas administrative procedure act, may refuse to issue or renew a license, or revoke, suspend, censure, limit or condition a license for any of the following reasons:

(1) Failure to comply with the sanitation standards prescribed by the secretary of health and environment pursuant to K.S.A. 65-1,148, and amendments thereto;

(2) failure to comply with any provision of this act, with the rules and regulations of the board of cosmetology or with any order issued by the board;

(3) has become a danger to the public by reason of alcohol or drug abuse;

(4) conviction of a felony unless the applicant or licensee is able to demonstrate to the board's satisfaction that such person has been sufficiently rehabilitated to warrant the public trust;

(5) the obtaining of, or the attempt to obtain, a license by fraudulent misrepresentation or bribery;

(6) advertising by means of false or knowingly deceptive matter or statement;

(7) failure to display the annual license or inspection report as provided for in this act;

(8) gross negligence or unprofessional conduct as defined by rules and regulations of the board; or

(9) has had a license revoked, suspended or limited, or has had other disciplinary action taken, or an application for a license denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) The board may order the remedying of any violations of rules and regulations of the board or any provision of this act, and the board may issue a cease and desist order upon board determination that the holder of a license or any person has violated any order of the board, any rules and regulations of the board or any provision of this act.

(c) Inspectors employed by the board shall have such powers as the board may prescribe by rules and regulations to make inspections, investigations, and inquiries, except that a permanent order for closing any establishment licensed by the board shall be issued only by the board.

(d) In addition to the board's authority to refuse licensure or impose discipline pursuant to subsection (a), the board shall have the authority to assess a fine not in excess of \$1,000 against a licensee for each of the reasons specified in subsection (a). Such fine may be assessed in lieu of or in addition to such discipline. History: L. 1927, ch. 245, § 11; L. 1961, ch. 385, § 5; L. 1975, ch. 322, § 8; L. 1984, ch. 313, § 116; L. 1989, ch. 195, § 7; L. 1992, ch. 108, § 4; L. 1995, ch. 119, § 2; L. 1998, ch. 160, § 10; L. 2002, ch. 187, § 8; L. 2008, ch. 108, § 7; July 1.

65-1909. Violations; civil and criminal remedies. (a) No person shall:

(1) Employ an individual or allow any individual to engage in any activity for which a license is required pursuant to K.S.A. 65-1902, and amendments thereto unless such individual holds a currently valid license issued to such individual;

(2) violate any order or ruling of the state board of cosmetology;

(3) fail or refuse to comply with rules and regulations prescribed by the board or applicable sanitation standards adopted by the secretary of health and environment pursuant to K.S.A. 65-1,148, and amendments thereto; or

(4) violate any of the provisions of article 19 of chapter 65 of Kansas Statutes Annotated.

(b) Violation of subsection (a) is a misdemeanor punishable by a fine of not less than \$10 nor more than \$100, or by imprisonment in the county jail for not less than 10 days nor more than 90 days, or by both such fine and imprisonment.

(c) The board may bring an action in its own name in a court of competent jurisdiction to enjoin any person from practicing or teaching cosmetology, esthetics, nail technology or electrolysis or from operating a salon, clinic or school where such courses are taught without a currently valid license.

In any civil action brought under this section, it shall be presumed that irreparable damage will occur where the board alleges and proves a person committed a violation of such licensing laws. In addition to issuing an order for injunctive relief, the court also may assess a fine of not to exceed \$1,500 against such person. History: L. 1927, ch. 245, § 12; L. 1949, ch. 334, § 5; L. 1975, ch. 322, § 9; L. 1987, ch. 238, § 8; L. 1989, ch. 195, §8; L. 1998, ch. 160, § 11; L. 2002, ch. 187, § 9; L. 2008, ch. 108, § 8; July 1.

65-1910. Invalidity of part. If any part or parts of this act be held to be unconstitutional, the remaining part or parts of this act shall be unaffected thereby. History: L. 1927, ch. 245, § 14; June 1.

65-1912. Apprentice license; practice as apprentice required prior to licensure; charge for services of apprentice. (a) Any person desiring to practice as an apprentice shall be required to pay to the board the fee required pursuant to K.S.A. 65-1904, and amendments thereto, and obtain an apprentice license from the board. Application for an apprentice license allowing a person to practice in a licensed school shall be submitted to the board not more than 15 days after the person's enrollment in the school.

(b) (1) An applicant for examination and licensure as a cosmetologist shall be required to have practiced as an apprentice in a licensed school for not less than 1,500 clock hours or, if the applicant has attended a licensed school electing to base the course of instruction and practice on credit hours as provided in K.S.A. 65-1903, and amendments thereto, the applicant shall have practiced as an apprentice for not less than those credit hours which are the equivalent of 1,500 clock hours under the formula for conversion used by the licensed school.

(2) (A) Before July 1, 2009, an applicant for examination and licensure as an esthetician shall be required to have practiced as an apprentice in a licensed school for not less than 650 clock hours or, if the applicant has attended a licensed school electing to base the course of instruction and practice on credit hours as provided in K.S.A. 65-1903, and amendments thereto, the applicant shall have practiced as an apprentice for not less than those credit hours which are the equivalent of 650 clock hours under the formula for conversion used by the licensed school.

(B) On and after July 1, 2009, an applicant for examination and licensure as an esthetician shall be required to have practiced as an apprentice in a licensed school for not less than 1,000 clock hours, or, if the applicant has attended a licensed school electing to base the course of instruction and practice on credit hours as provided in K.S.A. 65-1903, and amendments thereto, the applicant shall have practiced as an apprentice for not less than those credit hours which are the equivalent of 1,000 clock hours under the formula for conversion used by the licensed school.

(3) An applicant for examination and licensure as a manicurist shall be required to have practiced as an apprentice in a licensed school of cosmetology or nail technology for not less than 350 clock hours or, if the applicant has attended a licensed school electing to base the course of instruction and practice on credit hours as provided in K.S.A. 65-1903, and amendments thereto, the applicant shall have practiced as an apprentice for not less than those credit hours which are the equivalent of 350 clock hours under the formula for conversion used by the licensed school.

(4) An applicant for examination and licensure as an electrologist shall be required to have practiced as an apprentice:

(A) In a licensed school of cosmetology or electrology for not less than 500 clock hours or, if the applicant has attended a licensed school electing to base the course of instruction and practice on credit hours as provided in K.S.A. 65-1903, and amendments thereto, the applicant shall have practiced as an apprentice for not less than those credit hours which are the equivalent of 500 clock hours under the formula for conversion used by the licensed school; or

(B) in a licensed clinic or establishment for not less than 1,000 clock hours of training. The duration of practice as an apprentice in a clinic or establishment must be in the clinic or establishment in which practice was commenced, except that the board may permit, upon written application and for good cause, the transfer of the apprentice to another clinic or establishment for completion of the term of apprenticeship. Any licensed cosmetologist who is practicing electrology in a licensed clinic or establishment on July 1, 1987, may apply for and be issued an electrologist's license without examination.

(c) No apprentice shall make any charge for the apprentice's services, but a licensed school of cosmetology, electrology or nail technology or a proprietor of a licensed clinic or establishment in which an apprentice of electrology practices may charge for services of the apprentice.

(d) For purposes of subsection (b), a person is not required to have practiced as an apprentice continuously or without interruption in obtaining the required number of hours. History: L. 1983, ch. 212, § 7; L. 1984, ch. 231, § 4; L. 1987, ch. 238, § 9; L. 1992, ch. 108, § 5; L. 1995, ch. 120, § 6; L. 1998, ch. 160, § 12; L. 2002, ch. 187, § 10; L. 2008, ch. 108, § 9; July 1.

65-1928. Braiding of hair; exemption of persons engaged therein from practice of cosmetology, requirements; duties of secretary of health and environment. The secretary of health and environment shall develop a brochure containing information about infection control techniques which are appropriate for hair braiding outside the salon setting. This brochure shall be made available through the department of health and environment's website or by mail, upon request, for a fee to cover the department of health and environment's printing costs. The brochure shall contain a self-test with questions on the information contained in the brochure. For an individual engaged in hair braiding to be exempt from the practice of cosmetology under K.S.A. 65-1901 and amendments thereto, such individual shall complete the self-test part of the brochure and keep the brochure and completed self-test available at the location at which the individual is braiding hair. History: L. 2000, ch. 109, § 2; July 1.

Laws Relating to the Board of Cosmetology

74-2701. Kansas state board of cosmetology; appointment; qualifications; terms; chairperson; executive director, treasurer; vacancies; oath. (a) There is hereby created the Kansas state board of cosmetology, the members of which shall be appointed by the governor, to regulate the practice of the profession of cosmetology in Kansas.

Not more than four members shall be of the same political party. Three members shall be licensed under the provisions of K.S.A. 65-1901 through 65-1912, and amendments thereto, at least two of whom shall be licensed cosmetologists; one member shall be a licensed permanent color technician and tattoo artist or a licensed body piercer; one member shall be an owner and licensed operator of a tanning facility; one member shall be a person who holds a valid school license issued by the board or a person who is engaged in the day-to-day operation of a school licensed by the board; and two members shall represent the general public interest.

If none of the licensed cosmetologist members of the board is an African-American, at least one member representing the general public interest shall be an African-American.

No manufacturer, wholesaler or retailer of cosmetic supplies or equipment used by the profession of cosmetology, or any representative of such manufacturer, wholesaler or retailer, shall become a member of the board.

(b) Members of the board serving prior to the effective date of this act may be reappointed as provided in this section. Of the members first appointed to the board on and after the effective date of this act, two members shall be appointed for terms of one year, two members shall be appointed for terms of two years and three members shall be appointed for terms of three years.

Thereafter each member of the board shall be appointed for a term of three years, and until a successor is appointed and qualifies. The board shall annually select a chairperson from its membership.

(c) The governor shall appoint an executive director who shall serve at the pleasure of the governor. The executive director shall also be the treasurer of the board and shall keep a record of the proceedings and perform such other duties as the board shall direct.

(d) When a vacancy occurs by death or resignation, appointees to the board shall have the prescribed qualifications. All vacancies in the board shall be filled by the governor for the unexpired terms. The members of the board shall take the oath of office prescribed for public officers before entering upon the discharge of their duties. History: L. 1927, ch. 245, § 4; L. 1961, ch. 385, § 1; L. 1963, ch. 316, § 4; L. 1967, ch. 434, § 34; L. 1969, ch. 370, § 1; L. 1978, ch. 308, § 60; L. 1981, ch. 249, § 4; L. 1992, ch. 262, § 10; L. 1996, ch. 138, § 16; L. 1998, ch. 160, § 13; L. 2002, ch. 187, § 16; July 1.

74-2702. Meetings of board; records and register; seal; oaths; employees; inspectors, duties; salary of executive director; compensation and expenses of members. (a) The Kansas state board of cosmetology shall meet immediately after appointment and determine policies of the board and conduct any business that may be before such board, and said officers thereafter shall meet as required by law, at times designated by the board and shall also meet on the call of the chairman.

The executive director shall not be entitled to vote at such meetings.

Said board shall keep a record of its proceedings and a register of the names of applicants for licenses, showing whether the licenses were granted or refused.

Said board shall have a seal, and each of said members of said board shall have the authority and be empowered, for all purposes and duties of said board in connection therewith, to administer oaths.

The chairman with the approval of the board shall have the power to appoint inspectors who shall perform all of the inspection duties of the board and may employ such additional help as may in his or her judgment be necessary to properly carry out the provisions of this act.

(b) All employees appointed as herein authorized, except the executive director, shall be within the classified service of the Kansas civil service act.

The executive director shall be within the unclassified service of the Kansas civil service act and shall receive an annual salary to be fixed by the board, with the approval of the state finance council.

Members of the state board of cosmetology attending meetings of such board, or attending a subcommittee meeting thereof authorized by such board, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223. History: L. 1927, ch. 245, § 5; L. 1933, ch. 279, § 1; L. 1943, ch. 269, §16; L. 1945, ch. 253, § 3; L. 1951, ch. 361, § 4; L. 1961, ch. 385, § 2; L. 1965, ch. 458, § 12; L. 1967, ch. 443, § 11; L. 1969, ch. 370, § 2; L. 1974, ch. 348, § 57; L. 1975, ch. 322, § 10; July 1.

74-2702a. Rules and regulations of board. The Kansas state board of cosmetology may adopt rules and regulations as may be necessary for the administration of matters within the jurisdiction of the board. History: L. 1969, ch. 370, § 3; L. 1995, ch. 119, § 3; July 1.

74-2703. Meetings of board; examination of applicants. It shall be the duty of such board to meet at least twice each year, and at such times and places as it may deem advisable, and shall at such times hold examinations of such applicants as shall have applied for licensure. History: L. 1927, ch. 245, § 6; L. 1933, ch. 279, § 2; L. 1943, ch. 222, § 9; L. 1998, ch. 160, § 14; May 21.

74-2704. Fees and moneys, disposition; cosmetology fee fund. All fees and payments required to be paid by applicants for examinations or licenses, shall be paid to the executive director of the Kansas state board of cosmetology or the board's designee.

The executive director, or the board's designee, shall remit all moneys received from fees, charges or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto.

Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Ten percent of each such deposit shall be credited to the state general fund and the balance shall be credited to the cosmetology fee fund.

All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive director or by a person or persons designated by the board. History: L. 1927, ch. 245, § 13; L. 1929, ch. 217, § 2; L. 1956, ch. 52, § 22; L. 1957, ch. 431, § 18; L. 1961, ch. 385, § 3; L. 1963, ch. 398, § 25; L. 1973, ch. 309, § 30; L. 1975, ch. 322, § 11; L. 1998, ch. 160, § 15; L. 2001, ch. 5, § 312; L. 2011, ch. 53, § 47; July 1

74-2705. Fiscal year of cosmetology board. On July 1, 1929, the fiscal year of business of the board of registration for cosmetologists shall, to conform with the fiscal business year of the state, begin with July 1 and end with June 30 of each year thereafter. History: L. 1929, ch. 217, § 1; March 20.

Rules and Regulations Infection Control

28-24-1 Definitions. (a) "Apprentice" has the meaning specified in K.S.A. 65-1901, and amendments thereto.

(b) "Bleach solution" means a mixture consisting of one part liquid bleach and nine parts water. The solution shall be kept in a closed container, and a fresh solution shall be made at least once every 24 hours.

(c) "Board" means the Kansas board of cosmetology.

(d) "Clean" means free from all soil and dirt and washed with soap or detergent.

(e) "Communicable disease or condition" means a disease or condition that is diagnosed by a licensed health care professional as being contagious or transmissible and that can be transmitted in the practice of cosmetology, nail technology, electrology, or esthetics.

(f) "Consumer" means a person who receives services from a licensed cosmetologist, electrologist, manicurist, esthetician, or cosmetology technician.

(g) "EPA" means the United States environmental protection agency.

(h) "Establishment" means any place licensed by the board of cosmetology where cosmetology, nail technology, electrology, or esthetics is practiced, other than a school.

(i) "FDA" means the food and drug administration of the United States department of health and human services.

(j) "Licensee" means any person licensed as a cosmetologist, cosmetology technician, manicurist, electrologist, esthetician, or instructor.

(k) "Mobile establishment" means a self-contained, enclosed mobile unit licensed for the practice of one or more of the following:

- (1) Cosmetology;
- (2) nail technology;
- (3) esthetics; and
- (4) electrology.

(l) "Noninvasive," when used to describe procedures or services, means the procedures or services confined to the nonliving cells of the epidermis found in the stratum corneum layer of the skin. The practice of cosmetology, nail technology, or esthetics shall not alter, cut, or damage any living cells.

(m) "Operator" means the person who is licensed to operate an establishment or school.

(n) "Product" means any liquid, cream, powder, spray, or other material used on the consumer in the practice of cosmetology, electrology, nail technology, or esthetics.

(o) "Protective gloves" means gloves made of vinyl or latex or of an alternate material that provides equivalent protection.

(p) "School" means any place licensed by the board of cosmetology for the training of cosmetologists, manicurists, estheticians, electrologists, and instructors-in-training.

(q) "Single-use," when used to describe presterilized products or items, means presterilized products or items intended to be disposed of immediately after one use.

(r) "Universal precautions" means the following guidelines and controls published by the centers for disease control (CDC), which are hereby adopted by reference:

(1) "Guidelines for prevention of transmission of human immunodeficiency virus and hepatitis B virus to health-care and public-safety workers: a response to P.L. 100-607, the health omnibus programs extension act of 1988," as published in morbidity and mortality weekly report (MMWR) on June 23, 1989, vol. 38, no. S-6; and

(2) "recommendations for preventing transmission of human immunodeficiency virus and hepatitis B virus to patients during exposure-prone invasive procedures," as published in morbidity and mortality weekly report (MMWR) on July 12, 1991, vol. 40, no. RR-08. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

28-24-2 Personal cleanliness. (a) Each licensee or apprentice shall thoroughly wash that person's hands with liquid soap and water or with any equally effective cleansing solution before serving each consumer.

(b) Each licensee or apprentice serving a consumer shall be clean at all times. This requirement shall include the uniform or attire worn by the licensee or apprentice. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

28-24-3 Communicable diseases or conditions; universal precautions. (a) No licensee or apprentice afflicted with a communicable disease or condition, as defined in K.A.R. 28-24-1, shall be permitted to work or train in a school or establishment.

(b) Services shall not knowingly be performed on or by any person who has a communicable disease or condition or parasites that could be transmitted in the delivery of services under these regulations. Blood-borne diseases, including HIV infection, hepatitis B (HBV), and hepatitis C (HCV), shall not be considered infectious or contagious communicable diseases or conditions under this regulation.

(c) If there is a likelihood of exposure to blood or body fluids while practicing cosmetology, nail technology, esthetics, or electrology, the apprentice or licensee shall wear single-use protective gloves and shall adhere to universal precautions when exposed to blood or body fluids.

(d) If a blood spill occurs, the licensee or apprentice shall perform all of the following procedures:

(1) Stop service immediately;

(2) don protective gloves;

(3) clean the injured area with an antiseptic solution and cover the wound with a sterile bandage to prevent further blood exposure;

(4) double-bag and dispose of all contaminated items;

(5) clean and disinfect all equipment, tools, and implements that have come in contact with the blood; and

(6) clean the station with disinfectant. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

28-24-4 Towels, robes, and linens. (a) After a towel, robe, or linen has been used once, the licensee or apprentice shall deposit the item in a closed and labeled receptacle and shall not use the towel, robe, or linen again until the item has been properly laundered and sanitized.

(b) Each licensee or apprentice shall launder used towels, robes, and linens using either regular commercial laundering or a noncommercial laundering process in which the towels, robes, and linens are immersed in water with a temperature of at least 140 degrees Fahrenheit for at least 15 minutes during the washing or rinsing operation.

(c) Each licensee or apprentice shall store all clean towels, robes, and linens in a clean, closed, and labeled cabinet. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

28-24-5 Headrests, shampoo bowls, treatment tables, and sinks. (a) Each licensee or apprentice shall sanitize the shampoo bowls, back bars, service chairs, manicure and treatment tables, sinks, non-porous surfaces, and workstation areas before each consumer service.

Each treatment table or manicure table shall be covered with a clean sheet of examination paper or a clean towel or linen for each consumer service.

Each item, except for any single-use item, that comes into contact with skin shall be disinfected before the item is used in providing services to another consumer.

(b) Each establishment shall have at least one shampoo bowl with a shampoo spray, in working order at all times, to be used with hot and cold running water.

(c) Each school shall have at least two handwashing sinks with hot and cold running water in the work area. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

28-24-6 Bottles and containers. Each licensee or apprentice shall ensure that each bottle and container in use shall be distinctly and correctly labeled to disclose the contents. In addition, each bottle or container containing any poisonous or caustic substance shall be distinctly marked as such and shall be stored in an area that is not open to the public. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

28-24-7 Products. (a) Each licensee or apprentice shall keep all products in properly labeled, clean, and closed containers.

(b) When only a portion of a product is to be used on a consumer, the licensee or apprentice shall remove the product from a bulk supply container in a way that does not contaminate the unused portion. The licensee or apprentice shall discard any remaining portion that is not used during that consumer's service.

(c) Each licensee or apprentice shall maintain all products in a manner that keeps the products free of contaminants.

(d) A licensee or apprentice shall not use in any establishment or school any product banned or restricted by the FDA for use in cosmetology, nail technology, esthetics, or electrology. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

28-24-8 Instruments and supplies. (a) Each licensee or apprentice shall use a sanitary neck strip or towel to keep the full-length protective covering from coming in direct contact with the neck of each consumer receiving cosmetology services.

(b) Each licensee or apprentice shall dispose of any supplies or instruments that come in direct contact with a consumer and cannot be disinfected or sterilized. These supplies or instruments shall be disposed of in a covered waste receptacle immediately after the single use.

(c) Each licensee or apprentice shall immediately dispose of any single-use material coming into contact with blood or other bodily fluids. The contaminated material shall be double-bagged, sealed, and disposed of. All needles and any other sharp items shall be disposed of in a sharps container.

(d) Each sanding band used on an electric file shall be a single-use item. The licensee or apprentice shall dispose of each sanding band after it is used.

(e) In the practice of electrology, all needles shall be single-use items. The licensee or apprentice shall dispose of each needle after it is used.

(f) Each licensee or apprentice shall properly disinfect each metal bit for an electric file after each use on a consumer and then shall store the bit in a clean, closed, and labeled container until its next use.

(g) No licensee or apprentice shall be permitted to carry any instrument or supplies in or on a garment or uniform, including an instrument belt and an instrument organizer. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

28-24-9 Pedicure equipment. For the purposes of this regulation, the term "pedicure equipment" shall mean any apparatus that holds water for the purpose of pedicure service. Each cosmetologist or manicurist and each apprentice of nail technology or cosmetology shall disinfect and maintain all pedicure equipment according to this regulation.

(a) Each cosmetologist, cosmetology technician, or manicurist and each apprentice of nail technology or cosmetology shall perform all of the following:

(1) Drain the pedicure equipment of all water and remove all debris from the equipment;

(2) clean the surfaces and walls of the equipment with soap or detergent and rinse with clean warm water;

(3) circulate a bleach solution or an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, virucidal, and tuberculocidal activity used according to the manufacturer's instructions through the equipment for 10 minutes and then drain and rinse the equipment with warm clean water; and

(4) wipe the equipment dry with a clean towel.

(b) At the end of each day, each cosmetologist, cosmetology technician, or manicurist and each apprentice of nail technology or cosmetology shall perform the following:

(1) Drain the pedicure equipment of all water and remove all debris from the equipment;

(2) remove all debris trapped behind any removable parts of the equipment;

(3) (A) Wash all removable parts and the inlet with soap or detergent and then with a bleach solution; or

(B) totally immerse all removable parts and the inlet in an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, virucidal, and tuberculocidal activity used according to the manufacturer's instructions;

(4) replace all removable parts; and

(5) flush the equipment with soap and water for 10 minutes and then rinse, drain, and allow the equipment to air-dry.

(c) Each week, each cosmetologist, cosmetology technician, or manicurist and each apprentice shall ensure that all of the following cleaning and disinfecting procedures are followed:

(1) After the cleaning procedures specified in subsection (b) are followed, the pedicure equipment shall be filled with bleach solution, which shall be circulated through the system for five to 10 minutes before the jets are turned off.

(2) The bleach solution shall be allowed to remain in the equipment for at least six hours. Then the equipment shall be drained and flushed with warm clean water. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

28-24-10 Disinfecting nonelectrical instruments and equipment. (a) Each licensee or apprentice shall disinfect each nonelectrical instrument or piece of equipment in the following manner before it is used on a consumer:

(1) Clean the instrument or equipment with soap or detergent and with water;

(2) rinse the instrument or equipment with clean water; and

(3) use one of the following disinfection methods:

(A) Totally immerse the instrument or equipment in an EPA-registered, hospital-grade disinfectant that has demonstrated bactericidal, fungicidal, and virucidal activity when used according to the manufacturer's instructions and then rinse the instrument or equipment with clean water; or

(B) totally immerse the instrument or equipment in bleach solution for 10 minutes and then rinse the instrument or equipment with clean water.

(b) Each licensee or apprentice shall immediately disinfect each nonelectrical instrument or piece of equipment that has come in contact with blood or other body fluids. The instrument or equipment shall be disinfected in the following manner:

(1) Clean with soap or detergent and with water;

(2) rinse with clean water; and

(3) totally immerse in an EPA-registered, hospital-grade disinfectant that has demonstrated bactericidal, fungicidal, virucidal, and tuberculocidal activity when used according to the manufacturer's instructions and rinse with clean water.

(c) Each licensee and apprentice shall ensure that the disinfectant solutions or bleach solution specified in subsections (a) and (b) are prepared, available for use, and covered at all times. EPA-registered disinfectants shall be changed at least once per week or more often if the solution becomes visibly cloudy or dirty. A bleach solution shall be prepared daily or more often if the solution becomes diluted or dirty.

(d) For each disinfectant used as specified in subsections (a) and (b), one of the following shall be available at all times in the establishment or school and shall be provided upon request to the board of cosmetology or the board's designee:

(1) The manufacturer's material safety data sheet (MSDS); or

(2) the manufacturer-labeled container.

(e) Each instrument that has been used on a consumer or soiled in any manner shall be placed in a properly labeled, covered receptacle until the instrument is disinfected.

(f) All disinfected instruments shall be stored in a properly labeled, clean, enclosed cabinet or covered container reserved for clean instruments only.

(g) The electrolysis instruments and equipment that are sterilized in accordance with K.A.R. 28-24-12 shall not be subject to the requirements of this

regulation. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

28-24-11 Disinfecting electrical instruments. (a) Each licensee or apprentice shall disinfect each instrument in the following manner before providing any service to each consumer:

(1) Remove all foreign matter from the instrument; and

(2) use one of the following disinfection methods:

(A) Completely saturate the portion of the electrical instrument that comes in contact with the consumer with a bleach solution or with a disinfectant liquid spray or foam that is EPA-registered and has demonstrated bactericidal, fungicidal, and virucidal activity when used according to the manufacturer's instructions; or

(B) with a bleach solution, completely saturate the portion of the electrical instrument that comes into contact with the consumer, and then rinse that portion of the electrical instrument with clean water.

(b) All electrical instruments and equipment that have come in contact with blood or other body fluids shall be disinfected immediately in the following manner:

(1) Remove all foreign matter from the instrument; and

(2) use one of the following disinfection methods:

(A) Completely saturate the portion of the electrical instrument that comes in contact with the consumer with a bleach solution or with a disinfectant liquid spray or foam that is EPA-registered and has demonstrated bactericidal, fungicidal, virucidal, and tuberculocidal activity when used according to the manufacturer's instructions; or

(B) with a bleach solution, completely saturate the portion of the electrical instrument that comes into contact with the consumer, and then rinse the instrument with clean water.

(c) Each disinfected electrical instrument shall be stored in a properly labeled, clean enclosed cabinet or covered container reserved for clean instruments only. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

28-24-12 Electrolysis instruments, equipment, and practices. Only single-use instruments or sterilized equipment shall be used on a consumer.

(a) Each licensee or apprentice shall first clean all non-single-use nonelectrical instruments or equipment that comes in contact with an individual consumer by performing each of the following steps after each use with an individual consumer and before sterilization:

(1) Clean the instruments or equipment with warm, soapy water with detergent to remove visible debris;

(2) rinse and air-dry the instruments or equipment; and

(3) immerse the instruments or equipment in an ultrasonic unit that is operated in accordance with the manufacturer's instructions and that contains water and either a protein-dissolving detergent or an enzyme cleaner.

(b) Each licensee or apprentice shall ensure that all non- single-use nonelectrical instruments and equipment are sterilized by adhering to either or both of the following practices:

(1) Placing reusable instruments in sterilization bags with color strip indicators and then placing the bags in a steam autoclave sterilizer or a dry-heat sterilizer that is approved and listed by the FDA and that is used, cleaned, and maintained according to the manufacturer's directions; or

(2) using single-use, prepackaged, sterilized instruments or equipment obtained from suppliers or manufacturers.

(c) Each steam autoclave sterilizer and each dry-heat sterilizer shall meet the following requirements:

(1) Be approved by the U.S. food and drug administration (FDA);

(2) contain visible physical indicators, including a thermometer and a timer, necessary to ensure that the steam autoclave sterilizer is functioning properly during sterilization cycles;

(3) be used with chemical indicators that change color after exposure to the sterilization process, to ensure that all sterilization requirements are met; and

(4) be cleaned, used, and maintained according to the manufacturer's instructions.

(d) Each cleaned instrument or piece of equipment shall be sterilized in accordance with the manufacturer's instructions for each specific sterilizer and by utilizing one of the following:

(1) Steam autoclave sterilizer. If a steam autoclave sterilizer is used, the instruments or equipment shall be sterilized for 15 to 20 minutes at 250 degrees Fahrenheit and the pressure shall consist of 15 to 20 pounds per square inch (psi).

(2) Dry-heat sterilizer. If a dry-heat sterilizer is used, the instruments and equipment shall be sterilized for either 60 minutes at 340 degrees Fahrenheit or 120 minutes at 320 degrees Fahrenheit.

(e) Each operator shall use a sterilization-monitoring service or laboratory using commercially prepared spores at least monthly to ensure that all microorganisms have been destroyed and sterilization has been achieved.

(1) Each operator shall maintain a log at the establishment with the date and results of each monthly test for a minimum of three years and shall make the records available for review at any time by the board or the board's designee.

(2) A copy of the manufacturer's procedural manual for operation of the steam autoclave sterilizer or dry-heat sterilizer shall be available for inspection by the board or the board's designee.

(f) Each licensee or apprentice shall place only the single-use instrument or sterilized equipment to be used for each consumer on a clean field and shall replace the clean field with a new clean field after each consumer.

(g) Each licensee or apprentice shall dispose of each needle and any other sharp equipment in a puncture-resistant, leakproof container that can be securely closed for the handling, storage, transportation, and disposal of sharps. The container shall be red and shall be labeled with the biohazard symbol.

(h) The surface of each counter, each piece of furniture, and each piece of equipment in each area where a consumer is served shall be made of smooth, nonporous materials. Each licensee or apprentice shall clean these surfaces using either an EPA-registered disinfectant according to the manufacturer's instructions or a bleach solution. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

28-24-13 Physical facilities. (a) The operator of each school or establishment shall meet the following requirements:

(1) Keep the school or establishment well lighted and well ventilated by natural or mechanical methods that remove or exhaust fumes, vapor, or dust to prevent hazardous conditions from occurring and to allow the free flow of air in a room in proportion to the size and the capacity of the room; and

(2) keep the floors, walls, ceilings, furniture and other fixtures and apparatus, and all other exposed surfaces in each school or establishment clean, free of dust, hair and other debris, and in good repair at all times. All curtains shall be kept carefully laundered or chemically cleaned.

(b)(1) Except as provided in paragraph (b)(2), if a room used for residential purposes is also used for or is adjacent to a room used for the practice of cosmetology, nail technology, esthetics, or electrology, then a solid partition shall separate the portion of the premises used for residential purposes from the licensed area. The partition may contain a door, if it remains closed, except for entering and leaving.

(2) Each establishment that has an initial license issued on or after December 31, 2007 and that is located in a residence shall have a separate, outside entrance to the establishment.

(c) If a room used for nonlicensed business purposes is also used for or is adjacent to a room used for the practice of cosmetology, nail technology, esthetics, or electrology and if the board of cosmetology, upon consultation with the secretary of health and environment, determines that the proximity of the licensed or nonlicensed activities poses a possible threat to the health of the employees, the consumers, or the public, then the operator of the school or establishment may be required by the board to meet one or both of the following requirements:

(1) A solid partition shall separate the portion of the premises used for nonlicensed business purposes from the licensed area. The partition may contain a door, if it remains closed, except for entering and leaving.

(2) A separate, outside entrance shall be provided for the school or establishment.

(d) Each school or establishment shall have a safe water supply.

(e) Each establishment shall have at least one restroom. Each restroom shall include at least one working toilet and one hand-washing sink, with a liquid soap dispenser and either disposable towels or an air dryer. The operator shall keep each restroom in a sanitary condition. Each restroom shall be located within the building in which the establishment is housed.

(f) Each school shall have at least two restrooms. Each restroom shall have at least one working toilet and one hand-washing sink, with a liquid soap dispenser and either disposable towels or an air dryer. The operator shall keep each restroom in a sanitary condition.

(g) The following requirements shall apply to each mobile establishment:

(1) All equipment shall be securely anchored to the mobile establishment.

(2) No services shall be performed while the mobile establishment is in motion.

(3) Each mobile establishment shall have the following:

(A) A hand-washing sink that has hot and cold running water;

(B) a self-contained supply of potable water. The water tank shall have a capacity of at least 100 gallons, and the holding tanks shall have at least the same capacity; and

(C) one or more self-contained, recirculating, flush chemical toilets with a holding tank. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

28-24-14 Prohibitions. (a) The following shall be prohibited in any area of an establishment or school in which consumers are provided service:

(1) Smoking, eating, possessing or consuming alcoholic beverages, or preparing food;

(2) using neck dusters or nail dusters;

(3) possessing any animal in the establishment or school. This prohibition shall not apply to any assistance dog, as defined in K.S.A. 39-1113 and amendments thereto;

(4) using a razor-type device to remove calluses or skin blemishes;

(5) using invasive skin-removal techniques, products, and practices that remove viable cells that are deeper than the stratum corneum; and

(6) placing waste in open waste containers.

(b) The operator of a school or establishment shall not permit excessive amounts of waste, refuse, or any other items that could cause a hazard to accumulate on the premises of the school or establishment. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

Rules and Regulations

Exams, Licensure, Schools, Facilities and Inspections

ARTICLE 1 – LICENSING AND QUALIFICATIONS OF COSMETOLOGISTS

69-1-1 Application procedure. (a) Any applicant desiring to become licensed as a cosmetologist, manicurist, esthetician or electrologist in the state of Kansas shall submit a written application for examination and licensure to the board on a form approved and furnished by the board no later than the 15th of the month before the date of the examination.

(b) The application shall include the following:

(1) A statement from the licensed school that the applicant has completed the apprentice and curriculum requirements and the date of completion. An applicant for an electrology license may submit a statement from a licensed school or a salon owner that the applicant has completed the apprentice and curriculum requirements and the date of completion; and

(2) the non-refundable fee as required by K.A.R. 69-11-1. Authorized by and implementing K.S.A. 65-1904, as amended by L. 1995, Ch. 248, Sec 1; 65-1905, 65-1912, as amended by L. 1995, Ch. 120, Sec. 6; effective Jan. 1, 1966; amended, E-70-24, July 1, 1970; amended Jan. 1, 1971; amended May 1, 1981; amended May 1, 1982; amended May 1, 1984; amended March 22, 1996.

69-1-2 Applicant required to appear for next regular examination unless unable. (a) An applicant who is unable to appear due to extenuating circumstances, shall provide written explanation and return the examination admission notice to the board. For good cause shown and upon approval by the board, the applicant shall then be granted a one-time privilege to take the next regularly scheduled examination without the payment of an additional fee.

(b) "Extenuating circumstances" means conditions caused by unexpected events beyond the person's control which are sufficiently extreme in nature to result in the inability or inadvisability to begin and complete the exam. Authorized by and implementing K.S.A. 65-1904, as amended by L. 1995, Ch. 248, Sec. 1, 65-1905; effective Jan. 1, 1966; amended May 1, 1981; amended March 22, 1996.

69-1-4 Grades necessary to pass licensure examinations; development and administration of licensure examinations. (a) Any applicant taking the state board of cosmetology examinations shall be granted a license authorizing the practice of cosmetology, manicuring, esthetics, or electrology if the applicant achieves the following examination scores:

(1) An average of at least 75 percent on the practical examination sections. However, each applicant shall be required to attain a score of at least 75 percent on the client protection section of the practical examination; and

(2) at least 75 percent on the written examination.

(b) Each applicant for licensure as an instructor shall be required to attain a score of at least 75 percent on the written examination for instructors, in addition to meeting the applicable requirements specified in K.S.A. 65-1903, and amendments thereto.

(c) The licensure examinations shall be developed and administered by the board or by a board-approved examination provider. Authorized by and implementing K.S.A. 65-1905; effective Jan. 1, 1966; amended May 1, 1981; amended Feb. 21, 1994; amended March 22, 1996; amended, T-69-12-29-04, Dec. 29, 2004; amended April 15, 2005.

69-1-8 Failure of examination. An applicant who fails the written or demonstration and oral examination may re-take that examination upon payment of the examination fee. If the applicant retakes the examination within six months of the original date of application a doctor's statement is not required.

If the applicant fails written or demonstration and oral examination, the temporary permit previously issued to the applicant shall expire and shall not be renewed. Authorized by and implementing K.S.A. 65-1905; effective Jan. 1, 1966; amended, E-70-24, July 1, 1970; amended Jan. 1, 1971; amended Jan. 1, 1973; amended March 22, 1996.

69-1-10 Potentially disqualifying civil and criminal records; advisory opinion; fee. (a) Conviction of any felony may disqualify an applicant from receiving a license.

(b) Civil records that may disqualify an applicant from receiving a license shall be any records of any court judgment or settlement in which the applicant admitted or was found to have engaged in conduct that would constitute a violation of any practice act under the jurisdiction of the board or any of the board's regulations. Those records shall not be used to disqualify an applicant for more than five years after the applicant satisfied any judgment or restitution ordered by the court or agreed to in the settlement.

(c) Any individual with a criminal or civil record described in this regulation may submit a petition to the board for an informal, advisory opinion concerning whether the individual's civil or criminal record may disqualify the individual from licensure. Each petition shall include the following:

(1) The details of the individual's civil or criminal record, including a copy of court records or the settlement agreement;

(2) an explanation of the circumstances that resulted in the civil or criminal record; and

(3) a check or money order in the amount of \$50.00. Authorized by K.S.A. 74-120 and 74-2702a; implementing K.S.A. 65-1908, 74-120, and 74-5806; effective Feb. 15, 2019.

ARTICLE 2 – REPEALED

ARTICLE 3 – SCHOOLS

69-3-1 Application procedure. An applicant for a license to conduct a school of cosmetology, esthetics, electrology or manicuring shall submit the following to the board at least 60 days before the proposed date of operation:

(a) A written application upon a form approved and furnished by the board;

(b) a descriptive floor plan to scale which demonstrates compliance with K.A.R. 69-3-3;

(c) a curriculum which demonstrates compliance with K.A.R. 69-3-8;

(d) a daily class schedule for full-time and part-time students;

(e) an inventory of all instructional equipment to be provided and used in the operation of the school; and

(f) a copy of the written enrollment agreement between the school and the student including the refund policy and the rules and regulations of the school.

Authorized by and implementing K.S.A. Supp. 65-1903, as amended by L. 1995, Ch. 120, Sec. 3; effective Jan. 1, 1966; amended, T-85-44, Dec. 19, 1984; amended May 1, 1985; amended March 22, 1996.

69-3-3 Facility requirements. (a) A school of cosmetology shall have a minimum of 50 square feet of floor space per student present on the school premises, but not less than a total of 2,500 square feet of floor space.

(b) A school of electrology, manicuring or esthetics shall have a minimum of 35 square feet of floor space per student present on school premises, but not less than a total of 1,500 square feet.

(c) A school of cosmetology shall have adequate equipment in the clinic practice area in relationship to the number of students present including a minimum of:

- (1) 10 work stations;
- (2) six shampoo bowls and chairs;
- (3) six hairdryers;
- (4) one facial chair; and
- (5) one manicure table and chair.

(d) A school of manicuring shall have the following:

- (1) At least 12 manicuring tables and chairs; and
- (2) a hand-washing sink in the clinic area.

(e) A school of esthetics shall have the following:

- (1) At least six reclining facial chairs; and
- (2) a hand-washing sink in the clinic area.

(f) A school of electrology shall have the following:

(1) charts showing the muscles, nerves and circulatory systems of the face, head and neck and the hair shaft, follicle, root and other relevant components of hair;

(2) one F.C.C. approved electrolysis machine, operator stool, and one lamp for each two students enrolled. This equipment shall be spaced at least four feet apart; and

(3) a hand-washing sink in the clinic area.

(g) All schools shall have the following:

(1) A lecture and demonstration room;

(2) a clinic practice area;

(3) a library with resources which support the curriculum and prepare a student for the practice of cosmetology, manicuring, esthetics or electrology;

(4) adequate storage area for student's personal belongings;

(5) a reception area;

(6) two rest rooms; and

(7) a dispensary or supply room which includes a sink with hot and cold

running water. Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 120, Sec. 3; effective Jan. 1, 1966; amended, E-67-9, June 16, 1967; amended May 1, 1981; amended, T-85-44, Dec. 19, 1984; amended May 1, 1985; amended March 22, 1996.

69-3-4 Number of instructors necessary. (a) A school of cosmetology shall maintain a ratio of instructors to students of not less than one to 25.

(b) A school of nail technology or esthetics shall maintain a ratio of instructors to students of not less than one to 25. Authorized by and implementing K.S.A. 1995 Supp. 65-1903; effective Jan. 1, 1966; amended March 22, 1996.

69-3-6 Instructor limitation. A licensed instructor shall not provide cosmetology services to the patrons of the school where the instructor is employed for the profit of the school or instructor. Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 119, Sec. 3; effective Jan. 1, 1966; amended May 1, 1981; amended, T-85-44, Dec. 19, 1984; amended May 1, 1985; amended March 22, 1996.

69-3-7 Student records. (a) Each school shall maintain a daily student record which verifies attendance and practice services completed, and a final student record which verifies curriculum requirements and hours successfully completed by the student.

(b) The school shall maintain the student's record in the school, on a form approved by the board for a reasonable period of time.

(c) Subject to any contract between the school and the student, a licensed school shall provide a copy of the student's record to:

(1) the board upon application by a student for a license or as part of an investigation;

(2) another school upon the student's transfer; or

(3) the student upon request. Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 119, Sec. 3; effective Jan. 1, 1966; amended May 1, 1981; amended March 22, 1996.

69-3-8 Curriculum and credits. (a) The curriculum requirements entitled "Cosmetology School Course Curriculums," as in effect on June 1, 1996, is adopted by reference.

(b) Among other teaching tools used to provide a course of training, a school shall use a textbook which substantially covers the curriculum areas.

(c) A person who has completed a course of manicuring training may receive 180 clock hours credit in manicuring which may apply toward completion of a course of cosmetology training.

(d) A person who has completed a course in esthetics training may receive 150 clock hours credit in facials and make-up which may apply toward completion of a course of cosmetology training. Authorized by and implementing K.S.A. 65-1907 and 65-1903, as amended by L. 1995, Ch. 120, Sec. 3; effective Jan. 1, 1966; amended, E-67-9, June 16, 1967; amended, E-69-19, Aug. 26, 1969; amended, E-70-12, Jan. 1, 1970; amended Jan. 1, 1971; amended May 1, 1981; amended May 1, 1982; amended, T-85-44, Dec. 19, 1984; amended May 1, 1985; amended June 7, 1996.

69-3-9 Student services sign. Each school shall display a sign visible in the clinic practice area of the school stating that "ALL SERVICES IN THIS SCHOOL ARE PERFORMED BY STUDENTS." Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 120, Sec. 3; effective Jan. 1, 1966; amended March 22, 1996.

69-3-26 Transfer students. (a) Within 30 days after enrollment of a transfer student, a school shall obtain verification of the student's prior course of training including subjects, the number of hours, and practice services completed by the student.

(b) A school shall obtain verification on a form approved and provided by the board from the state board or school in the state or jurisdiction where the transfer student completed the training.

(c) The school shall determine the subjects, hours and practice services of the transfer student's prior course of training which conforms to the curriculum requirements in K.A.R. 69-3-8 and shall give the students credit for those subjects, hours and practice services. Authorized by and implementing K.S.A. 65-1903; as amended by L. 1995, Ch. 20, Sec. 3; effective March 22, 1996.

69-3-27 Disenrolled students. On or before the 10th day of each month, each school administrator shall submit to the board, on a form provided by the board, a list of each student who has been disenrolled in the previous month. The list shall include the following information for each disenrolled student:

(a) The name;

(b) the apprentice license number;

(c) the date of birth;

(d) the total number of hours earned; and

(e) the social security number, to be used for administrative purposes as authorized by K.S.A. 74-148 and amendments thereto. Authorized by K.S.A. 2012 Supp. K.S.A. 65-1903 and K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1903; effective March 22, 1996; amended Feb. 14, 2014.

69-3-28 Enrollment agreement and refund policy. (a) Within 45 days after the effective date of this regulation, each licensed school of cosmetology, esthetics, electrology or manicuring shall submit to the board a copy of its enrollment agreement between the school and the student including the refund policy and the rules and regulations of the school.

(b) The licensee shall submit to the board any modification to these agreements within 30 days after the modification. Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 120, Sec. 3; effective March 22, 1996.

69-3-29. Monthly reporting of student hours. Each school administrator shall submit to the board a record of the number of hours earned in the previous month and the total number of hours accumulated through the previous month by each student, on a form approved by the board. The record shall include each student's name, address, and apprentice license number and shall be submitted no later than the 10th day of each month. Authorized by K.S.A. 2012 Supp. 65-1903 and K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1903; effective February 14, 2014.

ARTICLE 4 – STUDENTS

69-4-2 Student equipment and uniform. A school shall ensure that each student has a uniform and the equipment needed to complete the course of training for which the student is enrolled. A school may provide the equipment and uniform at its own expense or at the student's expense. Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 20, Sec. 3; effective Jan. 1, 1966; amended May 1, 1981; amended, T-85-44, Dec. 19, 1984; amended May 1, 1985; amended March 22, 1996.

69-4-9 Students; requirements for working on public. (a) A cosmetology student shall not work on the public until the student has completed 320 hours of training.

(b) A manicuring student shall not work on the public until the student has completed 70 hours of training.

(c) An esthetics student shall not work on the public until the student has completed 130 hours of training.

(d) An electrology student shall not work on the public until the student has completed 100 hours of training. Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 20, Sec. 3; effective Jan. 1, 1966; amended, E-70-12, Jan. 1, 1970; amended Jan. 1, 1971; amended May 1, 1981; amended March 22, 1996.

69-4-12 Additional training license required to remain in school. Any student who wishes to practice as an apprentice for more than the minimum training period, may make application and pay the fee for an additional training license. Authorized by and implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 20, Sec. 3; effective Jan. 1, 1966; amended, E-70-12, Jan. 1, 1970; amended Jan. 1, 1971; amended, E-76-44, Sept. 5, 1975; amended Feb. 15, 1977; amended March 22, 1996.

ARTICLE 5 – ELECTROLOGY SHOP APPRENTICES

69-5-6 Curriculum and practical requirements. (a) An electrology shop apprentice:

(1) shall be under the direct supervision of the instructor at all times; and

(2) shall not work on the public until completion of 200 hours of instruction and training.

(b) An electrology shop instructor shall instruct and train the student apprentice in compliance with the curriculum requirements of K.A.R. 69-3-8 (a)(4).

(c) An electrology shop instructor shall have available the following:

(1) charts showing the muscles, nerves and circulatory systems of the face, head and neck and the hair shaft, follicle, root and other relevant components of hair;

(2) one F.C.C. approved electrolysis machine;

(3) an operator stool; and

(4) a magnifying lamp. Authorized by K.S.A. 74-2702a, as amended by L. 1995, Ch. 119, Sec. 3;

implementing K.S.A. 65-1912, as amended by L. 1995, Ch. 120, Sec. 6; effective Jan. 1, 1966; amended May 1, 1981; amended March 22, 1996.

69-5-14 Application procedure. An applicant for a license to instruct electrology in a shop shall submit the following to the board at least 10 days before beginning instruction and training:

(a) A written application upon a form approved and furnished by the board;

(b) a curriculum which demonstrates compliance with K.A.R. 69-3-8(a)(4);

(c) a daily class schedule for a full-time or a part-time student; and

(d) an inventory of all instructional equipment to be provided and used in the instruction and training. Authorized by K.S.A. 65-1907; implementing K.S.A. 65-1903 and 65-1907, as amended by L. 1995, Ch. 120, Sec. 3; effective March 22, 1996.

69-5-15 Student records. (a) Each electrology shop instructor shall maintain the following:

(1) a daily student record which verifies attendance and practice services completed; and

(2) a final student record which verifies curriculum requirements and hours successfully completed by the student.

(b) The instructor shall maintain the student record for a reasonable period of time, on a form approved by the board.

(c) Subject to any contract between the instructor and the student, the instructor shall provide a copy of the student's record to:

(1) the board upon the student's application for a license or as part of an investigation;

(2) a school or another electrology shop instructor upon the student's transfer; or

(3) the student upon request. Authorized by K.S.A. 65-1907; implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 120, Sec. 3; 65-1907; effective March 22, 1996.

69-5-16 Identification of student. An electrology shop student apprentice shall wear identification which clearly indicates to the public that the person is in electrology training. Authorized by K.S.A. 74-2702a, as amended by L. 1995, Ch. 119, Sec. 3; implementing K.S.A. 65-1903, as amended by L. 1995, Ch. 120, Sec. 3; effective March 22, 1996.

ARTICLE 6 – BEAUTY SHOPS

69-6-2 Sale or change of ownership. An establishment license shall be valid only for the premise named in the license. A licensee shall notify the board, in writing, within 15 days of a sale or other change of ownership of the establishment. Authorized by K.S.A. 74-2702a, as amended by L. 1995, Ch. 19, Sec. 3; implementing K.S.A. 65-1904a; effective Jan. 1, 1966; amended May 1, 1978; amended March 22, 1996.

69-6-3 Care of invalids. A cosmetologist, apprentice or manicurist license shall be used only in a licensed beauty shop except that a licensed cosmetologist may

perform cosmetology service in a licensed hospital, nursing home, rest home or at an invalid's home. Authorized by K.S.A. 1977 Supp. 65-1904a; effective Jan. 1, 1966; amended May 1, 1978.

69-6-5 Display of sign. Each establishment shall display a sign, conspicuously posted as provided by the board, stating that any complaints concerning the establishment or its practitioners may be directed to the board. The sign shall include the current address and phone number of the board. Authorized by K.S.A. 74-2702a, as amended by L. 1995, Ch. 119, Sec. 3; implementing K.S.A. 65-1903; as amended by L. 1995, Ch. 20, Sec. 3; and 65-1904a; effective Jan. 1, 1966; amended Dec. 28, 1992; amended March 22, 1996.

69-6-7 Establishment closing. When any establishment is permanently closed, the holder of the establishment license shall notify the board in writing, and surrender the establishment license within 10 days of closing. Authorized by K.S.A. 74-2702a, as amended by L. 1995, Ch. 19, Sec. 3; implementing K.S.A. 65-1904a; effective Jan. 1, 1966; amended March 22, 1996.

ARTICLES 7, 8, 9 & 10 - REPEALED

ARTICLE 11 – FEES

69-11-1 Fees. The following fees shall be charged:

Cosmetologist examination fee	\$75.00
Cosmetologist license application fee	60.00
Cosmetologist license renewal fee	50.00
Delinquent cosmetologist renewal fee	25.00
Cosmetology technician license renewal fee	45.00
Delinquent cosmetology technician renewal fee	25.00
Electrologist examination fee	75.00
Electrologist license application fee.....	60.00
Electrologist license renewal fee	50.00
Delinquent electrologist renewal fee.....	25.00
Manicurist examination fee.....	75.00
Manicurist license application fee	60.00
Manicurist license renewal fee	50.00
Delinquent manicurist renewal fee	25.00
Esthetician examination fee.....	75.00
Esthetician license application fee.....	60.00
Esthetician license renewal fee	50.00
Delinquent esthetician renewal fee.....	25.00
Instructor-in-training permit fee.....	15.00
Instructor examination fee	75.00
Instructor license application fee	75.00
Instructor license renewal fee.....	50.00
Delinquent instructor renewal fee	25.00
Any apprentice license application fee	15.00
New school license application fee.....	150.00
School license renewal fee	75.00
Delinquent school license fee	30.00
New salon or clinic application fee	60.00
Salon or clinic renewal fee.....	50.00
Delinquent salon or clinic renewal fee	30.00
Reciprocity application fee.....	75.00
Verification of licensure fee	20.00
Fee for a duplicate of any license	25.00
Temporary permit fee	15.00

Authorized by K.S.A. 2012 Supp. 65-1904 and~ K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1904; effective, E-76-44, Sept. 5, 1975; effective Feb. 15, 1977; amended May 1, 1978; amended May 1, 1981; amended May 1, 1982; amended, T-83-21, July 21, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-88-60, Dec. 28, 1987; amended May 1, 1988; amended Jan. 1, 1993; amended Dec. 13, 1993; amended March 22, 1996; amended Nov. 6, 1998; amended April 3, 2009; amended Feb. 14, 2014, amended September 18, 2015, amended January 6, 2017.

K.A.R. 69-11-2. Expiration dates for practitioner licenses. Each cosmetologist license, esthetician license, electrologist license, and manicurist license shall expire two years from the last day of the month in which the license was issued.

Authorized by K.S.A. 2012 Supp. 65-1904 and K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1904; effective, T-83-21, July 21, 1982; effective May 1, 1983; amended March 22, 1996; amended Feb. 14, 2014.

ARTICLE 12 - REPEALED

ARTICLE 13 – INSPECTIONS

69-13-1 Definitions. (a) "Board" means the Kansas state board of cosmetology.

(b) "Act" means Article 19 of Chapter 65 of the "Kansas Statutes Annotated," entitled "Examination and Registration of Cosmetologists and Beauty Shops."

(c) "Establishment" means any place where cosmetology, manicuring, esthetics or electrology is taught or practiced. Authorized by and implementing K.S.A. 74-2702a, as amended by L. 1995, Ch. 119, Sec. 3; effective Jan. 17, 1995; amended March 22, 1996.

69-13-2 Inspections of establishments. (a) Each establishment shall be subject to routine inspections, by the board or designated agents or employees of the board, to determine compliance with the act and all sanitary rules and regulations, at least once every two years.

(b) An establishment may be subject to additional inspections if the establishment:

- (1) Had a violation in a previous inspection;
- (2) changed ownership in the previous year; or
- (3) did not timely renew the license.

(c) Inspections shall be made between the hours of 8:00 a.m. and 6:00 p.m., or anytime the instruction or practice of cosmetology, manicuring, or electrology is being conducted, unless otherwise agreed by all interested persons or entities.

(d) Inspections shall be made by board members, the executive director, employees, representatives or agents of the board.

(e) Inspections of establishments may be authorized by the board or its executive director.

(f) The authorized inspection may be conducted without notice to the licensee. Authorized by K.S.A. 65-1907, as amended by L. 1995, Ch. 120, Sec. 5; implementing K.S.A. 65-1907, as amended by L. 1995, Ch. 20, Sec. 5; and K.S.A. 74-2702; effective Jan. 17, 1995; amended March 22, 1996.

69-13-3 Inspection generated by a complaint. (a) Each establishment shall be subject to inspection by the board or its designee, to investigate a specific complaint filed with the board, for violation of sanitary rules and regulations or other violations of the act.

(b) Any inspection generated by a complaint may be authorized by the board or its executive director at any time, but shall be limited as follows.

(1) Inspections shall be made only between the hours of 8:00 a.m. and 6:00 p.m. or anytime the practice or instruction of cosmetology, manicuring, or electrology is being conducted, unless agreed by all interested persons or entities.

(2) Inspections may be conducted by board members, the executive director of the board, or employees of the board. Authorized by K.S.A. 65-1907; implementing K.S.A. 65-1907 and K.S.A. 74-2702; effective Jan. 17, 1995.)

69-13-4 Refusal to allow inspection. Refusal to allow, or interference with, any inspection by the board or its designees shall constitute a cause for disciplinary action. Authorized by K.S.A. 74-2702a; implementing K.S.A. 65-1907; effective Nov. 9, 2012.

COSMETOLOGY SCHOOL COURSE CURRICULUMS

Approved September 26, 1995, Effective June 1, 1996.

COSMETOLOGY TRAINING	Minimum Practice	Hours
(1) Scientific concepts		
(a) Sanitation		40
Personal		
Public		
Methods		
Chemistry		
Safety precautions		
First aid		
(b) Hair and Scalp		35
Structure		
Composition		
Blood, nerve, and muscle supply and function		
Growth and regeneration		
Analysis		
Conditions and disorders		
(c) Skin		20
Structure		
Function		
Blood and nerve supply and Function		
Conditions		
Disorders		
(d) Nails		20
Structure		
Composition		
Growth and Regeneration		
Irregularities		
Disorders and diseases		
(2) Physical services		
(a) Shampoos and rinses		35
Purpose and effects		
Materials and supplies		
Types of shampoos		
Types of rinses		
Procedures		
Related chemistry		
Client protection		
(b) Scalp and hair care		35
Purpose and effects		
Materials and supplies		
Types of scalp treatments		
Procedures		
Safety measures		
Related chemistry		
(c) Facials and make-up		150
Purpose and effect of massage		
Movements		
Materials, implements, and supplies		
Facial nerves and muscles		
Procedures		
Related chemistry		
Effects of make-up		
Hair removal		
Eyebrow arching		
Lash and brow tinting		
Safety precautions		

COSMETOLOGY TRAINING (Continued)	Minimum Practice	Hours
(d) Manicuring.....		180
(e) Artificial nails		
Purpose and effects		
Equipment, supplies, and implements		
Procedures		
Related chemistry		
Safety precautions		
(3) Chemical Services		
(a) Hair coloring25	175
(b) Hair lightening25	
Purpose and effects		
Materials and supplies		
Scalp and hair analysis		
Classification/types		
Color selection		
Procedures		
Corrective measures		
Fillers and conditioners		
Removal of artificial color		
Special effects		
Related chemistry		
Safety precautions		
(c) Chemical waving25	150
Purpose and effects		
Materials and supplies		
Scalp and hair analysis		
Chemical classification		
Procedures		
Special effects		
Special hair problems		
Related chemistry		
Safety measures		
(d) Chemical hair relaxing25	125
Purpose and effects		
Materials and supplies		
Scalp and hair analysis		
Chemical classification		
Procedures		
Special hair problems		
Related chemistry		
Safety measures		
(4) Hair designing		
(a) Hair shaping		150
Purpose and effects		
Materials, supplied and implements		
Techniques		
Use of implements		
Razor25	
Scissors25	
Designing		
Safety measures		

COSMETOLOGY TRAINING	Minimum Practice	Hours
(b) Hair Styling		125
Purpose and effects		
Materials and supplies		
Finger waving and shaping		
Curl formation		
Pin curls		
Complete pincurl sets	25	
Complete pincurl & wave	25	
Rollers		
Complete roller sets	50	
Comb-out techniques		
Complete comb out	50	
(c) Thermal Techniques.....		75
Hair and scalp analysis		
Materials, supplies, and implements		
Hair pressing		
Thermal curling and waving		
Iron curling		
Electric curling		
Curling iron sets	50	
Air waving		
Blow dry styling	50	
Safety measures		
(d) Care and styling of hair pieces.....		10
(5) Business practices		75
(a) Management practices		
(b) Salon developments		
(c) Insurance		
(d) Client records		
(e) Salesmanship		
(6) State law (a) Rules and regulations.....		50
(7) Student specific needs.....		50
Total Hours.....		1500

MANICURING TRAINING	Minimum Practice	Hours
(1) Scientific concept		60
(a) Sanitation		
(b) Chemistry	General concepts Product composition Chemical safety/OSHA regulations	
(c) Nails	Structure and composition Growth and regeneration Irregularities Diseases	
(d) Skin	Structure and functions Growth and regeneration Disorders	
(e) Muscles, nerves, and blood	Structure Function	
(2) Manicuring skills		75
(a) Purpose and effect		
(b) Preparation		
(c) Equipment and implements	Purpose and effects Types	
(e) Procedures	Basic manicure25 Reconditioning treatments Repair techniques Hand and arm massage Application of polish Pedicures 10	
(f) Special problems and procedures		
(g) Sanitation and safety precautions		
(3) Artificial nails		160
(a) Purpose and effect		
(b) Preparation		
(c) Equipment and implements		
(d) Supplies and products		
(e) Procedures	Sculpturing 100 Nails Gels Tipping 100 Nails Wrapping 100 Nails Repair techniques	
(f) Sanitation and safety precautions		
(4) Business practices		35
(a) Management practices		
(b) Salon development		
(c) Insurance		
(d) Client records		
(e) Salesmanship		
(5) State law (a) Rules and regulations		20
Total hours		350

ESTHETICS TRAINING	Theory Instruction	Practical Hours	Minimum Instruction
(1) Infection Control	10	50	
(a) Public Health			
Sanitation			
Disinfection			
Sterilization			
(b) Universal precautions			
Cross contamination			
Blood borne pathogens			
(2) Skin anatomy and physiology	200		
(a) Structure and function of the body systems and nerves			
(b) Dermatology			
(c) Cosmetic chemistry			
(d) Pharmacology			
(e) Nutrition			
(3) Skin analysis and consultation	80	40	
(a) Skin types and conditions			
(b) Contraindications			
(c) Health screening			
(d) Consultation, post consultation and home care			
(e) Skin analysis equipment			
(4) Skin treatments	120	120	80 facials
(a) Cleansing techniques			
(b) Exfoliation			
Mechanical			
Chemical (enzymes, hydro-aphroxy)			
(c) Extraction			
Without lancet			
(d) Conditioning			
(e) Masque therapy			
(f) Protection			
(g) Massage			
(h) Basic facial equipment and safety			
Steamer			
Brush machine			
(5) Body treatments	20	20	10
(a) Back and chest			
(b) Body wrap			
(c) Body exfoliation			
(d) Hydrotherapy – (theory only)			
(6) Advanced skin treatments	80	60	45
(a) Advanced exfoliation			
(b) Extractions using a lancet			
(c) Microdermabrasion			
(d) LED			
(e) Chemical exfoliation			
Gessner's			
AHA's			
(f) Microcurrent and other electrical treatments			
(g) Equipment for advanced skin treatments			
Microdermabrasion			
Microcurrent			
LED			
Mechanical			

ESTHETICS TRAINING (Continued)	Theory Instruction	Practical Hours	Minimum Instruction
(7) Temporary hair removal	10	30	40 facial/10 body
(a) Tweezing			
(b) Waxing			
(c) Depilatories			
(d) Sugaring			
(e) Threading			
(f) Contraindications and safety			
(8) Make up	20	40	25
(a) Purpose and effects			
(b) Eyebrow and eyelash Services			
(c) Corrective			
(d) Camouflage			
(9) Business Practices	30		
(a) Business planning			
(b) Client records			
(10) State law	20		
(a) Rules and regulations			
(11) Student specific needs	50		
Total Hours			1000

ELECTROLOGY TRAINING

	Hours
(1) Sanitation and sterilization	70
(a) Bacteriology and hygiene	
(b) Methods	
(c) Patron protection	
(2) Science	150
(a) Physiology	
(b) Dermatology	
(c) Patron protection	
(d) Peripheral vascular or capillary system	
(e) Sensory nervous	
(f) Electricity	
(3) Theory and practice of electrolysis and thermology	200
(a) Use of electrical currents	
(b) Use of the equipment and instruments	
(c) Insertion of needles	
(d) Destruction of the papilla	
(e) Before and after treatment	
(f) Safety measures	
(4) Business practices	50
(a) Ethics and professional conduct	
(b) Business management	
(c) Consultations	
(d) Insurance	
(e) Client records	
(5) State laws, rules and regulations	30
Total Hours	500

INSTRUCTOR TRAINING	300 Hr Course	450Hr Course	600Hr Course
(1) The professional teacher	20	30	40
(a) The teacher			
Personality			
Technical Knowledge			
Teacher's characteristics			
Teachers as professionals			
(b) Preparation for teaching			
Planning the course			
Preparing lesson plans			
Objectives			
Outline			
Student activities			
Steps of teaching			
Preparation			
Presentation			
Application			
Testing			
(2) Student motivation and learning	40	60	80
(a) Laws governing learning processes			
(b) Student motivation			
(c) Student participation			
(d) Student personalities			
(e) Individual differences - Slow learner, Gifted learner			
(3) Methods, management and materials	150	225	300
(a) Methods, procedures and			
Techniques of teaching			
Lectures and discussions			
Demonstrations			
Conducting practice activities			
Questioning techniques			
Results			
Special situations			
(b) Classroom management			
Physical environment			
Administrative duties			
Student discipline			
Class supervision			
Classroom routine			
Corrective measures			
(c) Teaching materials			
Audio-visual aids (types)			
Value of different teaching aids			
Correct usage			
Miscellaneous teaching materials			
Textbooks			
Workbooks			
Reference books			
Creative aids			
(4) Testing and evaluation	60	90	120
(a) Testing			
Purpose			
Performance tests			
Written tests, Standardized tests			
(5) Evaluation	30	45	60
(a) General student abilities			
(b) Student achievement			
(c) Teacher evaluation			
Total hours	300	450	600

