



**Cosmetology**  
**Nail Technology**  
**Esthetics**  
**Electrology**

**Health and Sanitation Regulations**  
as of September 18, 2015

**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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# 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) (a) "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 chlorine bleach used for disinfection purposes. Bleach solution shall be properly stored and used according to manufacturer's instructions.~~

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

~~(d) (c) "Clean or cleaned" means free from all soil and dirt and washed with soap or detergent. made free of visible or surface debris through washing with soap or detergent and water. Clean is not disinfected.~~

~~(e) (d) "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 during the practice of cosmetology, nail technology, electrolyology, or esthetics.~~

~~(f) (e) "Consumer" means a person who receives services from a licensed cosmetologist, electrologist, manicurist, esthetician, or cosmetology technician any individual who receives cosmetology, electrolyology, nail technology, or esthetic services.~~

~~(g) "Disinfect" means to use a disinfectant on a clean, non-porous item or surface to kill bacteria, viruses and fungi.~~

~~(h) "Disinfectant" means an EPA-registered disinfecting solution that is bactericidal, virucidal and fungicidal. Disinfectants may be in a liquid concentrate, wipe, spray or foam.~~

~~(i) (h) "EPA" means the United States environmental protection agency.~~

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

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

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

~~(m) "Instruments" or "Implements" means items constructed of metal, glass, fiberglass or plastic that can be disinfected.~~

~~(n) (l) "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 or~~
- ~~(4) electrolyology.~~

~~(o) (m) "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.~~

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

~~(q) "Non-porous" means incapable of being penetrated.~~

~~(r) "Porous" means capable of being penetrated.~~

~~(s) "Potable" means water that is suitable for drinking purposes in terms of both human health and aesthetic considerations.~~

(q) "Practitioner" means any person who practices cosmetology, nail technology, electrology or esthetics.

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

~~(e) (s) "Protective gloves" means single-use gloves made of nitrile, vinyl or latex or of an alternate material that provides equivalent protection. For most chemical handling, nitrile is the best choice.~~

(t) "Safety Data Sheet (SDS)" means written or printed material concerning a hazardous chemical that is prepared in accordance with 29 C.F.R. 1910.1200(g)

~~(p) (u) "School" means any place licensed by the board of cosmetology for the training of cosmetologists, manicurists, estheticians, electrologists, and instructors in training where cosmetology, esthetics, nail technology or electrology is taught.~~

~~(q) (v) "Single-use," when used to describe presterilized products or items, means presterilized products or items intended to be disposed of immediately after one use. means any item that is porous and cannot be properly disinfected, regardless of manufacturer designation. Single-use items shall be disposed of immediately after use.~~

(w) "Sharps Container" means a puncture-resistant, leak-proof container that can be closed for handling, storage, transportation, and disposal. The container shall be red and shall be labeled with the "biohazard" symbol. When full, the container must be disposed of as required for medical waste.

(x) "Sterile" means being free from all living microorganisms.

(y) "Sterilization" means the process used to render a product free of all forms of living microorganisms by use of a steam autoclave sterilizer or dry-heat sterilizer. UV light is not an acceptable form of sterilization.

~~(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. Practitioners shall clean their hands or use an alcohol-based hand sanitizer before and after each consumer service.~~

~~(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. No practitioner shall:~~

(1) proceed with any service to a consumer having pediculosis, open sores, or inflamed tissue suggesting a communicable disease or condition, fungus, lice (head, body or pubic) or ringworm, until such consumer furnishes a statement signed by a licensed physician stating that the disease or condition is not in an infectious, contagious or communicable stage;

(2) provide any service while having pediculosis, or open sores, inflamed tissue suggesting a communicable disease or condition, fungus, lice (head, body or pubic) or ringworm, until such practitioner or registrant obtains a statement signed by a licensed physician stating that the disease or condition is not in an infectious, contagious, or communicable stage.

~~(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. If a service has been started and the practitioner discovers that a consumer has pediculosis, open sores, or inflamed tissue suggesting a communicable disease or condition, fungus, lice (head, body or pubic) or ringworm, the practitioner shall:~~

(1) Stop services immediately in a safe manner;

(2) Inform the consumer of the reason the service was stopped; and

(3) Clean and disinfect all affected tools, work and waiting areas.

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

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

(1) Stop service immediately;

(2) ~~do~~ put on 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~~ clean and disinfect all equipment, tools, and implements that have come in contact with blood;

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

(6) ~~clean the station with disinfectant~~ double-bag all contaminated items, including gloves, and dispose of in a closed waste container. The outer bag shall be labeled "Biohazard."

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. Used linens, including towels, robes, sheets and capes, shall be placed in a closed and labeled container and shall not be used again until the item has been properly laundered.~~

~~(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. Used linens shall be cleaned in a washing machine with detergent and hot water. After being cleaned, linens shall be dried until no moisture remains in the fabric.~~

~~(c) Each licensee or apprentice shall store all clean towels, robes, and linens in a clean, closed, and labeled cabinet. All clean linens shall be stored in a closed and labeled container or cabinet.~~ Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; Jan. 2, 1998; 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. All surfaces that come into contact with a consumer during a service such as, but not limited to, shampoo bowls, chairs and treatment tables shall be disinfected after the service.~~

~~(b) 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 before providing services to each consumer.~~

~~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. Each cosmetology establishment shall have a shampoo bowl with a sprayer and hot and cold running water that is separate from the restroom.~~

~~(d) Each nail technology, esthetics and electrology establishment shall have a hand washing sink with hot and cold running water that is separate from the restroom.~~ Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

**28-24-6 Bottles, and containers and products.** ~~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. (a) All bottles and containers shall be labeled to disclose their contents.~~

~~(b) All products shall be kept in labeled and closed containers. All containers shall be kept clean so that labels are legible.~~

~~(c) When only a portion of a product is to be used on a consumer, the practitioner shall remove the product from a bulk supply container in a way that does not contaminate the unused portion in the bulk container. The practitioner shall discard any remaining portion that was removed from the bulk supply container that was not used during that consumer's service. When cosmetic pencils are used, the pencil must be sharpened prior to each use and the sharpener cleaned and disinfected prior to using again.~~

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

**28-24-7 Products Waxing.** (a) ~~Each licensee or apprentice shall keep all products in properly labeled, clean, and closed containers. All wax and sugar paste shall be kept covered except during the consumer service and maintained at a temperature specified by the manufacturer's instructions. All containers shall be cleaned.~~

~~(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. No applicators shall be left standing in the wax at any time.~~

~~(c) Each licensee or apprentice shall maintain all products in a manner that keeps the products free of contaminants. All wax and sugar paste shall be dispensed in a way that does not contaminate the remaining portion by using one of the following methods:~~

~~(1) Use a new single-use applicator each time wax or sugar paste is removed from the container;~~

~~(2) Apply wax or sugar paste directly on a disposable strip using a single-use applicator; or~~

~~(3) Separate a quantity of wax or sugar paste from the bulk supply container into a single-use container. When using this method, the practitioner may double dip into the single-use container and any remaining wax and the single-use container must be disposed of in a closed waste container immediately after use.~~

~~(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. Each practitioner 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 container immediately after the single-use.~~

~~(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. Single-use items must be stored separately in a labeled and covered container or in the original, manufacturer's packaging.~~

~~(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. Each single-use item that comes into contact with blood or bodily fluid shall be double-bagged, sealed and placed in a covered waste container. All razors or 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 practitioner shall dispose of each sanding band in a covered waste container immediately 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) (e) Each licensee or apprentice practitioner shall properly clean and disinfect each metal bit and emery rod 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) (f) No licensee or apprentice practitioner shall be permitted to carry any instrument or supplies in or on a garment or uniform, including an instrument belt and or an instrument organizer.~~

~~(g) Consumers shall not be permitted to leave instruments in an establishment for future use or bring in personal items for use during a service.~~  
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 practitioner 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 practitioner shall perform all of the following immediately after each pedicure service:~~

~~(1) Drain the pedicure equipment of all water, and remove all debris from the equipment and remove all removable parts;~~

~~(2) (b) clean all removable parts and surfaces and walls of the equipment, including the inlet and all debris trapped behind any removable parts, and rinse with potable water;~~

~~(3) (c) 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 replace all clean removable parts;~~

~~(d) fill pedicure equipment with potable water and circulate a bleach solution or a liquid disinfectant used according to the manufacturer's instructions through the equipment for 10 minutes and then drain and rinse the equipment with potable water; If pedicure equipment is non-circulating, allow the bleach solution or liquid disinfectant to stand for full 10 minutes then drain and rinse; and~~

~~(4) (e) 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 practitioner shall ~~disinfect each nonelectrical instrument or piece of equipment in the~~ perform the following manner before it is used on a consumer after each service:

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

(2) rinse the instrument or equipment with clean potable 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~~ and disinfect according to the manufacturer's instructions and then rinse the instrument or equipment with clean potable water; or

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

(C) Shears may be disinfected using a concentrate, spray, wipe or foam disinfectant according to the manufacturer's instructions.

(D) Makeup brushes may be disinfected using a concentrate, spray or foam disinfectant according to the manufacturer's instructions.

~~(b) Each licensee or apprentice practitioner 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) (b) Each licensee and apprentice practitioner shall ensure that the disinfectant solutions or bleach solutions 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 solutions shall be prepared changed daily or more often if the solution becomes diluted visibly cloudy 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 and~~

~~(2) the manufacturer-labeled container; , with sufficient product to ensure safe services.~~

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

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

~~(g) (f)~~ The Each 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 Jan. 2, 1998; amended Oct. 5, 2007.

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

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

~~(2) use one of the following disinfection methods:~~

~~(A) Completely saturate the portion of the electrical instrument that comes came in contact with the consumer with a bleach solution or with a disinfectant liquid spray, wipe 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) Clean and disinfect all guards according to manufacturer's instructions after each service.~~

~~(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 clean area – on a stand or hook or on a clean towel, covered by a clean towel, or in clean, closed container.~~

~~(c) At the end of each day, all towels remaining in a towel warmer shall be removed and shall not be reused until properly laundered. Towel warmers shall be disinfected according to manufacturer's instructions weekly.~~ 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 practitioner 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 potable water and either a protein-dissolving detergent or an enzyme cleaner.

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

(1) ~~Placing reusable instruments shall be placed in~~ 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~~ establishment 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~~ establishment 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~~ practitioner shall place only the single-use instrument or sterilized equipment to be used for each consumer on a clean field non-porous surface and shall replace the clean field surface with a new clean field surface after each consumer service.

(g) Each ~~licensee or apprentice~~ practitioner 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 sharps container. ~~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~~ practitioner shall ~~clean~~ disinfect 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 e~~Each school or establishment shall meet the following requirements:

(1) ~~Keep~~ Ensure the school or establishment is well ~~lighted~~ lit 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~~ Ensure that floors, walls, ceilings, furniture and fixtures shall be clean and in good repair at all times.

(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)(1) ~~Except as provided in (d)(2), each school or establishment shall have a safe water supply shall have plumbing that provides hot and cold running water at all times and that is connected for drainage of sewage and potable water.~~

(2) Each establishment that has an initial license issued on or before [effective date of regulation amendments] shall be licensed to use portable sinks.

(e) Each establishment shall have at least one restroom. Each school shall have at least two restrooms. Each restroom shall include at least one working toilet and one hand-washing sink with hot and cold running water, ~~with~~ a liquid soap dispenser and either disposable towels or an air dryer. Each restroom sink shall not be used for services or for cleaning instruments or equipment. The operator shall keep each restroom in a sanitary condition. Each restroom shall be located within the building ~~in which of 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 ~~400~~ 20 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 each~~ 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 and~~ 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; This includes, but is not limited to credo blades, rasps, skin grater or similar razor type devices;

(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.

(7) roll-on wax and applicators;

(8) MMA (Methyl Methacrylate Monomer); and

(9) any product banned or restricted by the FDA for use in cosmetology, nail technology, esthetics, or electrology.

(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 Jan. 2, 1998; amended Oct. 5, 2007



**Cosmetology**  
**Nail Technology**  
**Esthetics**  
**Electrology**

**Health and Sanitation Regulations**  
as of September 18, 2015

**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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*Not an official publication*

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# Rules and Regulations Infection Control

## 28-24-1 Definitions.

(a) "Bleach solution" means a chlorine bleach used for disinfection purposes. Bleach solution shall be properly stored and used according to manufacturer's instructions.

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

(c) "Clean or cleaned" means made free of visible or surface debris through washing with soap or detergent and water. Clean is not disinfected.

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

(e) "Consumer" means any individual who receives cosmetology, electrology, nail technology, or esthetic services.

(f) "Disinfect" means to use a disinfectant on a clean, non-porous item or surface to kill bacteria, viruses and fungi.

(g) "Disinfectant" means an EPA-registered disinfecting solution that is bactericidal, virucidal and fungicidal. Disinfectants may be in a concentrate, wipe, spray or foam.

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

(i) "Establishment" means any place where cosmetology, nail technology, electrology, or esthetics is practiced, other than a school.

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

(k) "Instruments" or "Implements" means items constructed of metal, glass, fiberglass or plastic that can be disinfected.

(l) "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; or
- (4) electrology.

(m) "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.

(n) "Non-porous" means incapable of being penetrated.

(o) "Porous" means capable of being penetrated.

(p) "Potable" means water that is suitable for drinking purposes in terms of both human health and aesthetic considerations.

(q) "Practitioner" means any individual who practices cosmetology, nail technology, electrology or esthetics.

(r) "Product" means any substance used on a consumer during the practice of cosmetology, electrology, nail technology or esthetics.

(s) "Protective gloves" means single-use gloves made of nitrile, vinyl or latex. For most chemical handling, nitrile is the best choice.

(t) "Safety Data Sheet (SDS)" means written or printed material concerning a hazardous chemical that is prepared in accordance with 29 C.F.R. 1910.1200(g)

(u) "School" means any place where cosmetology, esthetics, nail technology or electrology is taught.

(v) "Single-use," means any item that is porous and cannot be disinfected, regardless of manufacturer designation. Single-use items shall be disposed of immediately after use.

(w) "Sharps Container" means a puncture-resistant, leak-proof container that can be closed for handling, storage, transportation, and disposal. The container shall be red and shall be labeled with the "biohazard" symbol. When full, the container must be disposed of as required for medical waste.

(x) "Sterile" means being free from all living microorganisms.

(y) "Sterilization" means the process used to render a product free of all forms of viable microorganisms by use of a steam autoclave sterilizer or dry-heat sterilizer. Ultraviolet (UV) light is not an acceptable form of sterilization.

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

**28-24-2 Personal cleanliness.** Practitioners shall clean their hands before and after each consumer service or use an alcohol-based hand sanitizer. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Jan. 2, 1998; amended Oct. 5, 2007.

**28-24-3 Communicable diseases or conditions.** (a) No practitioner shall:

(1) proceed with any service to a consumer having pediculosis, open sores, or inflamed tissue suggesting a communicable disease or condition, fungus, lice (head, body or pubic) or ringworm, until such consumer furnishes a statement signed by a licensed physician stating that the disease or condition is not in an infectious, contagious or communicable stage;

(2) provide any service while having pediculosis, open sores, or inflamed tissue suggesting a communicable disease or condition, fungus, lice (head, body or pubic) or ringworm, until such practitioner obtains a statement signed by a licensed physician stating that the communicable disease or condition is not in an infectious, contagious, or communicable stage.

(b) If a service has been started and the practitioner discovers that a consumer has pediculosis, open sores, or inflamed tissue suggesting a communicable disease or condition, fungus, lice (head, body or pubic) or ringworm, the practitioner shall:

(1) Stop services immediately in a safe manner;

(2) Inform the consumer of the reason the service was stopped; and

(3) Clean and disinfect all affected tools, work and waiting areas.

(c) If there is a likelihood of exposure to blood or body fluids during the practice of cosmetology, nail technology, electrology, or esthetics, practitioners may wear protective gloves.

(d) If a blood exposure occurs, the practitioner shall:

(1) Stop service immediately;

(2) put on 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) clean and disinfect all equipment, tools, and implements that came in contact with the blood;

(5) disinfect the station; and

(6) double-bag all contaminated items, including gloves, and dispose of the contaminated items in a closed waste container. The outer bag shall be labeled "Biohazard."

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

**28-24-4 Linens.** (a) Used linens, including towels, robes, sheets and capes, shall be placed in a closed and labeled container and shall not be used again until the item has been properly laundered.

(b) Used linens shall be cleaned in a washing machine with detergent and hot water. After being cleaned, linens shall be dried until no moisture remains in the fabric.

(c) All clean linens shall be stored in a closed and labeled container or cabinet. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Jan. 2, 1998; amended Oct. 5, 2007.

**28-24-5 Headrests, shampoo bowls, treatment tables, and sinks.** (a) All surfaces that come into contact with a consumer during a service such as, but not limited to, shampoo bowls, chairs and treatment tables shall be disinfected after the service.

(b) Each treatment table shall be covered with a clean sheet of examination paper or a clean linen before providing services to each consumer.

(c) Each cosmetology establishment shall have a shampoo bowl with a sprayer and hot and cold running water that is separate from the restroom.

(d) Each nail technology, esthetics and electrology establishment shall have a hand washing sink with hot and cold running water that is separate from the restroom. Authorized by and implementing K.S.A. 65-1,148; effective Jan. 4, 1993; amended Oct. 5, 2007.

**28-24-6 Bottles, containers and products.** (a) All bottles and containers shall be labeled to disclose their contents.

(b) All products shall be kept in labeled and closed containers. All containers shall be kept clean so that labels are legible.

(c) When only a portion of a product is to be used on a consumer, the practitioner shall remove the product from a bulk supply container in a way that does not contaminate the unused portion in the bulk container. The practitioner shall discard any remaining portion that was removed from the bulk supply container that was not used during that consumer's service. When cosmetic pencils are used, the pencil must be sharpened prior to each use and the sharpener disinfected prior to using again.

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

**28-24-7 Waxing.** (a) All wax and sugar paste shall be kept covered except during the consumer service and maintained at a temperature specified by the manufacturer's instructions. All containers shall be cleaned.

(b) No applicators shall be left standing in the wax at any time.

(c) All wax and sugar paste shall be dispensed in a way that does not contaminate the remaining portion by using one of the following methods:

(1) Use a new, single-use applicator each time wax or sugar paste is removed from the container;

(2) Apply wax or sugar paste directly on a disposable strip using a single-use applicator; or

(3) Separate a quantity of wax or sugar paste from the bulk supply container into a single-use container. When using this method, the practitioner may double dip into the single-use container and any remaining wax and the single-use container must be disposed of in a closed waste container immediately after use. 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 practitioner 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 container immediately after the single-use.

(b) Single-use items must be stored separately in a labeled and covered container or in the original, manufacturer's packaging.

(c) Each single-use item that comes into contact with blood or bodily fluid shall be double-bagged, sealed and placed in a covered waste container. All razors or other sharp items shall be disposed of in a sharps container.

(d) Each sanding band used on an electric file shall be single-use. The practitioner shall dispose of each sanding band in a covered waste container immediately after it is used.

(e) Each practitioner shall clean and disinfect each metal bit and emery rod 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.

(f) No practitioner shall carry any instruments or supplies in or on a garment or uniform, including an instrument belt or an instrument organizer.

(g) Consumers shall not be permitted to leave instruments in an establishment for future use or bring in personal items for use during a service. 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 practitioner shall perform the following immediately after each pedicure service:

(a) Drain the pedicure equipment of all water, remove all debris from the equipment and remove all removable parts;

(b) clean all removable parts and surfaces and walls of the equipment, including the inlet and all debris trapped behind any removable parts and rinse with potable water;

(c) replace all clean removable parts;

(d) fill pedicure equipment with potable water and circulate a bleach solution or a liquid disinfectant used according to manufacturer's instructions through the equipment for 10 minutes and then drain and rinse the equipment with potable water; if pedicure equipment is non-circulating, allow the bleach solution or liquid disinfectant to stand for full 10 minutes then drain and rinse; and

(e) wipe the equipment dry with a clean towel. 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 practitioner shall perform the following:

(1) Clean the instrument or equipment;

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

(3) use one of the following disinfection methods:

(A) totally immerse the instrument or equipment in a disinfectant and disinfect according to the manufacturer's instructions and then rinse the instrument or equipment with potable water; or

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

(C) Shears may be disinfected with a disinfectant concentrate, spray, wipe or foam used according to manufacturer's instructions.

(D) Makeup brushes may be disinfected with a disinfectant concentrate, spray or foam used according to manufacturer's instructions.

(b) Each practitioner shall ensure that the disinfectant solutions or bleach solutions specified in subsection (a) are prepared, available for use, and covered at all times. EPA-registered disinfectants and bleach solutions shall be changed daily or more often if the solution becomes visibly cloudy or dirty.

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

(1) The safety data sheet (SDS); and

(2) the manufacturer-labeled container with sufficient product to ensure safe services.

(d) Each instrument that has been used on a consumer or soiled in any manner shall be placed in a labeled, covered container until the instrument is cleaned and disinfected.

(e) Each disinfected instrument shall be stored in a labeled and clean, enclosed cabinet, drawer or covered container reserved for clean instruments only.

(g) Each electrolysis instrument 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 Jan. 2, 1998; amended Oct. 5, 2007.

**28-24-11 Disinfecting electrical instruments.** (a) Each practitioner shall perform the following after each service:

(1) Remove all debris from the instrument; and

(2) Completely saturate the portion of the electrical instrument that came in contact with the consumer with a bleach solution or a disinfectant used according to the manufacturer's instructions

(b) Clean and disinfect all guards after each service.

(c) Each disinfected electrical instrument shall be stored in a clean area – on a stand or hook, on a clean towel and covered by a clean towel, or in a labeled clean, enclosed container.

(c) At the end of each day, all towels remaining in a towel warmer shall be removed and shall not be reused until properly laundered. Towel warmers shall be disinfected weekly. 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 practitioner shall perform each of the following steps after each use with an individual consumer and before sterilization:

(1) Clean the instruments or equipment;

(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 practitioner shall ensure that all non- single-use nonelectrical instruments and equipment are sterilized as follows:

(1) Reusable instruments shall be placed in sterilization bags with color strip indicators and then place 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 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 establishment 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 establishment shall maintain a log 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 practitioner shall place only the single-use instrument or sterilized equipment to be used for each consumer on a clean, non-porous surface and shall replace the clean, non-porous surface with a new clean, non-porous surface after each consumer.

(g) Each practitioner shall dispose of each needle and any other sharp equipment in a sharps container.

(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, non-porous materials. Each practitioner shall disinfect these surfaces using either a 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) Each school or establishment shall meet the following requirements:

(1) Ensure the school or establishment is well lit 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) Ensure that floors, walls, ceilings, furniture and fixtures shall be clean and in good repair at all times.

(b)(1) If a room used for residential purposes is adjacent to a room used for the practice of cosmetology, nail technology, esthetics, or electrology, 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, 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:

(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)(1) Except as provided in (d)(2), each establishment shall have plumbing that provides hot and cold running water at all times and that is connected for drainage of sewage and potable water.

(2) Each establishment that has an initial license issued on or before [effective date of regulation amendments] shall be licensed to use portable sinks.

(e) Each establishment shall have at least one restroom. Each school shall have at least two restrooms. Each restroom shall include at least one working toilet and one hand-washing sink with hot and cold running water, a liquid soap dispenser and either disposable towels or an air dryer. Each restroom sink shall not be used for services or for cleaning instruments or equipment. The operator shall keep each restroom in a sanitary condition. Each restroom shall be located within the building of the establishment.

(g) The following 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 20 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 each establishment or school:

(1) Smoking or preparing food;

(2) neck dusters and nail dusters;

(3) possessing any animal. 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; this includes, but is not limited to credo blades, rasps, skin grater or similar razor type devices.

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

(6) placing waste in open waste containers;

(7) roll-on wax and applicators;

(8) MMA (Methyl Methacrylate Monomer); and

(9) any product banned or restricted by the FDA for use in cosmetology, nail technology, esthetics, or electrology.

(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

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