

# REGULAR

## STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-2014-0210-02</b>	REGULATORY ACTION NUMBER <b>2014-1007-01S</b>	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

ENDORSED FILED  
IN THE OFFICE OF

2014 NOV 19 PM 2:07

*Debra Bowen*  
DEBRA BOWEN  
SECRETARY OF STATE

AGENCY WITH RULEMAKING AUTHORITY

**BOARD OF BARBERING & COSMETOLOGEX**

AGENCY FILE NUMBER (if any)

### A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER <b>2014 82</b>	PUBLICATION DATE <b>2/21/2014</b>

### B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) <b>Lash and Brow Tinting</b>	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)		
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
<b>ACTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)</b>	ADOPT		
	AMEND <b>950.2, 950.9</b>		
TITLE(S) <b>16</b>	REPEAL		
3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmission of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmission of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only			
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> §100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) _____			
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input checked="" type="checkbox"/> Other (Specify) <b>Awet Kidane, Director, Department of Consumer Affairs</b>			
7. CONTACT PERSON <b>Kevin Flanagan</b>	TELEPHONE NUMBER <b>(916) 575-7104</b>	FAX NUMBER (Optional) <b>(916) 928-6810</b>	E-MAIL ADDRESS (Optional) <b>kevin.flanagan@dca.ca.gov</b>

Per agency approval: STE, 11-18-2014

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Kristy Underwood</i>	DATE <b>9.3.14</b>
TYPED NAME AND TITLE OF SIGNATORY <b>Kristy Underwood, Executive Officer, Board of Barbering and Cosmetology</b>	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

NOV 19 2014

Office of Administrative Law

## **BOARD OF BARBERING AND COSMETOLOGY**

### ***Division 9, Title 16, of the California Code of Regulations.***

#### **ORDER OF ADOPTION**

**The Board Hereby Amends Section 950.2 as follows:**

#### **§ 950.2. Curriculum for Cosmetology Course.**

(a) The curriculum for students enrolled in a cosmetology course shall consist of sixteen hundred (1600) hours of technical instruction and practical training covering all practices constituting the art of cosmetology pursuant to Section 7316 of the Barbering and Cosmetology Act.

(b) For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operation shall mean the actual performance by the student of a complete service on another person or on a mannequin. Practical training shall mean the time it takes to perform a practical operation. Technical and practical training shall include the following hours and/or operations:

##### **(1) 1100 Hours of Technical Instruction and Practical Training in Hair Dressing**

The required subjects of instruction in Hair Dressing shall be completed with the minimum hours of technical instruction and practical operations for each subject-matter as follows:

##### **Hairstyling (65 hours of Technical Instruction and 240 Practical Operations)**

The subject of Hairstyling shall include, but is not limited to, the following techniques and procedures: Hair analysis, shampooing, finger waving, pin curling, comb outs, straightening, waving, curling with hot combs and hot curling irons and blower styling.

##### **Permanent Waving and Chemical Straightening (40 hours of Technical Instruction and 105 Practical Operations)**

The subject of Permanent Waving and Chemical Straightening shall include, but is not limited to, the following techniques and procedures: Hair analysis, acid and alkaline permanent waving, chemical straightening including the use of sodium hydroxide and other base solutions.

##### **Hair Coloring and Bleaching (60 hours of Technical Instruction and 50 Practical Operations)**

The subject of Hair Coloring and Bleaching shall include, but is not limited to, the following techniques and procedures (also including, the use of semi-permanent, demi-permanent and temporary colors): Hair analysis, predisposition and strand tests, safety precautions, formula mixing, tinting, bleaching, high and low lights, and the use of dye removers.

##### **Hair Cutting (20 hours of Technical Instruction and 80 Practical Operations)**

The subject of Hair Cutting shall include, but is not limited to, the following techniques and procedures: Use of scissors, razor (shaper), electrical clippers/trimmers, and thinning (tapering) shears for wet and dry cutting.

## (2) 200 Hours of Technical Instruction in Health and Safety

The required subjects of instruction in Health and Safety shall be completed with the minimum hours of technical instruction for each subject-matter as follows:

### Laws and Regulations (20 hours of Technical Instruction)

The subjects of Laws and Regulations shall include, but is not limited to, the following issues: The Barbering and Cosmetology Act and the Board's Rules and Regulations.

### Health and Safety Considerations (45 hours of Technical Instruction)

The subject of Health and Safety shall include, but is not limited to, the following techniques and procedures: Cosmetology chemistry including the chemical composition and purpose of cosmetic, nail, hair and skin care preparations. Elementary chemical makeup, chemical skin peels and chemical and physical changes of matter. Hazardous substances including training in chemicals and health in establishments, protection from hazardous chemicals and preventing chemical injuries, ergonomics, theory of electricity in cosmetology, bacteriology, communicable diseases, including HIV/AIDS, Hepatitis B, and staph and Material Safety Data Sheets.

### Disinfection and Sanitation (20 hours of Technical Instruction)

The subject of Disinfection and Sanitation shall include, but is not limited to the following techniques and procedures: Disinfection and sanitation including proper procedures to protect the health and safety of the consumer as well as the technician. Proper disinfection procedures for equipment used in establishments.

Disinfection shall be emphasized throughout the entire training period and must be performed before use of all instruments and equipment.

### Anatomy and Physiology (15 hours of Technical Instruction)

The subjects of Anatomy and Physiology shall include, but is not limited to the following issues: Human Anatomy, Human Physiology.

## (3) 200 Hours of Technical Instruction and Practical Training in Esthetics

The required subjects of instruction in Esthetics shall be completed with the minimum hours of technical instruction and practical operations for each subject-matter as follows:

### Manual, Electrical and Chemical Facials (25 hours of Technical Instruction and 40 Practical Operations)

The subject of manual, electrical and chemical facials shall include, but is not limited to the following techniques and procedures: Manual Facials including cleansing, scientific manipulations, packs, and masks. Electrical Facials include the use of electrical modalities, dermal lights and electrical apparatus, for facials and skin care purposes; however, machines capable of producing an electrical current shall not be used to stimulate so as to contract, or for the purpose of contracting, the muscles of the body or face. Chemical Facials include chemical skin peels, packs, masks and scrubs. Training shall emphasize that only the non-living, uppermost layers of facial skin, known as the epidermis, may be removed, and only for the

purpose of beautification. All practical operations must be performed in accordance with Section 992 regarding skin peeling.

**Eyebrow Beautification and Make-up (25 hours of Technical Instruction and 30 Practical Operations)**

The subject of Eyebrow Beautification shall include, but is not limited to, the following issues: Eyebrow Arching and Hair Removal, including the use of wax, tweezers, electric or manual, and depilatories for the removal of superfluous hair.

The subject of Makeup shall include, but is not limited to, the following issues: skin analysis, complete and corrective makeup, ~~lash and brow tinting~~, and the application of false eyelashes, and lash and brow tinting, if a product exists that is not disapproved, prohibited or banned by the U.S. Food and Drug Administration, the Occupational Safety and Health Administration, or the U.S. Environmental Protection Agency.

**(4) 100 Hours of Technical Instruction and Practical Training in Manicuring and Pedicuring**

The required subjects of instruction in Manicuring and Pedicuring shall be completed with the minimum hours of technical instruction and practical operation for each subject-matter as follows:

**Manicuring and Pedicuring (10 hours of Technical Instruction and 25 Practical Operations)**

The subject of Manicuring and Pedicuring shall include, but are not limited to, the following issues: Water and oil manicure, including nail analysis, and hand/foot and arm/ankle massage.

**Artificial Nails and Wraps (25 hours of Technical Instruction and 120 (nails) Practical Operations)**

Artificial nails including acrylic: liquid and powder brush-ons, artificial nail tips and nail wraps and repairs.

(c) The Board recommends that schools provide training in the area of communication skills that includes professional ethics, salesmanship, decorum, record keeping, and client service records.

*Note: Authority cited: Sections 7312, 7362 and 7362.1(c), Business and Professions Code.  
Reference: Sections 7316(b), 7321(d)(1), 7362, 7362.5(b) and 7389, Business and Professions Code.*

**The Board Hereby Amends Section 950.9 as follows:**

**§ 950.9. Curriculum for Cosmetology Crossover Course for Barbers.**

(a) The curriculum for students enrolled in a cosmetology crossover course for barbers shall consist of a minimum of four hundred (400) clock hours of technical instruction and practical operations covering those cosmetological practices that are not a part of the required training or practice of a barber.

(b) For the purposes of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operation shall mean

the actual performance by the student of a complete service on another person or on a mannequin. Such instruction shall include:

Subject	Minimum Hours of Technical Instruction	Minimum Practical Operations
(1) The Barbering and Cosmetology Act and the Board's Rules and Regulations.....	10	
(2) Cosmetology Chemistry (Shall include the chemical composition and purpose of cosmetic, nail, hair and skin care preparations. Shall also include the elementary chemical makeup, chemical skin peels, physical and chemical changes of matter.).....	5	
(3) Health and Safety/Hazardous Substances (Shall include training in chemicals and health in establishments, material safety data sheets, protection from hazardous chemicals and preventing chemical injuries, health and safety laws and agencies, ergonomics, and communicable diseases, including HIV/AIDS and Hepatitis B.).....	20	
(4) Theory of Electricity in Cosmetology (Shall include the nature of electrical current, principles of operating electrical devices, and the various safety precautions used when operating electrical equipment.).....	5	
(5) Disinfection and sanitation (Shall include procedures to protect the health and safety of the consumer as well as the technician. The ten required minimum operations shall entail performing all necessary functions for disinfecting instruments and equipment as specified in Sections 979 and 980. Disinfection should be emphasized throughout the entire training period and must be performed before use of all instruments and equipment.).....	10.....	10
(6) Bacteriology, anatomy and physiology.....	5	
(7) Wet Hair Styling  (Shall include hair analysis, fingerwaving, pin curling and comb-outs.).....	10.....	35

(8) Thermal Hair Styling (Shall include hair analysis, straightening, waving, curling with hot combs and hot curling irons.).....	5.....	15
(9) Permanent Waving (Shall include hair analysis, sectioning patterns, chemical and heat permanent waving.).....	10.....	35
(10) Chemical Straightening (Shall include hair analysis and the use of sodium hydroxide and other base solutions.).....	5.....	10
(11) Haircutting (Shall include hair analysis, basic guideline and sectioning, the use of the razor, scissors for wet and dry cutting.).....	2.....	10
(12) Haircoloring and Bleaching (Shall include hair analysis, predisposition tests, safety precautions, formula mixing, tinting, bleaching, and the use of dye removers. Shall not include any credit for color rinses.)		
(A) Haircoloring.....	20 .....	15
(B) Bleaching.....	.....	5
(13) Scalp and Hair Treatments (Shall include hair analysis, scientific brushing.).....	2.....	5
(14) Facials		
(A) Manual (Shall include cleansing, scientific manipulations, packs, and masks.).....	2.....	5
(B) Electrical (Shall include the use of all electrical modalities, including dermal lights and electrical apparatus for facials and skin care purposes.).....	7.....	5
(C) Chemicals (Shall include chemical skin peels, packs, masks and scrubs. Training shall emphasize that only the non-living, uppermost layers of facial skin, known as the epidermis, may be removed, and only for the purpose of beautification.		

All practical operations must be performed in accordance with Section 992 regarding skin peeling.).....	10.....	15
(15) Eyebrow Arching and Hair Removal (Shall include the use of wax, tweezers, electric or manual, and depilatories for the removal of superfluous hair.).....	5.....	5
(16) Makeup (Shall include skin analysis, complete and corrective makeup, <del>lash and brow tinting,</del> <u>and the application of false eyelashes, and lash and brow tinting, if a product exists that is not disapproved, prohibited or banned by the U.S. Food and Drug Administration, the Occupational Safety and Health Administration, or the U.S. Environmental Protection Agency.</u> ).....	5.....	10
(17) Manicuring and Pedicuring		
(A) Water and oil manicure, including nail analysis, and hand and arm massage.....	5.....	15
(B) Complete pedicure, including nail analysis, and foot and ankle massage.....	1.....	3
(C) Artificial nails		
1. Acrylic: Liquid and powder brush-ons.....	5.....	10 Nails
2. Artificial nail tips.....	3.....	10 Nails
3. Nail wraps and repairs.....	2.....	5 Nails

per agency request  
J.E., 11-19-2014

(c) The board recommends that schools provide training in the area of communication skills that includes professional ethics, salesmanship, decorum, record keeping, and client service record cards.

(d) No credit of any type shall be given for time spent in laundering towels or in washing or scrubbing floors, walls, woodwork, toilets, or windows.

*Note: Authority cited: Sections 7312, and 7362 ~~and~~ 7390, Business and Professions Code. Reference: Sections 7316(b), 7321(d)(4), 7362, and 7389 ~~and~~ 7390, Business and Professions Code.*