

MAILING ADDRESS

Board of Barbering and Cosmetology PO Box 944226 Sacramento, CA 94244-2260

MISSION

To ensure the health and safety of California consumers by promoting ethical standards and by enforcing the laws of the barbering and beauty industry.

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Message from the President

I hope that your new year is off to a great start. It was an honor to serve as vice president in 2021 and 2022, and I am excited to serve as Board president for 2023. I thought it would be appropriate to kick off my first message with a brief introduction.

I've had the honor to serve on the Board of Barbering and Cosmetology since November 2019. I have been an attorney for the Los Angeles County Child Support Services Department since 2017. I am a graduate of UCLA School of Law and currently serve as a planning commissioner for the City of Alhambra and a lecturer in law at USC Gould School of Law. I am a past president of the Asian Pacific American Women Lawyers Alliance and a co chair of the Annual Asian Pacific American Community Holiday Toy Drive and Reception.

I plan to continue to build on last year's successes and find new ways to promote the Board's mission of consumer protection and communicating effectively with our licensees. I am excited to work with Vice President Tonya Fairley this year, and I congratulate her on her election.

Calimay Pham

Board President



Message from the Executive Officer

Thank you for taking the time to read the *BarberCosmo Update*. We strive to provide you with important information about the Board's operations and activities in each issue. Please follow us on **Facebook**, **Twitter**, and **Instagram** if you don't already, and check out our **website** for updates as well.

This year, the Board will continue with implementation of our Strategic Plan. The Strategic Plan provides the framework to reexamine current challenges and allow new strategies and goals to further promote consumer protection in the barbering and beauty industry.

I encourage you to read the Strategic Plan at www.barbercosmo.ca.gov (click on the "Publications" tab, then scroll to "Reports") to learn more about our goals for administration, legislation, regulation, licensing, inspections, enforcement, and outreach for the next five years. An update on our progress will be provided at the next board meeting.

2023 will be a great year of fulfilling our mission of consumer protection. I wish the best for you and your business this year.

Kristy Underwood
Executive Officer



The governor waived renewal fees for licensees of the Board of Barbering and Cosmetology due in 2021 and 2022. Now that it's 2023, licensees will start paying for their renewals again.

As a reminder, Board licenses renew on a two-year cycle based on the previous expiration date. For instance, if your license expires April 30, 2023, your expiration date will become April 30, 2025, after renewal. Your expiration date is not based on the date you renew.

A timely renewal fee for personal licenses (barber, cosmetologist, electrologist, esthetician, manicurist) is \$50. A delinquent (late) renewal fee for personal licenses is \$25, bringing the total renewal fee to \$75.

A timely establishment renewal fee is \$40. A delinquent establishment renewal fee is \$20, bringing the total renewal fee to \$60.

Board Members



Calimay Pham, Public Member, President

Tonya Fairley, Industry Member, Vice President

Megan A. Ellis, Public Member Kellie Funk, Industry Member Reese A. Isbell, Public Member Yolanda Jimenez, Public Member
Colette Kavanaugh, Industry Member
Danielle Munoz, Public Member
Jacob Rostovsky, Public Member
Steve Weeks, Public Member

Have You Considered Serving as a Board Member?

The Board of Barbering and Cosmetology currently has three vacancies and is seeking a California-licensed manicurist, barber, and an establishment owner or cosmetologist to serve as board members.

Board members help shape the direction of the beauty and barbering industry with their collective decision making. Board members provide policy direction, participate in voting on disciplinary matters, and approve regulation packages. The Board holds quarterly meetings with the full board, in addition to committee meetings whenever necessary. Board members are expected to attend board meetings and committee meetings. Board members must also commit time to review meeting materials and attend all trainings.

If you are interested in being considered for an appointment to the Board of Barbering and Cosmetology, the Board encourages you to contact:

- Governor's Office.
- Senate Rules Committee.
- Speaker of the Assembly.





The Board often receives questions from licensees asking if they are required to renew their license. If you are providing services in California, you need a current license.

If you are retiring and do not plan to work in the barbering and beauty industry again, you can allow your license to expire. The Board does not have a "retired" or "inactive" license status, so you will continue to receive renewal reminders, which you may disregard.

If you are moving to another state and plan to move back to California in the future, you may want to consider keeping your California license current. Pursuant to Business and Professions Code (BPC) section 7418, a license which has not been renewed within **five years following its expiration** shall be deemed **canceled** and may not be renewed, restored, reinstated, or reissued thereafter. The holder of the canceled license may obtain a new license only by submitting an application, paying all required fees, and qualifying for and passing the examination that would be required if the holder were applying for the license for the first time.

So, if you are only taking a break from the industry for a few years, it may be in your best interest to keep renewing your license anyway.

Personal Service Permit

Are you booking services with a cosmetologist, barber, manicurist, or esthetician and will the services be provided in your home, a hotel, or other location outside of a licensed establishment? If so, the licensee providing the services must also have a Personal Service Permit (PSP) issued by the Board. The PSP allows licensees to provide limited services outside of licensed establishments if they meet certain requirements. Previously, licensees could only provide services within a Board-licensed establishment, such as a salon, spa, or barbershop.

After receiving services, the licensee must provide you, the consumer, with a **Personal Service Permit Consumer Notice** and a receipt. The receipt must contain your acknowledgement of receipt of the PSP Consumer Notice, your name, your phone number, your email address (if available), and a list of all services received.

The Board worked with the Department of Consumer Affairs' Office of Public Affairs to create two informational

videos regarding the PSP. One video is directed toward licensees and the other is directed toward consumers. Both videos provide beneficial information to help protect consumers. Watch the videos and learn more about the PSP at www.barbercosmo.ca.gov (click on the "Licensees" tab, choose "Home", then scroll to "Personal Service Permit (PSP) Information").





Consumer Corner: The Complaint Process

While consumers can often resolve issues relating to unsatisfactory service by discussing the situation with the licensee who provided the service or with the establishment's manager or owner, sometimes more serious problems arise.

If you are injured during a service, you should:

- **1.** Discuss the situation with the licensee, the manager, or the owner.
- 2. Take photographs of the injury.
- 3. Seek immediate medical attention if necessary.
- **4.** File a complaint with the Board of Barbering and Cosmetology.

The Board handles complaints involving gross negligence and/or incompetence, unsanitary conditions in establishments, and unlicensed activity:

- Gross negligence and/or incompetence complaints should include the establishment name and address, the operator's name and license number, details of the incident, photographs, medical records, and receipt for services.
- Unsanitary condition complaints should include the establishment name and address along with a detailed description of the unsanitary conditions at the salon or school and, if applicable, the station where you saw the violations.
- Unlicensed activity complaints should include the establishment name and address, unlicensed operator's names, and days of the week and time of day the unlicensed operator(s) are performing services.

The Board cannot take action on complaints regarding prices being charged at a salon, poor customer service, or dissatisfaction with services provided.

All complaints must be received in writing. Complaints may be submitted at **www.barbercosmo.ca.gov**

(click on the "Enforcement" tab, then scroll to "File a Complaint"). When submitting a complaint, include as much information as possible (the name and work schedule [days, hours] of the individual in question, establishment business hours, establishment name, etc.).

The Board makes every effort to resolve complaints in a timely manner. At times, investigations can take an extended period of time to complete due to the nature and complexity of the complaint. Upon the closure of the complaint, the consumer is notified of the outcome. Consumers are welcome to contact the Board to check the status of their complaints at any time.

If the Board's investigation confirms violations of rules and regulations, the licensee may receive a citation and fine. In the most severe cases, the Board will refer the licensee to the California Attorney General's Office for disciplinary action, which may include suspension or even revocation of their license.

Complaints that provide detailed information can be addressed more efficiently and effectively. A complaint can be filed anonymously; however, the Board may have a difficult time investigating these complaints. If the Board is unable to obtain documentation or evidence of the complaint allegations, the Board may not be able to pursue the complaint.



Obtaining a License in Another State

The Board often receives questions from licensees about how to "transfer" their license to another state. Each state has its own licensing agency and requirements. A license is not "transferred" however, other states may allow you to use your California license to qualify for a license in their state (this is often referred to as a "licensure by endorsement" or "reciprocity"). You would need to contact the other state agency to ask about their requirements and application process. You may need to request a Certification of Licensure from the California Board of Barbering and Cosmetology. You can mail the request and \$10 fee or order the certification online through **BreEZe**. If the other state requires school transcripts, contact the school you attended. The Board does not provide school transcripts.

Although you would be obtaining another license in another state, your California license would still be valid (so long as you keep renewing it). Obtaining a license in another state does not automatically cancel your California license. You should update the address for your California license so you will still receive renewal notices. You can update your address online through **BreEZe**.



Scope of Practice Reminder

Licensees shall limit their services to only those areas for which they are licensed (BPC 7316). Becoming "certified," receiving training, or being supervised by someone does not change your scope of practice.

If a manicurist attends a class and receives a certificate for completing eyelash extension training, can they now provide eyelash extensions?

No, they must be licensed as a cosmetologist or esthetician to provide eyelash extension services.

If an esthetician works in a medical spa owned by a physician, can they provide laser services?

No, estheticians cannot provide medical or laser services, regardless of where they work.

If a cosmetologist attends a balayage class to learn a new technique to apply highlights, can they provide balayage treatments?

Yes, bleaching and coloring hair is already in a cosmetologist's scope of practice.

If a barber attends a class on fades to advance their clipper skills, is that OK?

Yes, a barber can receive additional training in barbering even if they are already licensed.



Did You Know?

The most common violation cited during an inspection is title 16, California Code of Regulations section 979 regarding disinfection of nonelectrical tools. Here are some tips to avoid a violation:

- Before use upon a client, properly clean tools.
 Remove all visible debris, clean with soap or detergent and water, dry the tools, totally immerse instruments in an EPA-registered disinfectant solution, and use gloves or tongs to remove the tools from the disinfectant.
- Always keep disinfectant solution covered and change disinfectant when it is cloudy, contains debris, or according to the manufacturer's instructions.

- Store all soiled nonelectrical items (examples: combs, brushes, nail clippers) in a container that is labeled "Dirty," "Soiled," or "Contaminated."
- Store all disinfected nonelectrical items in a clean covered place that is labeled "Clean" or "Disinfected."
- Shears shall be disinfected by removing all visible debris, clean with soap or detergent and water, spray or wipe with an EPA-registered disinfectant solution.
- Disinfected tools and shears shall not be placed in a container, pouch, or holder that cannot be disinfected.





Reminders for Establishment Owners

Q: Do I need to notify the Board if I close my establishment?

A: Yes. Submit an Establishment Closure form with the effective date of closure. This also applies if you sold your business to a new owner.

Q: Do I need to have a new establishment license if I move my salon to a new location?

A: Yes. Any time you move to a new location, you need to apply for a new establishment license. An establishment license is only valid for the address listed on the license. This also pertains to changing suite numbers.



Dress for Success

While barbering and cosmetology schools may have a dress code for students, the Board does not have regulations regarding the type of clothing or shoes licensees wear. Title 16, California Code of Regulations section 983(a) requires the attire of a licensee serving a client to be clean at all times.

Here are some tips to keep in mind when getting dressed:

- Comfortable, supportive shoes can prevent back, leg, and foot pain.
- Shoes with non-slip soles can provide extra protection from slips and falls.
- Closed-toe shoes provide protection from electrical tools and sharp implements.
- Long-sleeved shirts or smocks can prevent chemical powders from touching your skin.
- Water-resistant aprons can prevent chemical liquids from touching your clothes and skin.
- Avoid jewelry that could get caught in equipment or dangle in a client's face.



Display of Licenses

Title 16, California Code of Regulations section 965 states:

- (a) All operators' licenses shall be conspicuously posted at their primary workstations.
- (b) All establishment licenses shall be conspicuously posted in the reception areas.
- (c) No license which has expired or become invalid for any reason whatever shall be displayed by any person in connection with the practices as defined in section 7316 of the Business and Professions Code. Any license so displayed shall be surrendered to the Board upon its request.

What exactly does this mean?

 Your barber, cosmetologist, manicurist, esthetician, electrologist, or apprentice license must be visibly displayed at your primary workstation.

- You must display the license mailed to you from the Board—not a photocopy or a copy of your receipt.
- Make sure your license is completely visible and not hidden behind anything, such as photos or product containers.
- The establishment license must be visibly displayed in the reception area.
- Make sure the establishment license is not folded, cut, or hidden.
- It is not required for your license to be in a frame, though you can choose to use one.
- Your licenses must be current, not expired.

2023 Board of Barbering and Cosmetology Act and Regulations Book

New year, new law book! Download the latest version on the Board's website at www.barbercosmo.ca.gov (click on the "Laws and Regulations" tab; available in English, Spanish, Korean, and Vietnamese).



Chemical Exfoliation Safety Tips

Chemical exfoliation is a process in which an acid solution is used to remove the damaged outer layers of the skin. In performing chemical exfoliation, cosmetologists and estheticians are limited to performing light or superficial chemical exfoliation. It is out of the scope of practice for a cosmetologist or esthetician to perform a medium or deep-depth peel. Here are tips consumers should keep in mind when considering a chemical exfoliation service (skin peel).

WHILE AT THE SALON

- Look around to see if the salon is clean, free of trash, and set up with clean, disinfected tools.
- Make sure your cosmetologist or esthetician has their license displayed at their workstation.
- The licensee should wash their hands before providing the service. If they don't, ask them to do so.
- All clean, disinfectable tools should come from a clean, closed container labeled "Clean." You have the right to ask what disinfection procedures the licensee uses.
- Disposable items such as cotton balls, sponges, and cotton swabs should be immediately thrown away after use.
- The treatment table should be covered with a clean towel or new sheet of treatment table paper.

DO NOT CHEMICALLY EXFOLIATE:

 If your skin is irritated, inflamed, or you have open wounds.

- Any area that has a rash, recent scar tissue, a recent skin graft, cold sores, moles, warts, or pimples.
- Any area you have recently gotten injections.
- Anywhere that has been waxed or shaved within the past 24 hours.
- Over or around body piercings.
- If you have lupus or AIDS, or you are in cancer therapy getting chemotherapy or radiation.
- If you have been in direct sunlight for a long period of time, used a tanning bed in the past 24 hours, or your skin is sunburned.

WHEN TO BE CAUTIOUS:

- If you have recently used skin care products that contain:
 - Salicylic acid
 - Glycolic acid
 - Alpha hydroxyl acids of any kind
- If you have recently received aggressive exfoliation of the skin, such as:
 - Microdermabrasion
 - Dermabrasion
- If you have taken prescription medications such as:
 - Antibiotics
 - Accutane
 - Topical ointments (Retin-A or Renova)
 - Acne medication
- While you are pregnant, or taking birth control, hormone replacement, or antibiotics. During this time your skin can be more sensitive. You may consider having your technician perform a patch test before they attempt a full service.

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The BarberCosmo **update**



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AFTER THE SERVICE

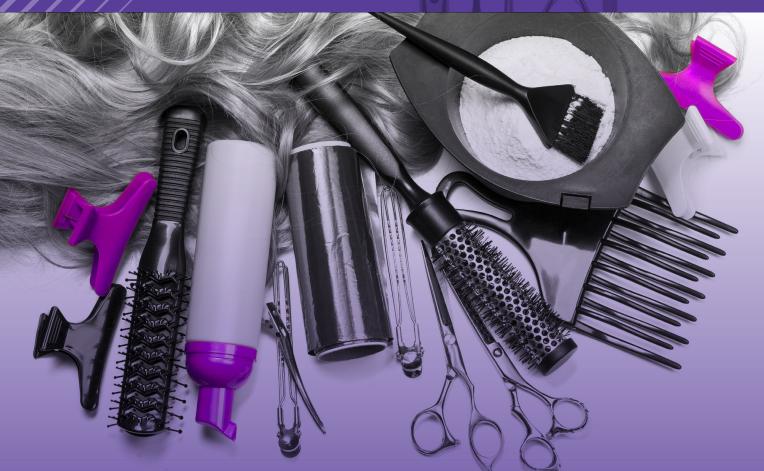
Your licensee should provide directions regarding sun protection, cleansing, and moisturizing. Some general tips include:

- Avoid picking, rubbing, or scratching your face.
- Avoid direct sunlight and wear sunscreen.
- Avoid strenuous workouts, saunas, and steam rooms.

- Avoid using cosmetic makeup products.
- Cleanse with cool water and pat your skin dry (do not rub).

It is important to remember chemical exfoliation services can have unfavorable results including, but not limited to, allergic reaction, irritation, burning, redness, scarring, and soreness. However, when they're done correctly by a licensee and the right peel is used for your skin type, you should see great results with minimal discomfort.





Interested In Beginning Your State Career?

Visit the Board's **Job Opportunities webpage** at **www.barbercomso.ca.gov**(click on the "About Us" tab and choose
"Job Opportunities") to view current job
announcements and information on how
to apply.

Benefits include:

- Opportunities for career advancement.
- Great state retirement and medical/ dental plans.
- Free on site parking and access to public transportation.
- Work hours 8 a.m. 5 p.m. Monday Friday, weekends off, and paid holidays.
- Hybrid telework options available.

Subscribe To the Board's Email List to Receive Updates on Regulations, Board Meetings, Important Bulletins, and More!

https://www.dca.ca.gov/webapps/barber/subscribe email.php

Have You Recently Moved?

It is important that the Board has accurate addresses on file should the Board need to contact its licensees or applicants. Government mail is not forwarded by the post office. Remember to update your home address through **BreEZe**. Licensees are required by law to notify the Board within 30 days if they change their address of record.

Have a Question?

Check out the Frequently Asked Questions webpage at www.barbercomso.ca.gov for answers to your questions!

Contact Us

- Applicants, licensees, and members of the public may call (800) 952 5210 or email <u>barbercosmo@dca.ca.gov</u> for questions not answered on our <u>FAOs page</u>.
- School owners and administrators may email <u>BBC.Schools@dca.ca.gov</u>.
- Apprenticeship sponsors may email BBC.Apprentice@dca.ca.gov.





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