

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

COSMETOLOGY

(By authority conferred on the department of licensing and regulatory affairs by sections 308 and 1203 of 1980 PA 299, MCL 339.308 and 339.1203, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, MCL 445.2011, MCL 445.2025, and MCL 445.2030.)

PART 1. GENERAL PROVISIONS

R 338.2101 Definitions.

Rule 1. As used in these rules:

(a) "Act" means 1980 PA 299 MCL 339.101.

(b) "Apprenticeship practitioner" means a licensee who is approved by the department and who is engaged in training an apprentice within an establishment.

(c) "Dry sanitizer" means a closed cabinet or container that holds a fumigant chemical sanitizing agent.

(d) "Minimum practical application" means a service performed on a mannequin, student, or patron.

(e) "Reactive chemicals" means, but is not limited to, any of the following:

(i) Permanent wave solutions.

(ii) Relaxers.

(iii) Temporary, semipermanent, or permanent hair colorings.

(iv) Hair lighteners.

(v) Acids.

(vi) Bases.

(vii) Creams.

(viii) Fluids.

(ix) Any other preparation designed to modify or rearrange the structure of the hair, skin, or nails.

(f) "Wet sanitizer" means a container that holds a liquid chemical sanitizing agent.

History: 1979 AC; 1981 AACS; 1998-2000 AACS; 2004 AACS; 2006 AACS; 2014 AACS.

R 338.2102 Rescinded.

History: 1998-2000 AACS; 2014 AACS.

R 338.2103 Rescinded.

History: 1979 AC; 1998-2000 AACS.

R 338.2106 Rescinded.

History: 1981 AACS; 1998-2000 AACS.

R 338.2107 Rescinded.

History: 1981 AACS; 1998-2000 AACS.

R 338.2109 Rescission.

Rule 9. Rules 1 to 360 and rules I to VIII of the state board of cosmetology, being R 338.751 to R 338.761 of the Michigan Administrative Code and appearing on pages 3601 to 3610 of the 1954 volume of the Code, are rescinded.

History: 1979 AC.

PART 2. LICENSES AND PERMITS

R 338.2121 Rescinded.

History: 1979 AC; 1998-2000 AACS.

R 338.2122 Rescinded.

History: 1979 AC; 1998-2000 AACS; 2014 AACS.

R 338.2123 Rescinded.

History: 1979 AC; 1981 AACS; 1998-2000 AACS; 2014 AACS.

R 338.2124 Rescinded.

History: 1979 AC; 1998-2000 AACS.

R 338.2125 Rescinded.

History: 1979 AC; 1981 AACS; 1998-2000 AACS.

R 338.2126 Rescinded.

History: 1979 AC; 1998-2000 AACCS.

R 338.2127 Change of ownership or relocation; closure.

Rule 27. (1) If an establishment or school changes ownership or location, including any branch facility to the current location, the parties involved shall inform the department of the change, in writing, within 30 calendar days. A new application showing the new ownership or the new location, together with the applicable fees and a copy of the existing license shall be filed with the department

(2) Before a school is closed or changes ownership, the department shall be notified, in writing, and shall be furnished with a copy of the school's enrolled student records of examinations, credit hours, and minimum practical applications.

(3) Branch facilities where training by a cosmetology school is conducted in a physical location apart from the main school premises, may be approved by the department if the branch facility meets the following criteria:

(a) Is not used for training students until the department has approved the use of the facility, based upon school need.

(b) Meets all requirements for Michigan cosmetology schools, except that it shall not include a full-service facility and shall not offer clinic services to the public.

(c) Provides for proper supervision of students.

(d) Is submitted for approval on an application prescribed by the department, to include, at a minimum, both of the following:

(i) The complete address of the premises to be licensed.

(ii) A current, detailed floor plan, not larger than 8 1/2 by 11 inches, of the proposed premises, showing arrangement of the classroom, placing of equipment, entrances, exits, and a statement of the purpose for which the premises will be used.

History: 1979 AC; 1998-2000 AACCS; 2006 AACCS.

R 338.2128 Rescinded.

History: 1979 AC; 2014 AACCS.

PART 3. GENERAL TRAINING ADMINISTRATION

R 338.2131 "Equivalent" defined; proof of educational grade equivalency.

Rule 31. "Equivalent," as used in the act when referring to educational grade levels, means the passing of a standard examination which is equal to or greater than the required grade level. If there is no grade equivalency test available, the department shall accept a statement from a school administrator indicating that the person has potential and scholastic achievement equal to the required grade.

History: 1979 AC; 1981 AACCS; 1998-2000 AACCS.

R 338.2132 School and apprentice training program requirements.

Rule 32. (1) A school or apprenticeship practitioner shall have all of the following items:

- (a) Instructional visual aids for teaching the prescribed curriculum.
- (b) One bulletin board in the student or apprentice area.
- (c) Seating facilities for patrons.
- (d) One chair that has writing facilities for each attending student or apprentice.
- (e) Sufficient practical training stations and equipment so that students or apprentices are not required to share a station or equipment during practical training periods.
- (f) A shampoo bowl installed in a classroom other than the main clinic classroom, unless a limited school of electrology.
- (g) Adequate space per attending student for theory or non-practical classroom training.
- (h) A chalkboard or the equivalent of sufficient size to be seen from the back of the room in which it is used.

History: 1979 AC; 1981 AACCS; 1998-2000 AACCS.

R 338.2132a Rescinded.

History: 1981 AACCS; 1998-2000 AACCS.

R 338.2133 Credit of school hours to apprenticeship training prohibited; credit of apprenticeship training to school training prohibited.

- Rule 33. (1) School credit hours shall not be credited to apprenticeship training.
(2) Apprenticeship months of training shall not be credited to school credit hours.

History: 1979 AC; 1981 AACCS; 1998-2000 AACCS.

R 338.2134 Enrollment.

Rule 34. (1) A school shall report the enrollment of a student and submit the registration fee to the department within 60 days after the student begins a course of instruction.

(2) A student requesting hours from a previous enrollment shall pass practical and theory examinations on the subject areas previously studied and submit the previous hours to the new school before attending the new school. The school shall notify the department of the number of hours accepted and the number of minimum practical applications verified for any student who has hours from previous training.

(3) A student shall not be granted credit for more hours than are verified by the school of previous enrollment.

History: 1979 AC; 1981 AACCS; 1998-2000 AACCS; 2006 AACCS.

R 338.2135 Rescinded.

History: 1999 AACCS; 2014 AACCS.

R 338.2136 Permanent records.

Rule 36. (1) A school or apprenticeship practitioner shall keep permanent records of students or apprentices. The permanent records shall be maintained for not less than 7 years after the last date of attendance of the student or apprentice.

(2) The records shall be available to the department upon request and shall include all of the following information:

(a) A summary of the attendance record.

(b) A summary of the hours of training, including the number of minimal practical applications.

(c) The date of the enrollment and the last date of attendance.

(d) The final grades.

(e) A copy of the contract.

History: 1999 AACCS.

R 338.2137 Student and apprentice supplies.

Rule 37. (1) A school or apprenticeship practitioner shall furnish a copy of the act and these rules to each student or apprentice.

(2) All necessary materials, equipment, and supplies shall be furnished to students or apprentices for work performed on the public. The contract between the school or apprenticeship practitioner and the student or apprentice shall contain a list of any charges for additional materials, supplies, or equipment other than that required to adequately train students or apprentices under the prescribed curriculum.

History: 1999 AACCS.

R 338.2138 Theory instruction.

Rule 38. Theory shall be taught throughout a course as applied to practical training under §1205(5)(c) of the act.

History: 1999 AACCS.

R 338.2139 Board examination.

Rule 39. (1) To be eligible to take the state board examination, a student or apprentice shall satisfactorily complete the course of study and shall pass a final examination on each subject with a score of not less than 75%.

(2) A school or apprenticeship practitioner shall provide certification, to the department or its designees, that the student or apprentice has completed all requirements before the student or apprentice applies for the state board examination.

(3) An applicant for a cosmetology, electrology, limited, or specialty instructor license may be granted a partial waiver of the instructor examination if the applicant currently possesses a different cosmetology, electrology, limited, or specialty instructor license. The applicant shall complete the practical portion of the instructor examination in the area of the new instructor license for which he or she applies.

(4) A passing score on an examination, or on a portion of an examination if the examination is given in separate parts, shall be valid for 1 year from the date the examination or portion of the examination was passed, except as provided in subrule (3) of this rule.

History: 1999 AACS; 2004 AACS.

R 338.2139a Rescinded.

History: 1999 AACS; 2006 AACS; 2014 AACS.

PART 4. SCHOOL TRAINING PROGRAMS

R 338.2141 Rescinded.

History: 1979 AC; 1981 AACS; 1998-2000 AACS; 2004 AACS; 2014 AACS.

R 338.2142 Rescinded.

History: 1979 AC; 1981 AACS; 1998-2000 AACS; 2014 AACS.

R 338.2143 Rescinded.

History: 1979 AC; 1981 AACS; 1998-2000 AACS; 2014 AACS.

R 338.2144 Rescinded.

History: 1999 AACS; 2014 AACS.

R 338.2145 Rescinded.

History: 1979 AC; 1981 AACCS; 1998-2000 AACCS; 2006 AACCS; 2014 AACCS.

R 338.2146 Rescinded.

History: 1979 AC; 1981 AACCS; 1998-2000.

R 338.2147 Rescinded.

History: 1979 AC; 1981 AACCS.

R 338.2148 Rescinded.

History: 1979 AC; 1981 AACCS; 1998-2000 AACCS.

R 338.2149 Rescinded.

History: 1979 AC; 1981 AACCS; 1998-2000 AACCS.

PART 5. APPRENTICE TRAINING PROGRAMS

R 338.2151 Application for apprenticeship.

Rule 51. (1) A licensee who has had not less than 3 years of experience as a licensed cosmetologist, electrologist, natural hair culturist, esthetician, or manicurist may submit an application to the department to train an apprentice.

(2) The application shall include the following information:

(a) A floor plan of the establishment.

(b) A list of equipment to be used in training the apprentice.

(c) A list of the books that will be used to teach theory.

(d) A copy of the licensee's contract with the apprentice showing the curriculum to be taught and the minimum number of hours per month that the apprentice must attend. The contract shall include written agreements to do all of the following:

(i) Personally train the apprentice.

(ii) Give and correct examinations.

(iii) Render a grade in each subject of the curriculum.

(iv) Submit the apprentice's hours to the department monthly.

(3) An apprentice shall not practice on the public before meeting the requirements of section 1205(5)(c) of the act. An apprentice practicing outside an approved apprenticeship establishment may be ineligible to take the state board examination.

(4) An apprentice shall be in training throughout the period of the program and shall have received an average of not less than 80 hours of instruction per month.

(5) An apprentice=s registration permit shall be conspicuously displayed in the establishment.

(6) The apprenticeship practitioner shall provide certification to the department or the department=s designee that the apprentice has completed all requirements before applying for the state board examination.

History: 1979 AC; 1981 AACS; 1998-2000 AACS; 2004 AACS.

R 338.2151a Rescinded.

History: 1979 AC; 1981 AACS; 1998-2000 AACS.

R 338.2152 Rescinded.

History: 1979 AC; 1981 AACS; 1998-2000 AACS.

R 338.2153 Apprenticeship program examinations and grades.

Rule 53. (1) A licensee that trains a cosmetology apprentice shall give the apprentice an examination every 6 months.

(2) A licensee that trains an electrology, manicuring, esthetician, or natural hair culturist apprentice shall give the apprentice an examination every 3 months.

History: 1979 AC; 1981 AACS; 1998-2000 AACS.

R 338.2155 Rescinded.

History: 1979 AC; 1981 AACS.

R 338.2156 Rescinded.

History: 1979 AC; 1998-2000 AACS.

PART 6. CURRICULUM

R 338.2161 Cosmetology curriculum.

Rule 61. A school or apprenticeship practitioner shall provide instruction in cosmetology pursuant to the following table:

TABLE 1

Subject	Theory Hours	Practical Hours	Unassigned Hours	Total Hours	Minimum Practical Applications
Sanitation/patron protection Laws and rules Personal hygiene Salon management Mechanical and electrical equipment safety	90	40	0	130	585 (Sanitation and patron protection shall be included in all services)
Facials Skin analysis and care Manipulation, massage, electricity Removal of hair by the use of wax, tweezers, or depilatories Makeup and eyebrow arch	35	80	0	115	40 (a minimum of 5 services in each category)
Hairdressing Arranging, cutting, dressing, curling, pressing, artificial hair and finger waving, natural hair cultivation	125	400	0	525	300 (a minimum of 20 services in each category)
Scalp and hair treatments	10	15	0	25	30
Hair coloring Temporary Semi permanent Permanent Bleaching and dimensional coloring Color mixing	40	170	0	210	80 (a minimum of 8 services in each category)
Chemical hair restructuring Permanent waving Straightening and relaxing	40	180	0	220	80 (a minimum of 15 services in each category)

Applied chemistry/occupational safety and health administration as related to skin, hair, nails, and scalp	20	10	0	30	5
Applied anatomy, physiology, and histology of the human head, hands, nails, skin and hair	45	0	0	45	0
Manicuring/pedicuring	15	55	0	70	35
Artificial nails	5	15	0	20	5
Unassigned hours	0	0	110	110	0
Totals	425	965	110	1500	1160

History: 1979 AC; 1981 AACs; 1998-2000 AACs.

R 338.2161a Crossover hours; manicuring.

Rule 61a. A student, before enrolling in a cosmetology curriculum in a licensed school of cosmetology, may be granted a maximum of 70 hours toward completion of the curriculum if the student provides proof to the school of successful completion of a curriculum in manicuring in a licensed school of cosmetology within the previous 3 years. A student, before enrolling in a cosmetology apprenticeship program, may be granted a maximum of 70 hours toward completion of the curriculum if the student provides proof to the practitioner of successful completion of an apprenticeship program approved by the department in manicuring within the previous 3 years.

History: 2004 AACs.

R 338.2161b Crossover hours; esthetics.

Rule 61b. A student, before enrolling in a cosmetology curriculum in a licensed school of cosmetology, may be granted a maximum of 115 hours toward completion of the curriculum if the student provides proof to the school of successful completion of a curriculum in esthetics in a licensed school of cosmetology within the previous 3 years. A student, before enrolling in a cosmetology apprenticeship program, may be granted a maximum of 115 hours toward completion of the curriculum if the student provides

proof to the practitioner of successful completion of an apprenticeship program approved by the department in esthetics within the previous 3 years.

History: 2004 AACCS.

R 338.2162 Manicuring curriculum.

Rule 62. A school or apprenticeship practitioner shall provide instruction in manicuring pursuant to the following table:

TABLE 2

Subject	Theory Hours	Practical Hours	Unassigned Hours	Total Hours	Minimum Practical Applications
Sanitation/patron protection Laws and rules Personal hygiene Salon management Mechanical and electrical equipment safety	50	50	0	100	100 (Sanitation and patron protection shall be included in all services)
Anatomy and disorders	25	0	0	25	0
Artistic principles	10	0	0	10	0
Manicuring/pedicuring techniques	20	50	0	70	40
Chemistry/occupational safety and health administration	15	0	0	15	0
Artificial nails/extensions/repairs	25	105	0	130	50
Unassigned hours	0	0	50	50	0
Totals	145	205	50	400	190

History: 1979 AC; 1981 AACCS; 1998-2000 AACCS.

R 338.2162a Crossover hours.

Rule 62a. A student, before enrolling in a manicuring curriculum in a licensed school of cosmetology, may be granted a maximum of 70 hours toward completion of the curriculum if the student provides proof to the school of successful completion of a curriculum in cosmetology at a licensed school of cosmetology within the previous 3 years. A student, before enrolling in a manicuring apprenticeship program, may be granted a maximum of 70 hours toward completion of the curriculum if the student provides proof to the practitioner of successful completion of an apprenticeship program approved by the department in cosmetology within the previous 3 years.

History: 2004 AACCS.

R 338.2163 Electrology curriculum.

Rule 63. An electrology school or apprenticeship practitioner shall provide instruction in electrology pursuant to the following table:

TABLE 3

Subject	Theory Hours	Practical Hours	Unassigned hours	Total Hours	Minimum Practical Applications
Sanitation/patron protection Laws and rules Personal hygiene Salon management	40	10	0	50	160 (Sanitation and patron protection shall be included in all services)
Applied anatomy, physiology, and histology	25	0	0	25	0
Applied electrolysis Mechanical and electrical equipment safety Techniques	25	250	0	275	150

Unassigned hours	0	0	50	50	0
Totals	90	260	50	400	310

History: 1979 AC; 1981 AACS; 1998-2000 AACS.

R 338.2163a Esthetics curriculum.

Rule 63a. (1) A school or apprenticeship practitioner shall provide instruction in skin care service pursuant to the following table:

TABLE 4

Subject	Theory Hours	Practical Hours	Unassigned Hours	Total Hours	Minimum Practical Applications
Sanitation/patron protection Laws and rules Personal hygiene Salon management	25	25	0	50	90 (sanitation and patron protection shall be included in all services)
Mechanical and electrical equipment safety	25	25	0	50	15
Anatomy and disorders	40	0	0	40	0
Artistic principles/makeup	20	20	0	40	0
Facial/skin care techniques	20	125	0	145	50
Chemistry/occupational safety and health administration	15	0	0	15	0
Temporary removal of hair	5	5	0	10	5
Unassigned hours	0	0	50	50	0

Totals	150	200	50	400	160
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(2) A student, before enrolling in an esthetics curriculum in a licensed school of cosmetology, may be granted a maximum of 115 hours toward completion of the curriculum if the student provides proof to the school of successful completion of a curriculum in cosmetology at a licensed school of cosmetology within the previous 3 years. A student before enrolling in an esthetics apprenticeship program, may be granted a maximum of 115 hours toward completion of the curriculum if the student provides proof to the practitioner of successful completion of an apprenticeship program approved by the department in cosmetology within the previous 3 years.

History: 1998-2000 AACCS; 2004 AACCS.

R 338.2163b Natural hair cultivation curriculum.

Rule 63b. A school or apprenticeship practitioner may provide instruction in natural hair cultivation pursuant to the following table:

TABLE 5

Subject	Theory Hours	Practical Hours	Unassigned Hours	Total Hours	Minimum Practical Applications
Sanitation/patron protection Laws and rules Personal hygiene Salon management Equipment safety	25	25	0	50	50 (sanitation and patron protection shall be included in all services)
Anatomy and disorders	25	0	0	25	0
Artistic principles	30	0	0	30	0
Braiding techniques/extensions	40	215	0	255	40
Occupational safety	5	0	0	5	0

and health administration					
Unassigned hours	0	0	35	35	0
Totals	125	240	35	400	90

History: 1998-2000 AACCS.

338.2163c Cosmetology instructor curriculum.

Rule 63c. (1) In training a cosmetology instructor, a school shall give instruction pursuant to the following table:

TABLE 6

Subject	Theory Hours	Practical Hours	Total Hours	Minimum practical applications
Orientation and review of the cosmetology curriculum	25	50	75	20
Introduction to teaching	30	0	30	0
Course outlining and development Lesson planning Teaching techniques Teaching aids Developing, administering, and grading examinations	80	85	165	20 (a minimum of 5 services in each category)
Laws and rules Record keeping School administration	15	10	25	70

Teaching Assisting in the clinic and theory classrooms	0	75	75	15
Practice teaching in the clinic and theory classrooms	0	130	130	25
Totals	150	350	500	150

(2) A student, before enrolling in a cosmetology instructor curriculum, may be granted a maximum of 300 hours toward completion of the curriculum if the student provides proof to the school of both of the following;

(a) Successful completion of a curriculum in any limited specialist instructor curriculum.

(b) Possession of a current limited specialist instructor license.

History: 1998-2000 AACCS; 2004 AACCS.

R 338.2164 Rescinded.

History: 1979 AC; 1981 AACCS.

R 338.2165 Rescinded.

History: 1979 AC; 1981 AACCS.

R 338.2166 Electrology instructor curriculum.

Rule 66. In training an electrology instructor, a school shall give instruction pursuant to the following table:

TABLE 7

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
Orientation and review of the curriculum	10	15	25	10
Introduction to teaching	30	0	30	0

Course outlining and development	80	85	165	(a minimum of 5 services in each category)
Lesson planning				
Teaching techniques				
Teaching aids				
Developing, administering, and grading examinations				
Laws and rules	15	10	25	40
Record keeping				
School administration				
Teaching	0	55	55	15
Assisting in the clinic and theory classrooms				
Practice teaching in the clinic and theory classrooms				
Totals	135	165	300	85

History: 1979 AC; 1981 AACs; 1998-2000 AACs.

R 338.2167 Limited specialist manicuring instructor curriculum.

Rule 67. In training a limited specialist manicuring instructor, a school shall give instruction pursuant to the following table:

TABLE 8

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
Orientation and review of the curriculum	10	15	25	10

Introduction to teaching	30	0	30	0
Course outlining and development Lesson planning Teaching techniques Teaching aids Developing, administering, and grading examinations	80	85	165	20 (a minimum of 5 services in each category)
Laws and rules Record keeping School administration	15	10	25	40
Teaching Assisting in the clinic and theory classrooms Practice teaching in the clinic and theory classrooms	0	55	55	15
Totals	135	165	300	85

History: 1979 AC; 1998-2000 AACCS.

R 338.2168 Limited specialist skin care instructor curriculum.

Rule 68. In training a limited specialist skin care instructor, a school shall give instruction pursuant to the following table:

TABLE 9

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
Orientation and review of the curriculum	10	15	25	10
Introduction to teaching	30	0	30	0
Course outlining and	80	85	165	20

development Lesson planning Teaching techniques Teaching aids Developing, administering, and grading examinations				(a minimum of 5 services in each category)
Laws and rules Record keeping School administration	15	10	25	40
Teaching Assisting in the clinic and theory classrooms Practice teaching in the clinic and theory classrooms	0	55	55	15
Totals	135	165	300	85

History: 1998-2000 AACCS.

R 338.2169 Limited specialist natural hair culturist instructor curriculum.

Rule 69. In training a limited specialist natural hair culturist instructor, a school may give instruction pursuant to the following table:

TABLE 10

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
Orientation and review of the curriculum	10	15	25	10 (Sanitation and

				patron protection shall be included in all services)
Introduction to teaching	30	0	30	0
Course outlining and development Lesson planning Teaching techniques Teaching aids Developing, administering, and grading examinations	80	85	165	20 (a minimum of 5 services in each category)
Laws and rules Record keeping School administration	15	10	25	40
Teaching Assisting in the clinic and theory classrooms Practice teaching in the clinic and theory classrooms	0	55	55	15
Totals	135	165	300	85

History: 1979 AC; 1998-2000 AACCS.

PART 7. HEALTH AND SAFETY

R 338.2171 Establishment and school premises; compliance with codes, rules, and regulations required.

Rule 71. (1) An owner of an establishment or school shall ensure that the establishment or school have all of the following:

- (a) An adequate supply of running hot and cold water.
 - (b) Adequate electrical outlets and wiring to supply all electrical equipment used.
 - (c) Adequate lighting and ventilation in all rooms.
 - (d) Floors, walls, and ceilings, which shall be maintained in good condition.
 - (e) A source of drinking water in an area other than that used to mix chemicals.
 - (f) Covered waste containers that are large enough to contain 1 day's accumulation of waste materials.
- (2) An establishment or school shall comply with all of the following:
- (a) Local building codes.
 - (b) Local and state health rules.
 - (c) Local fire prevention and fire safety rules.
 - (d) Applicable industrial, occupational, safety, and health regulations.

History: 1979 AC; 1998-2000 AACCS.

R 338.2172 Rescinded.

History: 1979 AC; 1981 AACCS; 1998-2000 AACCS.

R 338.2173 Practice areas; chairs and work stations; sinks, tubs, spas, showers, baths, and shampoo bowls.

Rule 73. (1) The licensee or owner of an establishment or school shall keep the establishment or school clean, safe, and sanitary at all times, disposing of temporary waste materials, including, but not limited to, hair clippings, paper, and tissues, after servicing a patron.

(2) The licensee or owner of an establishment or school shall keep chairs and work station surfaces clean and sanitary at all times, covering the headrest of a patron chair and the working surface of any table or chair with fresh, clean paper, linen, or cloth before the chair or table is used.

(3) The licensee or owner of an establishment or school shall keep sinks, tubs, spas, showers, baths, and shampoo bowls clean and sanitary at all times and shall thoroughly cleanse and sanitize sinks, tubs, spas, showers, baths, and shampoo bowls immediately after each use.

History: 1979 AC; 1981 AACCS; 1998-2000 AACCS.

R 338.2174 Rescinded.

History: 1979 AC; 1981 AACCS; 1998-2000 AACCS.

R 338.2175 Rescinded.

History: 1979 AC; 1981 AACS; 1998-2000 AACS.

R 338.2176 Equipment, tools, implements, and supplies; dryer hoods; removable parts of certain equipment; electrical equipment.

Rule 76. (1) The licensee or owner of an establishment or school shall keep all equipment, tools, implements, and supplies, including all of the following, clean and sanitary at all times, and if the equipment, tools, implements, or supplies are intended for use on more than 1 patron, then the licensee or owner shall sanitize the equipment, tools, implements, or supplies pursuant to rules promulgated by the department:

- (a) Combs.
- (b) Brushes.
- (c) Rollers.
- (d) Rods.
- (e) Clips.
- (f) Hair nets.
- (g) Razors.
- (h) Shears.
- (i) Hair pins.
- (j) Hair coverings.
- (k) Nippers.
- (l) Pushers.
- (m) Extractors.
- (n) Electrodes.

(2) The licensee or owner of an establishment or school shall ensure all of the following:

- (a) Dryer hoods are clean and sanitary.
- (b) Removable parts of equipment designed to touch the skin, hair, or nails shall be removed and sanitized according to rules promulgated by the department.
- (c) The main body of electrical equipment is clean and sanitary.
- (d) Electrical equipment and apparatus is used and maintained in accordance with the manufacturer's recommendations.

History: 1979 AC; 1998-2000 AACS.

Editor's Note: An obvious error in R 338.2176 was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in Michigan Register, 1999 MR 10. The memorandum requesting the correction was published in Michigan Register, 2006 MR 2.

R 338.2178 Creams and other semisolid substances; fluids and powders; reactive chemical supplies.

Rule 78. (1) The licensee or owner of an establishment or school shall ensure all of the following:

(a) Creams and other semisolid substances shall be removed from containers with clean sanitary spatulas and shall be covered when not in use.

(b) Fluids and powders used on a patron are dispensed from a bottle or shaker-type dispenser.

(c) Reactive chemical supplies are used in accordance with the manufacturer's recommendations.

History: 1998-2000 AACCS.

R 338.2179 Capes and hair cloths; towels and linens .

Rule 79. (1) The licensee shall place a clean towel, neck strip, or other protection around the patron's neck when using a cape or hair cloth on a patron, to prevent the cape or hair cloth from touching the skin.

(2) The licensee or owner of an establishment or school shall ensure all of the following:

(A) A towel or linen is laundered after being used on a patron.

(B) Clean towels and linens are stored in a closed cabinet or drawer.

(C) Soiled towels and linens are stored in a covered container until laundered.

History: 1998-2000 AACCS.

R 338.2179a Sanitizing procedures generally.

Rule 79a. (1) The licensee or owner of an establishment or school shall sanitize equipment, tools, implements and supplies that will not be damaged by immersion in water using all of the following steps:

(a) Thoroughly washing in a detergent solution.

(b) Rinsing in clean water.

(c) Completely immersing in a wet sanitizer for the period of time recommended by the manufacturer of the disinfectant used.

(d) Rinsing in clean water and allowing to air dry.

(2) The licensee or owner of an establishment or school shall sanitize other equipment, tools, implements, and supplies by wiping with a disinfectant solution.

(3) The licensee or owner of an establishment or school shall sanitize sharp-edged tools, including the blades of electrical clippers, by wiping with a 70% alcohol solution after each use.

(4) The licensee or owner of an establishment or school shall ensure that, after sanitization, the equipment, tools, implements, and supplies are put in a dry sanitizer, closed cabinet or drawer, or covered container.

History: 1998-2000 AACCS.

R 338.2179b Personal hygiene.

Rule 79b. (1) A licensee shall do all of the following:

- (a) Keep attire clean and sanitary when services are being rendered.
- (b) Wash his or her hands immediately before and after serving each patron.
- (c) Apply antiseptic after washing his or her hands when manicuring or electrology services are to be performed.
- (d) Request that a patron for manicure services wash his or her hands before beginning the service.

History: 1998-2000 AACCS.

R 338.2179c Manicuring implements and work tables.

Rule 79c. (1) A licensee or owner shall ensure all of the following:

- (a) Manicuring implements are kept in a jar-type wet sanitizer.
 - (b) Manicuring tables are clean and sanitary at all times and tables are wiped with a disinfectant solution before each use.
 - (c) Porous materials, that cannot be sanitized, including, but not limited to, abrasive boards/blocks/buffers, orangewood sticks, or pumice stones, are used on only 1 patron.
 - (d) Vaporous chemical waste materials are disposed of by placing the materials in an airtight, covered waste container.
- (2) The owner of an establishment or school shall ensure that there is adequate ventilation or filtration to prevent the concentration of chemical vapors and strong odors.

History: 1998-2000 AACCS.

R 338.2179d Electrology sanitation and sterilization procedures.

Rule 79d. (1) For electrology services, a licensee shall use only the following sterile equipment:

- (a) Tweezers.
- (b) Scissors.
- (c) Needles.
- (d) Needle holder tips.
- (e) Probes.
- (f) Removable needle caps.

(2) After using equipment on a patron, a licensee shall sanitize the equipment specified in subrule (1) of this rule utilizing all of the following steps:

- (a) Soaking in liquid, protein-dissolving enzyme detergent for the period of time recommended by the manufacturer of the enzyme detergent used or thoroughly soaking in a soap and water solution for not less than 20 minutes.
- (b) Rinsing in clean water and drying with sanitary paper towels.
- (c) Placing in an ultrasonic cleaner for not less than 5 minutes or wiping with 70% alcohol.
- (d) Rerinsing in clean water and drying with sanitary paper towels.

(3) After equipment is sanitized, a student, apprentice, or licensee shall sterilize the items specified in subrule (1) of this rule by placing the items in an autoclave or dry heat sterilizer for the period of time recommended by the manufacturer of the autoclave or dry heat sterilizer.

(4) After sterilizing all nonprepackaged equipment, a licensee shall wrap or package the tools, implements, and supplies.

(5) A licensee shall keep all sterilized equipment in a dry sanitizer, closed cabinet or drawer, or covered container.

(6) A licensee shall properly discard disposable needles after being used on a patron.

History: 1998-2000 AACS.

R 338.2179e Blood spill procedures.

Rule 79e. (1) A licensee or owner shall comply with all of the following provisions if a blood spill occurs:

(a) Temporarily suspend the service being performed.

(b) Provide the bleeding person with adequate first aid supplies so that the bleeding person can stop the bleeding and cover the wound.

(c) Sterilize any equipment, tool, or implement that comes into contact with blood.

(d) Immediately discard porous materials, including abrasive boards/blocks/buffers, orangewood sticks, and pumice stones, if involved in a blood spill.

(e) Immediately clean floors and other durable surfaces soiled with blood with a sodium hypochlorite solution such as household bleach or other approved hospital grade disinfectant.

(f) Dispose of blood spill waste in clearly labeled containers or bags.

(2) A licensee shall not perform services until all bleeding has ceased and the wound has been covered. A licensee shall keep an open sore, cut, burn, or other wound covered when services are being performed.

History: 1998-2000 AACS; 2004 AACS.

R 338.2179f Open flame fusing.

Rule 79f. If a cosmetologist or natural hair culturist fuses hair using an open flame, then the owner or practitioner of the establishment or school shall ensure that a minimum of 1 abc-type fire extinguisher is located not more than 20 feet from the work station.

History: 1998-2000 AACS.

Editor's Note: An obvious error in R 338.2179f was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in Michigan Register, 1999 MR 11. The memorandum requesting the correction was published in Michigan Register, 2003 MR 2.

R 338.2179g Student, apprentice, and licensee; prohibitions.

Rule 79g. (1) A student, apprentice, or licensee shall not do any of the following, and a licensee shall not allow another to do any of the following:

- (a) Use or possess methyl methacrylate monomers.
- (b) Abrade, roughen, buff, or file the nail plate to the extent that the nail bed is exposed or that deeply filed trenches or ridges in the nail plate are created.
- (c) Use a nail white pencil.
- (d) Use lump alum or a styptic pencil to stop bleeding.
- (e) Carry any equipment, tools, implements, or supplies in the pocket of a uniform.
- (f) Use the same powder puffs, makeup brushes, or cosmetic pencils on more than 1 patron.
- (g) Use an ultraviolet ray electrical sanitizer, unless the items placed in the sanitizer have been sanitized according to the rules promulgated by the department.
- (h) Use or possess a blade in the practice of manicuring or pedicuring.
- (i) Provide services that require a license without posting a current, unexpired, and valid license or permit for that person in the establishment where cosmetology services are being rendered.
- (j) Fail to provide proof of identity with a picture I.D. or alternative acceptable to the department at the time of an inspection, if requested by a department representative performing an inspection of the licensed establishment.

(2) An aesthetician shall not use razors, scissors, or clippers on the face or head of a patron.

(3) A natural hair cultivation student, apprentice, or practitioner shall not use reactive chemicals or perform any service included in the practice of cosmetology as defined in section 1201 of the act.

History: 1998-2000 AACS; 2004 AACS.

R 338.2179h Advertising; use of false, confusing, or misleading statements prohibited.

Rule 79h. A licensee or owner shall not use false, confusing, or misleading statements in advertising.

History: 1998-2000 AACS.

PART 8. STUDENTS

R 338.2181 Rescinded.

History: 1979 AC; 1981 AACS; 1998-2000 AACS.

R 338.2182 Rescinded.

History: 1979 AC; 1981 AACS; 1998-2000 AACS.

R 338.2183 Rescinded.

History: 1979 AC; 1981 AACS; 1998-2000 AACS.

R 338.2184 Rescinded.

History: 1979 AC; 1981 AACS; 1998-2000 AACS.

R 338.2185 Rescinded.

History: 1979 AC; 1981 AACS; 1998-2000 AACS.

R 338.2186 Rescinded.

History: 1979 AC; 1998-2000 AACS.

PART 9. HEARINGS

R 338.2191 Rescinded.

History: 1979 AC; 1990 AACS.

R 338.2192 Rescinded.

History: 1979 AC; 1990 AACS.

R 338.2193 Rescinded.

History: 1979 AC; 1990 AACS.

R 338.2194 Rescinded.

History: 1979 AC; 1990 AACS.

R 338.2195 Rescinded.

History: 1979 AC; 1990 AACS.