

<b>Regulatory Analysis Form</b>		This space for use by IRRC	
(1) Agency Department of State, Bureau of Professional and Occupational Affairs, State Board of Cosmetology		OCT 10 PM 1:47 IRRC Number: 2306	
(2) I.D. Number (Governor's Office Use) 16A-454			
(3) Short Title Sanitation/Disinfection and Minimum Equipment Requirements			
(4) PA Code Cite 49 Pa.Code § 7.1, 7.91, 7.92, 7.94, 7.71, 7.71a, 7.71b, 7.129, 7.114		(5) Agency Contacts & Telephone Numbers Primary Contact: Deborah B. Eskin, Counsel State Board of Cosmetology (717) 783-7200 Secondary Contact: Joyce McKeever, Deputy Chief Counsel, Department of State (717) 783-7200	
(6) Type of Rulemaking (check one) <input checked="" type="checkbox"/> Proposed Rulemaking <input type="checkbox"/> Final Order Adopting Regulation <input type="checkbox"/> Final Order, Proposed Rulemaking Omitted		(7) Is a 120-Day Emergency Certification Attached? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes: By the Attorney General <input type="checkbox"/> Yes: By the Governor	
(8) Briefly explain the regulation in clear and nontechnical language.  The amendments are designed to reflect current knowledge and procedures for sanitation and disinfection in cosmetology salons and schools, and cosmetician and manicuring salons, and to update minimum equipment requirements by removing those determined to be not necessary to public health and safety.			
(9) State the statutory authority for the regulation and any relevant state or federal court decisions.  The amendments are authorized by Sections 11 and 14 of the Beauty Culture Law (Law), Act of May 3, 1933, P.L. 242, <u>as amended</u> , 63 P.S. § 517 and 520.			

## Regulatory Analysis Form

(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

No.

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

The regulation addresses the public's need for properly sanitized/disinfected tools and implements in cosmetology salons and schools, and cosmetician and manicuring salons, and the Board's focus on limiting minimum equipment requirements to those necessary for public health and safety.

(12) State the public health, safety, environmental or general welfare risks associated with nonregulation.

Non-regulation of proper sanitation/disinfection of tools and implements in salons and schools would subject the public to health hazards from improperly cleansed or sanitized instruments. Not limiting minimum equipment requirements to those necessary for public health and safety produces unnecessary burdens on the profession, businesses and government.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

The public will benefit from the regulation by having properly cleansed and disinfected tools and instruments used in cosmetology salons and schools, and cosmetician and manicuring salons. The spread of instrument-borne pathogens will be lessened. The public will also benefit by the Board's focus on minimum equipment requirements necessary for public health and safety. The profession, businesses and government will benefit by the elimination of costly, burdensome and unnecessary requirements.

## Regulatory Analysis Form

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

None known.

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

Cosmetology salons (16,025), cosmetician salons (165), manicuring salons (12,020) and cosmetology schools (163).

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

The Board sought input from the public by disseminating drafts of the proposed regulation to the Pennsylvania Cosmetology Association (PCA), the Pennsylvania Association for Vocational Teachers Educating in Cosmetology, the Pennsylvania Association of Private School Administrators, the Pennsylvania Chamber of Commerce, the Arts and Fashion Group, the Beauty and Barber Service Institute, CIDESCO, Get Nailed, and RBR Productions, Inc.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

Cost to the regulated community should be negligible as regulations currently require sterilization of tools and implements. A slight savings may occur with the elimination of certain minimum equipment requirements not necessary for public health and safety.

## Regulatory Analysis Form

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

Local governments are not affected by this regulation.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

Aside from the administrative costs of implementing revised regulations, no legal, accounting or consulting activities are anticipated.

## Regulatory Analysis Form

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY	FY +1	FY +2	FY +3	FY +4	FY +5
<b>SAVINGS:</b>	N/A	N/A	N/A	N/A	N/A	N/A
Regulated Community						
Local Government						
State Government						
Total Savings						
<b>COSTS:</b>	N/A	N/A	N/A	N/A	N/A	N/A
Regulated Community						
Local Government						
State Government						
Total Costs						
<b>REVENUE LOSSES:</b>	N/A	N/A	N/A	N/A	N/A	N/A
Regulated Community						
Local Government						
State Government						
Total Revenue Losses						

(20a) Explain how the cost estimates listed above were derived.

N/A

## Regulatory Analysis Form

(20b) Provide the past three year expenditure history for programs affected by the regulation.

N/A

Program	FY -3	FY -2	FY -1	Current FY
	98-99	99-00	00-01	01-02
	1,932,288.66	2,370,699.51	2,301,764.08	2,376,000.00
	*			

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

N/A

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

No non-regulatory alternatives were considered as a regulatory approach is necessary to remove sterilization requirements in current regulations and implement sanitation/disinfection requirements.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

See paragraph 22 above.

## Regulatory Analysis Form

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

No federal licensure standards apply.

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

The regulation puts Pennsylvania's sanitation/disinfection requirements in line with the most progressive states in this area. A competitive disadvantage is not anticipated. Delaware has similar cleansing and disinfecting procedures using EPA registered disinfectants. Sterilization of non-disposable instruments (for example, those used in electrolysis) is required. Footbaths must be drained, cleansed and disinfected after each use, similar to the requirements proposed for Pennsylvania. Ohio is currently amending its regulations to contain requirements similar to those proposed for Pennsylvania. Maryland requires disinfection with an EPA registered disinfectant but has no prior cleansing and subsequent storage requirements. There are no specific regulations for footspas. New Jersey differs markedly by not requiring the recognized state-of-the-art disinfectant: an EPA registered disinfectant. New Jersey allows use of a minimum 70% alcohol solution for implements, instruments and footspas. New York's and West Virginia's regulations are very similar to those proposed for Pennsylvania, including use of EPA registered disinfectants and requirements for prior cleansing, rinsing and subsequent storage. Both New York and West Virginia require cleansing and disinfecting footbaths after each use.

Pennsylvania's regulations, like California's, distinguish between non-circulating footspas and whirlpool footspas, and are more detailed than the regulations of states surrounding Pennsylvania. Both California's and Pennsylvania's proposed regulations require a cleansing/disinfecting procedure prior to each use of a footbath and bi-monthly. California enacted new footspa cleansing/disinfecting regulations in response to a serious outbreak of bacterial infections resulting from built up debris from improperly cleaned footspas.

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

The regulation amends existing regulations by removing requirements for sterilization and substituting requirements for sanitation/disinfection, as well as eliminating some minimum equipment requirements not necessary for public health and safety.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

The Board will consider comment from the public on these regulatory amendments during the course of its regularly scheduled meetings. Meetings are held in the Board offices at 116-124 Pine Street, Harrisburg, PA, generally on the first Monday of each month. Written comments will be reviewed at such meetings.

## Regulatory Analysis Form

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

The regulation will require amendments to BPOA investigators' forms.

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

The Board has perceived of no special needs of any subset of its licensees for whom special provisions should be made.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

The regulation will be effective upon final publication in the Pennsylvania Bulletin.

(31) Provide the schedule for continual review of the regulation.

The Board will review the effectiveness of this regulation as part of its annual review process pursuant to Executive Order 1996-1.



FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

2002 OCT 10 PM 1:48

# 2306

DO NOT WRITE IN THIS SPACE

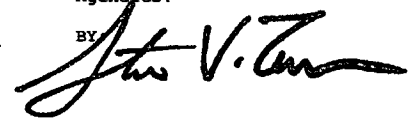
Copy below is hereby approved as to form and legality. Attorney General

Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:

Copy below is approved as to form and legality. Executive or Independent Agencies.

BY:   
DEPUTY ATTORNEY GENERAL

State Board of Cosmetology  
(AGENCY)

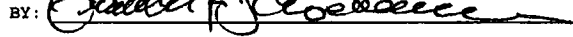
BY: 

AUG 11 2002

DOCUMENT/FISCAL NOTE NO. 16A-454

DATE OF ADOPTION: \_\_\_\_\_

DATE OF APPROVAL

BY: 

7/31/02

(Deputy General Counsel  
~~Chief Counsel,~~  
Independent Agency  
(Strike inapplicable title)

DATE OF APPROVAL

TITLE: Chair

(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

[ ] Check if applicable  
Copy not approved.  
Objections attached.

[ ] Check if applicable. No Attorney General approval or objection within 30 day after submission.

NOTICE OF PROPOSED RULEMAKING  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF COSMETOLOGY  
49 Pa. Code, Chapter 7

HEALTH & SAFETY IN SHOPS

Sanitation/Disinfection

The State Board of Cosmetology (Board) proposes to amend its regulations at 49 Pa. Code, Chapter 7 by: (1) adding new definitions at § 7.1, and (2) amending §§ 7.71, 7.71a, 7.71b, 7.91, 7.92 7.94, 7.114 and 7.129 to reflect current knowledge and procedures for sanitation and disinfection in cosmetology, cosmetician and manicuring salons, and cosmetology schools, and to remove several minimum equipment requirements not necessary for public health or safety.

### Effective Date

The amendments will be effective upon publication of final form regulations in the Pennsylvania Bulletin.

### Statutory Authority

The amendments are authorized under §§ 11 and 14 of the Act of May 3, 1933 (P.L. 242, No. 86) as amended, 63 P.S. §§ 517 and 520, known as the Beauty Culture Law (Law).

### Background and Purpose

The purpose of the proposal is to update and implement standards for disinfection and sanitation that reflect current knowledge and practices for preventing the spread of pathogens in cosmetology, cosmetician and manicuring salons, and cosmetology schools.

The Board has jurisdiction over sanitation and disease control measures in cosmetology, manicuring and cosmetician shops. Under Section 14 of the Law, 63 P.S. §517, the Board is required to establish sanitary rules for licensed shops which are designed to prevent the creation or spread of infectious disease. The substantive requirements of the Board's regulations on sanitation and disease control were last amended in 1975. Since that date, advances in the chemical treatment of pathogens have made products available to Board licensees and others which substantially reduce the threat of disease transmission. Also, the generally accepted terminology for controlling the spread of disease has been revised to more precisely reflect the level of disease control. These terms are now commonly used on products and in state and federal regulations. The changes proposed will conform the Board's regulations to those standards and make it easier for shop owners and managers to comply with both state and federal standards.

First, the Board proposes to delete from the regulations the term "sterilization" and to add the terms "disinfect" and "cleanse." Sterilization now is used in connection with infection control to refer to infection control in highly sensitive environments such as hospitals. The general rule for controlling the spread of infectious diseases in non-hospital settings such as beauty salons is that surfaces of equipment should be both cleaned and disinfected. The Federal Environmental Protection Agency regulates and registers chemicals and products which disinfect. These changes are reflected in definitions added to § 7.1.

The Board also proposes new regulations concerning the cleaning and disinfection of whirlpool footspas and noncirculating footspas. These new requirements are similar to those enacted in California in May 2001.

Finally, the Board proposes to revise the minimum equipment for shops to eliminate three requirements. The Board has determined the requirements are not necessary for the health and safety of licensees or clients.

### Description of Proposed Amendments

#### Sanitation/Disinfection

As sterilization is not required of tools and instruments used in cosmetology salons or schools, or cosmetician or manicuring salons, references to sterilization have been removed. Section 7.1 contains definitions for disinfection, cleaning, and EPA registered disinfectant.

Section 7.91 would be amended to require safe storage of sharp implements.

Section 7.92 contains the primary requirements for sanitation and disinfection of equipment and implements, which must be subjected to a four-step cleanse/disinfect/rinse and dry/store procedure, and adds new requirements for cleaning and disinfecting both circulating and noncirculating footspas.

Section 7.94 would be amended to reflect the new cleanse and disinfection requirement, as opposed to sterilization.

#### Minimum Equipment Requirements

Sections 7.71, 7.71a, 7.71b and 7.114 concern minimum

equipment and supplies for cosmetology shops, cosmetician shops, manicuring shops and schools. These sections have been amended to delete requirements which the Board believes unnecessary for health and safety and make editorial changes.

The Board proposes to delete the requirements for dry sterilizers in licensed shops. Shops would be required to have wet disinfection containers and dry storage containers.

### Compliance with Executive Order 1996-1

In accordance with the requirements of Executive Order 1996-1 (February 6, 1996), in drafting and promulgating the regulation the Board solicited input from the regulated community as well as the Pennsylvania Cosmetology Association (PCA), the Pennsylvania Association for Vocational Teachers Educating in Cosmetology, the Pennsylvania Association of Private School Administrators, the Pennsylvania Chamber of Commerce, the Arts and Fashion Group, the Beauty and Barber Service Institute, CIDESCO, Get Nailed and RBR Productions, Inc.

The Board reviewed this rulemaking and considered its purpose and likely impact upon the public and the regulated population under the directives of Executive Order 1996-1. The regulation addresses a compelling public interest as described in this Preamble and otherwise complies with Executive Order 1996-1.

### Fiscal Impact and Paperwork Requirements

The proposed amendments will have no fiscal impact nor will they impose any additional paperwork requirements on the Commonwealth or its political subdivisions.

### Sunset Date

The Board continually monitors its regulations. Therefore, no sunset date has been assigned.

### Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), the Board submitted a copy of this proposed regulation on 10/10/02, 2002 to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Professional Licensure Committee and the Senate Consumer Protection and

Professional Licensure Committee. In addition to submitting the proposed regulation, the Board has provided the Commission and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Board in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)), if IRRC has any objections to any portion of the proposed rulemaking, it will notify the Board within 10 days of the close of the Committees' review period. The notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the regulations, by the Board, the General Assembly and the Governor, of objections raised.

#### Public Comment

Interested persons are invited to submit written comments, suggestion or objections regarding the proposed amendments to Deborah B. Eskin, Counsel, State Board of Cosmetology, P.O. Box 2649, Harrisburg, PA 17105-2649, within 30 days of publication of this proposed rulemaking. Please reference No. 16A-454 (Sanitation/Disinfection) when submitting comments.

---

Franklin K. Schoeneman, Chairman

ANNEX A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS  
PART I. DEPARTMENT OF STATE  
SUBPART A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
CHAPTER 7. STATE BOARD OF COSMETOLOGY

GENERAL PROVISIONS

§7.1. Definitions.

\*\*\*\*

Cleanse - To clean and remove debris by washing with soap and water.

Disinfect - To destroy pathogenic microorganisms by complete immersion in an Environmental Protection Agency (EPA) registered, bactericidal, virucidal, fungicidal and tuberculocidal disinfectant that is mixed and used according to the manufacturer's directions.

EPA registered disinfectant - A product used to destroy pathogenic microorganisms that is registered under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. §§136 et seq.

Whirlpool footspa - A pedicure basin using circulating water.

Noncirculating footspa - A pedicure basin using noncirculating water.

\*\*\*\*

PHYSICAL REQUIREMENTS OF A BEAUTY SHOP

§7.71. Equipment and supplies for a cosmetology shop.

- (a) A cosmetology shop with one cosmetologist shall contain the following minimum equipment and supplies [, which is considered the minimum equipment needed for a shop with one cosmetologist]:

- (1) One adjustable chair.
- (2) One [dresserette] styling station with mirror.
- (3) One first-aid kit.

- (4) One dryer or blow dryer.
- (5) One shampoo tray or basin.
- (6) Twelve combs and twelve brushes.
- (7) One covered waste container.
- (8) [One container for hair pins or clips.
- (9) One neck strip dispenser.
- (10)]A closed storage area for soiled [linen] towels.
- [(11)](9) One timer clock.
- [(12)](10) One closed towel cabinet for clean [linen] towels.
- [(13)](11) One [dry sterilizer] container for wet disinfection.
- [(14)]One wet sterilizer.
- (15) A reception desk.]
- (12) One clean, dry and closed container for storage.

- (b) For each additional cosmetologist, sufficient supplies and equipment shall be [increased] available so that each cosmetologist can render services safely and efficiently.

**§7.71a. Equipment and supplies for a cosmetician shop.**

- (a) A cosmetician shop with one cosmetician shall contain the following minimum equipment and supplies [, which is considered the minimum equipment needed for a shop with one cosmetician]:

- (1) One adjustable chair.
- (2) One [dresserette] styling station with mirror.
- (3) One first-aid kit.
- (4) One covered waste container.
- (5) A closed storage area for soiled [linen] towels.
- (6) One closed towel cabinet for clean [linen] towels.
- (7) One timer clock.
- (8) One [dry sterilizer.] container for wet disinfection.
- (9) [One wet sterilizer.]
- [(10)] One magnifying lamp.
- [(11)] A reception desk.]
- (10) One clean, dry and closed container for storage.

- (b) For each additional cosmetician, sufficient equipment and supplies [shall be increased] must be available so that each cosmetician can render services safely and efficiently.

**§7.71b. Equipment and supplies for a manicuring shop.**

- (a) A manicuring shop with one manicurist shall contain the following minimum equipment and supplies [, which is considered the minimum equipment needed for a shop with one manicurist]:
- (1) One chair for use in manicure and pedicure.
  - (2) One manicure table with light, chair and stool.
  - (3) One pedicure basin and stand.
  - (4) One first-aid kit.
  - (5) One covered waste container.
  - (6) A closed storage area for soiled [linen] towels.
  - (7) One closed towel cabinet for clean [linen] towels.
  - (8) Clean [linen] towels.
  - (9) One [wet sterilizer] container for wet disinfection.
  - (10) [One dry sterilizer.
  - (11) A reception desk.]  
One clean, dry and closed container for storage.
- (b) For each additional manicurist, sufficient equipment and supplies [shall be increased] must be available so that each manicurist can render services safely and efficiently.

\*\*\*\*

**HEALTH AND SAFETY IN SHOPS**

**§7.91 Sanitation and safety generally.**

- (a) A shop shall be well lighted and well ventilated.
- (b) All areas of the shop, including the floors and lavatories, shall be maintained in a safe, orderly and sanitary condition.
- (c) Sharp implements shall be stored upright with the points down or in a protective case.

**§7.92. [Sterilization of equipment.] Sanitation and disinfectant of equipment and implements.**

[Razors, tweezers, combs, hairbrushes, and other tools,



instruments, utensils and appliances that come into contact with a client shall be sanitized immediately after each use and maintained in a sanitary condition at all times.]

(a) Equipment and implements that come in contact with a client's skin, scalp, hair or nails shall be subject to the following procedure after each client use:

- (1) Step 1: Cleanse.  
All equipment and implements shall first be cleansed.
- (2) Step 2: Disinfect.  
All equipment and implements shall be disinfected following cleaning.
- (3) Step 3: Rinse and Dry.  
The cleansed and disinfected objects shall be rinsed with clean water and dried with a clean towel.
- (4) Step 4: Store.  
If not immediately used on a client, the cleansed, disinfected, rinsed and dried objects shall be stored in a clean, dry and closed container.

(b) Only cleansed, disinfected, rinsed and dried equipment and implements shall be used on clients.

(c) Equipment and implements which have come in contact with any unclean surface shall be subjected to the cleanse/disinfect/rinse and dry procedure prior to any client use.

(d) Cleaning and disinfecting whirlpool footspas

- (1) Before use upon each patron, each whirlpool footspa shall be cleansed and disinfected in the following manner:
  - (i) All water shall be drained and all debris removed from the spa basin.
  - (ii) The spa basin shall be cleansed with soap or detergent and water, and rinsed.
  - (iii) The spa basin shall be disinfected.
  - (iv) The spa basin shall be wiped dry with a clean towel.

(2) At the end of each day, each whirlpool footspa

shall be cleansed and disinfected in the following manner:

- (i) The screen shall be removed, all debris trapped behind the screen removed, and the screen and the inlet cleansed.
  - (ii) Before replacing the screen, the screen shall be disinfected by one of the following methods:
    - (A) Flushing with a chlorine bleach solution of 1 teaspoon of 5% chlorine bleach to 1 gallon of water, or
    - (B) Total immersion in an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity, used according to the manufacturer's instructions.
  - (iii) The spa system shall be flushed with low sudsing soap and warm water for at least 10 minutes, after which the spa shall be rinsed and drained.
- (3) Every other week, after cleansing and disinfecting as provided in subsection (2) above, each whirlpool footspa shall be cleansed and disinfected in the following manner:
- (i) The spa basin shall be filled completely with water and 1 teaspoon of 5% bleach for each 1 gallon of water.
  - (ii) The spa system shall be flushed with the bleach and water solution for 5 to 10 minutes and allowed to sit for 6 to 10 hours.
  - (iii) The spa system shall be drained and flushed with water before use upon a patron.
- (4) A record shall be made of the date and time of each cleansing and disinfecting as required by subdivisions (2) and (3), which indicates whether

the cleansing was a daily or bi-weekly cleaning. This record shall be made at or near the time of cleansing and disinfecting. Cleansing and disinfecting records shall be made available upon request by either a patron or a bureau representative.

(e) Cleansing and disinfecting noncirculating footspas

Before use upon each patron, each whirlpool footspa shall be cleansed and disinfected in the following manner:

- (1) All water shall be drained and all debris removed from the spa basin.
- (2) The spa basin shall be cleansed with soap or detergent and water.
- (3) The spa basin shall be disinfected.
- (4) The spa basin shall be wiped dry with a clean towel.

(f) A violation of this section may result in a citation, a civil penalty and/or disciplinary action. Each footspa not in compliance with this section may result in a separate violation.

\*\*\*\*

**§7.94. Sanitary use of supplies.**

- (a) The use of powder puffs or styptic pencils in a shop is prohibited.
- (b) Only powdered or liquid astringents, applied with a clean cloth towel or clean piece of cotton, may be used to check bleeding.
- (c) Creams and other semisolid substances shall be removed from their containers with a sterile spatula or similar utensil. The spatula or similar utensil may not be permitted to come into contact with the skin of a client.
- (d) An [article] implement, tool, instrument or utensil that

has been dropped on the floor or otherwise rendered unsanitary shall be [sterilized] cleansed and disinfected before it is reused.

LICENSURE AND ADMINISTRATION OF SCHOOLS OF COSMETOLOGY

\*\*\*\*

§7.114. School equipment and supplies.

- (a) A school enrolling 25 students or less shall have, at a minimum, the following equipment and supplies:
- (1) Four shampoo basins.
  - (2) Eight hair dryers.
  - (3) Four manicure tables and chairs.
  - (4) Four [dry sterilizers] containers for wet disinfection.
  - (5) [Four wet sterilizers.]
  - [(6)] Four facial chairs.
  - [(7)] Four complete sets of cold wave equipment.]
  - [(8)] (6) One mannequin for each student.
  - [(9)] (7) Twelve [dresserettes] styling stations, mirrors and chairs.
  - [(10)] (8) One locker for each student.
  - [(11)] (9) Four closed containers for soiled [linen] towels.
  - [(12)] (10) [Three c] Closed waste containers.
  - [(13)] (11) One container for sterile solution for each manicure table.
  - [(14)] (12) One bulletin board [with dimensions of at least 2 feet by 2 feet].
  - [(15)] (13) One chalkboard [with dimensions of at least 4 feet by 4 feet].
  - [(16)] (14) One [linen cabinet] closed towel cabinet for clean towels.
  - [(17)] (15) An arm chair or usable table and chair for each student in the theory room.
  - [(18)] (16) [Three t] Timer clocks.
  - [(19)] (17) Attendance records.
  - (18) Four clean, dry and closed containers for storage.
  - (19) One first-aid kit.
- (b) These minimum equipment and supply requirements shall increase proportionately as the number of students enrolled in the school increases.

\*\*\*\*

§7.129 Curriculum requirements.

\*\*\*\*

**Professional Practices**

Bacteriology, [Sterilization], Disinfection,  
Sanitation

50

\*\*\*\*



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCUCPATIONAL AFFAIRS  
STATE BOARD OF COSMETOLOGY

(717) 783-7130

116 PINE STREET  
P. O. BOX 2649  
HARRISBURG, PA 17105-2649

October 10, 2002

The Honorable John R. McGinley, Chairman  
INDEPENDENT REGULATORY REVIEW COMMISSION  
14<sup>th</sup> Floor, Harrisstown 2  
333 Market Street  
Harrisburg, PA 17120

RE: Proposed Regulation  
State Board of Cosmetology  
Sanitation/Disinfection and Minimum Equipment Requirements (16A-454)

Dear Chairman McGinley:

Enclosed is a copy of a proposed rulemaking package of the State Board of Cosmetology.

The Board will be pleased to provide whatever information your Committee may require during the course of its review of the rulemaking.

Sincerely,

Franklin K. Schoeneman, Chairman  
State Board of Cosmetology

FKS:DBE:apm  
Enclosures

c: John T. Henderson, Jr., Chief Counsel  
Department of State  
David M. Williams, Acting Commissioner  
Bureau of Professional and Occupational Affairs  
Joyce McKeever, Deputy Chief Counsel  
Department of State  
Cynthia Montgomery, Regulatory Counsel  
Herbert Abramson, Senior Counsel in Charge  
Legal Office, Counsel Division  
Deborah B. Eskin, Counsel  
State Board of Cosmetology  
State Board of Cosmetology

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE  
REGULATORY REVIEW ACT**

I.D. NUMBER: 16A-454  
SUBJECT: State Board of Cosmetology - Health & Safety in Shops  
AGENCY: DEPARTMENT OF STATE

**TYPE OF REGULATION**

- Proposed Regulation
- Final Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Tolled Regulation
- a. With Revisions                      b. Without Revisions

RECEIVED  
OCT 10 PM 1:16  
DEPARTMENT OF STATE

**FILING OF REGULATION**

DATE	SIGNATURE	DESIGNATION
OCT 10 2002	<i>Joni A. Clark</i>	HOUSE COMMITTEE ON STATE GOVERNMENT
10/10/02	<i>Sammy Wilson</i>	SENATE COMMITTEE ON STATE GOVERNMENT
10/10/02	<i>Elena Pagan</i>	INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL
10/10/02	<i>C. Le Bona</i>	LEGISLATIVE REFERENCE BUREAU