

Cosmetology Establishment Compliance

Salon Inspections

Types of Inspections

The Board conducts a routine (annual) inspection of all salons. Additional inspections may be conducted if a salon has a violation or the board receives a complaint. The type of inspection is indicated on the inspection report.

Hours of Inspection

The Board's regulations state that inspections may be conducted between 8:00 a.m. and 6:00 p.m. any day of the week as well as any time the practice of cosmetology is taking place.

Appointments

The Board does not make appointments for inspections with the exception of compliance (new salon) inspections. An appointment defeats the purpose of the Board determining the salon's day-to-day practices and level of compliance with the law.

If, after repeated attempts, the inspector is unable to conduct an inspection, you will receive an Attempt to Inspect Letter from the Board office asking you to provide the Board with the dates and times you are open or when you typically take appointments.

The Inspection

On arrival, the inspector will announce that he or she is there to conduct an inspection and will indicate the type of inspection. You don't have to stop providing services for your client during the inspection.

Interference / Impeding

Refusing to allow an inspection, interfering with the inspection process, or correcting violations during an inspection, is interference with the inspection and may subject the salon to disciplinary action.

Inspection Report

After the inspection, the inspector will review the inspection report with you and will explain any violations and how you can correct them. You will also have the opportunity to ask questions. If you are with a client and unable to review the report with the inspector, the inspector will provide you with contact information so you can discuss the report at a more convenient time.

Achieving Compliance

Compliance begins with knowing what is required of you. As a licensed professional you have a responsibility to know the laws governing your profession. While inspectors, co-workers, instructors and textbooks are useful resources, they are no substitute for knowing the law firsthand.

Laws

Licensure laws and sanitation regulations can be found on the Board's website as well as on the KBOC app that you can download to your smartphone device.

The Board's Law Book contains four sections:

Chapter 65 - Licensure Laws

Chapter 74 - Board Laws

Chapter 28 - Sanitation Regulations

Chapter 69 - General Regulations

The most important parts to study are the sanitation regulations found in Chapter 28.

Infection Control Seminars

Seminars are conducted by inspectors to educate practitioners on how to comply with licensure laws and sanitation regulations. Seminars are conducted at your salon at no charge.

To schedule an infection control seminar, send an email to kboc@ks.gov and your inspector will be in contact with you.

You may also go to the Forms and Applications section of our website at www.kansas.gov/kboc and complete the Infection Control Seminar Request Form (Form No. 81). Submit the form to the Board via email, fax or mail.

Disciplinary Actions

Inspectors don't make decisions regarding whether or not you will be fined or disciplined for violations. Disciplinary actions are governed by Guidance Documents and Fine Schedules approved by the Board. These documents can be found on the Board's website under "Resources."

Depending upon the type and number of violations, you may receive a remedial action letter, warning letter, fine or other discipline against your license.

Remedial Action Letter

If you have more than three violations, you will receive a letter that asks you to explain how you have corrected each violation.

Warning Letter & Fines

Based upon the type of violation and whether it is a first or subsequent offense, you may receive a warning letter or a fine. If you are fined, you will receive a Summary Proceeding Order in the mail that explains the violation and states the amount of the fine.

License Discipline

The Board may also revoke, suspend or condition a license for failure to comply with any of the laws or regulations of the Board. A Summary Proceeding Order is also issued for license discipline.

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Types of Licenses

The salon and practitioners working in the salon must be licensed for the services provided. Failure to have the proper licensure is a violation. The following services may be performed for each license type:

Cosmetology

Hair, Facial & Body Treatments, Make-up, Eyebrow & Eyelash Services, Temporary Hair Removal, Manicures & Pedicures

Nail Technology

Manicures & Pedicures

Esthetics

Facial & Body Treatments, Make-up, Eyebrow & Eyelash Services, Temporary Hair Removal

Electrology

Permanent Hair Removal with Electric Needles

Salon Licenses

Each facility license must be posted where clients can easily view it upon entering the salon. The license is only valid for the location and owner printed on the license.

Expiration Date

Salon licenses expire on the last day of the month one year after issuance. If the salon license is expired at the time of inspection, the salon owner will be fined, and each practitioner will also be fined.

Renewals must be completed online or postmarked by the expiration date of the license in order for the salon to continue to operate until the new license is received. If a license is renewed after the expiration date, the salon may not operate until the renewal is processed and the license becomes active. It is a violation to not have an active salon license posted.

If the salon license has been expired for more than 60 days, a new facility application must be submitted, and a compliance inspection must be conducted before the salon can operate.

Practitioner Licenses

Practitioner license must be posted where clients and inspectors can easily view the license. Licenses may be posted in a centralized location or at each workstation. The license wallet card may not be posted instead of the license.

If you work at more than one location, you must have your license posted whenever you are working. You may carry the license with you or complete and submit the Application for Duplicate Practitioner's License (Form No. 3). A photocopy of your license is not permitted.

Expiration Date

Licenses expire on the last day of the month two years after issuance. If your license is expired at the time of inspection, you may be fined.

Renewals must be completed online or postmarked by the expiration date of the license in order for a practitioner to continue to practice until the new license is received. If a license is renewed after the expiration date, the practitioner may not provide services until the new license is received and posted in the salon.

One of the main reasons for practitioners failing to timely renew their license is because they have moved and have not received their renewal notice. Regardless, of whether a renewal notice is received, it is each practitioner's duty to timely renew their license.

Signage & Inspection Report

All of the following must be posted in the salon:

- Health and Sanitation Regulations;
- Consumer Complaint Sign; and
- Latest Inspection Report.

All of the above items must be posted in a location where clients and the inspector can easily view them when entering the salon.

From the Board's website, signage can be found under Resources, and the latest inspection report can be found in the Digital Documents under License Verification.

Facility Requirements

Accessibility

All rooms, cabinets and roll-about trolleys must be accessible during the inspection. The salon owner, manager or another designated individual must be able to unlock rooms, cabinets and roll-about trolleys so that they may be inspected.

Personal Drawers

A drawer marked "personal" or containing personal items is subject to inspection.

Required Separations

If a salon is located in the same room, suite or space as another business or profession, then a solid partition must separate the businesses. The partition may contain a door, but the door must remain closed during business hours.

Residential Salons

All salons licensed after December 31, 2007 must have a separate, outside entrance with direct access to the salon and must be separated from living quarters by a solid partition. The partition may contain a door, but the door must remain closed during business hours. The restroom may be located in the living quarters.

Cosmetology Establishment Compliance

Cleaning & Disinfecting

What's Required?

- Instruments and clippers must be cleaned and disinfected.
- Pedicure equipment must be cleaned and disinfected.
- Surfaces must be disinfected.
- Towels, robes and linens must be cleaned.
- Capes must be cleaned or disinfected.
- Single-use items must be thrown away.

What are Instruments?

"Instruments" is the term used in the sanitation regulations and on the inspection report to describe all items used on a client that can be cleaned and disinfected and then can be reused. Instruments are made of hard materials (glass, metal or plastic). Only instruments that have been cleaned and disinfected can be used on a client.

What are Single-Use Items

Single-use items are those items that must be thrown away after use because they cannot be disinfected. Items that cannot be disinfected are items made of porous material, regardless of manufacturer designation, or material that cannot withstand the disinfecting process.

Definitions

Understanding the difference between cleaning, disinfecting and sterilizing is important because these terms are not interchangeable.

In the cosmetology profession these terms have the following meanings:

Cleaning

The mechanical removal of many microorganisms by scrubbing an item with soap and water or detergent and water to remove debris. Cleaning is not disinfecting; it is only the first step towards disinfecting.

Disinfection

The chemical elimination of most or all microorganisms by using an EPA-registered disinfectant on a clean, nonporous item or surface to kill bacteria, viruses, and fungi.

Sterilization

The heat destruction of all microorganisms with an autoclave or dry heat sterilizer. Sterilization in the cosmetology professions is only required for electrolysis instruments.

The use of ultraviolet light shall not be an acceptable form of sterilization.

Electrology

- All needles are single-use items and must be placed in a sharp's container after use on a client.
- All instruments, unless they are single use, must be sterilized.
- All counters, furniture and equipment must be disinfected.

What Has to Be Cleaned (Laundered) vs. Disinfected vs. Thrown Away (Single-Use)?

Cleaned

Robes	Towels
Capes	Floors

Disinfected

Combs	Mandrels
Hairbrushes	Electric Clippers
Eyebrow Brushes	Straight Razor/Feather Blade
Facial Brushes	Clipper Guards
Nail Brushes	Velcro/Brush Rollers
Make-up Brushes (synthetic)	Hair Pins & Clips
Shears	Eyebrow Scissors
Perm Rods	Color Applicator Brush
Tweezers	Shampoo Bowls
Nail Clippers	Sinks
Metal Pushers	Workstations
Pedicure Rasps	Back-bars
Comedone Extractors	Service Chairs
Curettes	Treatment Tables
Metal/Glass Files	Plastic Capes
Metal Drill Bits	

Thrown Away (Single-Use)

Gloves	Chamois Bits
Foil	Pumice Stones
Wax Strips	Arbor Bands
Eyebrow thread	Pedicure Liners
Wood Applicators	Foot Files with Sandpaper
Disposable Razors	Strip
Tissues	Foam Toe Separators & Slippers
Cotton Balls/Pads	Wax Sticks
Sponges	Roll-on Wax Cartridges
Orange Sticks	End Papers
Electrolysis Needles	Neck Strips
Buffers	
Files	
Sanding Bands	

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Special Reminders

Cosmetic Pencils

Each cosmetic pencil must be sharpened before being used. The sharpener must be cleaned and disinfected before using again.

Velcro/Brush Rollers

These are banned in some states because it is extremely difficult to remove hair from these rollers. They are permitted in Kansas, but all hair must be removed from the rollers and they must be cleaned and disinfected after each client. Clean rollers must be stored in a labeled, covered container.

Scissors/Shears

After every service, these instruments must be disinfected by concentrate, spray, wipe, or foam disinfectant according to manufacturer's instructions.

Make-up Brushes

While natural bristle brushes cannot be disinfected because they are porous, synthetic make-up brushes can be disinfected. After every service synthetic make-up brushes must be disinfected by concentrate, spray, wipe, or foam disinfectant according to manufacturer's instructions.

"Disinfectable" Files

Because there is no validation that disinfectants are effective on porous items, files labeled by a manufacturer as "Sanitizable" or "Disinfectable," are single-use items. They must be thrown away after use.

Foot Files

Files with a sheet of sandpaper glued to the file are single-use items that must be thrown away after use.

Gloves

Gloves can't be cleaned and reused because any item that comes in contact with skin either has to be disinfected or thrown away. Gloves are not designed to withstand immersion in disinfectant and are single-use items regardless of whether the manufacturer states they are "reusable."

Types of Disinfectants

Bleach or an Environmental Protection Agency (EPA)-registered disinfectant are the only chemicals that can be used to disinfect in the salon. This may be in the form of a liquid concentrate, spray, wipe and/or foam. **Isopropyl Alcohol is not an approved disinfectant.**

Bleach

Chlorine bleach may be used for all disinfecting purposes in the salon. If you use bleach, you are not required to have an EPA-registered disinfectant. The bleach solution should list a disinfection method on the label. Bleach solution should not consist of: Splashless, Low-Splash, or have any kind of scented additives.

EPA-Registered Disinfectant

An EPA-registered disinfectant with demonstrated bactericidal, fungicidal and virucidal activity is another option approved for daily salon disinfection in the salon.

Manufacturer's Container and SDS

You are required to have the original container and a Safety Data Sheet (SDS) for each disinfectant used in the salon.

Bleach Best Practices

1. Bleach should be EPA-registered. The EPA-registration number is typically listed by the barcode.
2. Bleach must ALWAYS be properly diluted with water, but NEVER mixed with anything else.
3. Bleach is most effective for disinfection when used with cold or warm water.
4. Bleach should always be stored in an opaque container and never exposed to heat or sunlight.
5. Gloves should be worn when using bleach.
6. Bleach is effective for disinfection for 6 months from the date of manufacture. To determine when bleach was made, look for the string of numbers and letters printed on the container... for example 4T56 20025 h567 . In those numbers, look for the number that represents the year... in this case "20" and then at the three digit number next to it ... in this case "025". This means that the product was manufactured on the 25th day of 2020!

Selecting the Correct EPA Disinfectant

It is very important to know how to select the correct EPA-registered disinfectant. Many supply stores and representatives give incorrect information regarding approved disinfectants for use in Kansas.

Reading the Label

The bottle must state the type of disinfectant and/or the label must state what type of pathogens the disinfectant kills. Not all containers will have the words "bactericidal," "fungicidal" or "virucidal" printed on container, but the label on the back of the container will list what pathogens the disinfectant is effective against. Look for the area of the label that states "effective against" to determine what type of pathogens the disinfectant kills.

Common pathogens include:

Bacteria

Pseudomonas aeruginosa - Salmonella enterica - Staphylococcus aureus - Methicillin Resistant Staphylococcus aureus

Viruses

HIV-1 (AIDS) - Herpes Simplex Virus - Human Papilloma Virus (HPV) - Hepatitis B (HBV), Hepatitis C (HBC)

Fungi

Trichophyton mentagrophytes (Athlete's Foot)

Product Example

Barbicide has the words "virucidal" and "fungicidal" printed on the front of the container, but not the word "bactericidal." However, because the label states that it is effective against the bacteria Pseudomonas aeruginosa and Methicillin Resistant Staphylococcus aureus it is a bactericidal disinfectant and approved for use in the salon to disinfect instruments.

The Board does not recommend or endorse any particular brand of EPA-registered disinfectant.

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Clean First, Then Disinfect

Cleaning

Cleaning is the first step in disinfecting. Soaking an instrument prior to placing it in disinfectant is not adequate. All instruments must be scrubbed with soap and water or detergent and water and rinsed prior to disinfecting. Failure to clean first will prevent the disinfectant from working and will result in debris in your disinfectant.

Disinfecting

All instruments must be disinfected by complete immersion in a bleach solution or disinfectant. Clippers and shears may be disinfected with a concentrate, wipe, spray or foam disinfectant. Make-up brushes may be disinfected with a concentrate, spray or foam disinfectant.

Ship-Shape and Brush Delite are cleaners and not disinfectants.

Preparing Disinfectant

Disinfectant or Bleach Solution

A disinfectant or bleach solution must be prepared, available for use and covered whenever the salon is open. If a salon does not use a common disinfectant container then each practitioner must have their disinfectant or bleach solution prepared when they are working.

The solution must be made daily and may not be reused day after day. A new solution must be made more often if it becomes visibly cloudy or dirty.

Containers

Containers must be large enough to allow for full immersion of instruments and remain closed when not in use. The container must also be labeled. The label can state "disinfectant" or the type of disinfectant (i.e. "bleach solution").

The traditional glass containers used in salons are not practical disinfecting containers because they only hold a few items and will not accommodate larger instruments. Consider using covered plastic storage boxes to accommodate larger items.

A restroom sink shall not be used for services or for cleaning instruments or equipment.

Containers with a disinfectant solution should not be located on workstations without a sink for two reasons:

- 1) Instruments must be cleaned with soap and water, and rinsed before placing them in disinfectant; and
- 2) Instruments must be rinsed with water after removing them from the disinfectant.

Measuring Devices

Disinfectant must be prepared by measuring. Every salon must have measuring devices for their disinfectant containers and pedicure equipment.

You may find it helpful to label your containers with the amount of disinfectant and water to place in the container. You

can also draw lines on the container that show how much disinfectant and water to pour into the container.

Bleach Solution

Bleach solution means chlorine bleach used for disinfection purposes and shall be mixed, stored, and used according to manufacturer's instructions.

When preparing a bleach solution, always use cold water because hot water decomposes sodium hypochlorite and will make it ineffective.

EPA-registered disinfectants are mixed according to the manufacturer's directions.

Contact Time

The time needed for the disinfectant to work is called "contact time." Instruments should not be left in the solution for longer than the contact time because it will damage them.

Bleach solution - 10 minutes.

EPA-registered disinfectants - according to the manufacturer's instructions (generally 10 minutes).

Wipe, spray and foam EPA disinfectant contact times are usually shorter and vary by manufacturer. Read the label.

Removing & Drying Instruments

Disinfectants are pesticides and you should always wear gloves or use tongs when removing instruments from the solution. Instruments must be rinsed with water after removal from the disinfectant solution and then dried.

Electrology

All instruments used in electrology must be single-use instruments or sterilized.

Cleaning

Instrument cleaning steps are as follows:

Immerse in an ultrasonic unit used according to manufacturer's instructions that is filled with potable water and an enzyme detergent.

Sterilizing

Instruments must be placed in sterilization bags with indicators that change color to indicate sterilization has been achieved. Sterilization tubing may be used as long as each tube has a sticker with a color strip indicator that verifies sterilization has been achieved.

It is not sufficient to place a color strip indicator in the sterilization batch. Each instrument must be in a bag or tube with a color strip indicator.

Instruments must be sterilized as follows:

Dry Heat - 60 minutes at 340° or 120 minutes at 320°

Autoclave - 15 to 20 minutes at 250° at 15 to 20 psi

Spore Tests

A spore test must be performed at least monthly and a log of the date and results for each monthly spore test for the past three years must be available in the clinic for inspection.

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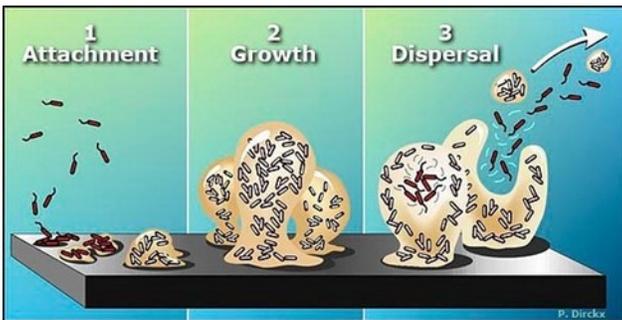
Pedicure Equipment

Dirty pedicure equipment represents one of the greatest health risks to clients and practitioners. It is critical that they are properly cleaned and disinfected after each consumer service.

Many practitioners are unaware that the jet covers, impellers, drain stops and drain control knobs are removable parts that must be taken off the pedicure equipment after each consumer and then cleaned and disinfected.

Biofilm

When equipment and removable parts are not thoroughly cleaned first, biofilm begins to form. Biofilm is the attachment, colonization and growth of microorganisms. Once biofilm forms, the disinfectant will only disinfect the surface of the film. When the equipment is used, pieces of the biofilm will break free and contaminate the water and have the potential to transmit infectious disease.



Proper Disinfecting

All basins must first be cleaned with detergent and rinsed, then filled with water and either liquid bleach or a disinfectant.

The solution must be allowed to stand in non-circulating spas for 10 minutes or to circulate for 10 minutes in whirlpool and pipe-less spas.

Spraying the basin with Clorox Clean-Up, other household cleaners, or disinfectant sprays like Citrus II after each client are not approved methods for cleaning and disinfecting.

Pedicure Liners

Liners may be used and are single-use items that must be placed in a covered waste receptacle immediately after use.

Cleaning & Disinfecting Procedures

K.A.R. 28-24-9. Pedicure equipment. For the purposes of this regulation, the term “pedicure equipment” shall mean any apparatus that holds water for the purpose of pedicure service.

After Each Client (Immediately)

- ◇ Clean and Disinfect
- ◇ Drain the pedicure equipment of all water, remove all debris from the equipment, and remove all removable parts;
- ◇ If a pedicure liner was used during the pedicure service, dispose of the pedicure liner in a covered waste receptacle;
- ◇ Clean all removable parts and the surfaces and walls of the pedicure equipment, including the inlet and all debris trapped behind any removable parts, with soap or detergent, rinse with warm potable water, and disinfect with a liquid disinfectant used according to the manufacturer’s instructions;
- ◇ Replace all clean removable parts;
- ◇ If a pedicure liner was not used during the pedicure service, perform one of the following:
 - ◇ If the pedicure equipment is circulating, fill the pedicure equipment with potable water and circulate a bleach solution or a liquid disinfectant used according to the manufacturer’s instructions through the pedicure equipment for 10 minutes and then drain and rinse the pedicure equipment with potable water; or
 - ◇ If the pedicure equipment is noncirculating, allow the bleach solution or liquid disinfectant to stand for 10 minutes and then drain and rinse the pedicure equipment with potable water; and
- ◇ Wipe the pedicure equipment dry with a clean towel.
- ◇ Each practitioner shall ensure that all pedicure equipment remains in a clean and disinfected condition, even if the pedicure equipment is not in service or not able to be used in a service.

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Labeling & Storage Requirements

What's Required?

It can be confusing to remember all of the labeling and storage requirements in the salon. As a general rule, everything in the salon must be labeled and covered except for waste receptacles.

Clean Instruments

Instruments must be stored in an enclosed cabinet or covered drawer or container. The cabinet, container or drawer must be labeled and must be clean and free of hair, nail clippings or other debris.

Clean instruments may only be stored with other clean instruments and must be separated from any other items.

Clean instruments may be separated from other items (mirrors, product, clippers, single-use items, money, receipt books, etc.) by using bins or dividers.

Instruments may not be stored in organizers on workstations or carried in instrument belts or aprons.

Dirty Instruments

Once used on a client, dirty instruments must be placed in a covered and labeled container until they are cleaned and disinfected.

The container may contain soap and water but may not contain disinfectant.

Clean Clippers

Clippers must be cleaned of all debris and disinfected with a bleach solution or a disinfectant used according to the manufacturer's instructions after each service.

Clean clippers must be stored in clean area on a stand or hook or on a clean towel, covered by a clean towel or in a labeled, clean, closed container or drawer reserved for clean instruments only. Clippers may not be stored inverted in appliance holders or plastic cups, unless blades are covered. Clippers may not be stored with instruments or other items unless they are separated by using bins or dividers.

New Single-Use Items

Single-use items are required to be stored separately in a clean, labeled, and covered container or in the manufacturer's original packaging. They may not be stored with clean instruments or clean clippers. They can be stored in the same drawer if they are kept in a separate bin or divider.

Used Single-Use Items

Once used, single-use items must be placed in a covered waste receptacle immediately after the service.

Linens and Capes

- Clean: Store in a clean, labeled, enclosed cabinet or covered container. Towels may not be placed in open baskets.
- Dirty: Place in a closed and labeled container or an enclosed storage area, including closets and cabinets. Containers may have ventilation openings.
- Capes: Each cape shall be cleaned or disinfected after each service.

Towel Warmers

At the end of each day, all towels remaining in a towel warmer shall be removed. The towels shall not be reused until properly laundered. Each towel warmer shall be disinfected daily according to manufacturer's instructions.

Product

"Product" is any substance that is used on a client during a service.

All products must be kept in clean, closed and labeled containers. Containers shall be kept clean so the label is legible.

Product must be removed from the container in a way that does not contaminate the unused portion. Any remaining portion removed from the container but was not used during that consumer's service shall be discarded in a covered waste receptacle immediately. Applicators may not be re-dipped into product.

Waxing

All wax and sugar paste shall be maintained at a temperature specified by the manufacturer's instructions. Wax pots must be clean and covered. A new stick must be used each time wax is removed from the pot. Using the opposite end of the stick is prohibited because the practitioner has touched it. You may break your sticks in half to maximize their use.

Wax and sugar paste can be directly applied to a new wax strip with the same stick. Wax and sugar paste can also be placed in a disposable container and the same stick may be used. After completion of the service the container and applicator must be placed in a covered waste receptacle.

Remaining wax, including sugar paste and paraffin wax, shall not be reused and must be placed in a covered waste receptacle immediately. Applicators can't be left standing in the wax or sugar paste pots at any time.

You can prevent wax from sticking to the pot by coating it with a thin film of baby oil. After each client, you will be able to easily wipe up any wax drippings.

Roll-on wax cartridges shall be considered a single-use item and shall be disposed of in a covered waste receptacle immediately after being used on the consumer.

Waste Receptacles

All waste receptacles must be covered, but they don't have to be labeled. Trash and trash bags may not be allowed to accumulate in the salon.

Cosmetology Establishment Compliance

General Requirements

Shampoo Bowls & Sinks

Each shampoo bowl and sink must have hot and cold running water. The drain must be clean and free of hair. Shampoo bowls must have a working sprayer. A restroom sink shall not be used for services or for cleaning instruments or equipment.

Surfaces and Treatment Tables

Treatment tables must be disinfected at least daily. Each treatment table shall be covered with a clean linen, clean sheet of examination paper, or paper towels for each client. Electrology nonporous surfaces, including counters, treatment tables, and pieces of equipment, must be disinfected after each service.

Linens

All linens, including towels, robes, and sheets may only be used once and must be washed with detergent and hot water and dried until no moisture remains in the fabric. Capes must be cleaned or disinfected after each client.

Handwashing

Practitioners must wash their hands or use an alcohol-based hand sanitizer before and after each client service.

Gloves

Gloves must be worn if there is a likelihood of exposure to blood or body fluid during a service. Gloves are single-use items and must be discarded in a covered waste receptacle after each consumer service.

Blood Exposure “Kit”

The Board does not require that you have a preassembled blood exposure “kit” or first aid kit, but you must have all of the following readily available in the salon in the event of a blood exposure:

- EPA registered disinfectant with bactericidal, fungicidal and virucidal activity or bleach;
- Disposable gloves;
- Antiseptic;
- Bandages; and
- Bags (for disposal of contaminated items).

You may find it helpful to keep a copy of the blood exposure procedure with your supplies.

Salon

The floors, walls, ceiling, furniture and fixtures must be clean and in good condition. Hair and nail clippings should be disposed of after each client service.

Lighting & Ventilation

The salon must be well lit and well ventilated by natural or mechanical methods that keep the salon free of fumes, vapor and dust and allow for air to move freely.

Restroom

There must be a working sink and toilet, a soap dispenser and an air dryer or disposable paper towels. The restroom sink shall not be used to clean and disinfect instruments or equipment.

Prohibitions

The following are prohibited in a salon:

- Animals, except assistance dogs;
- Smoking;
- Preparing food in the service area;
- Razor type devices that remove calluses or skin blemishes;
- Using invasive skin-removal devices to remove calluses or skin blemishes;
- Neck and nail dusters;
- Possessing methyl methacrylate monomer (MMA);
- Carrying any instrument or supplies in or on a garment or uniform, including an instrument belt and an instrument organizer.

Serving Alcohol

To the extent the language used in the Cosmetology Establishment Compliance document and the Spring Newsletter regarding the service of alcohol to consumers inside of the salon conflicts with K.S.A. 41-719, it is retracted. While alcohol is no longer prohibited in an establishment by the Kansas Board of Cosmetology, we do not regulate the sale or consumption of alcoholic beverages in the State of Kansas.

If you need legal advice on any matter, please seek the advice of private legal counsel.

You can contact the Department of Revenue, Liquor Licensing and Enforcement Division at (785) 296-7015 or by email at abc.email@kdor.ks.gov.

Assistance Dogs

Only assistance dogs are permitted in salons. Because these dogs are not required to wear vests, have certification paperwork or ID tags, it may be difficult for practitioners to determine if a dog is a pet or an assistance dog.

The American with Disabilities Act provides the following guidance:

K.S.A. 39-1113(e) “Service dog” means a dog which has been specially selected, trained and tested to perform a variety of tasks for persons with disabilities.

“In situations where it is not obvious that the dog is a service animal, staff may ask only two specific questions:

- 1) Is the dog a service animal required because of a disability?
- 2) What work or task has the dog been trained to perform?

Staff are not allowed to request any documentation for the dog, require that the dog demonstrate its task, or inquire about the nature of the person's disability.”