

# BOARD OF COSMETOLOGY NEWS

## Kansas Board of Cosmetology Fall 2021 Newsletter

### Updated KDHE guidance

On July 29, 2021, the Kansas Department of Health and Environment (KDHE) updated the guidance for the professions licensed by the Board. The new guidance relates to the use of face coverings regardless of vaccination status in high, moderate and low transmission areas. You can view the new guidance by clicking [here](#).

### Kansas Adopts CDC's Booster Shot Recommendations for the Pfizer, Moderna and J&J Booster Shots.

On September 24, 2021, Governor Laura Kelly announced that Kansas will adopt the CDC's (Centers for Disease Control and Prevention) Booster Recommendations and authorized all COVID-19 vaccine providers to begin administering Pfizer booster shots to eligible Kansans. You can view the Governor's press September press release by clicking [here](#).

On October 22, 2021, Governor Laura Kelly announced that Kansas will also adopt the CDC's new recommendations around the Moderna and J&J booster shots and authorized vaccine providers to administer the booster shots for eligible Kansans.

You can view the Governor's October press release by clicking [here](#).

There are booster recommendations for each available COVID-19 vaccination. Please review the recommendations [here](#).



### COVID-19 Vaccination

Please click [here](#) to access information and resources related to the COVID-19 vaccination.

Need help finding a vaccine provider in your area? Please click [here](#) to find nearby COVID-19 vaccine providers.

### Get Tested

In Kansas, anybody wanting to get tested for COVID-19 can get tested. Testing is provided at no cost. You do not need to provide ID, have COVID-19 related symptoms or been in close contact with a COVID-19 case. Follow [here](#) for more information on COVID-19 testing.

More information about testing recommendations can be found [here](#).

### Serving Alcohol

While alcohol is no longer prohibited in an establishment licensed 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](mailto:abc.email@kdor.ks.gov).

*To the extent the language initially used in the Cosmetology Establishment Compliance document and the Spring Newsletter issued in 2020, regarding the service of alcohol to consumers inside of the salon conflicts with K.S.A. 41-719, it is retracted.*

This information is provided as a public service to enhance public education. It is not intended to take the place of statutory law, regulations, or guidance documents. Such information is subject to change. This information is not legal advice, therefore, if you have additional questions or need clarification, please consult with your own legal counsel for assistance or legal advice.

### Mission Statement

*To protect the health and safety of the consuming public by licensing qualified individuals and enforcing high standards of practice.*

# Kansas Board of Cosmetology



## Licensing Statistics

New licensing statistics have been posted to the Board's resource page. You can view the updated statistics [here](#).

## Overall Licensure

The overall five-year increase for licensure from FY 2017 to FY 2021 is 5%, an increase of 1,580 licenses. As of June 30, 2021, the Board again has a record number of total licenses at 33,491.

## Tanning Establishments

Tanning establishment licenses continue to decline. The five-year decrease in tanning establishments from FY 2017 to FY 2021 is 23%, which is a decrease of 84 establishments.

## Cosmetology Profession

There is an increase for overall cosmetology practitioner professional licensure. The five-year increase from FY 2017 to FY 2021 is 4%, an increase of 1,078 licenses.

Cosmetology profession establishment licensure reflects a similar trend, showing an overall increase of 7% or 286 establishments.

One new cosmetology school opened in FY 2021 bringing the school total to 29.

The apprentice licensing for the schools is also trending up, with a five-year increase of 8% or 120 licenses.

## Body Art Profession

Body art practitioner licensure is also increasing. The five-year increase from FY 2017 to FY 2021 is 43%, which is an increase of 88 licenses.

Likewise, there is a continued increase of overall body art profession establishments. The five-year increase from FY 2017 to FY 2021 is 33%, which is an increase of 35 licenses.



## Legislative Update

The Board requested statute changes for the 2019-2020 session, but the requests were not heard by the legislative committees. The Board resubmitted the requested statute changes during this 2021-2022 session.

Among many technical updates, the Board will be asking for authorization to:

- Issue demonstration permits
- Issue charitable event permits
- Serve cease and desist orders to unlicensed persons for the Body Art profession
- Update the name of the Board to reflect the professions regulated by order of when they were added to the Board's jurisdiction
- Ease reciprocity requirements for the cosmetology professions

Although the bill was not granted hearing for this year, it may still be granted hearing for 2022.

Other bills were introduced by parties not connected to the Board of Cosmetology requesting changes to statute that may impact the Board of Cosmetology and licensees. A list of these bills with the links to access the documents can be found on the Board's website home page by clicking [here](#).



## New Reciprocity Law

HB 2066 was signed into law and effective July 1, 2021. This law provides alternative avenues for reciprocity for the body art and cosmetology professions that are not offered under current cosmetology and body art statutes. You can review the full text of the law [here](#). The Board formed a subcommittee to create staff guidance on issuing licensure pursuant to K.S.A. 48-3406. The approved guidance document can be viewed [here](#).





# Kansas Board of Cosmetology

## Regulation Updates:

### Adopted and effective 01/08/2021



#### **Cosmetology professions:**

KAR 69-3-8: Allowing distance education for the theory portions of the cosmetology profession curricula and increased allowance for credit to completion of a cosmetology program from a completed manicuring or esthetics program.

### Adopted and effective 11/12/2021

#### **Cosmetology professions:**

- KAR 69-1-4: Removing the requirement that the client protection portion of the practical exam be scored separately.
- KAR 69-6-2: Removing language regarding sale or change of ownership that is in conflict with statute.

#### **Body Art professions:**

- KAR 69-15-31: Required by K.S.A 74-120 regarding criminal records and advisory opinions.

#### **Revocation not adopted at the request of the Joint Committee on Rules and Regulations.**

- KAR 69-6-3: Revoking entire regulation due to outdated wording and duplicate authority already provided in statute.

#### **Regulations In progress:**

Regulations must be approved by the Kansas Division of Budget, the Kansas Department of Administration and the Kansas Attorney General's Office. Once approved by all three of these entities, the Board is required to schedule a public hearing for the adoption of these regulations. Click [here](#) to find out more about the process for filing administrative regulations in Kansas.

The Board has started the regulation adoption process for the following regulations.

#### **All professions:**

- KAR 69-16-1: Defining gross negligence and unprofessional conduct for all professions licensed by the Board.



## Cosmetology Profession:

- KAR 69-11-3: Setting expiration dates for cosmetology profession apprentice licensure in regulation.
- KAR 69-1-8: Updating outdated wording referring to a doctor's statement.
- KAR 69-3-7: Updating "reasonable period of time" to 10 years and implementing student record requirements for closed schools.

## Tanning Profession:

- KAR 69-12-18: Defining "access" and requiring that access be limited to one person at a time.

## Body Art Profession:

- KAR 69-15-6: Establishing that a temporary permit holder is not eligible to continue to practice if failing examination.
- KAR 69-15-9: Correcting the expiration requirements for body art licensure.
- K.A.R. 69-15-7: Allowing for a body art written practical exam.



## KDHE Body Art Infection Control Regulations:

Pursuant to K.S.A 65-1,148, the Kansas Department of Health and Environment (KDHE) shall adopt rules and regulations establishing sanitation standards for professions, shops, salons, facilities, clinics, schools and colleges regulated by the state board of cosmetology. Board staff met weekly with KDHE staff and body art subject matter experts to develop new body art infection control regulations which will be implemented under the KDHE. The regulations are still under review with the KDHE. Once finalized, these regulations will come back to the Board of Cosmetology for review and, upon approval, the KDHE will begin the regulation adoption process which will include a public hearing on the new regulations. We did hope to have a new set of body art infection control regulations to the Board for review by June or July 2021, but unfortunately, the KDHE review of these regulations has been delayed due to higher priority COVID-19 related projects of the KDHE.



# Kansas Board of Cosmetology

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## Frequently Asked Questions

### Do I have to have a washing machine in my establishment?

Linens are required to be cleaned in a washing machine with detergent and hot water and dried until no moisture remains on the fabric. The washing machine used is not required to be in the establishment. (K.A.R. 28-24-4; 28-24-13).

### What qualifies as well ventilated?

If your establishment is well ventilated, air would be moving freely and there would be no fumes, vapor and dust buildup that could cause hazardous conditions. Depending on the size of the establishment and the services being provided, an owner may need to add more ventilation to ensure the health and safety of the practitioners providing services and the consumers receiving them. Please click [here](#) to review the information on Indoor Environmental Quality provided on the National Institute for Occupational Safety and Health (NIOSH) website. (K.A.R. 28-24-13).

### Are rolling carts allowed?

Rolling carts are not prohibited. Inspectors must have access to the cart during inspection as requested and the cart and any linens, capes, instruments, equipment, single-use items, products or containers that are within the cart are to be kept in compliance with the current health and sanitation regulations for your profession. (K.S.A 65-1902; K.A.R. 28-24-14).

### Can I provide services to a person with lice or while I have lice?

No, a practitioner is prohibited from providing services to a person with lice or while having lice including head, body or pubic unless a statement is signed by a licensed physician stating that the communicable disease or condition is not infectious, contagious or in a communicable stage. Lice is considered a communicable disease or condition. If a service has been started and a practitioner discovers that a consumer has lice, the practitioner shall perform the following:

- 1) Stop services immediately in a safe manner;
- 2) inform the consumer why the service was stopped; and
- 3) clean and disinfect all affected tools, work areas, and waiting areas. (K.A.R. 28-24-3)

### Can an unlicensed braider provide braiding services in a licensed establishment?

Braiding services provided by unlicensed individuals are permitted in a licensed establishment, in a separate space with the understanding that they must adhere to infection control regulations and the separate space is subject to inspection.

Additionally, the required KDHE brochure must be posted in the separate space and limitations to the braiding exemption must be adhered to by the unlicensed individual. Click [here](#) to view the brochure.

Space used for unlicensed braiding must be separated by a solid partition from the licensed cosmetology braiding services. You can view the Board's separation guidance policy [here](#). (K.S.A. 65-1901; 1902; 1928)

### What is a solid partition?

The Board determined on March 8, 2021, that a solid partition is defined as something that divides the space and is not interrupted by a break or opening and has a texture that is close and not loose or spongy. The partition may contain a door if it remains closed, except for entering and leaving. The solid partition must completely divide the two spaces and not allow persons to move freely between the two spaces. (Board Policy 001-21)

### Are piercing guns prohibited in body piercing establishments?

No, a piercing gun is not prohibited in a body piercing establishment. Using a piercing gun to pierce any part of the body except the earlobe is prohibited. (K.A.R. 69-15-5).

### Can a cosmetology profession establishment provide piercing services if it is limited to the earlobe?

No, although K.S.A. 65-1940 excludes the earlobe from the definition of body piercing, invasive services are outside the scope of practice for the cosmetology professions pursuant to K.S.A 65-1901. The practice of cosmetology, nail technology, or esthetics shall not alter, cut, or damage any living cells pursuant to K.A.R. 28-24-1 (I).





# Kansas Board of Cosmetology

## HAIR IS HAIR

Sadly, the hair industry has encountered discrimination seen within salons, barbershops, retail spaces, and schools. Recent professionals are making it their mission to change this by seeking out trainings aimed to make the beauty industry a more diverse and inclusive environment. Our very own Curlology, a locally owned texture education academy is helping professionals achieve this mission by giving them access to experiential learning. This ensures professionals have the tool kit they need to perform proper techniques needed to care for and style all textures of hair.



But they don't stop there. Curlology provides equity training for professionals through their course "Breaking Barriers" The course focuses on how professional barbers and stylists can combat racial bias through an open panel discussion. One of the skits (link below) features a moment where a Caucasian client was educated on a request he made to not change his appearance to that of a black person. Professionals have experienced situations where they themselves or their clients are unaware of making cultural offenses. These types of situations create toxic environments when not confronted immediately. Having open conversations will help break down the barriers we need to create a united industry.

Professionals can make a huge difference from right behind their chair, spreading the message that HAIR IS HAIR.

Watch the presentation [here](#):

Interested in Texture Classes & Professional development?

Visit [Curlology.com](http://Curlology.com)

Email [thestudvofcurls@gmail.com](mailto:thestudvofcurls@gmail.com)

Article Submitted by Breanna Bell, Licensed Cosmetologist.

## Cosmetology Profession Curricula Update

The Board curriculum subcommittee is still finalizing the new proposed curriculum. The meetings are open to the public and posted to the Board's Board meeting page [here](#). Once a new draft curricula is approved by the committee, a virtual school meeting will be scheduled to present the proposed changes and receive feedback.



## Written Practical Exams

On July 1, 2021, the new cosmetology profession written practical exam was launched. Written practical exam resources can be found on the Board's website exam info page [here](#). You can view quarterly reports on Kansas exam pass rates for the cosmetology and body art professions [here](#).



## Infection Control Seminar

The KBOC Infection Control Seminar for Cosmetology professions has been posted to the Board's resource page! Review the seminar [here](#).



# Kansas Board of Cosmetology

## Members of the Kansas Board of Cosmetology

**David Yocum - Chair**  
Cosmetology Profession Schools

**Nichole Hines - Vice Chair**  
Cosmetology

**Kelly Robbins**  
Tanning

**Tina Burgardt**  
Cosmetology

**Ashley Rangel**  
Esthetics

**David Tucker**  
Body Art

**Kimberley Mancuso**  
General Public

**Mary Blubaugh**  
General Public

## Licensee Milestones

The Board would like to recognize and congratulate the following licensees on over 50 years of professional licensure!

**Glenda Colsen 61 Years**

**Jo Glennis Knowles 63 Years**

**Winona Lawrence 71 Years**

**Elamae Roy 71 Years**

**Lucille Davis 71 Years**

***Congratulations!***

## How to Attend Board Meetings

The Board posts the Board agenda prior to the Board meetings with the information on how to attend the meeting either by video or phone conference. The agenda, minutes and notices can be found on the Board's website Board Meeting page by clicking [here](#). We also post the agenda and meeting notices on the Board's Facebook page.



## Inspection Reports



Inspection reports are available online! Click [here](#) visit the **License Verification** page on our website. Please have your full facility license number ready to conduct a search.

If you requested the report be emailed by your region inspector, we ask that you give the region inspector one (1) business day to send the report. If it has been more than one (1) business day since your inspection and you have not received the report by email, then please obtain a copy online or contact our office to request a copy be mailed to you.

When contacting the office for a copy of the inspection report, please have the current facility license number ready. This ensures the correct report is being mailed for the correct facility.



# Kansas Board of Cosmetology

## Future Board Meeting Dates

Click [here](#) to find the 2021 Board meeting dates as well as previous Board meeting minutes on our website.



## Quick View

November 8  
December 13



## Welcome Sam!

My name is Samuel Lada and I'm the newest member of the KBOC Enforcement team. I will be in charge of

Region 3 here in Kansas. I look forward to working with all the different professional artists and owners. My ultimate goal is to better serve our professional community by keeping our businesses open and safe. My background is Law Enforcement, but I grew up in a beauty salon. I know the long hours and the hard work that it takes to excel in this service industry. I am excited to join this community and to help in any way possible. I look to you all to let me know what issues you are facing as service industry professionals and how the Board of Cosmetology can serve you better.

## Contact Us

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## Staff Directory

Direct Line Telephone Numbers and Email Addresses can be found on our website contact page. Please click [here](#) to view the page.



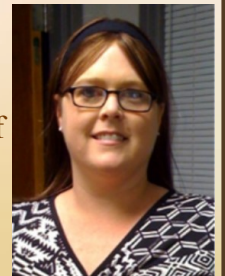
Have a quick question? Need a quick answer? Unable to wait for a call back? For a faster response, please e-mail us at [kboc@ks.gov](mailto:kboc@ks.gov)!

## Years of Service

The Board would like to congratulate Kathy Moore for 10 years of service to the State in May,



Vickie Rodriguez for 26 years of service in March, and



Eric Lynch, for 10 years of service in October!!



Service award pins are provided to State employees for increments of 10, 20, 30, 40 and 50 years of service to the State. Wear your pins proudly! Thank you for your dedication and hard work!!!



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