

Texas Cosmetology Sanitation Laws

83.100. Health and Safety Definitions. *(New section effective March 1, 2006, 31 TexReg 1280; amended effective August 1, 2006, 31 TexReg 5952; amended effective January 1, 2008, 32 TexReg 9970; amended effective February 17, 2012, 37 TexReg 681; amended effective July 1, 2014, 39 TexReg 4650)*

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Chlorine bleach solutions--A chemical used to destroy bacteria and to disinfect implements and non-porous surfaces; solution should be mixed fresh at least once per day. As used in this chapter, chlorine bleach solutions fall into three categories based on concentration and exposure time:

(A) Low level disinfection (100 - 200 ppm)--Add two teaspoons household (5.25%) bleach to one gallon water. Soak 10 minutes minimum.

(B) High level disinfection (1,000 ppm)--Add one-third (1/3) cup household (5.25%) bleach to one gallon water. Soak 20 minutes minimum.

(C) Blood and body fluid cleanup and disinfection (5,000 ppm)--Add one and three-quarters (1 3/4) cups household (5.25%) bleach to one gallon water. Also referred to as a 10% bleach solution.

(2) Clean or cleansing--Washing with liquid soap and water, detergent, antiseptics, or other adequate methods to remove all visible debris or residue. Cleansing is not disinfection.

(3) Disinfect or disinfection--The use of chemicals to destroy pathogens on implements and other hard, non-porous surfaces to render an item safe for handling, use, and disposal.

(4) Disinfectant--In this chapter, one of the following department-approved chemicals:

(A) an EPA-registered bactericidal, fungicidal, and virucidal disinfectant used in accordance with the manufacturer's instructions; or

(B) a chlorine bleach solution used in accordance with this chapter.

(5) EPA-registered bactericidal, fungicidal, and virucidal disinfectant--When used according to manufacturer's instructions, a chemical that is a low-level disinfectant used to destroy bacteria and to disinfect implements and non-porous surfaces.

(6) Multi-use items--Items constructed of hard materials with smooth surfaces such as metal, glass, or plastic typically for use on more than one client. The term includes but is not limited to such items as clippers, scissors, combs, nippers, tweezers, and some nails files.

(7) Single-use items--Porous items made or constructed of cloth, wood, or other absorbent materials having rough surfaces usually intended for single use including but not limited to such items as tissues, orangewood sticks, cotton balls, thread, surgical tape, extension pads, some buffer blocks, and gauze.

(8) Sterilize or sterilization--To eliminate all forms of bacteria or other microorganisms by use of an autoclave or dry heat sterilizer.

(9) Sanitize or sanitization--To reduce the number of microorganisms to a safe level by use of an ultraviolet sanitizer.

83.101. Health and Safety Standards--Department-Approved Disinfectants. *(New section effective March 1, 2006, 31 TexReg 1280; amended effective August 1, 2006, 31 TexReg 5952; amended effective July 1, 2014, 39 TexReg 4650)*

(a) EPA-registered bactericidal, fungicidal, and virucidal disinfectants shall be used as follows:

(1) Implements and surfaces shall first be thoroughly cleaned of all visible debris prior to disinfection. EPA-registered bactericidal, fungicidal, and virucidal disinfectants become inactivated and ineffective when visibly contaminated with debris, hair, dirt and particulates.

(2) Some disinfectants may be sprayed on the instruments, tools, or equipment to be disinfected.

(3) Disinfectants in which implements are to be immersed shall be prepared fresh daily or more often if solution becomes diluted or soiled.

(4) In all cases the disinfectant shall be used in accordance with the manufacturers' recommendation or other guidance in this rule.

(5) These chemicals are harsh and may affect the long term use of scissors and other sharp objects. Therefore, the department recommends leaving items in solution in accordance with the manufacturers' recommendation for effective disinfection.

(b) Chlorine bleach solutions shall be used as follows:

(1) Chlorine bleach at the appropriate concentration is an effective disinfectant for all purposes in a salon.

(2) Chlorine bleach solutions shall be mixed daily.

(3) Chlorine bleach shall be kept in a closed covered container and not exposed to sunlight.

(4) Chlorine bleach may affect the long-term use of scissors and other sharp objects so the department does not recommend leaving items in bleach solution beyond 2 minutes for effective disinfection (5 minutes if disinfecting for blood contamination).

(5) Chlorine bleach vapors might react with vapors from other chemicals. Therefore chlorine bleach shall not be placed or stored near other chemicals used in salons (i.e. acrylic monomers, alcohol, or other disinfecting products) or near flame.

(6) Used or soiled chlorine bleach solution shall be properly disposed of each day.

83.102. Health and Safety Standards--General Requirements. *(New section effective March 1, 2006, 31 TexReg 1280; amended effective August 1, 2006, 31 TexReg 5952; amended effective February 17, 2012, 37 TexReg 681)*

(a) All cosmetology establishments and licensees shall utilize clean and disinfected equipment, tools, implements, and supplies in accordance with this chapter, and shall employ good hygiene habits while providing cosmetology services.

(b) A licensee may not perform services on a client if the licensee has reason to believe the client has a contagious condition such as head lice, nits, ringworm, conjunctivitis; or inflamed, infected, broken, raised or swollen skin or nail tissue; or an open wound or sore in the area to be serviced.

- (c) Multi-use equipment, implements, tools or materials not addressed in this chapter shall be cleaned and disinfected before use on each client. Except as otherwise provided in this chapter, chairs and dryers do not need to be disinfected prior to use for each client.
- (d) Single-use equipment, implements, tools or porous items not addressed in this rule shall be discarded after use on a single client.
- (e) Electrical equipment that cannot be immersed in liquid shall be wiped clean and disinfected prior to each use on a client.
- (f) All clean and disinfected implements and materials when not in use shall be stored in a clean, dry, debris-free environment including but not limited to drawers, cases, tool belts, rolling trays, or hung from hooks. They must be stored separate from soiled implements and materials. Ultraviolet electrical sanitizers are permissible for use as a dry storage container. Non-cosmetology related supplies must be stored in separate drawers or locations.
- (g) Shampoo bowls, and manicure tables shall be disinfected prior to use for each client.
- (h) Floors in cosmetology establishments shall be thoroughly cleaned each day. Hair cuttings must be swept up and deposited in a closed receptacle after each hair cut.
- (i) All trash containers must be emptied daily and kept clean by washing or using plastic liners.
- (j) Hand washing facilities, including hot and cold running water must be provided for employees.
- (k) Clean towels shall be used on each client. Towels must be washed in hot water and chlorine bleach.
- (l) Soiled towels shall be removed after use on each client and deposited in a suitable receptacle.
- (m) Each cosmetology establishment shall keep all products used in the conduct of their business properly labeled in compliance with OSHA requirements.
- (n) Hair cutting and shampoo capes shall be kept clean. A clean (one-use) cape shall be used for each client or a sanitary neck strip or towel shall be used to keep the capes from coming into direct contact with the client's neck.

83.103. Health and Safety Standards--Hair Cutting, Styling, Shaving, and Treatment

Services. *(New section effective March 1, 2006, 31 TexReg 1280; amended effective January 1, 2014, 38 TexReg 9520; amended effective July 1, 2014, 39 TexReg 4650)*

(a) Cosmetologists shall wash their hands with soap and water, or use a liquid hand sanitizer, prior to performing any services on a client.

(b) All equipment, implements, tools and materials shall be properly cleaned and disinfected in accordance with this rule prior to servicing each client.

(c) After each client, the following implements shall be wiped with a clean paper or fabric towel and sprayed with either an EPA-registered bactericidal, fungicidal, and virucidal disinfectant, or a high-level disinfectant chlorine bleach solution. Equipment, implements, tools and materials to be cleaned and disinfected include but are not limited to combs and picks, haircutting shears, thinning shears/texturizers, safety razors, edgers, guards and perm rods.

(d) At the end of each day of use, the above items, along with any other tools, such as sectioning clips, brushes, comb and picks shall be cleaned by manually scrubbing with soap and water or adequate methods, and then disinfected by one of the following methods:

(1) Complete immersion in an EPA-registered bactericidal, fungicidal, and virucidal disinfectant in accordance with manufacturer's instructions; or

(2) Complete immersion in a high-level disinfectant chlorine bleach solution.

83.104. Health and Safety Standards--Esthetician Services. *(New section effective March 1, 2006, 31 TexReg 1280; amended effective August 1, 2006, 31 TexReg 5952; amended effective February 17, 2012, 37 TexReg 681)*

(a) Cosmetologists and estheticians shall wash their hands with soap and water, or use a liquid hand sanitizer, prior to performing any services on a client. Gloves shall be worn during any type of extraction.

(b) Equipment, implements, tools and materials shall be properly cleaned and disinfected after servicing each client in accordance to this rule.

(c) Facial chairs and beds, including headrest for each, shall be cleaned and disinfected after providing service to each client. The chair shall be made of or covered in a material that can be disinfected.

(d) After each client, multiple use implements such as metal tweezers and comedone extractors shall be cleaned and disinfected.

(e) The following implements are single-use items and shall be discarded in a trash receptacle after use: cotton pads, cotton balls, gauze, wooden applicators, disposable gloves, tissues, thread, disposable wipes, lancets, fabric strips and other items used for a similar purpose as one or more of the items listed above.

(f) The following items that are used during services shall be replaced with clean items for each client: disposable and terry cloth towels, hair caps, headbands, brushes, gowns, makeup brushes, spatulas that contact skin or products from multi-use containers, sponges and other items used for a similar purpose as one or more of the items listed above.

(g) Items subject to possible cross contamination such as creams, cosmetics, astringents, lotions, removers, waxes, moisturizers, masks, oils and other preparations shall be used in a manner so as not to contaminate the remaining product. Applicators shall not be re-dipped in product.

Permitted procedures to avoid cross contamination are:

(1) Disposing of the remaining product before beginning services on each client; or

(2) Using a single-use disposable implement to apply product and disposing of such implement after use; or

(3) Using an applicator bottle to apply the product.

83.105. Health and Safety Standards--Temporary Hair Removal Services. *(New section effective March 1, 2006, 31 TexReg 1280; amended effective February 17, 2012; 37 TexReg 681)*

(a) Cosmetologists and estheticians shall wash their hands with soap and water, or use a liquid hand sanitizer, prior to performing any services on a client.

(b) Cosmetologists and estheticians shall clean the areas of the client's body on which the service is to be administered.

(c) Cosmetologists and estheticians performing temporary hair removal services involving the use of depilatories, preparations or tweezing techniques shall dispose of after each use all products or single use items that have been in contact with a client's skin.

(d) All wax pots shall be cleaned and disinfected in accordance with manufacturer's recommendations. No applicators shall be left standing in the wax at any time and wax may not be reused under any circumstances.

(e) Thread shall be stored in a sealed bag or covered container until ready to use and shall be kept in a clean, dry, debris-free storage area.

(f) All multi-use items shall be properly cleaned, disinfected and sterilized or sanitized prior to each service, in accordance with this chapter.

83.106. Health and Safety Standards--Manicure and Pedicure Services. *New section effective March 1, 2006, 31 TexReg 1280; amended effective August 1, 2006, 31 TexReg 5952; amended effective October 11, 2007, 32 TexReg 7050; amended effective February 17, 2012, 37 TexReg 681; amended effective January 1, 2016, 40 TexReg 8759)*

(a) Cosmetologists and manicurists shall clean their hands with soap and water or a hand sanitizer prior to performing any services.

(b) Cosmetologists and manicurists shall clean the areas of the client's body on which the service is to be administered.

(c) All metal manicure and pedicure tools shall be properly cleaned, disinfected and sterilized or sanitized prior to each service, in accordance with this chapter, regardless of the tool's multiuse for only a single client or for multiple clients.

(d) After each client, the following implements shall be cleaned, disinfected and sterilized or sanitized in accordance with the rule: metal pusher and files, cuticle nipper and scissors, metal tweezers, finger and toe nail clippers, and electric drill bits.

(e) The following implements are single-use items and shall be discarded after use: orangewood sticks, cotton balls, nail wipes and disposable towels.

(f) Buffer blocks, porous nail files, pedicure files, callus rasps, natural pumice and foot brush, arbor, sanding bands, sleeves, heel and toe pumice, exfoliating block (washable materials) shall be cleaned by manually brushing or other adequate methods to remove all visible debris after each use, and then sprayed with an EPA-registered bactericidal, fungicidal, and virucidal disinfectant, or a or a high level chlorine bleach solution in accordance with this chapter. If a

buffer block or porous nail file is exposed to broken skin (skin that is not intact) or unhealthy skin or nails, it must be discarded immediately after use in a trash receptacle.

(g) The following materials that are used during a manicure and pedicure shall be replaced with new or clean articles for each client: terry cloth towels, finger bowls and spatulas that contact skin or skin products from multi-use containers.

83.107. Health and Safety Standards--Electric Drill Bits. *(New section effective March 1, 2006, 31 TexReg 1280; amended effective August 1, 2006, 31 TexReg 5952)*

(a) Only electric files, drills, or machines specifically designed and manufactured for use in the professional nail industry may be used in any cosmetology establishment for performing manicure or pedicure services. Craft, hardware, and hobby tools cannot be used under any circumstances.

(b) After each use, diamond, carbide, natural and metal bits shall be cleaned by either

(1) using a brush;

(2) using an ultrasonic cleaner; or

(3) immersing the bit in acetone for 5 to 10 minutes.

(c) Immediately after cleaning all visible debris, diamond, carbide, natural and metal bits shall be disinfected by complete immersion in an appropriate disinfectant between clients, then sterilized in accordance with this chapter.

(d) Buffing bits and chamois shall be cleaned with soap and water at the end of every day of use in addition to being cleaned or replaced between clients.

83.108. Health and Safety Standards--Foot Spas, Foot Basins, and Spa Liners. *(New section effective March 1, 2006, 31 TexReg 1280; amended effective August 1, 2006, 31 TexReg 5952; amended effective August 1, 2011, 36 TexReg 4798)*

(a) As used in this section, “whirlpool foot spa” or “spa” is defined as any basin using circulating water, either in a self-contained unit or in a unit that is connected to other plumbing in the establishment.

(b) After use upon each client, each whirlpool foot spa shall be cleaned and disinfected in the following sequential manner.

(1) All water shall be drained and all debris shall be removed from the spa basin.

(2) The spa basin must be cleaned with soap or detergent and water.

(3) The spa basin must be disinfected with an EPA registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity which must be used according to the manufacturer's instructions.

(4) The spa basin must be wiped dry with a clean towel.

(c) At the end of each day, each whirlpool foot spa shall be cleaned and disinfected in the following sequential manner.

(1) The screen and any other removable parts shall be removed, all debris trapped behind the screen shall be removed, and the screen and the inlet and any other removable parts shall be washed with soap or detergent and water.

(2) Before replacing the screen, one of the following procedures shall be performed:

(A) The screen and any other removable parts shall be washed with a chlorine bleach solution of one-third (1/3) cup of 5.25% chlorine bleach to one (1) gallon of water; or

(B) The screen and any other removable parts shall be totally immersed in an EPA registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity which must be used according to the manufacturer's instructions.

(3) The spa system shall be flushed with soap and warm water for at least ten (10) minutes, after which the spa shall be rinsed and drained.

(d) Every other week (bi-weekly), after cleaning and disinfecting as provided in this subsection, each whirlpool foot spa shall be cleaned and disinfected in the following sequential manner.

(1) The spa basin shall be filled completely with water and one-third (1/3) cup of 5.25% bleach for each one (1) gallon of water.

(2) The spa system shall be flushed for 5 to 10 minutes with the chlorine bleach and water solution or an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity which must be used according to the manufacturer's instructions and allowed to sit for 6 to 10 hours.

(3) The spa system shall be drained and flushed with water before use upon a client.

(e) For whirlpool foot spas, a record shall be made on a department-approved form of the date and time of each cleaning and disinfecting indicating whether the cleaning was a daily or bi-weekly cleaning. This record shall be made at or near the time of cleaning and disinfecting and shall indicate if a spa was not used during any individual work day.

(f) As used in this section "non-whirlpool foot basin" or "foot basin" is defined as any basin, tub, footbath, sink or bowl that holds non-circulating water. After use upon each client, each non-whirlpool foot basin shall be cleaned and disinfected in the following sequential manner.

(1) All water shall be drained and all debris shall be removed from the foot basin.

(2) The inside surfaces of the foot basin must be scrubbed and cleaned of all visible residues with a clean brush, soap or detergent, and water.

(3) The foot basin must be disinfected with an EPA-registered disinfectant with demonstrated bactericidal, fungicidal and virucidal activity which must be used according to the manufacturer's instructions.

(4) The foot basin must be rinsed, emptied and wiped dry with a clean towel.

(g) For non-whirlpool foot basins, a record shall be made on a department-approved form of the date and time of each cleaning and disinfecting. The record shall be made at or near the time of cleaning and disinfecting and shall indicate if the foot basin was not used during any individual work day.

(h) As used in this section "disposable spa liner" or "spa liner" is defined as a plastic liner designed to be placed within a whirlpool foot spa and discarded after a single use and which is equipped with a single "non-adhesive" heat-sealed drain tab which, when pulled, allows water to empty directly into a whirlpool foot spa drain.

(i) As used in this section “portable whirlpool jet” or “jet” is defined as a magnetic or other circulating device, designed to be placed within a whirlpool foot spa basin in order to circulate water in spas in which disposable spa liners are used.

(j) Disposable spa liners and portable whirlpool jets may be used in providing spa services to clients. When used, the following sequential procedures shall be performed.

(1) After use upon a client, the heat sealed tab shall be pulled allowing the water to empty directly into the cosmetology establishment’s plumbing system.

(2) The spa liner shall be discarded in a covered trash receptacle.

(3) The portable whirlpool jet shall be completely immersed for 5 to 10 minutes in an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity which must be used according to the manufacturer’s instructions.

(4) The jet shall be rinsed with warm water and drained.

(5) All surfaces of the spa basin and foot rest shall be wiped with EPA–registered disinfectant wipes.

(k) For disposable spa liners and whirlpool jets, a record shall be made on a department-approved form indicating the time and date when the spa liner was used and discarded and when the jet was used and disinfected and shall indicate if the jet was not used during a work day.

(l) Cleaning and disinfecting records for foot spas, foot basins, spa liners and jets shall be made available upon request by either a client or a department representative and shall be retained for inspection for at least 60 days.

(m) A foot spa, foot basin or jet for which documentation is not maintained in accordance with this section must be removed from service and not used again until it has been cleaned and disinfected in accordance with the requirements of this section and the records have been properly updated. When a foot spa, foot basin or jet is removed from service for any reason, the record must indicate the date of removal from service.

(n) Foot spa and foot basin chairs shall be cleaned and disinfected after service is provided to each client. The chair shall be made of or covered in a non-porous material that can be disinfected.

83.109. Health and Safety Standards--Wig and Hairpiece Services. *(New section effective March 1, 2006, 31 TexReg 1280; amended effective July 1, 2014, 39 TexReg 4650)*

- (a) Cosmetologists and wig specialists shall wash their hands with soap and water, or use a liquid hand sanitizer, prior to performing any services on a client.
- (b) All equipment, implements, tools and materials shall be properly cleaned and disinfected in accordance with this rule prior to servicing each client.
- (c) After each client, the following implements shall be wiped with a clean paper or fabric towel and sprayed with either an EPA-registered bactericidal, fungicidal, and virucidal disinfectant, or a high-level chlorine bleach solution. Equipment, implements, tools and materials to be cleaned and disinfected include but are not limited to combs and picks, haircutting shears, thinning shears/texturizers, razors, edgers, guards, perm rods and bowls or containers used to clean or color wigs or hairpieces.
- (d) At the end of each day of use, the above items, along with any other tools, such as sectioning clips, brushes, comb and picks shall be cleaned by manually scrubbing with soap and water or adequate methods, and then disinfected by one of the following methods:
 - (1) Complete immersion in an EPA-registered bactericidal, fungicidal, and virucidal disinfectant in accordance with manufacturer's instructions; or
 - (2) Complete immersion in a high-level chlorine bleach solution.
- (e) After the initial sale of a hairpiece, and prior to that hairpiece being resold, it must be properly disinfected.
- (f) Used wigs and hairpieces shall be kept in a close bag or container until ready to be cleaned.
- (g) Any wig block used to service a hairpiece should be covered with a plastic bag and kept in a sanitized condition after each use. Any wig block used to service hairpieces shall be sprayed with an EPA registered disinfectant solution after each use and kept in a sanitary condition.
- (h) Finished wigs and hairpieces shall be placed away from soiled wigs and hairpieces until ready to be returned to the client.

83.110. Health and Safety Standards--Hair Weaving and Hair Braiding Services. *(New*

section effective March 1, 2006, 31 TexReg 1280; amended effective October 11, 2007, 32 TexReg 7050; amended effective January 1, 2016, 40 TexReg 8759)

- (a) Cosmetologists, wig specialists, and hair weavers shall wash their hands with soap and water, or use a liquid hand sanitizer, prior to performing any services on a client.
- (b) All equipment, implements, tools and materials shall be properly cleaned and disinfected in accordance with this rule prior to servicing each client.
- (c) Hair extensions, tracks, needles, and thread shall be stored in a bag or covered container until ready to use. No unrelated items shall be stored in the same bag or container.
- (d) Needles shall be sprayed with a disinfectant before use.

83.111. Health and Safety Standards--Blood and Body Fluids. *(New section effective March 1, 2006, 31 TexReg 1280)*

- (a) Blood can carry many pathogens. For this reason licensees should never touch a client's open sore or wound. Powdered alum, styptic powder, or a cyanoacrylate (e.g. liquid-type bandage) may be used to contract the skin to stop minor bleeding, and should be applied to the open area with a disposable cotton-tipped instrument that is immediately discarded after application.
- (b) In the case of blood or body fluid contact on any surface area such as a table, chair, or the floor, an EPA-registered hospital grade disinfectant, a tuberculocidal disinfectant, or a 10% bleach solution (one-and-three quarters (1 $\frac{3}{4}$) cups of household (5.25%) bleach to one gallon of water) shall be used per manufacturer's instructions immediately to clean up all visible blood or body fluids.
- (c) If any non-porous instrument is contacted with blood or body fluid, it shall be immediately cleaned and disinfected using an EPA-registered hospital grade disinfectant, a tuberculocidal disinfectant in accordance with the manufacturer's instructions, or totally immersed in a 10% bleach solution (one-and-three quarters (1 $\frac{3}{4}$) cups of household (5.25%) bleach to one gallon of water) for 5 minutes.
- (d) If any porous instrument contacts blood or body fluid, it shall be immediately double-bagged and discarded in a closed trash container or biohazard box.

83.112. Health and Safety Standards--Prohibited Products or Practices. *(New section effective March 1, 2006, 31 TexReg 1280; amended effective February 17, 2012, 37 TexReg 681)*

(a) Licensees may not use any of the following substances or products in performing cosmetology services:

(1) Methyl Methacrylate Liquid Monomers, a.k.a., MMA.

(2) Razor-type callus shavers designed and intended to cut growths of skin such as corns and calluses, e.g., credo blades.

(3) Alum or other astringents in stick or lump form. (Alum or other astringents in powder or liquid form are acceptable.)

(4) Fumigants such as formalin (formaldehyde) tablets or liquids.

(b) Possession on licensed premises of any item listed in this section is a violation under this chapter.

(c) The use of any product, preparation or procedure that comes into contact with or penetrates the dermis layer of the skin is prohibited.

83.113. Health and Safety Standards--FDA. *(New section effective March 1, 2006, 31 TexReg 1280)*

(a) Licensees shall not use any product in providing a service authorized under the Act that is banned or deemed to be poisonous or unsafe by the United States Food and Drug Administration (FDA) or other local, state, or federal governmental agencies responsible for making such determinations.

(b) Possession or storage on licensed premises of any item banned or deemed to be poisonous or unsafe by the FDA or other governmental agency shall be considered prima facie evidence of its use.

(c) For the purpose of performing services authorized under the Act, no licensee shall buy, sell, use, or apply to any person liquid monomeric methyl methacrylate (MMA).

83.114. Health and Safety Standards--Establishments. *(New section effective March 1, 2006, 31 TexReg 1280; amended effective August 1, 2006, 31 TexReg 5952 amended effective October*

11, 2007, 32 TexReg 7050; amended effective January 1, 2016, 40 TexReg 8759)

- (a) Establishments shall keep the floors, walls, ceilings, shelves, furniture, furnishings, and fixtures clean and in good repair. Any cracks, holes, or other similar disrepair not readily accessible for cleaning shall be repaired or filled in to create a smooth, washable surface.
- (b) All floors in areas where services under the Act are performed, including restrooms and areas where chemicals are mixed or where water may splash, must be of a material which is not porous or absorbent and is easily washable, except that anti-slip applications or plastic floor coverings may be used for safety reasons. Carpet is permitted in all other areas.
- (c) Plumbing fixtures, including toilets and wash basins, shall be kept clean. They must be free from cracks and similar disrepair that cannot be readily accessible for cleaning.
- (d) Each establishment must have suitable plumbing that provides an adequate and readily available supply of hot and cold running water at all times and that is connected for drainage of sewage and potable water within the areas where work is performed and supplies dispensed.
- (e) Every establishment shall provide at least one restroom located on or near the premises of the establishment. For public safety, chemical supplies shall not be stored in the restroom.
- (f) Food or beverages shall not be prepared on licensed premises for sale. Pre-packaged food or beverages may be sold to or consumed by clients.
- (g) For public health and safety, licensed premises shall eliminate any strong odors through adequate ventilation, including but not limited to, exhaust fans and air filtration to exhaust chemicals and fumes away from the public area and to provide for the input of fresh air.
- (h) Licensed premises shall not be utilized for living or sleeping purposes, or any other purpose that would tend to make the premises unsanitary, unsafe, or endanger the health and safety of the public. An establishment that is attached to a residence must have an entrance that is separate and distinct from the residential entrance. Any door between a residence and a licensed facility must be closed during business hours.
- (i) Only service animals are allowed in establishments. Covered aquariums are allowed provided that they are maintained in a sanitary condition.

83.115. Health and Safety Standards--Eyelash Extension Application Services. *(New section effective February 17, 2012, 37 TexReg 681)*

- (a) A licensee offering the eyelash extension application service shall wash his or her hands with soap and water prior to performing any services on a client.
- (b) Equipment, implements, and materials shall be properly cleaned and disinfected prior to providing services.
- (c) Chairs and beds, including headrests, shall be cleaned and disinfected after providing services to each client. The chair and beds shall be made of or covered in a non-porous material that can be disinfected.
- (d) After each client, the following implements shall be cleaned and disinfected: tweezers, nasal aspirator or electric eyelash dryer and other items used for a similar purpose.
- (e) The following implements are single-use items and shall be discarded in a trash receptacle after use: disposable gloves, tissues, disposable wipes, fabric strips, surgical tape, eye pads, extensions, cotton swabs, face mask, brushes, extension pads and other items used for a similar purpose.
- (f) The following items that are used during services shall be replaced with clean items for each client: disposable and terry cloth towels, hair caps, headbands, brushes, gowns, spatulas that contact skin or products from multi-use containers.
- (g) A licensee shall use only properly labeled semi-permanent glue and semi-permanent glue remover that must be used according to the manufacturer's instructions.
- (h) Extensions must be stored in a sealed bag or covered container and shall be kept in a clean dry, debris-free storage area.

83.120. Technical Requirements--Curriculum. *(New section effective March 1, 2006, 31 TexReg 1280; amended effective August 1, 2006, 31 TexReg 5952; amended effective October 11, 2007, 32 TexReg 7050; amended effective February 17, 2012, 37 TexReg 681; amended effective January 1, 2014, 38 TexReg 9520; amended effective July 1, 2014, 39 TexReg 4650; amended effective January 1, 2016, 40 TexReg 8759)*

- (a) Operator Curricula

PRIVATE AND PUBLIC POST-SECONDARY COSMETOLOGY SCHOOLS (1500 CLOCK HOURS OR EQUIVALENT CREDIT HOURS)

- (A) Haircutting, styling and related theory: 500 hours
- (B) Hair coloring and related theory: 200 hours
- (C) Cold waving and related theory: 200 hours
- (D) Orientation, rules and laws: 100 hours
- (E) Manicuring and related theory: 100 hours
- (F) Shampoo and related theory: 100 hours
- (G) Chemistry: 75 hours
- (H) Salon management and practices: 75 hours
- (I) Hair and scalp treatment and related theory: 50 hours
- (J) Chemical hair relaxing and related theory: 50 hours
- (K) Facials and related theory: 50 hours

PUBLIC SECONDARY PROGRAMS FOR HIGH SCHOOL STUDENTS (1,000 CLOCK HOURS OR EQUIVALENT CREDIT HOURS)

- (A) Haircutting, styling, and related theory: 400 hours
- (B) Hair coloring and related theory: 150 hours
- (C) Cold waving and related theory: 100 hours
- (D) Manicuring and related theory: 100 hours
- (E) Orientation, rules and laws: 75 hours
- (F) Shampoo and related theory: 75 hours
- (G) Chemical hair relaxing and related theory: 50 hours
- (H) Facials and related theory: 25 hours

(I) Hair and scalp treatment and related theory: 25 hours

CLASS A BARBER TO COSMETOLOGY OPERATOR (300 CLOCK HOURS OR
EQUIVALENT CREDIT HOURS)

(A) Haircutting, styling and related theory: 30 hours

(B) Hair coloring and related theory: 50 hours

(C) Permanent waving including chemical hair relaxing and related theory: 30 hours

(D) Orientation, rules and laws: 20 hours

(E) Manicuring and related theory: 50 hours

(F) Shampoo and related theory: 10 hours

(G) Chemistry: 20 hours

(H) Salon management and practices: 10 hours

(I) Hair and scalp treatment and related theory: 5 hours

(J) Facials and related theory: 75 hours

(b) Specialist Curricula

ESTHETICIAN CURRICULUM (750 CLOCK HOURS OR EQUIVALENT CREDIT HOURS)

(A) facial treatment, cleansing, masking, therapy: 225 hours

(B) anatomy and physiology: 90 hours

(C) electricity, machines, and related equipment: 75 hours

(D) Makeup: 75 hours

(E) orientation, rules and laws: 50 hours

(F) Chemistry: 50 hours

(G) care of client: 50 hours

(H) sanitation, safety, and first aid: 40 hours

(I) Management: 35 hours

(J) superfluous hair removal: 25 hours

(K) aroma therapy: 15 hours

(L) Nutrition: 10 hours

(M) color psychology: 10 hours

MANICURE CURRICULUM (600 CLOCK HOURS OR EQUIVALENT CREDIT HOURS)

(A) procedures: basic manicure and pedicure, oil manicure, removal of stains, repair work, hand and arm massage, buffing, application of polish, application of artificial nails, application of cosmetic fingernails, preparation to build new nail, and application of nail extensions, sculptured nails, tips, wraps, fiberglass/gels and odorless products: 320 hours

(B) bacteriology, sanitation and safety: definitions, importance, rules, laws, methods, safety measures, hazardous chemicals and ventilation odor in salons: 100 hours

(C) professional practices: manicuring as a profession, vocabulary, ethics, salon procedures, hygiene and grooming, professional attitudes, salesmanship and public relations: 80 hours

(D) arms and hands: major bones and functions, major muscles and functions, major nerves and functions, skin structure, functions, appendages, conditions and lesions, nails structure, composition, growth, regeneration, irregularities and diseases: 70 hours

(E) orientation, rules, laws and preparation: 15 hours

(F) equipment, implements and supplies: 15 hours

ESTHETICIAN/MANICURE CURRICULUM (1200 CLOCK HOURS OR EQUIVALENT CREDIT HOURS)

(A) Orientation, rules, laws and preparation(F and M): 30 hours

(B) Electricity, machines, related equipment, implements and supplies (F and M): 90 hours

(C) Facial treatment, cleansing, masking, therapy (F): 215 hours

(D) Procedures - basic manicure and pedicure, oil manicure, removal of stains, repair work, hand and arm massage, buffing, application of polish, application of artificial nails, application of cosmetic fingernails, preparation to build new nail, and application of nail extensions, sculptured nails, tips, wraps, fiberglass/gels and odorless products (M): 310 hours

(E) Anatomy and physiology (F): 50 hours

(F) Arms and hands - major bones and functions, major muscles and functions, major nerves and functions, skin structure, functions, appendages, conditions and lesions, nails structure, composition, growth, regeneration, irregularities and diseases (M): 50 hours

(G) Makeup (F): 75 hours

(H) Chemistry (F): 30 hours

(I) Sanitation, safety, and first aid (F): 40 hours

(J) Care of client (F): 50 hours

(K) Management (F): 20 hours

(L) Superfluous hair removal (F): 25 hours

(M) Aroma therapy (F): 15 hours

(N) Nutrition (F): 10 hours

(O) Color psychology (F): 10 hours

(P) Bacteriology, sanitation and safety - definitions, importance, rules, laws, methods, safety measures, hazardous chemicals and ventilation odor in salons (M): 100 hours

(Q) Professional practices - manicuring as a profession, vocabulary, ethics, salon procedures, hygiene and grooming, professional attitudes, salesmanship and public relations (M): 80 hours

EYELASH EXTENSION CURRICULUM (320 CLOCK HOURS OR EQUIVALENT CREDIT

HOURS)

- (A) Orientation, rules and law: 10 hours
- (B) First aid and adverse reactions: 15 hours
- (C) Sanitation and contagious diseases: 20 hours
- (D) Safety and client protection: 10 hours
- (E) Eyelash growth cycles and selection: 20 hours
- (F) Chemistry of products: 5 hours
- (G) Supplies, materials and related equipment: 10 hours
- (H) Eyelash extension application: 190 hours
- (I) Eyelash extension isolation and separation: 15 hours
- (J) Eye shapes: 15 hours
- (K) Professional image/salon management: 10 hours

HAIR WEAVING CURRICULUM (300 CLOCK HOURS OR EQUIVALENT CREDIT HOURS)

(A) Hair weaving :

Basic hair weaving, repair on hair weaving, removal of weft, sizing and finishing by hand of hair ends or by using mechanical equipment: 150 hours

(B) shampooing client, weft and extensions:

Basic shampooing, basic conditioners, semi-permanent and weakly rinses, basic hair drying, draping: 50 hours

(C) professional practices:

Hair weaving as a profession, vocabulary, ethics, salon procedures, hygiene, grooming, professional attitudes, salesmanship, public relations, hair weaving/braiding skills, including

purpose, effect, equipment, implements, supplies, and preparation: 40 hours

(D) anatomy and physiology-scalp:

major bones and functions, major muscles and functions, major nerves and functions, skin structures, functions, appendages, conditions and lesions, hair or fiber used, structure, composition, hair regularities, hair and scalp diseases: 30 hours

(E) chemistry in hair weaving:

elements, compounds, and mixtures, composition and uses of cosmetics in hair weaving: 10 hours

(F) sanitation and safety measures:

definitions, importance, sanitary rules and laws, sterilization methods of unused hair and fiber droppings: 10 hours

(G) safety measures: client protection: 10 hours

WIG CURRICULUM (300 CLOCK HOURS OR EQUIVALENT CREDIT HOURS)

(A) combing out: 50 hours

(B) Styling: 50 hours

(C) Coloring, tinting, bleaching: 37 hours

(D) Rolling: 30 hours

(E) cutting and shaping, scissors and razor: 20 hours

(F) hot iron: 19 hours

(G) Cleaning: 10 hours

(H) alterations, installation of elastic: 10 hours

(I) Conditioning: 10 hours

(J) brushing technique prior to styling: 10 hours

(K) identification and recognition definition-wigs, wiggery, wigology-pertaining to any human, synthetic, or animal hairpiece: 10 hours

(L) sanitation, disinfecting, required rules and laws: 10 hours

(M) eye tabbing: 10 hours

(N) Sizing: 5 hours

(O) Drying: 5 hours

(P) measuring head for proper size: 5 hours

(Q) preparation of wig on block: 5 hours

(R) history, background, and salesmanship: 3 hours

(S) knowledge of coloring: J L: 1 hour

(c) Instructor Curricula

COSMETOLOGY INSTRUCTOR (750 CLOCK HOURS OR EQUIVALENT CREDIT HOURS)

(A) Lesson plans: 140 hours

(B) Methods of teaching: 180 hours

(C) Classroom management: 90 hours

(D) Evaluation techniques: 90 hours

(E) State laws and forms: 60 hours

(F) Visual aids preparation and use: 60 hours

(G) Learning theory: 100 hours

(H) Orientation, rules, and laws: 30 hours

COSMETOLOGY INSTRUCTOR WITH ONE YEAR EXPERIENCE (500 CLOCK HOURS OR EQUIVALENT CREDIT HOURS)

- (A) Lesson plans: 90 hours
- (B) Methods of teaching: 120 hours
- (C) Classroom management: 60 hours
- (D) Evaluation techniques: 60 hours
- (E) State laws and forms: 40 hours
- (F) Visual aids preparation and use: 40 hours
- (G) Learning theory: 70 hours
- (H) Orientation, rules, and laws: 20 hours
- (d) Distance Education

(1) Schools offering distance education may not designate more than 25% of the total curriculum hours in each course as theory hours.

(2) A student may obtain the following distance education curriculum hours:

- (A) a maximum of 375 hours out of the 1,500 hour operator course;
 - (B) a maximum of 250 hours out of the 1,000 hour operator course;
 - (C) a maximum of 75 hours out of the 300 hour class A barber to operator course;
 - (D) a maximum of 150 hours out of the 600 hour manicure course;
 - (E) a maximum of 188 hours out of the 750 hour esthetician course;
 - (F) a maximum of 300 hours out of the 1200 hour esthetician/manicurist course;
 - (G) a maximum of 80 hours out of the 320 hour eyelash extension course;
 - (H) a maximum of 75 hours out of the 300 hour hairweaving course;
 - (I) a maximum of 188 hours out of the 750 hour instructor course; and
 - (J) a maximum of 125 hours out of the 500 hour instructor course.
- (e) Field Trips.

(1) Cosmetology related field trips are permitted under the following conditions for students enrolled in the following courses and the guidelines under this subsection must be strictly followed.

(2) A student may obtain the following field trip curriculum hours:

(A) a maximum of 75 hours out of the 1,500 hours operator course;

(B) a maximum of 50 hours out of the 1,000 hours operator course;

(C) a maximum of 30 hours for the manicure course;

(D) a maximum of 30 hours for the esthetician course;

(E) a maximum of 60 hours for the esthetician/manicurist course;

(F) a maximum of 15 hours for the eyelash extension course;

(G) a maximum of 30 hours for students taking the 750 hour instructor course; and

(H) a maximum of 20 hours for students taking the 500 hour instructor course.

(3) Unless provided by this subsection, field trips are not allowed for specialty courses.

(4) Students must be under the supervision of a licensed instructor from the school where the student is enrolled at all times during the field trip. The instructor-student ratio required in a school is required on a field trip.

(5) Complete documentation is required, including student names, instructor names, activity, location, date, and duration of the activity.

(6) No hours are allowed for travel.

(7) Prior department approval is not required.

Section 1602.406. Infectious and Contagious Diseases

(a) A person holding an operator license, instructor license, or specialty certificate may not perform any practice of cosmetology if the person knows the person is suffering from an

infectious or contagious disease for which the person is not entitled to protection under the federal Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.).

(b) A person holding a beauty shop license, specialty shop license, private beauty culture school license, or license to operate a vocational cosmetology program in a public school may not employ a person to perform any practice of cosmetology if the license holder knows that the person is suffering from an infectious or contagious disease for which the person is not entitled to protection under the Americans with Disabilities Act of 1990.

Sec. 1603.102. Sanitation Rules

The commission shall establish sanitation rules to prevent the spread of an infectious or contagious disease.