

CHAPTER 1. ADMINISTRATIVE OPERATIONS
SUBCHAPTER 1. GENERAL PROVISIONS

175:1-1-2. Definitions

The terms and phrases defined in the Oklahoma Cosmetology Act shall have the same meaning when applied in the rules which are herein set forth in this Chapter to substantiate the Cosmetology and Barbering Law. The following rules and terms shall have the same meaning, unless the context clearly indicates otherwise:

"Act" means the Oklahoma Cosmetology and Barbering Act.

"Apprentice" means a person who is engaged in learning the practice of cosmetology or barbering in a cosmetology or barber establishment. [Title 59 O.S. Section 199.1]

"Assigned practice or clinic work" means demonstrations and lesson practice in which services may be performed on patron, student or model on clinic floor in classroom for the benefit of student observation, notes, etc. The practice or demonstration shall be assigned by or with approval of the instructor in charge and materials/supplies used for the education demonstration are the responsibility of the school.

"Barber/Barber Stylist" means any person who engages in the practice of barbering.

"Barber Establishment" means an Establishment or place of business where one or more persons are engaged in the practice of barbering but shall not include barber schools or colleges.

"Barbering" means any one or combination of practices done upon the upper part of the human body for cosmetic purposes and when done for payment either directly or indirectly for the general public, constitutes the practice of barbering, to wit: shaving or trimming the beard or cutting the hair; giving facial or scalp massages or treatment with oils, creams, lotions or other preparations, either by hand or mechanical appliances; singeing, shampooing or applying lighteners or color to the hair, applying hair tonics; applying cosmetic preparations, antiseptics, powders, oils, clays or lotions to scalp, face, neck or upper part of the body, but excluding the application of makeup; and removing superfluous hair from the face, neck or upper part of the body.

"Barber school or college" means an Establishment operated for the purpose of teaching barbering.

"Board" means the State Board of Cosmetology and Barbering.

"Clean" means removal of surface and/or visible debris by using soap, detergent or chemical "cleaner", followed by a clean water rinse.

"Clock hour" means a measure of time determined to be sixty (60) minutes that a student spends in an educational or training activity.

"Contact time" means the amount of moist contact time required for a disinfectant to be effective against the pathogens on the label. Clean items or surfaces must remain completely immersed or visibly wet (sprays, wipes) for full contact time to be effective.

"Cosmetic studio" means any place or premises where demonstrators give demonstrations, without compensation, for the purpose only of advertising and selling cosmetics.

"Cosmetician" means a person licensed by the Board to perform patron services limited to hair arranging and application of make-up, including, but not limited to using hairstyling tools and products. Services must be performed in a licensed establishment.

"Cosmetologist" means any person who engages in, follows or performs any of the practices of cosmetology.

"Cosmetology" means any one or combination of practices generally and usually performed by and known as the occupation of beauticians, beauty culturists, beauty operators, cosmeticians, cosmetologists, or hairdressers, or any other person holding himself or herself out as practicing cosmetology by whatever designation and within the meaning of the Oklahoma Cosmetology and Barbering Act and in or upon whatever place or premises. Cosmetology shall include, but not limited to, any one or combination of the following practices: bleaching, cleansing, curling, cutting, coloring, dressing, removing, singeing, styling, waving or similar work upon the hair of any person by any means, whether with hands or mechanical or electrical apparatus or appliances. Nothing in the Oklahoma Cosmetology and Barbering Act shall be construed to prohibit the use of hands or mechanical or electrical apparatus or appliances for the non-permanent removal of hair from the human body without puncturing of the skin or the use of stimulating exercising, beautifying or similarly working the scalp, face, neck, arms or the manicuring of the nails of any person, exclusive of such of the foregoing practice as are within the scope of practice of the healing arts as provided by law.

"Cosmetology Establishment" means an Establishment or place of business where one or more persons are engaged in the practice of cosmetology but shall not include barber schools and colleges.

"Cosmetology or Barber school" means a school or department that is approved by the Board to conduct and provide cosmetology and/or barber training and education in Oklahoma. It means any place or premises where instruction in any or all the practices of cosmetology and or barbering are given. Any person, firm, institution or corporation, who holds himself, firm, institution or corporation who shall teach and train any other person or persons in any of the practices of cosmetology and/or barbering is hereby declared to be engaged in operating a cosmetology and/or barbering school, and shall be operating cosmetology and/or barbering school, and shall be subject to the provisions of the Oklahoma Cosmetology and Barbering Act. Licensed cosmetology and barbering schools may offer education to secondary and post secondary students in this state.

"Credit hour" means a unit of value awarded to a student for successful completion of a program, course or course lesson and credit to clock ratio as recognized by the United States Department of Education or a regional or national accreditation entity recognized by the United States Department of Education.

"Demonstrator" means a person who is not licensed in this state as a Cosmetologist, Barber or Instructor and who demonstrates any cosmetic preparation. The person shall be required to obtain a Demonstrator license from the Board before making any such demonstrations.

"Disinfect" means the process of making a non-porous item safe for use. Requires the use of a chemical intended to kill or denature a bacteria, virus or fungus. Proper disinfection requires adherence to manufacturers label with regard to concentration and contact time. UV light is not acceptable disinfection.

"Dry sanitizer" means a clean, dry, closed (covered) cabinet, drawer, chest or other type container used in a cosmetology/barber establishment or school for the purpose of storing clean, dry disinfected combs, brushes and other implements without fumigant after the articles have been cleaned and disinfected in a wet sanitizer (or by other approved method in the case of metal implements).

"Emergency circumstances" means a serious injury, illness or death in the immediate family of applicant for registration, examination, licensure, etc.

"Establishment" means a place or premises, cosmetology salon or barber shop, cosmetic or other specialty shop/salon where any one or combination of cosmetology or barbering practices are performed on the public except that the term shall not include a cosmetology or barbering school.

"Esthetician/Facialist/Facial Operator" means a person licensed by the Board to perform skin care, make-up and hair removal services to the public provided the hair removal services shall not include electrolysis.

"Eyelash Extensions" means the application, removal, and trimming of threadlike natural or synthetic fibers to an eyelash, and includes the cleansing of the eye area and lashes, as well as tinting, laminating and lifting lashes. "Eyelash extensions" do not include any other cosmetology service, including, but not limited to, hair removal, make-up application, or skin care treatments.

"Eyelash Extension Specialist" means a person who is not a Cosmetologist or Esthetician/Facialist/Facial Operator, but who holds a limited specialty license and is authorized to perform eyelash extensions as defined by this rule.

"Facial/Esthetics Instructor" means a person licensed by the Board as a qualified teacher of the art and science of skin care theory and practice.

"Hairbraiding Technician" means a person certified by the Board to perform hairbraiding, hairweaving techniques, and hair extensions in a licensed cosmetology establishment.

"Hybrid learning" means courses that combine face-to-face classroom instruction with on-line computer based learning.

"Manicurist/Nail Technician" means a person licensed by the Board to perform nail care services to the public in a place licensed by the Board where nail care/manicuring/pedicuring services may be performed.

"Manicurist/Nail Technician Instructor" means a person licensed by the Board as a qualified teacher of the art and science of nail technology theory and practice.

"Master Barber Instructor" means a person licensed by the Board who gives instruction in barbering or any practices thereof and trained in a school after November 1, 2014.

"Master Cosmetology Instructor" means a person licensed by the Board as a qualified teacher of cosmetology theory and practice.

"Mobile Establishment" means a specialty Establishment that is operated in a self-contained, self-supporting, enclosed mobile unit.

"Non-Porous" means material that has no pores and does not allow for liquids to be absorbed or pass through. Common non-porous materials include glass, metal and plastic.

"Post secondary institution" means a school licensed to teach students according to prescribed curriculum as in Title 59 O.S. § 199.7 (F) 1 Board rule 175:10-3-34(a).

"Porous" means material that has minute spaces or holes through which liquid or air may pass.

"Secondary institution" means a school licensed to teach students eligible for credit for 500 hours of related subjects as prescribed in Title 59 O.S. § 199.7 (f)2 and in Board rule 175:10-3-34(b).

"Sterilize" means the eradication of all microbial life through the use of heat, pressure, steam or chemical sterilant.

"Student" means a person who is enrolled in a cosmetology or barber school and appropriately registered with the Board for the purpose of being educated and trained in the practice of cosmetology or barbering.

"Threading" means a form of temporary hair removal by using thread that is twisted and rolled along the surface of the skin, entwining the hair in the thread and lifting it out of the follicle.

"Threading Technician" means a person with a limited specialty cosmetology license issued by the Board to perform threading in a licensed establishment.

"Unassigned practice or clinic work" means a personal service of cosmetology or barber practice (on student on another etc.); which shall be elective practice which one student chooses to perform or to receive (routine shampoo not included); and in which school supplies may be used (i.e. bleach/color/perm, etc.); and which practice and service is not assigned by the instructor and/or performed for the benefit of a group of students who have been scheduled to observe as a classroom or clinic demonstration; and for which a reasonable cost for supplies used in the practice may be charged to the student receiving the unassigned services.

"Wet sanitizer" means a large, pan-type covered container which shall contain a liquid chemical disinfecting agent used in a school or Establishment for the purpose of disinfecting combs, brushes and other non-metal tools and implements used in training and practice.

SUBCHAPTER 3. BOARD STRUCTURE AND AGENCY ADMINISTRATION

175:1-3-1. Composition, powers and duties of Board

(a) The Board is composed of eleven (11) members appointed by the Governor for four-year terms, who serve at the Governor's pleasure for staggered terms to four (4) year staggered terms. Six (6) cosmetologist members are appointed, one (1) from each of six (6) congressional districts of the state. One (1) member is appointed to represent public cosmetology schools, one (1) to represent privately owned cosmetology schools, one (1) to represent privately owned barber school, and one (1) is appointed as a lay/public member, one (1) barber member is appointed at large. One member shall be appointed from each congressional district and the additional members shall be appointed at-large. . . . Six members shall, at the time of appointment, have had at least five (5) years' continuous practical experience in the practice of cosmetology in this state; one member shall be appointed at large and, at the time of the appointment, have had at least five (5) years' continuous practical experience in the practice of barbering in this state; one member shall be a lay person; one member shall be an administrator of a licensed private cosmetology school; one member shall be an administrator of a licensed barber school; and one member shall be an administrator of a public school licensed to teach cosmetology or barbering Pursuant to 59 O.S., § 199.2.,

(b) The Board shall employ an Executive Director who shall be in charge of the Board office.

(1) The Executive Director shall devote entire time to the duties of the agency.

(2) The Executive Director shall hold a current Oklahoma Master Instructor license.

(3) The Executive Director must be qualified by education and experience.

(c) The Board elects a chair and vice chair from its membership in July each year.

(1) The chair presides over all Board meetings.

(2) The chair has the authority to call meetings if the need arises.

(d) An Assistant Attorney General is assigned to the agency as liaison and serves as the Board's legal advisor.

(e) In order to safeguard and protect the health and general welfare of the people of the State of Oklahoma, the Board has the power and duty to carry out the provisions of the Cosmetology and Barber Act 59 O.S. Section 199.1 et. seq. and to make and enforce all reasonable and necessary

rules and regulations for that purpose. In addition to the general powers, the Board shall have the following powers and duties:

- (1) The Board shall promulgate rules relating to the standards of sanitation which shall be observed and practiced by all cosmetology and barber Establishments and schools.
 - (2) Conduct examinations for licensure at such times and places determined by the Board.
- (f) The Board may exercise its official powers at any location in the State of Oklahoma.

175:1-3-2. Agency administration; description of agency

- (a) The State Board of Cosmetology and Barbering shall create positions, make appointments and fix salaries of officials and employees necessary to carry out the purposes of the Cosmetology and Barbering Act [59 O.S. Sections 199.1 et. seq] and the administration thereof.
- (b) The Board's Executive Director is in charge of the office and directly supervises all employees.
- (c) The office of the State Board of Cosmetology and Barbering is located at 2401 N.W. 23rd Street, Suite 84, (Shepherd Mall Center) in Oklahoma City, Oklahoma 73107. Phone number (405) 521-2441. Fax number (405) 521-2440.
- (d) Board office hours are from 7:30 a.m. to 4:00 p.m. Monday through Friday inclusive except legal holidays established by statute or proclamation by the Governor. With Board approval, office hours are subject to change.
- (e) All application and other forms and instructions which pertain to a permit or license, shall be available at the Board's principal office during regular business hours.
- (f) All Board meetings are conducted at the Board's office location. ~~Rule making~~ Rulemaking and disciplinary hearings may be held in other locations if additional space is needed or if considered necessary for other legal valid reasons.

SUBCHAPTER 5. RULES OF PRACTICE

175:1-5-13. Agency rulemaking

- (a) All rules shall be promulgated and submitted for gubernatorial and legislative approval in accordance with the Administrative Procedures Act and rules established for agency rulemaking. Adopted rules shall be filed with the Office of Administrative Rules in compliance with the applicable rule and law.
- (b) Any person may request the Board to adopt, amend or repeal a rule in this ~~chapter~~ Title. The request shall be made in writing and shall include the ~~follow~~ following:
 - (1) ~~the~~ The name, address and telephone number of the person making the request;
 - (2) ~~the~~ The name, address and telephone number of the agency or organization the person represents, if any;
 - (3) ~~an~~ An explanation for the reason for requesting the adoption, amendment, or repeal of a rule;
 - (4) ~~the~~ The number used to identify the rule if the request is to amend or repeal an existing rule; and
 - (5) ~~the~~ The proposed language if the request is to amend an existing rule or adopt a new rule.
- (c) ~~It is the Board's policy to request made in accordance with subsection (b) within 30 calendar days~~ Within thirty (30) calendar days of submission of a request, the Board shall initiate rulemaking proceedings or provide a written response explaining why rulemaking proceedings were not initiated.

CHAPTER 10. LICENSURE OF COSMETOLOGIST, BARBERS, SCHOOLS AND RELATED ESTABLISHMENTS

SUBCHAPTER 3. LICENSURE OF SCHOOLS

PART 3. STUDENT REGISTRATION AND ENTRANCE REQUIREMENTS

175:10-3-16. Student entrance requirements

Student entrance requirements for the Basic Cosmetologist, Manicurist/Nail Technician, Cosmetician, Esthetician/Facialist/Facial Operator, Eyelash extension specialist, Barber and Barber Instructor courses are as follows:

- (1) The student must:
 - (A) ~~be~~Be at least sixteen (16)~~16~~ years of age by November 1st of the current year.
 - (B) ~~submit~~Submit completed student registration application accompanied by a fee of \$5.00 before attending classes.
 - (C) ~~submit~~Submit a copy of the completed student/school contract with the student registration application.
 - (D) ~~submit~~Submit proof of at least eighth grade education or equivalency or submit proof of having satisfactorily passed an ability to benefit exam.
 - (E) ~~submit~~Submit, if under eighteen (18)~~18~~ years of age, a photocopy of birth certificate or other legal proof of age.
 - (F) ~~submit~~Submit 2" X 2" current full-face photograph of the applicant as requested on registration form. A current photograph is one taken within the last six (6)~~six~~ months. No embellishments or filters of any kind that alter the face of the applicant are allowed.
- (2) Each student shall be registered with the Board before attending school.
- (3) Each student shall be provided with an approved textbook or manual upon commencing training.
- (4) All applicants who register with the Board as students or who apply for a license will be considered without regard to race, sex, creed, color, religion, or national origin provided they have met all requirements of cosmetology and barber law and rules of the Board. All students shall be considered for enrollment in a school. Admission to public schools is governed by applicable state and federal laws.

PART 5. EQUIPMENT AND CURRICULUM REQUIREMENTS

175:10-3-30. Required library copies of cosmetology law/rules

- (a) At least six (6) copies of the Oklahoma Cosmetology/Barbering Law and Board rule book must be maintained in library of each school and available to students; provided, however, that schools may use electronic versions of the rule book. The books will be provided by the Board at a current cost of printing and delivery to each school.
- (b) Reference manuals or other material shall be kept current by replacement or supplement as pertains to all areas of the curriculum. Each school shall maintain a quality reference library addressing various major subjects as pertain to the total field of cosmetology or barbering.

SUBCHAPTER 7. SANITATION, DISINFECTION AND SAFETY STANDARDS FOR ESTABLISHMENTS AND SCHOOLS

175:10-7-1. Cosmetology and Barber Establishment separate from residence or other business

(a) No Establishment licensed pursuant to 59 O.S. § 199.9 shall operate in a residence or beauty/barber supply house or other business unless the room or rooms in which cosmetology or barbering services are being provided are separate and apart from the residence residence/supply house or business and with a separate entrance. Establishment must be separate from beauty supply house/business. The Establishment area shall have a separate entrance and must be identified with signed signage, in order for the Board and consumers to determine the specific area of inspection authority and responsibility. The Establishment area shall be separated by a solid divider, partition, wall, display counter or shelves. This divider/Divider wall must measure at least six (6) feet from floor to top in such manner as to assure compliance with Board standards of sanitation and safety for the Establishment operation. All doors and windows between the residence/living quarters and the Establishment shall be kept closed during Establishment hours.

(b) Nothing in this rule shall be interpreted as prohibiting licensees from providing services to patrons or consumers in the patrons' or consumers' private residences, in accordance with 59 O.S., § 199.18.

175:10-7-29. Facial procedures, devices and equipment Scope of practice for Cosmetologists and Facialists/Estheticians

(a) Licensees are prohibited from performing facial procedures using cosmetic exfoliating substances or devices that effect more than the top layer (stratum corneum) or outer most layer of dead cells on the skin. Procedures which use any cosmetic exfoliation substance or device to remove viable (living) skin below the stratum corneum are deemed beyond the scope of practice of persons and Establishments licensed by the Board of Cosmetology and Barbering.

(b) Cosmetic exfoliating substances may include alpha hydroxyl acids (glycolic and lactic acids), beta hydroxyl acids, salicylic acid, Jessner's solutions, resorcinol and other substances intended to affect no more than the stratum corneum.

(c) Cosmetic exfoliating devices may include FDA (U.S. Food and Drug Administration) registered and/or approved devices, provided that such devices affect no more than the stratum corneum.

(d) Invasive procedures which ablate or destroy, remove, or make an incision or pierce the skin beyond the stratum corneum is prohibited.

(e) Roll on wax products are prohibited.

(f) Superficial exfoliation treatments on the stratum corneum using commercially available products and devices used in accordance with manufacturer's written instructions.

(1) Only the stratum corneum may, by any method or means, be removed, and then only for the purpose of improving the appearance of the skin.

(2) Skin removal techniques and practices which result in destruction of living tissue beyond the stratum corneum layer of skin is prohibited.

(g) Use of esthetic devices approved by rule, that are intended to be used for cosmetic skin care purposes, beautifying, and improving the appearance of the skin. Including but not limited to:

(1) galvanic current

- (2) High frequency
- (3) Mechanical brushes
- (4) Vacuum spray devices
- (5) Steamers
- (6) Micro-current devices
- (7) Microdermabrasion devices
- (8) Low Level radio frequency devices
- (9) Light emitting Diode devices

(h) Extraction techniques including but not limited to; Metal extractor tool

(i) Esthetic devices must be commercially available and be operated within manufacture written guidelines and be FDA registered if required under 201 (h) of the Federal Drug and Cosmetic (FD&C) Act and may not fall within class 3 designation.

(a) Cosmetology means any one or combination of practices generally and usually performed by and known as the occupation of beauticians, beauty culturists, beauty operators, cosmeticians, cosmetologists, or hairdressers or of any other person holding himself or herself out as practicing cosmetology by whatever designation and within the meaning of the Oklahoma Cosmetology and Barbering Act, but expressly does not include services that puncture the skin or that are within the scope of practice of the healing arts pursuant to 59 O.S., § 199.1 and OAC 175:1-1-2.,

(1) For the purposes of the Oklahoma Cosmetology and Barbering Act (“Act”), “puncturing the skin” is defined as perforating the skin by any means, including, but not limited to:

(A) The application of permanent makeup;

(B) Microblading, which is a semi-permanent technique for enhancing the appearance of eyebrows in which pigment is scratched into the skin using a hand tool with a blade formed of tiny needles;

(C) Microneedling or “collagen induction treatment or therapy,” which is a procedure that uses a multi-needled device to create microchannels in the skin at a depth greater than 0.25 mm to stimulate the body’s natural healing process while minimizing cellular damage;

(D) The use of laser treatments; ultrasound and high intensity focused ultrasound (“HIFU”) treatments; radiation; plasma pen; injections, including, but not limited to, injections performed by means of needle-free injection devices; and Food and Drug Administration (“FDA”) approved Class 3 medical devices;

(E) Cryolipolysis or “fat freezing,” which is a fat reduction procedure that uses cold temperature to reduce fat deposits in certain areas of the body;

(F) Dermabrasion, which is a procedure that uses a specialized instrument to “sand” or scrape away the top layers of the skin; and

(G) The removal of tattoos, skin tags, moles or angiomas.

(2) Services that puncture the skin or that are within the scope of practice of the healing arts are beyond the scope of a cosmetology license and a facialist/esthetician license.

(b) Esthetic devices approved by rule, that are intended to be used for cosmetic skin care purposes, beautifying, and improving the appearance of the skin, include, but are not limited to:

(1) Galvanic current;

(2) High frequency;

- (3) Mechanical brushes;
- (4) Vacuum spray devices;
- (5) Steamers;
- (6) Micro current devices;
- (7) Microdermabrasion devices;
- (8) Low level radio frequency devices;
- (9) Light emitting Diode devices, including, but not limited to, intense pulsed light therapy devices; and
- (10) Metal extractor tools.

(c) Cosmetologists and Facialists/Estheticians may only exfoliate stratum corneum cells. With proper training, Cosmetologists and Facialists/Estheticians may use any chemical, mechanical or electrical service to exfoliate cells of the stratum corneum, including, but not limited to:

(1) Chemical exfoliating agents, including, but not limited to, alpha hydroxyl acids (glycolic and lactic acids), beta hydroxyl acids, salicylic acid, Jessner's solutions, and resorcinol. Provided, however, that chemical peels performed by a Cosmetologist or Facialist/Esthetician shall be mixed and used at an ingredient concentration of thirty percent (30%) solution or less at final formulation, or with a pH value not less than three (3), unless all of the following conditions are met:

- (A) The chemical peel preparation is a commercially available product approved for use by Cosmetologists and/or Facialists/Estheticians;
- (B) The licensee can provide documentation from the manufacturer that the specific product does not penetrate below the stratum corneum when used as directed;
- (C) The licensee can provide documentation of training and/or certification in the use of the product;
- (D) The licensee follows all manufacturer's directions in the use of the chemical peel preparation; and
- (E) The preparation is stored according to the manufacturer's specifications and is discarded after its expiration date.

(2) Microdermabrasion; provided, however, that any microdermabrasion equipment used by a Cosmetologist or Facialist/Esthetician must be a Class 1 or Class 2 device under the FDA's classification system. The Cosmetologist or Facialist/Esthetician must prominently display a certificate of training proficiency for each type of microdermabrasion equipment used. The use of Class 3 FDA-approved devices for microdermabrasion is prohibited.

(d) Licensees using a device, equipment, chemical or a product shall comply with the manufacturer's directions when using, storing and disposing of the device, equipment, chemical or product.

175:10-7-33. Make-up and strip eyelashes/Eyelash Extensions

- (a) Make-up pencils that do not require sharpening, should not be used.
- (b) Make-up pencils that require a sharpener, must be sharpened prior to each use.
- (c) Pencil sharpeners must be cleaned out and properly disinfected by immersion or spray with an EPA-registered disinfectant after each use.
- (d) Disposable applicators must be used in the application of mascara.
- (e) Liquid foundation must be dispensed with a pump-style bottle or removed from container without allowing mouth of container to be contaminated.

- (f) Make-up that is in a cake format should be scraped off onto a single use or disinfected surface, such as a palette for application.
- (g) When make-up displays are accessible to the public, disposable applicators for all make-up must be readily available.
- ~~(h) Eyelash extensions may only be performed by a licensed cosmetologist or esthetician~~
- ~~(i) Tables/Beds/Chairs used during eyelash services must be covered by a:~~
- ~~(1) Disposable sheet/paper~~
 - ~~(2) Non Porous Plastic cover (disinfected between clients)~~
 - ~~(3) Clean sheet or linen~~
 - ~~(4) Disposable paper towel like product or hand sized towel may be used under the head of each new client.~~
- ~~(j)(h) Tray Barrier — a fresh/new disposable barrier, such as a freshly laundered towel or paper towel, will shall be used placed on the tray or counter space on which items for clients replaced before each service begins. and underneath any implements, tools or supplies to be used when providing services to a client.~~
- ~~(k) Mask will be worn properly over both nose and mouth during eyelash service.~~
- ~~(l) Forehead Barrier — disposable, single use or freshly laundered forehead barrier must be used.~~
- ~~(m)(i) LashStrip eyelash use and Storage~~
- (1) Lashes must be stored in covered container.
 - (2) Once lashes are removed from original container, they cannot be placed back in original container and may not be used on another client and may not be stored for later use of same client.
 - (3) Any cutting implement used to cut lashes into sections (to render lash strips on time use) must be disinfected and stored in covered container.
 - (4) Glue stones, lash tiles, lash pallets and like items used to pull ~~lashes~~ from during service, must be disinfected between clients.
- ~~(n) (j) De-tacking tape used for taping back eye lid skin or lashes cannot be de-tacked on skin. De-tacking must be done on a clean towel.~~
- ~~(o) (k) Any nozzle or dropper used for rinsing or flushing the eye during the service cannot come in direct contact with the eye or skin.~~
- ~~(p)(l) Make-up application on the face and beautifying lashes and brows with the use of commercially-available products must be useperformed in accordance with manufacturer manufacturer's written instructions, include but not limited to;~~
- (1) ~~LashStrip eyelash extension application;~~
 - (2) ~~Lightening hair on the body except the scalp; and~~
 - (3) ~~Temporary tattoo application, i.e. henna, crystals.~~

175:10-7-33.1. Eyelash extension services

(a) Work environment. There shall be at least one (1) seat available for each individual performing eyelash extensions. There shall be at least one (1) seat or bed for each client receiving eyelash extension services.

- (1) Chairs and beds, including headrests, shall be cleaned and disinfected after providing services to each client.
- (2) The chairs and beds shall be made of or covered in a non-porous material that can be disinfected.

(3) The chairs and beds must be covered by a disposable sheet, non-porous plastic cover (disinfected between clients), clean sheet or linen.

(4) A disposable paper-towel-like product or hand-sized towel may be used under the head of each client.

(5) A barrier, such as a freshly laundered towel or paper towel, shall be placed on the tray or counter space and underneath any implements, tools or supplies to be used when providing services to a client.

(6) Each licensee performing eyelash extensions shall wash his or her hands with soap and water prior to performing any services on a client. A disposable, single-use or freshly laundered forehead barrier must be used.

(b) Implements. Implements shall be cleaned and disinfected or disposed of, in accordance with the guidelines, below.

(1) The following implements shall be cleaned and disinfected after each client: tweezers; nasal aspirator or electric eyelash dryer and other items used for a similar purpose; cutting implements; and glue stones, lash tiles, lash pallets and like items used to pull lashes.

(2) 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; and spatulas that contact skin or products from multi-use containers.

(3) 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 masks; brushes; and extension pads and other items used for a similar purpose.

(c) Glue and tape. Only properly-labeled, semipermanent glue and glue remover, that is intended for use on the human body, shall be used. De-tacking tape used for taping back eyelid skin or lashes cannot be de-tacked on skin. De-tacking must be done on a clean towel.

(d) Extensions. Extensions must be stored in a sealed bag or covered container and shall be kept in a clean and dry, debris-free storage area.

(1) When removing eyelashes from the container or package to portion out eyelashes for a service, a licensee must use disinfected scissors, blade, or other tool to snip a portion of a strip; or must use a disinfected tweezer to portion out the lashes for each service.

(2) Eyelash extensions that are removed from the container or original packaging for a client's eyelash service and not used, must be disposed of and must not be used for another client.

(e) Nozzle or dropper. Any nozzle or dropper used for rinsing or flushing the eye during the service cannot come in direct contact with the eye or skin.

SUBCHAPTER 9. LICENSURE OF COSMETOLOGISTS, BARBERS AND RELATED OCCUPATIONS

PART 5. DEMONSTRATORS; COSMETIC STUDIOS; TRADE SHOWS; GUEST ARTISTS; WIG DRESSING; OTHER PRACTICES OF COSMETOLOGY AND BARBERING

175:10-9-54. Cosmetology and barber related high fashion photography or similar Establishment requirements [REVOKED]

- ~~(a) Any high fashion photography and similar cosmetology/barber related business/Establishment providing any one or combination of services separately or in conjunction with photography or similar services to the public shall be appropriately licensed by the Board.~~
- ~~(b) Any employee or other person performing any one or combination of cosmetology or barber services in such Establishment shall be appropriately licensed by the Board.~~

175:10-9-55. Practices of cosmetology and barbering

- (a) Only licensed Facialist/Esthetician, Cosmetologist, Threading Technician or Barber may perform threading.
- (b) Only a licensed Facialist/Esthetician, Cosmetologist or Eyelash Extension Specialist may perform eyelash extensions
- (c) Only licensed Facialist/Esthetician, Cosmetologist or Barber may perform body sugaring.

SUBCHAPTER 11. LICENSE RENEWAL, FEES AND PENALTIES

175:10-11-2. Cosmetology and Barber license and penalty fees

- (a) The Board is authorized the following license and penalty fees:
- (1) Student/apprentice registration - \$5.00
 - (2) Examination registration - \$35.00
 - (3) Cosmetology and barber school license (initial) - \$400.00
 - (4) Cosmetology and barber school license (renewal) - \$125.00
 - (5) Master Cosmetology Instructor license - \$50.00
 - (6) Master Barber Instructor license - \$50.00
 - (7) Facial/Esthetics Instructor license - \$30.00
 - (8) Manicurist/Nail Technician Instructor license - \$30.00
 - (9) Cosmetology license - \$25.00
 - (10) Barber license - \$25.00
 - (11) Manicurist license - \$25.00
 - (12) Esthetician license - \$25.00
 - (13) Eyelash extension specialist license - \$25.00
 - (14) Cosmetician license - \$25.00
 - ~~(14)~~(15) Demonstrator license - \$20.00
 - ~~(15)~~(16) Advanced Operator license (renewal only) - \$25.00
 - ~~(16)~~(17) Establishment license (initial) - \$45.00
 - ~~(17)~~(18) Establishment license (renewal) - \$30.00
 - ~~(18)~~(19) Cosmetic studio license (initial) - \$50.00

~~(19)~~(20) Cosmetic studio license (renewal) - \$30.00

~~(20)~~(21) Nail salon license (initial) - \$45.00

~~(21)~~(22) Nail salon license (renewal) - \$30.00

~~(22)~~(23) Reciprocity license - \$30.00

~~(23)~~(24) Reciprocity transfer of hours processing fee from out-of-state - \$30.00

~~(24)~~(25) Duplicate license (in case of loss or destruction of original license and/or renewal application) - \$5.00

~~(25)~~(26) Notary Fee - \$1.00

~~(26)~~(27) Certification of Records - \$10.00

(b) The Board shall charge a penalty fee of ten dollars (\$10.00) for the renewal of any license delinquent after two (2) months of expiration. This ~~sub-section~~subsection also applies to any delinquent initial license application.

(c) All fees shall be submitted to the Board in the form of a cashier's check, money order or business check. Personal checks are not accepted by the Board.

(d) Waiver of fee for low-income individuals; pursuant to the provisions of 59 O.S. § ~~4003A~~4003(A), upon presentation of satisfactory evidence that an applicant for initial licensure or certification, or that a licensee or certificate-holder seeking renewal, is a low-income individual, the Board shall grant a one-time one-year waiver of the fee for licensure, certification or renewal. A low-income individual is a person who is enrolled in a state or federal public assistance program, including, but not limited to, the Temporary Assistance for Needy Families, Medicaid or the Supplemental Nutrition Assistance Program, or whose household adjusted gross income is below one hundred forty percent (140%) of the federal poverty line. An applicant for licensure must provide documentation showing participation in one of the afore-mentioned programs or submit income tax returns showing income below the established threshold. The documentation must be current and must be issued by the federal or state entity administering the program. Copies of income tax returns must be from the most recent tax year prior to the date of licensure application.

175:10-13-1. Reciprocal license requirements [AMENDED]

The Board, in accordance with the Oklahoma Cosmetology and Barbering Statutes 59 O.S. Section 199.13, has ruled to accept any applicant for applicants from other states in accordance with the following requirements:

(1) The applicant for license as a cosmetologist, manicurist/nail technician, esthetician/facialist, eyelash extension specialist, threading technician, or barber:

(A) ~~must~~Must have met the requirements for the same licensure in another state;

(B) ~~must~~Must hold a current license from another state as verified by a valid certification;

(C) ~~must~~Must have successfully passed Oklahoma's state rules, regulations and law test administered by the Board.

(2) If an applicant for a license as a cosmetologist, manicurist, facialist, eyelash extension specialist or barber is from another territory, province, or foreign ~~county~~country that does not issue a license after required occupational training, but can provide sufficient proof that he or she has continuously engaged in the practices or occupation at issue in the reciprocity license application for at least three (3) years immediately prior to such application, the Board may approve the reciprocity license if there is sufficient proof that

applicant has at least an eighth grade education, and the applicant has passed Oklahoma's state rules, regulations and law test administered by the Board.

(3) If an applicant for a license as an instructor is from another territory, province, or foreign ~~country~~country, that does not issue a license after required occupational training, but can provide sufficient proof that he or she has continuously engaged in the practices or occupation at issue in the reciprocity license application for at least three (3) years immediately prior to such application, the Board may approve the reciprocity license if there is sufficient proof that applicant has at least a high school education, and the applicant has passed Oklahoma's state rules, regulations and law test administered by the Board.

(4) Any non-English speaking reciprocity licensee or transfer of hours applicant, and transfer of hours applicant must contact the Board's office concerning requirements for licensing and transfer of hours.

(5) After the application is complete, all required documents are attached, and the application is filed, each applicant for reciprocity license must make an appointment and appear personally in the Board's office for an interview before the reciprocity license may be considered.

(6) The applicant from a foreign country, territory or providence may be required to provide evidence that documents have been certified as valid by a creditable agency as recognized by the Board. Validation of documents is at applicant's expense.

(7) No temporary permit shall be issued to a foreign reciprocity applicant.

CHAPTER 20. MASSAGE THERAPY

SUBCHAPTER 11. GROUNDS FOR DISCIPLINE

175:20-11-1. Grounds for discipline

(a) The Board may take the following disciplinary action against a licensee:

- (1) ~~refuse~~Refuse to renew a license;
- (2) ~~suspend~~Suspend or revoke a license;
- (3) ~~issue~~Issue an administrative reprimand; or
- (4) ~~impose~~Impose probationary conditions.

(b) The Board may take disciplinary action upon a finding that the licensee has:

- (1) ~~pleaded~~Pleaded guilty, nolo contendere or been convicted of or charged with a misdemeanor or felony crime that substantially relates to the practice of massage therapy and poses a reasonable threat to public safety;
- (2) ~~pleaded guilty, nolo contendere or been convicted of a misdemeanor involving moral turpitude;~~
- (3) ~~pleaded guilty, nolo contendere or been convicted of a violation of federal or state controlled dangerous substance laws.~~
- (4)(2) violatedViolated any provision of the Massage Therapy Practice Act or any rule of the Board;
- (5)(3) engagedEngaged in any unprofessional conduct; or
- (6)(4) beenBeen the subject of disciplinary action in another jurisdiction;

SUBCHAPTER 15. FEE SCHEDULE

175:20-15-1. Massage Therapy Practice Act license and penalty fees

(a) The following license and penalty fees are hereby adopted:

(1) ~~Massage Therapist License (prior to May 1, 2017) - \$25.00~~

(2) ~~Massage Therapist License (after May 1, 2017) - \$50.00~~ \$100.00. Massage therapy licenses expire biennially Per 59 O.S. § 4200.9..

(3) ~~(2) Massage Therapist License by Reciprocity - \$65.00~~

(4) ~~(3) License Renewal - \$50.00~~ \$100.00

(5) ~~(4) Duplicate license (in case of loss or destruction of original license and/or renewal application) - \$5.00~~ \$10.00

(6) ~~(5) Notary Fee - \$1.00~~

(7) ~~(6) Certification of Records - \$10.00~~

(8) ~~(7) Late fee (for licenses renewed during the one-month grace period) - \$10.00~~

(b) All fees shall be submitted to the Board in the form of a cashier's check, money order or business check. Personal checks are not accepted by the Board.

(c) Pursuant to the provisions of 59 O.S. § 4003A, upon presentation of satisfactory evidence that an applicant for initial licensure or certification, or that a licensee or certificate-holder seeking renewal, is a low-income individual, the Board shall grant a one-time one-year waiver of the fee for licensure, certification or renewal. A low-income individual is a person who is enrolled in a state or federal public assistance program, including, but not limited to, the Temporary Assistance for Needy Families, Medicaid or the Supplemental Nutrition Assistance Program, or whose household adjusted gross income is below one hundred forty percent (140%) of the federal poverty line. An applicant for licensure must provide documentation showing participation in one of the afore-mentioned programs or submit income tax returns showing income below the established threshold. The documentation must be current and must be issued by the federal or state entity administering the program. Copies of income tax returns must be from the most recent tax year prior to the date of licensure application.