

**RULES
OF
TENNESSEE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**

**CHAPTER 0200-03
SANITARY REQUIREMENTS**

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0200-03-.01 APPLICABILITY.

- (1) Unless otherwise specified, the provisions of this Chapter shall apply to all barber schools and colleges, and barber shops.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.02 VIOLATIONS.

- (1) Any violation of the provisions of this Chapter will be deemed to be unprofessional conduct within the meaning of T.C.A. § 62-3-121(7).

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.03 LOCATION.

- (1) Barber shops, and barber schools and colleges may be operated only in rooms which are adequately lighted and ventilated, and so constructed that they can be kept clean. Floors, walls, ceilings, and windows must remain free of dirt, dust, and other unclean substances. Floors shall be thoroughly swept or mopped each day. All hair, nail dust and nail tips shall be removed from the floor promptly after completion of each customer.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.04 COMMUNICABLE DISEASES.

- (1) No patron with definite open sores, exhibiting symptoms of infectious or contagious disease or disorder of the skin, or parasitic infestations will be served in a shop or school unless written permission from a physician has been secured.
- (2) No master barber or barber technician who knowingly has an infectious or contagious disease or parasitic infestation in a communicable stage shall give service in a school or shop.

(Rule 0200-03-.04, continued)

- (3) The Board shall have the right to require a physical examination of any person employed in a shop or school who is suspected of having a contagious or infectious disease or parasitic infestation in a communicable stage.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Amendment filed July 24, 1984; effective August 23, 1984. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.05 SANITATION AND DISINFECTION.

- (1) No licensee or student shall commence work on any patron before:
 - (a) Washing hands with soap and water; and
 - (b) Placing around the patron's neck a fresh neck strip or towel, so that the cape does not contact the skin.
- (2) Wet Disinfection Standard.
 - (a) All tools and implements which come into contact with the face, neck, feet or hands must be treated after each use by washing thoroughly with soap and water and must be disinfected by complete immersion in a United States Environmental Protection Agency (EPA) registered bactericidal, virucidal, fungicidal and pseudomonacidal (formulated for hospitals) disinfectant that is mixed and used according to the manufacturer's directions.
- (3) Dry Disinfection Standard.
 - (a) All tools and implements which have come in contact with blood or body fluids must be disinfected, at a minimum, by complete immersion in an EPA registered disinfectant that is effective against HIV-1 and human hepatitis B virus or in a tuberculocidal that is mixed according to the manufacturer's directions.
 - (b) Disinfected implements must be stored in a disinfected, dry, covered container.
- (4) A licensee shall maintain a supply of seventy percent (70%) alcohol to be used in the event that a patron's skin is accidentally broken during the manicuring process.
- (5) Before use, manicuring instruments must be cleaned with soap and water, and immersed in seventy percent (70%) alcohol for at least ten (10) minutes. The alcohol for this purpose may be kept in a covered container of sufficient size to accommodate the instruments to be immersed.
- (6) When not in use, manicuring instruments must be dried and kept in a cabinet sanitizer.
- (7) The foot bath shall be cleaned and disinfected after each use. The filters and jets must be flushed, cleaned and disinfected twice a week with the use of a hospital grade tuberculocidal disinfectant or an equivalent solution circulated through the machine for the minimum time recommended by the manufacturer.
- (8) Towels.
 - (a) A separate, clean towel shall be provided for each patron, as required.
 - (b) The headrest shall be covered with a separate, clean towel or paper for each customer.

(Rule 0200-03-.05, continued)

- (c) The practice of dipping a towel previously used for any purpose into a container of hot water and using the towel on a patron is prohibited.
- (9) Combs.
 - (a) Each licensee shall have a sufficient number of combs to allow for proper sanitation.
 - (b) No licensee shall carry combs or other instruments in the pocket of his/her uniform.
- (10) Powders, Lotions and Creams.
 - (a) Powders and lotions must be applied with cotton or gauze puffs. Such puffs shall be disposed of in a waste receptacle immediately after use.
 - (b) Creams and other semi-solid substances must be removed from their container with a clean spatula (or similar device), and disposed of in a waste receptacle immediately after use. Any device used for the removal of such substances must not contact the skin of a patron.
- (11) After handling any patron with any eruption or skin disorder, the attendant shall immediately disinfect his/her hands by thoroughly washing with soap and water, followed by rinsing in alcohol (no less than seventy (70%) percent pure), or some equivalent disinfectant.
- (12) Finger bowls, basins, shampoo boards, cups, etc. shall be thoroughly cleaned after each service, and kept in good repair and in a sanitary condition at all times. Back bars and mirrors shall be kept clean at all times.

Authority: T.C.A. § 62-3-128(a). **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Repeal and new rule filed October 15, 2004; effective December 29, 2004.

0200-03-.06 PROHIBITED HAZARDOUS SUBSTANCES/USE OF PRODUCTS.

- (1) No establishment or school shall have on the premises cosmetic products containing hazardous substances which have been banned by the United States Food and Drug Administration (FDA) for use in cosmetic products, including, but not limited to, liquid methyl methacrylate. No product shall be used in a manner that is inconsistent with the cosmetic products manufacturer's instructions.

Authority: T.C.A. § 62-3-128(a). **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Repeal and new rule filed October 15, 2004; effective December 29, 2004.

0200-03-.07 FURNISHINGS AND EQUIPMENT.

- (1) All chairs, other furnishings, and shampoo and tonic containers shall be kept clean and (where applicable) in good repair.
- (2) All barber and/or styling chairs shall be separated by a distance of at least five (5) feet (measured from the center of each chair).

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.08 WET CONTAINERS.

- (1) Every sterilizing solution container must be cleaned and supplied with a proper germicidal solution as often as necessary to keep it in a sanitary condition.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.09 DRY COMPARTMENTS.

- (1) Every dry compartment must be equipped with either an ultraviolet ray device operational during work hours or a closed compartment containing fumigant, and must be kept clean.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Amendment filed January 3, 1986; effective February 2, 1986. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.10 LAVATORIES AND SHAMPOO BOWLS.

- (1) All lavatories and shampoo bowls shall be kept clean and free from soiled linens. Back bars and mirrors shall likewise be kept clean at all times.
- (2) All lavatories must have hot and cold running water.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.11 REST ROOMS IN SHOPS.

- (1) Every new or relocated barber shop shall contain or have available for its use within the building, sanitary rest room facilities, including:
 - (a) A water-flushed toilet, from which the waste water shall be discharged into a sewage system approved by the Department of Health and Environment.
 - (b) A wash basin with hot and cold running water; and
 - (c) Soap and clean towels.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal by Public Chapter 969; effective June 30, 1984. New rule filed July 24, 1984; effective August 23, 1984. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.12 ATTIRE IN BARBER SCHOOLS.

- (1) All barber students and instructors shall maintain a high standard of personal hygiene and appearance. All students in a school of barbering must wear a uniform prescribed by the school. All instructors must wear smocks and/or shirt and tie with name and title.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.13 REPEALED.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal filed July 10, 1997; effective September 23, 1997.

0200-03-.14 RESPONSIBILITY FOR COMPLIANCE.

- (1) The manager of an establishment shall be responsible for maintaining all parts thereof in a sanitary condition at all times, and insuring that such establishment is operated in compliance with this Chapter. However, this rule shall not relieve any licensee of responsibility for the sanitary condition of any space or equipment used in an establishment.
- (2) The manager or designated manager of an establishment shall be required to be on the premises at all times barber related services are being rendered.
 - (a) The manager is entitled to two (2) thirty (30) minute periods in which he/she may be away from the premises during the day so long as the manager is reachable by phone and can return to the shop within twenty (20) minutes in the event that a representative of the Board requests their presence, an employee or customer requires assistance, or for any other situation that would require the manager's presence.
 - (b) The manager's name must be posted and their registration number must be available to any employee or customer of the shop. The manager or designated manager shall not be relieved of responsibility for compliance during those times when the manager is away from the premises.
- (3) The shop manager must be licensed by this board for at least one (1) discipline that the shop is licensed to offer. Managers may manage employees across disciplines. This rule shall not interfere with the statutory requirements that each licensee may only offer those services they are licensed to practice, and licensees are only practicing those services that the shop is licensed to offer.

Authority: T.C.A. §§ 62-3-109 and 62-3-128. **Administrative History:** Original rule filed July 24, 1984; effective August 23, 1984. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Amendments filed March 9, 2017; effective June 7, 2017.

0200-03-.15 ANIMALS.

- (1) No animals, birds or fish, shall be permitted in any establishment with the exception of animals used to help disabled person(s), (i.e. guide dogs).

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed July 24, 1984; effective August 23, 1984. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.16 FACIAL TREATMENTS.

- (1) Only the non-living, uppermost layers of facial skin, known as the epidermis may, by any method or means, be removed, and then only for the purpose of beautification.
- (2) Skin removal techniques and practices which affect the living layers of facial skin, known as the dermis, are prohibited.
- (3) Only commercially-available products for the removal of facial skin for the purpose of beautification may be used. Mixing or combining skin removal products is prohibited except as it is required by the manufacturer's instructions.

Authority: T.C.A. §§ 62-3-105 and 62-3-128(a). **Administrative History:** Original rule filed October 15, 2004; effective December 29, 2004.