DEPARTMENT OF REGULATORY AGENCIES

Office of Barber and Cosmetology Licensure

BARBER AND COSMETOLOGY LICENSURE RULES AND REGULATIONS

4 CCR 731-1

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

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1.1 ABBREVIATIONS AND DEFINITIONS

A. ABBREVIATIONS

1. AICE: Association of International Credential Evaluation, Inc.

2. CCCS: Colorado Community College System, within the Colorado Department of Education.

3. C.R.S.: Colorado Revised Statutes.

4. DPOS: Division of Private Occupational Schools, within the Colorado Department of Higher Education.

5. NACES: National Association of Credential Evaluations Services.

6. SDS: Safety Data Sheets.

B. DEFINITIONS

In addition to the definitions found in section 12-105-104, C.R.S., the following definitions apply for the purpose of these rules. Additional definitions may be found in each Rule.

1. **Act (or Practice Act):** the law authorizing licensing and regulation of barbers, cosmetologist, estheticians, hair stylists and nail technicians. The Act may be found in sections 12-105-101, et. seq., of the Colorado Revised Statutes.

2. **Active/Valid:** a license or registration status that permits a licensee or registrant to practice on the public or be open for business.

3. **Applicant:** an individual or a shop owner who submits an original application, an application for renewal, or an application for reinstatement.

4. **Approved Program:** a program approved by the Colorado Division of Private Occupational Schools (DPOS) or the Colorado Community Colleges System (CCCS)

5. **Attest:** swear under penalty of perjury.

6. **Conspicuously displayed:** posting a license or a shop registration in public view.

7. **Contact hour:** a minimum of fifty minutes of instruction with at least a five-minute break between hours. For purposes of these rules, Clock or Contact hour have the same meaning.

8. **Credit hour:** credit given for course instruction provided by a school.

9. **Director:** Director of the Division of Professions and Occupations, a division of the Department of Regulatory Agencies (DORA).

10. **Expired:** the status of a license or registration following a failure to renew the license or registration by the expiration date.

11. **Licensee:** a person holding a license to practice pursuant to the Act.

12. **Registrant:** a business holding a registration to provide services pursuant to the Act.

1.2 LICENSURE BY EXAMINATION

This Rule clarifies the requirements necessary for an applicant's eligibility for examination pursuant to sections 12-105-106(1)(e) and 12-105-111(3), C.R.S.

A. TRAINING REQUIREMENTS

1. To be considered for licensure by examination, an applicant must submit a completed application form, all requested documentation, and the appropriate fee to the Director's examination vendor. To be eligible for licensure by examination, the applicant must provide proof of training as listed in Rule 1.2(A)(2).

2. An applicant for examination enrolling in school before February 28, 2018 must successfully complete an approved program, and furnish proof of minimum training for each license type:

a. **BARBER:** Must complete a minimum of fifty credit hours or 1500 contact hours with the following minimum credit or contact hours:

SUBJECT AREA	CREDIT HOURS	CLOCK/CONTACT HOURS
Treatment of Hair & Scalp	2	60
Facial Massage & Treatments	3	90
Shaving	3	90
Haircutting	9	270
Hairstyling	9	270
Chemical Hair Services	8	240
Hair Coloring & Hair Tinting	8	240
Law, Rules & Regulations	1	30
Management, ethics, interpersonal skills & salesmanship	1	30
Disinfection, Cleaning & Safe work practices	6	180
TOTAL	**50**	**1500**

b. **COSMETOLOGIST:** Must complete a minimum of fifty (50) credit hours or 1500 contact hours with the following minimum credit or contact hours:

SUBJECT AREA	CREDIT HOURS	CLOCK/CONTACT HOUR

Scalp Care (Shampooing, rinsing & conditioning)	1.3	50
Hair Coloring or Hair Tinting & Bleaching	6.6	200
Haircutting	6.5	200
Hairstyling	5.8	175
Chemical Texture Services	3.5	100
Manicuring & Pedicuring	5.8	175
Application of Artificial Nails	4.2	125
Facials & Skin care	5.8	175
Facial Makeup	1	25
Hair Removal	2.5	75
Law, Rules & Regulations	1	25
Management, ethics, interpersonal skills & salesmanship	1	25
Disinfection, Cleaning & Safe work practices	5	150
TOTAL	**50**	**1500**

c. **ESTHETICIAN:** Must complete a minimum of twenty credit hours or 600 contact hours with the following minimum credit or contact hours:

SUBJECT AREA	CREDIT HOURS	CLOCK/CONTACT HOURS
Facials & Skin Care	7	210
Facial Makeup	1	30
Hair Removal	3	90
Law, Rules & Regulations	1	30
Management, ethics, interpersonal skills & salesmanship	1	30
Disinfection, Cleaning & Safe work practices	7	210
TOTAL	**20**	**600**

d. **HAIRSTYLIST:** Must complete a minimum of forty credit hours or 1200 contact hours with the following minimum credit or contact hours:

SUBJECT AREA	CREDIT HOURS	CLOCK/CONTACT HOURS
Scalp Care (Shampooing, rinsing & conditioning)	2	60
Hair Coloring or Hair Tinting & Bleaching	8	240
Haircutting	8	240
Hairstyling	7	210
Chemical Texture Services	4	120
Law, Rules & Regulations	1	30
Management, ethics, interpersonal skills & salesmanship	1	30
Disinfection, Cleaning & Safe work practices	9	270

TOTAL	**40**	**1200**

e. NAIL TECHNICIAN: Must complete a minimum of twenty credit hours or 600 contact hours with the following minimum credit or contact hours:

SUBJECT AREA	CREDIT HOURS	CLOCK/CONTACT HOURS
Manicuring & Pedicuring	7	210
Application of Artificial Nails	5	150
Law, Rules & Regulations	1	30
Management, ethics, interpersonal skills & salesmanship	1	30
Disinfection, Cleaning & Safe work practices	6	180
TOTAL	**20**	**600**

3. An applicant for examination enrolling in school on or after February 28, 2018, must successfully complete an approved program, and furnish proof of minimum training for each license type:

a. **Barber:** fifty credit hours or 1500 contact hours, covering at least the following course topics: treatment of hair and scalp, facial massage and treatment; facial shaving; haircutting; hairstyling; permanent waving and chemical hair relaxing; hair coloring; laws and rules; management, ethics, interpersonal skills and salesmanship; and disinfection, cleaning, and safe work practices. The number of hours devoted to each of these topics must be substantially equivalent to those provided in accredited schools approved by DPOS or CCCS.

b. **Cosmetologist:** fifty credit hours or 1500 contact hours, covering at least the following course topics: shampooing, rinsing, and conditioning; hair coloring; haircutting; hairstyling; chemical texture services; manicuring and pedicuring; application of artificial nails; facials and skin care; facial makeup; hair removal; laws and rules; management, ethics, interpersonal skills and salesmanship; and disinfection, cleaning, and safe work practices. The number of hours devoted to each of these topics must be substantially equivalent to those provided in accredited schools approved by DPOS or CCCS.

c. **Esthetician:** twenty credit hours or 600 contact hours, covering at least the following course topics: facials and skin care; facial makeup; hair removal; laws and rules; management, ethics, interpersonal skills and salesmanship; and disinfection, cleaning, and safe work practices. The number of hours devoted to each of these topics must be substantially equivalent to those provided in accredited schools approved by DPOS or CCCS.

d. **Hairstylist:** forty credit hours or 1200 contact hours, covering at least the following course topics: shampooing, rinsing, and conditioning; hair coloring; haircutting; hairstyling; chemical texture services; laws and rules; management, ethics, interpersonal skills and salesmanship; and disinfection, cleaning, and safe work practices. The number of hours devoted to each of these topics must be substantially equivalent to those provided in accredited schools approved by DPOS or CCCS.

e. **Nail Technician:** twenty credit hours or 600 contact hours, covering at least the following course topics: manicuring and pedicuring; application of artificial nails; laws and rules; management, ethics, interpersonal skills and salesmanship; and disinfection, cleaning, and safe work practices. The number of hours devoted to each of these

topics must be substantially equivalent to those provided in accredited schools approved by DPOS or CCCS.

B. MEETING THE TRAINING REQUIREMENTS IN 1.2(A)

1. Training hours required under Rule 1.2(A) must take place in a school approved by DPOS or CCCS or completed through an approved apprenticeship program approved by the United States Department of Labor's Office of Apprenticeship or Colorado's State Apprenticeship Agency.

2. The Director will accept completion of an internship or externship approved by DPOS or CCCS as proof of training.

3. Training hours required and earned, for one license type, may be applied towards the subject areas and hours required for another license type, if the training hours to be applied have been earned and completed from a school approved by DPOS or CCCS or an apprenticeship program approved by the United States Department of Labor's Office of Apprenticeship or Colorado's State Apprenticeship Agency.

C. EDUCATION OBTAINED OUTSIDE OF COLORADO

1. Applicants for examination who have trained in another state must furnish certified proof of having completed the minimum training hours as specified in Rule 1.2(A) in a program approved by the applicable government agency in the other state.

2. Applicants for examination who have trained in another state and do not meet the minimum hour requirement for licensure in Colorado may elect to obtain the remainder of their hours at a Colorado school approved by DPOS or CCCS. These applicants are subject to the school's review of the applicant's existing hours. When considering the application, the Director may give deference to the school's recommendation as to whether or not the existing hours meet licensure requirements.

3. Applicants for examination who have trained in a foreign country must have all of their education or training evaluated by an evaluation agency. The agency will review the applicant's education and recommend to the Director whether the applicant's education and training is substantially equivalent to the requirements specified in Rule 1.2(A).

a. The Director will only accept evaluation reviews from AEQUO International or organizations that are accredited by NACES or AICE.b. All expenses associated with obtaining an evaluation review are the responsibility of the applicant.

c. Failure to comply with the requirements for an evaluation review as specified in this Rule 1.2(C) will result in the applicant being ineligible to sit for an examination.

d. At the Director's discretion, the recommendation made in the evaluation review may be accepted or refused, in total or in part.

4. The Director will determine whether an applicant's education meets the training requirements under Rule 1.2(A) on a case-by-case basis.

D. WAITING PERIOD FOR FAILED WRITTEN EXAMINATION

Candidates who fail the written examination shall wait at least thirty (30) days before they may reschedule a subsequent examination.

1.3 PROHIBITED EXAMINATION CONDUCT

This Rule clarifies conduct of an applicant for examination that is prohibited, may be regarded as "unprofessional or dishonest", and may be grounds for denial or revocation of a license pursuant to sections 12-105-125(1)(b) and (f), C.R.S.

A. Applicants found to have engaged in "unprofessional or dishonest" conduct may be denied licensure.

B. Conduct of an applicant before, during or after an examination that is prohibited and may be regarded as "unprofessional or dishonest conduct" includes, but is not limited to:

1. Refusing or failing to fully and promptly comply with any rules, procedures, instructions, directions, or requests made or prescribed by an official overseeing the examination;

2. Removing any of the examination materials from the examination room;

3. Reproducing or reconstructing any portion of the examination by copying, duplication, memorization, written notes or electronic recording, or by any other method;

4. Selling, distributing, buying, receiving, obtaining, or unauthorized possession of a future, current, or previously administered licensing examination;

5. Communicating in any manner with any other examinee or persons, other than an official overseeing the examination, during the administration of the examination;

6. Copying or obtaining answers from another examinee or permitting one's answers to be copied or obtained by another examinee during the administration of the examination;

7. Possession of, during the administration of an examination, any materials or objects other than the examination materials distributed, including, without limitation, any books, notes, recording devices, or other written, printed or recorded materials or data of any kind unless otherwise provided by the examination vendor;

8. Attempting to or taking the examination while impersonating an applicant;

9. Permitting another person to appear for or attempt to or take the examination on an applicant's behalf and in an applicant's name; or,

10. Engaging in any conduct that disrupts the examination.

1.4 LICENSURE BY ENDORSEMENT

This Rule clarifies the qualifications and procedures for applicants seeking licensure by endorsement pursuant to section 12-20-202(3), C.R.S

A. GENERAL

An applicant who possesses a current and unrestricted license in good standing in another state or United States territory or through the federal government, or who holds a military occupational specialty, as defined in section 24-4-201, C.R.S., may apply for licensure by endorsement. An applicant for licensure by endorsement may not practice in Colorado until such application is approved and a Colorado license is issued with the exception of Rule 1.4(E).

B. REQUIREMENTS FOR LICENSURE BY ENDORSEMENT

1. To be considered for licensure by endorsement under section 12-20-202(3), C.R.S., an applicant must submit a completed application form, all requested documentation, and the appropriate fee.

2. An applicant must submit verification of at least one active/valid license, in good standing at the time of the application, from another state or United States territory, the federal government, or a military occupational specialty, as defined in section 24-4-201, C.R.S. An applicant must also identify all other licenses held in any other state, United States territory, the federal government, or foreign country.

3. To be eligible for licensure by endorsement, the applicant must:

a. Attest to the following substantially equivalent education, experience and credentials:

(1) Graduation from a school approved by the appropriate governmental agency responsible for approving such schools in that state or United States territory;

(2) Successful completion of training hours that are substantially equivalent to the training hours specified in Rule 1.2 for the license sought in this state as determined by the Director. The Director deems “substantially equivalent” to include:

(a) The successfully completed training hours are equal to or greater than the training hours specified in Rule 1.2 for the license sought in this state; OR

(b) The successful completion of a minimum of sixty-five percent of the training hours specified in Rule 1.2 for the license sought in this state at an approved training program AND five hours of documented work experience performed as a licensee in good standing in another state or United States territory for every one hour of Colorado required training that has not been met.

(i) For example, if an applicant completes 1,000 hours of the required 1,500 hours of training, the applicant must demonstrate 2,500 hours of work experience to account for the 500 hour difference in training hours: OR

(c) Any other combination of successfully completed training hours at an approved training program and documented work experience performed as a licensee in good standing in another state or United States territory as determined by the Director on a case-by-case basis.

(3) Passage of a written examination administered or accepted by the appropriate licensing agency for that state or United States territory; and,

(4) Passage of a practical examination administered by or accepted by the appropriate licensing agency for that state or United States territory OR at least 1,000 hours of work experience for the type of license being sought, within the two years immediately preceding the application receipt, OR

b. Submit verification of having held for at least one year a current and valid license from another jurisdiction with a scope of practice that is substantially similar to the scope of practice for the relevant profession as defined in the Barber and Cosmetology Act.

4. The applicant must report any disciplinary actions taken against them in any other jurisdiction.

5. An applicant holding a current license from another jurisdiction that does not meet the qualification requirements for licensure by endorsement in Colorado may apply to take the examination(s) (practical or written, or both) not taken or passed in another jurisdiction. The Director will determine the examination(s) required on a case-by-case basis.

D. MILITARY EDUCATION, TRAINING OR EXPERIENCE

Education, training, or experience gained in military services outlined in section 12-20-202(4), C.R.S., to be accepted and applied towards receiving a license, must be substantially equivalent, as determined by the Director, to the qualifications otherwise applicable at the time of receipt of application. It is the applicant's responsibility to provide timely and complete documentation as requested for review and consideration.

E. MILITARY SPOUSES

A military spouse who has an active license in another state or US territory may be eligible for a military spouse license pursuant to the provisions of section 12-20-202(3), C.R.S.

F. PROOF OF ADDITIONAL TRAINING

An applicant for licensure by endorsement who has completed additional training in chemical peels, microdermabrasion, permanent make-up, electric nail files or hair removal training for nail technicians must attest to meeting the training requirements as described in Rule 1.9 of these rules. Documentation that supports the additional training must be submitted upon request of the Director.

1.5 LICENSE MAINTENANCE, REPORTING, AND REINSTATEMENT REQUIREMENTS

This Rule clarifies the requirements of maintaining a license including the requirements to renew, or reinstate a license pursuant to sections 12-105-113 and 12-20-202, C.R.S.

A. MAINTENANCE REQUIREMENTS

1. Contact Information Changes

a. Licensees must notify the Director in writing of any name, address, telephone, or email change within thirty days of the change.

2. Renewal Notices

a. The Director may send electronic notices for renewal of licenses to the licensee’s email address of record.

b. Failure to receive renewal notices does not relieve the licensee of the obligation to pay the renewal fee and submit appropriate documentation in support of the renewal application.

c. There is a sixty-day grace period following each expiration date during which the licensee may continue to provide services.

d. Failing to renew a license or registration will cause the license to expire and will result in the licensee being required to complete a reinstatement application. Licensees shall not practice with an expired license.

B. REPORTING CONVICTIONS, JUDGMENTS AND ADMINISTRATIVE PROCEEDINGS

1. Licensees must notify the Director in writing within forty-five days of any of the following events:

a. A conviction of a felony under the laws of any state, territory, or foreign country. A guilty verdict, plea of guilty, or plea of nolo contendere (no contest) accepted by the court is considered a conviction;

b. A disciplinary action imposed upon the licensee by another state, territory, or foreign country including, but not limited to, a citation, sanction, probation, civil penalty, or a denial, suspension, revocation, or modification of a license whether it is imposed by consent decree, order, or other decision, for any cause other than failure to pay a license fee by the due date;

c. Any judgment, award or settlement of a civil action or arbitration in which there was a final judgment or settlement against the licensee related to the licensee's practice.

2. The written notice to the Director must include the following information:

a. Felony conviction: copies of the indictment or charges, the plea or verdict entered by the court, the sentence imposed, conditions of probation or parole and, if applicable, proof of completion of the sentence.

b. Governmental agency action: a copy of the consent decree, order, or decision.

c. Civil action or arbitration proceeding: copies of the complaint, the verdict, the court or arbitration decision, or, if settled, the settlement agreement and court's order of dismissal.

3. The licensee may also submit a written statement setting forth background information regarding the conviction, or government or civil action.

C. REINSTATEMENT REQUIREMENTS

1. An applicant seeking reinstatement of an expired license must complete a reinstatement application and pay all applicable fees.

2. An applicant seeking reinstatement of a license that has been expired for more than two years, but less than five years, must establish "competency to practice" under section 1220-202(2)(c)(II)(A) & (D), C.R.S., by complying with any one of the following requirements:

a. Verification of an active license (at the time of the application receipt date) from another state, territory, or foreign country in which the applicant has been actively practicing within two years immediately preceding the application receipt date; or

b. Submitting proof of completion of sixteen hours of continuing education, approved by the Director, related to the practice of the applicant's license during the two years immediately preceding the receipt date of application for reinstatement; or

c. Passage of the written examination used for initial licensure under section 12105-107, C.R.S.

3. An applicant seeking reinstatement of a license that has been expired more than five years, must establish "competency to practice" under section 12-20-202(2)(c)(II)(A) & (D), C.R.S., by complying with any one of the following requirements:

a. Verification of an active license (at the time of the application receipt date) from another state, territory, or foreign country in which the applicant has been actively practicing within two years immediately preceding the application receipt date; or

b. Submitting proof of completion of twenty-four hours of continuing education, approved by the Director, related to the practice the applicant's license during the two years immediately preceding the receipt date of application for reinstatement; or

c. Passage of the written examination used for initial licensure under section 12105-107, C.R.S.

4. The Director may request additional verification and/or documentation of any method used to apply for reinstatement.

5. The Director may approve other methods for applying for reinstatement.

D. APPLYING FOR MULTIPLE LICENSES

1. Licensees holding all three active limited licenses (esthetician, hairstylist, and nail technician) may also hold a cosmetologist license upon a written request and the payment of any applicable fee per license type. Each license type carries a separate fee to maintain the license in active status.

2. Licensees holding all three active limited licenses (esthetician, hairstylist and nail technician) may, upon a written request, consolidate the limited licenses into a single cosmetologist license. The active limited licenses will expire based on the established expiration date during the normal course of the renewal process. Such licensees may also hold a Barber license subject to completing the appropriate training requirements identified in Rule 1.2 or in Rule 1.4 of these rules.

3. Licensees holding an active cosmetologist license may, upon a written request, hold one or all three of the limited licenses. Each limited license carries a separate fee to maintain the license in active status. Such licensees may also hold a Barber license subject to completing the appropriate training requirements identified in Rule 1.2 or in Rule 1.4 of these rules.

1.6 REGISTRATION OF PLACES OF BUSINESS

This Rule clarifies the requirements for the registration of places of business as required in sections 12105-104, 12-105-105, and 12-105-106, C.R.S.

A. REGISTRATION REQUIRED

1. Registration with the Director is required of all owners of a place of business where one or more persons engage in the practice of barbering, cosmetology, hairstyling, or practice as a nail technician or an esthetician. Private Occupational Barber, Beauty and Cosmetology Schools or Community or Technical Colleges where licensed services are offered to the public must also register with the Director.

2. Businesses required to register include permanent, temporary (interim, irregular, seasonal), and fixed locations as well as mobile facilities. Registration is required when services are provided in a licensee's residence.

3. Registration is not required of a licensee providing services exclusively within a client's residence or place of work. Registration is not required of a licensee renting space within a place of business registered by the owner. Only one registration is required for a place of

business that includes within its premises one or more licensees operating in individual booths, or other form of separate rented spaces, so long as all of services in the booths or spaces are provided to the public as a single salon or business.

4. When the public goes through separate exterior entrances to gain access to an area in which a licensee is providing services, such areas are considered separate places of business for which registration is required.

5. Businesses providing barbering, esthetic, cosmetology, hairstyling, or manicuring services without a registration shall be deemed a violation of the Act and may be subject to disciplinary action and/or other penalties as authorized in sections 12-105-112(3) and 12-105-125, C.R.S.

B. REGISTRATION REQUIREMENTS

1. The owner of a place of business must register by filing an application containing information as prescribed by the Director and submitting payment of an application fee established by the Director.

C. REPORTING REQUIREMENTS

1. Registrants (business owners) must submit a written notice to the Director within thirty days of the effective date of a change in any information submitted on the application for registration.

2. When a place of business closes, the registrant must submit a written notice to the Director within thirty days of the closure of the business.

3. Registrants must notify the Director in writing within forty-five days of a felony conviction, disciplinary action imposed by another jurisdiction, or a judgement or settlement of a civil action related to the business owners place of business in the manner set forth in Rule 1.5 of these rules.

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E. GENERAL REQUIREMENTS FOR REGISTERED BUSINESSES OWNERS

1. It is the responsibility of the registrant to ensure that:

a. All work areas in a place of business are kept clean and free from accumulated hair, products, chemicals, dust, and other service debris.

b. All persons providing services in the shop hold active/valid Colorado licenses to practice barbering, cosmetology, esthetics, nail or hairstyling services;

c. Licensees do not attempt to perform any service outside the scope of the licensee's practice listed under section 12-105-104, C.R.S.;

d. The business is not in possession or storing of any item, product, device, tool, etc., deemed outside a licensee's scope of practice. Possession or storage of any item shall be considered prima facie evidence of use; and,

e. Licensees do not use any product, device, tool, or supply that has been banned, deemed to be poisonous, unsafe for use in the barbering and cosmetology industry, or is not approved by local, state or federal governmental agencies responsible for

making such determinations. Possession or storage of such item shall be considered prima facie evidence of use.

2. The licenses and the registration for places of business must be conspicuously displayed, as defined herein, on site.

3. All registrants must ensure licensees providing services within the place of business comply with health, safety, and infection control and prevention requirements set forth in these rules.

4. All registrants must have a first aid kit on the premises available for use that contains, at a minimum, bandages, gauze, and antiseptic.

5. A licensed barber, esthetician, cosmetologist, hairstylist, or nail technician is prohibited from providing services at a place of business that is not registered.

1.7 REQUIREMENTS FOR INFECTION CONTROL AND PREVENTION

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B. CLEANING AND DISINFECTING REQUIREMENTS

Licensees must clean and disinfect:

1. Equipment, tools, implements, and supplies as described in this Rule. All registrants and licensees must ensure that clean and disinfected implements and materials are available prior to performing any barber, esthetic, cosmetology, hairstyling or manicuring service on each client;

2. Common work areas and equipment at a minimum on a daily basis. All chairs, treatment tables, nail stations, and shampoo bowls (including the front of the bowl and all handles) must be cleaned and disinfected daily according to the manufacturer's instructions;

3. Soiled or contaminated tools, implements, or supplies prior to use on each client, and at the end of each day;

4. All non-porous items (including multi-use items) to be used on multiple clients or on inanimate surfaces prior to use. Equipment used on multiple clients must be cleaned and disinfected between each client by following manufacturer instructions;

5. All non-electrical items according to manufacturer's instructions prior to use. Such items include, but are not limited to, combs, brushes, shears, hair clips, hair rollers, pushers, nippers, plastic/metal spatulas;

6. All electrical items according to manufacturer's instructions prior to use. Such items include, but are not limited to, clippers, nail files, razors, blow dryers, curling and flat irons; and,

7. All pedicure bowls according to manufacturer’s label prior to each client use.

C. GENERAL CLEANING AND WASHING REQUIREMENTS

Licensees must clean:

1. Hands with running water and soap and dried with a disposable or unused cloth towel prior to any service to the public. When hand cleaning is not practical or possible, hand sanitizers (at least seventy percent (70%) alcohol) may be used. However, hand cleaning is required

following the use of the restroom or when hands are visibly soiled – hand sanitizer is not acceptable. Hand sanitizer must be made available at all nail stations for client use prior to a service. Liquid soap and disposable or separate hand towels must be provided for both licensees and clients;

2. The client's feet or other skin surface with an appropriate cleanser prior to beginning services on the client skin. Cleansing of the skin is not required for waxing services; and,

3. All work surfaces and areas that have come into direct contact with client skin, hair or bodily fluids, including but not limited to floors, tables, chairs, esthetic beds, manicuring tables, mats, and cushions after services are performed.

D. CONTAINERS AND STORAGE

1. Trash containers must have solid sides and a liner must be used. Trash containers must be emptied when full and never allowing the lid to be partially open. If the trash container is stored in a cabinet or closed area, a lid not is required.

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F. BLOOD EXPOSURE

1. For client injury, a licensee must stop the service, follow blood exposure procedures, and return to service, if and when possible to do so safely.

2. For a licensee injury, that licensee must stop the service, follow blood exposure procedures and return to service, if and when possible to do so safely.

3. When blood and/or body fluid come in direct contact with a surface area including but not limited to a table, chair, or the floor, clean and disinfect according to the manufacturer's instructions to remove all blood and/or body fluid. Standard Precautions must be utilized when cleaning surface areas contaminated with blood and/or body fluids.

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I. HOT TOWELS AND TOWEL WARMERS

1. Licensees preparing towels for the warmers must first wash their hands or wear gloves.

2. Towels must be washed and dried before wetted again and put into a warmer.

3. Wet towels must be prepared fresh each day. At the end of the day, unused steamed towels must be removed and washed and dried.

4. All towels used in towel warmers shall be washed and dried at end of the day and stored overnight in a clean, covered, closed container (not the towel warmer).

5. Towel warmers must be cleaned and disinfected daily and must be left open overnight to allow unit to dry completely.

6. Licensees must follow manufacturer instructions for the operation and care of the towel warming device.

J. MAKEUP ITEMS

1. All makeup that comes in a cream, cake, powder, liquid or other form, including eyeliner not requiring a sharpener must be transferred to a palette with a disinfected (or singleuse) spatula for use with a single customer. Any excess makeup used by the client must be disposed of immediately following the service.

2. Makeup pencils that require a sharpener must be sharpened prior to each use.

3. Pencil sharpeners must be cleaned out and properly disinfected after each use.

4. Disposable applicators must be used in the application of mascara.

5. Liquid foundation must be dispensed with a pump style bottle or removed from container without allowing the mouth of container to be contaminated.

6. When make-up displays are accessible to the public, single-use disposable applicators for all make-up must be readily available with proper signage for use.

K. WAXING SERVICES AND WAX POT

1. Roll on wax may be used only if a newly disinfected roller is used for each client.

2. Wax may be removed for use by one of the following methods:

a. Single-use spatula disposed of after a single dip or wax application.

b. Disinfected plastic spatulas – new spatula for each dip into pot.

c. Removal of wax needed for entire service into single use, disposable cup. ONLY in this circumstance may the same applicator be used for the entire service. Cup (including all remaining wax) and applicators must be disposed of immediately after use. The remaining wax must not be put back into pot.

3. If wax becomes contaminated or has visible debris, the pot must be emptied, cleaned and disinfected. No wax may be reused; only new wax may be used in the pot.

4. Any area of a client's skin to be waxed must be cleaned prior to service if necessary to reduce the risk of infection.

5. Paraffin wax must be portioned out for each client in a bag or other container, or dispensed in a manner that prevents contamination of the unused supply. All portions used on a client must be disposed of immediately following use.

6. Wax pots must remain covered and free from debris.

L. OTHER REQUIREMENTS

1. All places of business and licensees must ensure that Safety Data Sheets (SDS) that pertain to product ingredients, proper use, storage, disposal and potential hazards for products used that could endanger the public are kept on the premises and immediately available upon need or request. Such document may be electronically available so long as it is available and accessible instantly by all business location personnel.

2. Creams, cosmetics, astringents, lotions, removers, waxes, paraffin wax, moisturizers, masks, oils and all other such products that become contaminated must be immediately discarded.

3. Permitted procedures that may be used to avoid cross contamination include, but are not limited to:

a. Placing the amount of product needed to perform a single service into another container and then disposing of any remaining product after service is completed;

b. Using a single-use disposable implement to remove the product from the container and disposing of such implement after application of the product on the client;

c. Using a clean applicator bottle to apply product; or

d. Following manufacturer suggested guidelines for the product used.

1.8 PROHIBITED ACTS AND SCOPE OF PRACTICE

This Rule clarifies prohibited acts and the scope of practice for barbers, hairstylists, nail technicians, estheticians, and cosmetologists pursuant to sections 12-105-104(2), (7), (8), (9) and (11), C.R.S.,

A. PROHIBITED ACTS FOR BARBERS, HAIRSTYLISTS, NAIL TECHNICIANS, ESTHETICIANS, AND COSMETOLOGISTS

1. Licensees are prohibited from performing a service and/or using an implement, device, product, machine, tool, or technique, or combination of the same that:

a. Penetrates, destroys or alters the client's skin beyond the epidermis;

b. Is banned or deemed unsafe by local, state or federal governmental agencies responsible for making such determinations: or,

c. Has a reasonable likelihood of causing harm or injury to the client.

2. Licensees are specifically prohibited from using the following:

a. Methylmalonic acid or Methacrylate Liquid Monomers, (MMA);

b. Live fish, leeches, snails, and any other living creature for use in any cosmetic service;

c. Any product banned or deemed unsafe by local, state or federal governmental agencies responsible for making such determinations; or,

d. Ultra Violet (UV) light boxes for disinfection.

3. Possession or storage of devices, substances, and products that are prohibited and described in Rule 1.8 will be considered prima facie evidence of use.

B. BARBER SCOPE OF PRACTICE The scope of practice for barbering covers those practices set forth in section 12-105-104(2), C.R.S., to include the ordinary and customary services provided by barbers in the state, subject to infection control and prevention rules.

C. HAIRSTYLIST SCOPE OF PRACTICE

The scope of practice for hairstylist covers those practices set forth in section 12-105-104(9), C.R.S., to include the ordinary and customary services provided by hairstylists in the state, subject to infection control and prevention rules.

D. NAIL TECHNICIANS SCOPE OF PRACTICE

1. The scope of practice for nail technicians covers those practices set forth for nail technicians in sections 12-105-104(11) and (12), C.R.S., to include the ordinary and customary services provided by nail technicians in the state, subject to infection control and prevention rules and the additional training requirements.

2. Scope Of Practice After Additional Training

a. Upon successful completion of the training requirements described in Rule 1.9, the scope of practice for a nail technician expands to include:

(1) Use of electric files for natural nail services, filing, maintenance, and removal of artificial enhancement products, and pedicure services; and,

(2) Hair removal to a client's leg up to the knee, and the arm up to the elbow, by the use of wax or depilatories only.

E. ESTHETICIAN SCOPE OF PRACTICE

1. The scope of practice for an esthetician covers those practices set forth in section 12105-104(8), C.R.S., to include the ordinary and customary services provided by estheticians in the state, subject to infection control and prevention rules and the additional training requirements.

2. Scope Of Practice After Additional Training

a. Upon successful completion of the training requirements described in Rule 1.9, the scope of practice for an esthetician expands to include:

(1) The independent use of cosmetic resurfacing exfoliating substances and equipment;

(2) The performance of microdermabrasion; and,

(3) The performance of pigment implantation (Semi and permanent).

F. COSMETOLOGIST SCOPE OF PRACTICE

1. The scope of practice for cosmetologists covers those practices set forth in section 12105-104(7), C.R.S., to include the ordinary and customary services provided by cosmetologists in the state, subject to infection control rules and the additional training requirements.

2. Scope Of Practice After Additional Training

a. Upon successful completion of the training requirements described in Rule 1.9, the scope of practice for a cosmetologist expands to include:

(1) The independent use of cosmetic resurfacing exfoliating substances and equipment classified lower than a Class IIIb medical device;

(2) The performance of microdermabrasion;

(3) The performance/application of pigment implantation (semi or permanent); and

(4) Use of electric files for natural nail services, filing, maintenance, and removal of artificial enhancement products, and pedicure services.

3. Safety Data Sheets (SDS) must be kept for all substances used in the semi or permanent tinting of eyebrows or eyelashes. For such tinting services, the licensee must follow the same precautions that would be used for any eyebrow or eyelash coloring or tinting, including but not limited to a predisposition test (commonly known as a "patch test")

G. DELEGATED MEDICAL SERVICES

This Rule 1.8 is not applicable to services performed by a licensee that have been properly delegated pursuant to the Medical Practice Act, section 12-240-101 et seq., C.R.S., or rules promulgated by the Colorado Medical Board or services delegated pursuant to the Nurses and Nurse Aides Practice Act, section 12-255-137, C.R.S. or the rules promulgated by the State Board of Nursing.

1.9 ADDITIONAL PRACTICES AND TRAINING REQUIREMENTS

This Rule clarifies the requirements for additional practices, and the timing and training that must be completed before a licensed cosmetologist, esthetician, or nail technician may perform additional services. These rules do not apply to barbers or hairstylist.

A. CHEMICAL RESURFACING EXFOLIATION REQUIREMENTS FOR ESTHETICIANS AND COSMETOLOGISTS

1. Definitions

a. **Chemical Resurfacing Exfoliation:** the process of removing the dead cell layer (of the skin by use of resurfacing exfoliating substances and tools).

b. **Resurfacing Exfoliating Substances:** the substances used in chemical resurfacing exfoliation.

c. **Accelerator:** any agent that hastens or quickens the exfoliation process.

2. Only cosmetologist or estheticians who have completed additional training in chemical resurfacing exfoliation described in Rule 1.9(A)(5) are authorized to performed chemical resurfacing exfoliation. Performing services prior to receiving training may be deemed a violation of these rules.

3. Resurfacing exfoliating substances that may be used in chemical resurfacing exfoliation include those substances that are ordinarily and customarily used in exfoliation when used and applied according to the manufacturer recommendations for safe application.

4. Prohibited resurfacing exfoliating substances that may not be used in chemical resurfacing exfoliation include the following:

a. Any substance banned or deemed unsafe by local, state or federal governmental agencies responsible for making such determinations;

b. Products mixed by the licensee or other person that do not have a manufacturer SDS;

c. All adulterated chemical exfoliating/peeling substances;

d. Any substance requiring application or use by a licensed healthcare provider; or,

e. Any products or chemical substances that have the potential to or result in the structural alteration or destruction of skin below the epidermis.

5. Training Requirements for chemical resurfacing exfoliation.

a. Completion of twenty-four hours of cosmeceutical coursework is required before a licensed cosmetologist or esthetician may perform chemical resurfacing exfoliation. The training must include at least the following course topics: skin analysis, conditions, contraindications, and aftercare; product ingredients of chemical resurfacing exfoliation substances; and chemical peel treatment procedures and treatment of reactions.

b. The training required in Rule 1.9(A)(5) must be completed at a school approved by DPOS or CCCS if obtained in Colorado. If the training is obtained in another state or jurisdiction, the training must be substantially equivalent to that of an approved Colorado school.

6. An actively licensed cosmetologist or esthetician who is licensed by endorsement and who has completed chemical resurfacing exfoliation training at a substantially equivalent program to that of DPOS and CCCS, as determined by the Director, may meet the training requirements necessary to perform chemical resurfacing exfoliation.

B. MANUAL RESURFACING EXFOLIATING REQUIREMENTS - ESTHETICIANS AND COSMETOLOGISTS

1. Definitions

a. Manual Resurfacing Exfoliation: the removal of the dead cell layer of the skin by use of devices, tools, and machines listed as Class I or II medical devices including, but not limited to, microdermabrasion equipment, and certain red LED light.

(1) The Class I or II medical device used for cosmeceutical services may only be used as intended and in accordance with the Act and these rules.

b. Manual Resurfacing Exfoliation does not include:

(1) Use of a product, device, machine or other technique, or combination of the same, which penetrates, destroys or alters the client’s skin beyond the epidermis;

(2) The use of any medical device listed as Class IIIb or higher;

(3) Any type of cutting or use of electricity; or,

(4) Any other means to remove warts, skin tags, or skin imperfections below the epidermal layer of the skin.

2. Training Requirements for microdermabrasion or manual resurfacing exfoliation.

a. Prior to performing manual resurfacing exfoliation, a licensed cosmetologist or esthetician must complete the fourteen hours of coursework in microdermabrasion or manual resurfacing exfoliation The training must include at least the following course topics: skin; skin type and conditions; microexfoliation; treatment procedures; cleaning, disinfection, sterilization and safety; law and rules; and salesmanship; occupational safety and health.

3. The requisite training described in Rule 1.9(B)(2) must be completed at a school approved by DPOS or CCCS if obtained in Colorado. If the training is obtained in another state or jurisdiction, the training must be substantially equivalent to that of an approved Colorado school.

4. An actively licensed cosmetologist or esthetician who is licensed by endorsement, and who has completed manual resurfacing exfoliation training at a substantially equivalent program to that of DPOS and CCCS, as determined by the Director, may meet the training requirements necessary to perform manual resurfacing exfoliation.

5. Upon request by the Director, a cosmetologist or esthetician must supply written documentation that confirms the licensee has completed the required training. A certificate of completion issued by an approved school, and that contains the school's official seal, will constitute sufficient documentation.

C. CHEMICAL AND/OR MANUAL RESURFACING EXFOLIATING REQUIREMENTS

1. A licensed cosmetologist or esthetician who has not completed or cannot produce evidence of the training requirements described above in this Rule 1.9 is prohibited from using or performing any chemical or manual resurfacing exfoliating devices or procedures.

2. Upon request by the Director, a cosmetologist or esthetician must supply written documentation that confirms the licensee has completed the required training in chemical or manual resurfacing exfoliation. A certificate of completion issued by an approved school and that contains the school's official seal, will constitute sufficient documentation.

3. Chemical and/or manual resurfacing exfoliation can only be provided at places of business that are registered with the Director.

4. In addition to the requirements with respect to client consultation in Rule 1.7, prior to providing any procedures related to cosmetic resurfacing and/or exfoliating, cosmetologists and estheticians must inform each client of at least the following:

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D. PROHIBITIONS AGAINST PERFORMING CHEMICAL AND/OR MANUAL RESURFACING EXFOLIATING PROCEDURES

1. Providing more than one cosmetic resurfacing exfoliating service, chemical and/or manual, is prohibited during the same procedure or the same visit.

2. Unless the cosmetologist or esthetician has received prior written approval from a licensed physician, physician assistant or advanced practice nurse with knowledge of the client's condition, chemical or manual resurfacing exfoliating procedures are prohibited if any of the following conditions exist:

a. The cosmetologist or esthetician knows or has reason to believe that a client is under the supervision of a physician for skin related disorders;

b. The client is pregnant; or,

c. The client has had a medium or deep chemical peel, laser treatment(s), IPL or plastic/reconstructive surgery within the previous 6 weeks.

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E. PERMANENT OR SEMI-PERMANENT MAKEUP REQUIREMENTS FOR ESTHETICIANS AND COSMETOLOGISTS

1. Definitions.

a. **Permanent or Semi-Permanent Makeup:** the process of beautifying the face by inserting or implanting facial cosmetic pigment or color under the surface of the human skin or mucosa with a needle, by a micro blade, or other means, to produce a permanent or semi-permanent mark visible through the skin on the client's face including, but not limited to the application of pigment on the eyebrows, eyeliner, eye shadow, lip color, cheek color, and facials scars. Permanent or Semi-Permanent Makeup is limited to the client's face does not include services to any area other than the client's face.

b. **Facial cosmetic pigment implantation:** another term for permanent makeup.

c. Client's face: the area above the client's jaw line and anterior to the ear and frontal hairline.

d. **Microblading, Microstroking or Microhairstroking:** included in the definition of permanent makeup for the purpose of these rules.

2. Permanent makeup does not include pigmentation of areas involving reconstructive surgery or trauma, re-pigmentation of the areola, and/or body art or tattooing. The performance of such services is beyond the scope of this rule, and beyond the scope of the cosmetologist or esthetician license. This rule is not applicable to services performed by licensees, which services have been properly delegated pursuant to the Medical Practice Act, section 12-240-101 et seq., C.R.S., or services delegated pursuant to the Nurses and Nurse Aides Practice Act, section 12-255-137, C.R.S. or the rules promulgated by the State Board of Nursing.

3. Training Requirements for Semi-Permanent or Permanent Makeup

a. Completion of 132 contact hours of training must be completed prior to a licensed cosmetologist or esthetician performing semi-permanent or permanent makeup. The training must include at least the following course topics: cleaning, sterilization, disinfection and safety; skin analysis; equipment and supplies; color theory and effects; client consultation; and application of pigment.

b. The training required in Rule 1.9(E) must be completed at a school approved by DPOS or CCCS if obtained in Colorado. If the training is obtained in another state or jurisdiction, the training must be substantially equivalent to that of an approved Colorado school.

c. An actively licensed cosmetologist or esthetician who is licensed by endorsement and who has completed semi-permanent or permanent makeup training at a substantially equivalent program to that of DPOS and CCCS, as determined by the Director, may meet the training requirements necessary to perform permanent makeup.

d. A licensed cosmetologist or esthetician who has not completed or cannot produce evidence of the training requirements described in Rule 1.9(E)(3) is prohibited from performing semi-permanent or permanent make-up.

e. Upon request by the Director, a cosmetologist or esthetician must supply written documentation that confirms the licensee has completed the required training in semi-permanent or permanent makeup. A certificate of completion issued by an approved school,

and that contains the school's official seal, title of the course, completion date and hours will constitute sufficient documentation.

F. ELECTRIC NAIL FILE REQUIREMENTS FOR NAIL TECHNICIANS AND COSMETOLOGISTS

1. Definitions:

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2. An electric file may be used only for manicure and pedicure services and is limited to procedures for natural nail services, filing, maintenance or removal of artificial nail enhancement products.

3. Training Requirements for Use of Electric File in Natural and Artificial Nail Services:

a. Completion of 8 hours of training that is specific to the use of electric nail files in natural and artificial nail services. The training must include at least the following course topics: cleaning and disinfection; client protection during filing; bit selection and use; machine specifications and uses; natural nail procedures; artificial enhancements; and pedicure procedures.

4. The training required in Rule 1.9(F) must be completed at a school approved by DPOS or CCCS if obtained in Colorado. If the training is obtained in another state or jurisdiction, the training must be substantially equivalent to that of an approved Colorado school.

5. An actively licensed cosmetologist or nail technician who is licensed by endorsement and who has completed training at a substantially equivalent program to that of DPOS and CCCS, as determined by the Director, may meets the training requirement necessary to provide nail services with an electric file.

6. A licensed cosmetologist or nail technician who has not completed or cannot produce evidence of the training requirements described in Rule 1.9(F) is prohibited from using or performing service with an electric nail file.

7. Upon request by the Director, a cosmetologists or nail technician must supply written documentation that confirms the licensee has completed the required training in the use of electric file. A certificate of completion issued by an approved school, and that contains the school's official seal, will constitute sufficient documentation.

G. HAIR REMOVAL REQUIREMENTS FOR NAIL TECHNICIANS

1. Pursuant to section 12-105-104(11), C.R.S., the scope of hair removal by licensed nail technicians is limited to the client's leg up to the knee and the arm up to the elbow. The Director considers the hands and feet to be within the scope and appropriate areas for waxing. Hair removal on any other part of the body, such as eyebrows, lips, bikini areas, etc., is not permitted by licensed nail technicians and must be performed by actively licensed cosmetologists or estheticians.

2. Licensed nail technician may use wax or depilatories to remove superfluous hair in the limited areas described in Rule 1.9(G)(1) above.

3. Training Requirements for Hair Removal by Licensed Nail Technicians: Completion of six hours of training in the use and procedures for removal of hair by waxing is required. The training must include at least the following course topics: skin histology, anatomy, and disorders;

client safety, consultation and contraindications of hair removal; types of products for hair removal and application; and disinfection, sanitation, rules, and safe work practices.

4. The training required in Rule 1.9(G) must be completed at a school approved by DPOS or CCCS if obtained in Colorado. If the training is obtained in another state or jurisdiction, the training must be substantially equivalent to that of an approved Colorado school.

5. An actively licensed nail technician who is licensed by endorsement and who has completed a hair removal training program at a substantially equivalent program to that of DPOS and CCCS, as determined by the Director, may meet training requirements necessary to perform hair removal as described above in Rule 1.9(G)(1).

6. A licensed nail technician who has not completed or cannot produce evidence of the training requirements described in Rule 1.9(G)(3) is prohibited from performing hair removal services unless also actively licensed as a cosmetologist or an esthetician.

7. Upon request by the Director, a nail technician must supply written documentation that confirms the licensee has completed the required training for hair removal. A certificate of completion issued by an approved school, and that contains the school's official seal, will constitute sufficient documentation.**1.10 INSPECTIONS**

Pursuant to sections 12-105-106(1)(f) and 12-105-120, C.R.S., this Rule clarifies the procedures regarding inspections of barbershops, beauty salons, nail salons, spas, barber or beauty schools, and places of business and booths rented or operated by independent licensees.

A. The Director may order an inspection of places of business, where services subject to licensure or services provided in a school setting are provided to the public, including booths or workstations rented in such places by independent licensees. "Places of business" include the following by way of example: barber shops, beauty salons, nail salons, and spas; barber or beauty schools where services subject to licensures are provided to the public; permanent, temporary (interim, irregular, seasonal), fixed, and mobile locations where services are provided, including a licensee's residence,

B. All licensees and registrants (or the onsite representative of the registrant) must provide to the Director's inspector(s) their professional license or registration, a picture ID and any certificate of additional training required by the Director to perform the services that are being offered to the public.

C. The inspector(s) may conduct an inspection of the entire business premises. This includes without limitation, doors, drawers, closets, shelves, and storerooms. The inspector(s) may document the inspected areas by use of a camera, video equipment or any other method. The refusal by a registrant (or the onsite representative of the registrant) or licensee to open any locked area within the licensed area of the business may be deemed unprofessional conduct under section 12-105-125(1)(f), C.R.S., and a violation of these rules.

D. All registrants (or the onsite representative of the registrant) and licensees are required to answer questions truthfully and completely, must not attempt to or hide any persons, items, tools, devices, etc. from the inspector, throw items away during the inspection, refuse to comply with the inspection or behave in any manner that hinders the inspection. Failing to cooperate with an inspection may be deemed unprofessional conduct under section 12-105-125(1)(f), C.R.S., and a violation of these rules.

E. The inspector may issue a violation notice to registrants and licensees found to be in violation of the Act and these rules. Such violation notice must be posted in public view until such time as the Director authorizes its removal.

1.11 DECLARATORY ORDERS

This Rule establishes procedures for the handling of requests for declaratory orders filed pursuant to section 24-4-105(11), C.R.S.

A. Any person or entity may petition the Director for a declaratory order to terminate controversies or remove uncertainties as to the applicability of any statutory provision or of any rule or order of the Director.

B. The Director will determine, in his or her discretion and without notice to petitioner, whether to rule upon any such a petition. If the Director determines that they will not rule upon such a petition, the Director shall promptly notify the petitioner of their action and state the reasons for such decision.

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Editor's Notes

History

Entire rule eff. 02/14/2018.

Rule 4.2 emer. rule eff. 01/24/2019; expired 05/24/2019.

Rule 4.2 eff. 06/14/2019.

Rule 1.4 eff. 12/15/2020.

Rules 1.4 A, 1.4 B.2-3 eff. 05/30/2021. Rule 1.4 C repealed eff. 05/30/2021.

Rule 1.12 emer. rule eff. 08/15/2022.

Rule 1.4 A, 1.4 B.2-3 eff. 09/14/2022.

Rule 1.12 eff. 11/30/2022.

Rules 1.1 A.4, 1.2 B, 1.4 E, 1.9 E.3.e eff. 08/14/2023.

Rule 1.12 repealed eff. 02/15/2024.

Rules 1.8 A, 1.8 G, 1.9 E.2 eff. 10/30/2025.

Annotations

Rules 1.4 A, 1.4 B.2, 1.4 C (adopted 10/21/2020) were not extended by Senate Bill 21-152 and therefore expired 05/15/2021.

Rules 1.12 B. and 1.12 C. (adopted 10/10/2022) were not extended by Senate Bill 23-102 and therefore expired 05/15/2023.