

**THE MISSISSIPPI STATE BOARD OF
COSMETOLOGY AND BARBERING
RULES AND REGULATIONS**

**Title 30 Professions and Occupations
Part 2101**

Chapter 10 Establishments: Salons/Shops

Rule 10.1 Unlicensed Practice Prohibited An establishment owner must ensure that all persons performing or offering to perform any service within the scope of practice of any profession licensed by this Board are properly licensed at all times. No one shall work within the scope of practice of any profession licensed by the Board within an establishment without a valid license or permit.

An establishment may not perform or offer to perform any service within the scope of any profession licensed by this Board that is outside of the scope of the establishment's license.

Source: MISS. CODE ANN. §§ 73-7-7; 73-7-9; 73-7-35 (2).

Rule 10.2 Enforcement The holder of an establishment license is the owner of the establishment. The holder of the establishment license shall be responsible for the implementation and maintenance of the sanitary conditions of the establishment as well as compliance with all Board rules and regulations. Any licensee shall be held individually responsible for the implementation and maintenance of the sanitary conditions of his station and/or equipment as well as compliance with all Board rules and regulations

Source: MISS. CODE ANN. § 73-7-7.

Rule 10.3 Posting Board Required Information A licensed establishment must post in a conspicuous place any information or announcement so required by the Board.

Source: MISS. CODE ANN. § 73-7-7.

Rule 10.4 Establishment License Application All establishments where any profession licensed by the Board is practiced must also hold an establishment license. An application entitled "establishment application" available on the Board's website or otherwise may be made available by the Board. The application must be accompanied by:

- A. Proof of business's good standing filed with the Mississippi Secretary of State, if applicable;
- B. Building permit (new construction), if applicable;

- C. Evidence of successful inspection by the county/city and fire department, if applicable;
- D. List, including quantity, of equipment in the establishment;
- E. List of all licensed practitioners associated with the establishment; and
- F. Non-refundable fee.

An establishment license is non-transferable. Any change to the establishment ownership, location (including area within a building i.e. suite), and/or name requires the submission of a new establishment license application. No license shall be issued until all fines previously assessed to the establishment have been paid in full.

Source: MISS. CODE ANN. §§ 73-7-7; 73-7-17; 73-7-35.

Rule 10.5 Establishment License Inspection An establishment license cannot be issued until after an inspection by the Board or a Board agent is successfully passed. The establishment inspection may be scheduled only after the submission of a complete application as per Rule 10.4. If an applicant fails to appear at the scheduled inspection date and time, the applicant must pay a re-inspection fee, unless good cause is shown in writing, before another inspection may be scheduled.

Source: MISS. CODE ANN. §§ 73-7-7; 73-7-17; 73-7-35.

Rule 10.6 Establishment License Renewal An establishment license must be renewed biennially. An application entitled “establishment renewal” available on the Board’s website or otherwise may be made available by the Board. The application must be accompanied by:

- A. Proof of business’s good standing filed with the Mississippi Secretary of State, if applicable;
- B. List of all licensed practitioners associated with the establishment; and
- C. Non-refundable fee.

An establishment license that is not renewed within one (1) year from the date of expiration must make a new application for licensure complying with Rule 10.4 and successfully complete the inspection described in Rule 10.5.

No license shall be renewed until all fines previously assessed to the establishment have been paid in full.

Source: MISS. CODE ANN. §§ 73-7-7; 73-7-17; 73-7-35.

Rule 10.7 Required Equipment A licensed establishment must maintain in a sanitary and safe operating order all of the Board required equipment. A complete list of Board required

equipment is available on the Board’s website or otherwise may be made available by the Board.

Source: MISS. CODE ANN. § 73-7-7.

Rule 10.8 Display of Barber Pole A barber pole is a pole or cylinder with alternating stripes of any combination including, but not limited to, red and white or red, white, and blue, which run diagonally along the length of the cylinder or pole; or any depiction, rendering, or other representation of a “barber pole” that appears in any form, which would create the impression to members of the general public that a business located near the object is a licensed to offer the services of barbering.

A barber pole may be displayed only if the establishment is licensed to offer the services of barbering.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-11.

Rule 10.9 Establishments Attached to a Residence An establishment may be attached to a residence if:

1. There is a wall between the establishment and residence that is complete from floor to ceiling; if there is a door located within this wall, it must remain closed at all times;
2. There is an outside entrance into the establishment;
3. There is a restroom conveniently located for client use; and
4. All equipment required by Rule 10.7 is located within the establishment and not within the residence.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 10.10 Nursing Home Establishments An establishment license as issued by this Board is not required for an establishment located within a skilled nursing facility, a long-term care hospital, a comprehensive medical rehabilitation facility, or other such place wherein the resident is confined due to illness if the services are restricted to residents only.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-35.

Rule 10.11 Inspection All establishments licensed by the Board shall be inspected, without prior announcement, biennially at minimum. The Board or its agent(s) may conduct an establishment inspection as part of the investigation of a complaint. Interference with an inspection may result in the issuance of a citation for violation and may result in further discipline.

A licensee shall make his government issued photo identification available upon request of the Board or its agent(s).

An establishment shall meet all applicable health and safety standards required by local, state, and/or federal law.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-11.

Rule 10.12 Violations Resulting from Inspection When the Board or its agent(s) find a violation(s), a citation for violation shall be provided to the licensee on the Board's form which also includes the monetary penalty, if any, assessed for the violation. Notice shall be issued by certified mail or by personal service.

Within thirty (30) days, the licensee who received a citation for violation may invoke their right to a hearing under Chapter 12 or may waive this right and pay the monetary penalty assessed. If no hearing is requested, monetary penalty(s) should be paid within thirty (30) days and must be paid prior to the renewal of any license issued by the Board.

If an establishment with any unpaid monetary penalty is sold, such unpaid monetary penalty will be assessed to the new establishment owner. An establishment with any unpaid monetary penalty that moves locations or changes names will have any unpaid monetary penalty due and owing by the owner on file with the Board at the time of the location or name change.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-27.

Chapter 11 Health and Safety

Rule 11.1 Compliance with All Applicable Regulations The licensee listed as the establishment owner is liable for the implementation and maintenance of the sanitary conditions of the establishment. A licensed practitioner is individually liable for the implementation and maintenance of the sanitary conditions of their primary work area and equipment.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.2 Water Supply Requirements and Standards Within the licensed establishment each water source must supply an adequate supply of hot and cold potable running water, under pressure, from an approved source that is separate and apart from any breakroom, kitchen, and/or restroom facility.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.3 Restroom/Toilets and Water Disposal Each establishment must have at least one (1) restroom facility wherein all sewage disposal systems meet the requirements of the Mississippi State Department of Health and/or the Mississippi Public Utilities. Each restroom must be equipped with hot and cold running water and soap.

A licensed practitioner must wash with soap and water or use antibacterial hand sanitizer, if running water is temporarily unavailable, before work on each client. For all manicuring services, the client must wash their hands with antibacterial skin cleanser or antibacterial hand sanitizer, if

running water is temporarily unavailable, prior to service.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.4 Refuse and Waste Materials All refuse and waste material must be kept in a lidded container(s) of solid construction and removed from the premises as frequently as necessary to prevent nuisance. Hair and nail clippings must be removed from the floor and surface area following each client.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.5 Towels or Linens Clean linens or towels must be stored in a clean, closed cabinet or container. Only freshly laundered or new disposable linens or towels can be used on each client. After linens and towels have been used, they must be deposited in covered container with ventilation and cannot be used again until properly laundered and disinfected.

Used linens and towels must be laundered either by regular commercial laundering or by a non-commercial laundering process which includes the following treatment: immersion in hot water and with detergent and thoroughly dried.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.6 Articles in Contact with a Client All implements, tools, and supplies which have been used in direct contact with a client or which have become soiled must be removed from primary work area, placed in a receptacle provided for that purpose, and cannot be used on another client until properly cleaned and disinfected.

A sanitary neck strip or towel must be used to keep all protective coverings from coming in direct contact with a client unless such protective covering is single use.

Supplies that cannot be disinfected according to either Rule 11.12 or Rule 11.13 are considered single client use only and must be disposed of after use. Such supplies include, but are not limited to, cotton gauzes, cotton pads, cotton strips, ear pads, neck strips, spa liners, toe separators, flip flops, non-metal nail files, e-file sanding bands, make up applicators, and nail buffers.

During any manicure or pedicure, all multi use implements and tools used on a client must be placed in a solution of 70% alcohol when such implement or tool is not in current use. After the service, all implements and tools must be removed from the workstation and shall not be used again until disinfected according to Rule 11.12 and Rule 11.13.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.7 Whirlpool Foot Spa A whirlpool foot spa is any basin using circulating water, either in a self-contained unit or in the unit that is connected to other plumbing in an establishment or school.

- A. After use upon each client, each whirlpool foot spa must be cleaned and disinfected in the following manner:
1. All water shall be drained, and all debris shall be removed from the basin. Remove all removable parts (i.e. footplate, impeller, screen);
 2. Scrub and clean all removable parts and the inside walls of the bowl with a clean and disinfected brush and soap and water;
 3. Rinse all removable parts and the inside walls of the bowl with clean water;
 4. Refill the bowl with clean water, and add the manufacturer's recommended amount of an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, virucidal, pseudomonacidal properties and follow the manufacturer's instructions for required contact time;
 5. Clean and disinfect any additional parts and/or surface;
 6. Drain, rinse, and wipe the basin dry using a single use paper towel or clean towel.
- B. At the end of each day, each basin must be disinfected in the following manner:
1. All water shall be drained, and all debris shall be removed from the basin. Remove all removable parts (i.e. footplate, impeller, screen);
 2. Scrub and clean all removable parts and the inside walls of the bowl with a clean and disinfected brush and soap and water;
 3. Rinse all removable parts and the inside walls of the bowl with clean water;
 4. Fill basin with chelating detergent and circulate through the spa system for approximately 5-10 minutes or as directed by the manufacturer;
 5. Drain the bowl and rinse with warm water;
 6. Refill the bowl with clean water, and add the manufacturer's recommended amount of an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, virucidal, pseudomonacidal properties and follow the manufacturer's instructions for required contact time;
 7. Clean and disinfect any additional parts and/or surface;
 8. Drain, rinse, and wipe the basin dry using a single use paper towel or clean towel.
- C. Weekly, each whirlpool foot spa shall be cleaned and disinfected in the following manner:
1. All water shall be drained, and all debris shall be removed from the basin. Remove all removable parts (i.e. footplate, impeller, screen);
 2. Scrub and clean all removable parts and the inside walls of the bowl with a clean and disinfected brush and soap and water;
 3. Rinse all removable parts and the inside walls of the bowl with clean water;
 4. Fill basin with chelating detergent and circulate through the spa system for approximately 5-10 minutes or as directed by the manufacturer;
 5. Drain the bowl and rinse with warm water;
 6. Refill the bowl with clean water, and add the manufacturer's recommended amount of an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, virucidal, pseudomonacidal properties and follow the manufacturer's instructions for required contact time;
 7. Do not drain the solution but leave the solution in the basin overnight;
 8. Drain the bowl and rinse with warm water;
 9. Refill the basin and run clean water through the spa pedicure system;

10. Drain, rinse, and wipe the basin dry using a single use paper towel or clean towel.

A record shall be made of the date and time of each daily and weekly cleaning and disinfecting of each whirlpool foot spa as required by this Rule. This record must be made at or near the time of cleaning and disinfecting of each whirlpool foot spa and must indicate if a whirlpool foot spa was not used during an individual workday.

A sonic vibration spa should be cleaned according to the manufacturer's instructions. A cleaning log, as described in this rule, should be maintained for sonic vibration spas.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.8 Shampoo Bowl/Chair

When the head rest is in use, the head rest must be provided with a clean towel or paper sheet for each client.

Shampoo bowls must be cleaned with soap and water or other detergent after each shampoo. Shampoo bowls and chairs must be kept in good, sanitary condition at all times.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.9 Materials in Contact with a Client All products must be clearly labeled and stored in a clean, closed container. Creams, lotions, powders, and/or other cosmetics must be removed from the container by means of cotton, gauze, pledget, soft absorbent paper, spatula, or other sanitary applicator.

All powder used on clients must be kept in a clean shaker or may be applied by means of cotton or other sanitary applicator. Non-disposable applicators must be disinfected after each client. Disposable applicators must be discarded immediately after use. Alternatively, powder used upon clients may be placed in a disposable or suitable dappen dish wherein the client dips. All unused powder along with the disposable dappen dish must be discarded after use upon each client.

Lotions or liquids must be poured into a sanitary, appropriate container and must be applied to the client by means of a sanitary applicator. Any excess remaining after application can neither be returned to the original container nor applied to another client but must be discarded.

Cosmetic pencils must be sharpened before and after being used on a client. A sharpener must be properly disinfected before each use.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.10 Paraffin Wax Paraffin wax may be used only once and then must be discarded. It cannot be returned to the wax heater. Applicators cannot be re-dipped. Paraffin wax used for services requires the following:

1. The skin must be thoroughly cleansed.

2. The skin must be completely dried with a clean towel prior to immersion.
3. Wax must be discarded when cloudy or when it contains debris.
4. The product removed from the body must be discarded.

Appropriate, single use paraffin wax liners designed for such use are recommended, though not required, for paraffin wax treatments.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.11 Hair Removal Gloves should be donned before beginning a waxing service. Follow manufacturers' guidelines for pre- and post- service instructions on wax use.

Wax and sugar mixtures used for epilation must be discarded when the wax or sugar mixture becomes cloudy or when it contains debris. The product removed from the body must be discarded. Applicators cannot be re-dipped.

Do not wax over skin tags and/or moles.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.12 Disinfecting Non-Electrical Tools and Implements Work surfaces must be cleaned and disinfected after each client. All non-disposable implements, tools, materials, and/or supplies used in direct contact with a client must be thoroughly cleansed with soap and water and disinfected after each client.

Each establishment and school must have and use for disinfection a Wet Disinfectant Container that is covered at all times, properly labeled, and made of plastic/glass/stainless-steel/the type recommended by the manufacturer of the product it contains. The Wet Disinfectant Container must be large enough for total immersion of the implement(s) or tools and must contain the appropriate amount of solution for total immersion. Implements or tools must be removed from the disinfectant in such a manner as not to contaminate the disinfectant solution, rinsed, and placed on a clean dry towel to air dry.

The disinfectant must be EPA registered and demonstrate bactericide, virucidal, and fungicidal properties. The licensee must follow the manufacturer's instructions for disinfectant mixing and immersion time. Disinfectant must be discarded when contaminated. Disinfectant cannot be used for storage of implements, tools, materials, or other supplies.

Ultraviolet ray cabinets and/or glass bead sterilizers are not Board approved disinfecting devices.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.13 Disinfecting Electrical Implements and Tools Non-disposable implements or tools that cannot be disinfected by the procedures in Rule 11.12 must be disinfected by:

1. Thoroughly cleansing the working parts of the implement after each use and prior to disinfection and

2. Immersion of the working parts of the implements in a solution of 70% alcohol for no less than five (5) minutes. Contact points of non-immersible equipment shall be wiped or sprayed with disinfectants that are EPA registered and demonstrate bactericide, virucidal, and fungicidal properties.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.14 Disease Control No licensee shall perform any service upon the skin or scalp where such skin is inflamed or where a skin infection or eruption is present. A licensee should not have contact with a client who has a communicable disease or parasitic infection that is transmittable.

A licensee with a communicable disease or parasitic infection that is transmittable should not have contact with clients or other licensees in any establishment or school until their condition is no longer communicable.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.15 Blood Exposure

- A. Practitioner Injury. If a practitioner/licensee sustains a cut, or other blood exposure injury, the client service must be immediately stopped, and the following steps employed:
 1. Thoroughly clean the injured area with soap and water. Apply antiseptic and/or liquid styptic or spray styptic as necessary. The use of styptic pencil is prohibited. Containers, brushes or nozzles of liquid styptic are not allowed to touch the skin or contact the wound. A clean applicator, such as a piece of gauze, cotton ball, or cotton swab must be used.
 2. Cover the injury with an adhesive dressing or band aid.
 3. Put on appropriately sized disposable gloves (e.g., plastic, vinyl, nitrile)
 4. Any tissue, gauze, cotton used to collect blood, or clean injury must be disposed of in a sealed plastic bag. The plastic bag must be put into another plastic bag (double bagged) and appropriately discarded.
 5. Clean and disinfect work area and remove or disinfect any contaminated implements as provided in Rule 11.12 and 11.13.
 6. Remove and discard disposable gloves and double bag before discarding. Wash and scrub hands with soap and water. Follow with antibacterial scrub on hands. Replace any adhesive dressing or band aid as needed and double bag before discarding. If wound is on hand or finger, put on properly sized disposable glove or finger cot (e.g., plastic, vinyl, nitrile) on the wound or injury, if continuing to work.
 7. If necessary, clean client with soap and water.
 8. In the event of a blood-to-blood contact, contact a private physician.
- B. Client Injury: If a client sustains a cut, or other blood exposure injury, the client service must be immediately stopped, and the following procedure employed:
 1. Put on appropriately sized disposable gloves (e.g., plastic, vinyl, nitrile).

2. Thoroughly clean the injured area with soap and water. Apply antiseptic and/or liquid styptic or spray styptic as necessary. The use of styptic pencil is prohibited. Containers, brushes or nozzles of liquid styptic are not allowed to touch the skin or contact the wound. A clean applicator, such as a piece of gauze, cotton ball, or cotton swab must be used.
 3. If necessary/appropriate cover area with an adhesive dressing or band aid.
 4. Any tissue, gauze, cotton used to collect blood, or clean injury must be disposed of in a sealed plastic bag. The plastic bag must be put into another plastic bag (double bagged) and appropriately discarded.
 5. Clean and disinfect work area and remove or disinfect any contaminated implements as provided in Rule 11.12 and 11.13.
 6. Remove and discard disposable gloves and double bag before discarding. Wash and scrub hands with soap and water. Replace any adhesive dressing or band aid as needed and double bag before discarding. If wound is on hand or finger, put on properly sized disposable glove or finger cot (e.g., plastic, vinyl, nitrile) on the wound or injury, if continuing to work.
 7. In the event of a blood-to-blood contact, contact a private physician.
- C. In the case of blood or bodily fluid contact on any solid surface area, an EPA-registered disinfectant, or a blood and body fluid cleanup and disinfection with chlorine bleach solution must be used per manufacturer's instructions immediately to clean up all visible blood and/or bodily fluids.

If any non-porous implement is contacted with blood or bodily fluid, it must be immediately cleaned and disinfected using an EPA-registered disinfectant in accordance with the manufacturer's instructions or totally immersed in a blood and body fluid cleanup and disinfection with chlorine bleach solution for five (5) minutes.

If any porous implement contacts blood or bodily fluid, it must be immediately double bagged and discarded in a closed trash container or biohazard box.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.16 Storage of Implements and Tools Disinfected implements or tools must be stored in a clean, disinfected, closed receptacle when not in use.

Carrying implements in or on garments or uniforms is prohibited.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.17 Chemical Use and Storage All bottles and containers of professional grade supplies to be used on clients must be clearly labeled and must be stored apart from other substances including, but not limited to, cleaning supplies. When not in use, all bottles and containers must remain closed.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.18 Products All products must be used according to the manufacturer's instructions. A material safety data sheet for all products used must be available for reference and produced upon request.

Possession or storage on licensed premises of any item banned or deemed to be poisonous or unsafe by the FDA or other governmental agency will be considered evidence of its use.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.19 Animals A licensee is prohibited from using animals in any procedure or service. Animals, apart from service animals, are prohibited from being inside of a licensed school or establishment.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.20 Floor Surface Floors in any area where services are performed must be covered in a non-porous material.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.

Rule 11.21 Equipment/Tool/Service/Procedure Guidelines A licensee may not use the following in any procedure or service:

1. razor-type callus shavers designed and intended to cut growth of skin such as corns and calluses (e.g. credo blade),
2. surgical scalpel,
3. non-solid surface foot file (e.g. "cheese grater" style foot file),
4. products containing methyl methacrylate liquid monomers (MMA),
5. electric file not designed for use on the human nail, and/or
6. any tool/equipment/product classified as either FDA class 2 or class 3.

A cosmetology or esthetics licensee may perform dermaplaning services with only a disposable, non-surgical 10R rounded edge butterblade. Disposal of blades including, but not limited to, razor blades, lancets, and dermaplaning blades, must be in a red sharps biohazard container.

Only a polymer or plastic bristle neck duster is permitted.

An establishment or school may not possess, either in storage or in use, more than two (2) gallons of acetone. Acetone must be properly labeled and stored according to the manufacturer's instructions.

Possession or storage on licensed premises of any item prohibited by this Rule will be considered evidence of its use. For licensees working within the physical practice location of a physician, physician's assistant, or advance practice registered nurse, possession or storage within the licensee's primary work area of any item prohibited by this Rule will be considered evidence of

its use.

A licensee may not perform any service or procedure that is otherwise prohibited by law or rule. A licensee may not perform services that are not within the scope of their license.

Excision of moles, skintags, or any tissue destruction is prohibited. Hair removal by means of epilation and/or depilation shall not be performed on the legs, feet, arms, or hands prior to or during any manicure or any pedicure service. For all professions licensed by this Board, any service provided, or tool/equipment/product used may not penetrate the skin surface below the epidermis layer. A licensee may not practice medicine or surgery. Nothing in this Chapter shall be interpreted to grant any privileges or services reserved for physicians and/or nurses as governed by the Board of Medical Licensure or Board of Nursing.

Source: MISS. CODE ANN. §§ 73-7-7 & 73-7-33.