

**BOARD FOR BARBERS AND COSMETOLOGY
TENTATIVE AGENDA**

Monday, September 20, 2021 – 9:00 a.m., Board Room 2, 2nd Floor
Department of Professional and Occupational Regulation, 9960 Mayland Drive
Richmond, Virginia 23233 804-367-8590

I. CALL TO ORDER

II. APPROVAL OF AGENDA

1. Board for Barbers and Cosmetology Board Meeting Tentative Agenda, September 20, 2021

III. APPROVAL OF MINUTES

2. Board for Barbers and Cosmetology Meeting Draft Minutes, July 12, 2021
3. Board for Barbers and Cosmetology Standing Committee Draft Minutes, July, 12, 2021

IV. COMMUNICATIONS

V. PUBLIC COMMENT PERIOD *

VI. CASES

- | | | | | |
|-----|------------|-------------------------|----------------------|--------------|
| 4. | 2020-01538 | Dung Thi An Cao | (Acosta/Quesenberry) | Disciplinary |
| 5. | 2016-03293 | Hai Thi Nguyen | (Gilanshah) | Disciplinary |
| 6. | 2016-03038 | Thien Nga Nguyen | (Roberts) | Disciplinary |
| 7. | 2016-03443 | Trang Thanh Luby | (Roberts) | Disciplinary |
| 8. | 2016-03054 | Kieu Nguyen | | Prima Facie |
| 9. | 2016-03395 | Hong Nguyen | | Prima Facie |
| 10. | 2021-01119 | Nhi Yen Huynh | | Licensing |
| 11. | 2021-01122 | Danielle Christina Good | | Licensing |
| 12. | 2021-01123 | Sonia Elaine Williams | | Licensing |
| 13. | 2021-01391 | Amanda Lynn Doolittle | | Licensing |
| 14. | 2021-01495 | Danielle Christina Good | | Licensing |

VII. EXAMINATIONS

A. STATISTICS

B. REPORT ON EXAMINATIONS & EXAM CONTENT COMMITTEE

VIII. REGULATORY ACTION AND BOARD GUIDANCE

A. REGULATORY REPORT

B. TATTOO AND BODY PIERCING PUBLIC COMMENTS AND RESPONSES

C. TATTOO AND BODY PIERCING FINAL REGULATIONS

D. HEALTH EDUCATION GUIDANCE DOCUMENT REVISION

IX. NEW BUSINESS

A. MASTER BARBER APPRENTICESHIP

B. REMOTE PARTICIPATION POLICY

C. SCHOOL SELF-INSPECTION FORM REVISIONS

X. FINANCIALS

XI. ADJOURN

* 5-minute public comment, with the exception of any open disciplinary files. Persons desiring to attend the meeting and requiring special accommodations and/or interpretive services should contact the Board Office at (804) 367-8590 at least ten (10) days before the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department and Board fully comply with the Americans with Disabilities Act.

REMAINING 2021 MEETING DATES:

November 8, 2021

BOARD FOR BARBERS AND COSMETOLOGY

DRAFT MINUTES OF MEETING

The Board for Barbers and Cosmetology met on Monday, July 12, 2021, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Board Room 2, Richmond, Virginia. The following board members were present for all or part of the meeting:

Gilda Acosta
Oanh Pham Kim Dang
Renee' H. Gilanshah
Margaret B. LaPierre
Alfred O. Mayes
Lonnie Quesenberry
Matthew D. Roberts
Sandra G. Smith

The following board members were not present:

Darrin L. Hill
Bo Machayo

DPOR staff present for all or part of the meeting included:

Mary Broz-Vaughan, Agency Director
Stephen Kirschner, Executive Director
Joseph Crook, Regulatory Operations Administrator
Tamika Rodriguez, Licensing Operations Administrator
Cathy Clark, Administrative Assistant

Representative from the Office of the Attorney General was present for all or part of the meeting by telephone:

Elizabeth Peay, Assistant Attorney General

Mr. Roberts, Chair, determined a quorum was present and called the meeting to order at 9:14 a.m. **Call to Order**

The Board took the Tentative Agenda under consideration. Mr. Roberts asked for any amendments. Mr. Kirschner indicated that two cases were removed from the Tentative Agenda after it was distributed to the Board. Item 13, File Number 2016-03054 Kieu Thi Thu Nguyen and Item 23, File Number 2016-03395 Hong Nhung Nguyen were removed from the agenda, as the parties have requested Informal Fact Finding Conferences.

Approval of Agenda

Upon a motion by Ms. LaPierre and seconded by Mr. Quesenberry, the Board voted to adopt the amended Agenda.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

The Board took the minutes of the May 17, 2021 Board Meeting under consideration. Mr. Roberts asked for any amendments. There were none.

Upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to approve the minutes.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Board Member Sandra Smith arrived late to the meeting, and did not participate in the previous actions.

Mr. Kirschner called the Board's attention to an email in the electronic agenda from endorsement applicant, Skye Shin, requesting an examination waiver for training obtained outside the United States and its territories. In addition the Board was directed to NABBA Conference information contained in the electronic agenda.

Mr. Roberts asked if there was public comment. There was none.

Mr. Kirschner recommended that the Board hear the disciplinary cases after the Prima Facie and Licensing cases to allow for the arrival of Board Member Ms. Dang, who was delayed in traffic, and to ensure a quorum of members present when one or more members are recused for the disciplinary cases.

In the matter of **File Number 2021-00952, Ryan Alexander Devivies**, the Board reviewed the record, which consisted of the Consent Order. Ryan Alexander Devivies did not appear at the meeting in person, by counsel, or by any other qualified representative.

By signing the Consent Order, Ryan Alexander Devivies acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1: 18 VAC 41-60-220.A.4 \$ 750.00

**Approval of Minutes
for the May 17, 2021
Meeting of the
Board for Barbers
and Cosmetology**

**Board Member
Sandra Smith
arrived at the
meeting**

Communications

Public Comment

CASES

**Disciplinary Cases
deferred to end of
cases**

**2021-00952, Ryan
Alexander Devivies**

SUB-TOTAL (MONETARY PENALTIES)	\$	750.00
BOARD COSTS	\$	150.00
TOTAL	\$	900.00

Upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

Mr. Kirschner advised the Board that the principle in **Prima Facie Case Number 2020-01860, Hue N. Vu** (Agenda Item No. 28), had corresponded with Board staff requesting reconsideration of the case.

File Number 2016-01860, Hue N. Vu

Upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to remand **Case Number 2016-01860, Hue N. Vu**, to the Department for further proceedings.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

A motion was made by Ms. LaPierre and seconded by Mr. Mayes, that the Board consider the fifteen (15) Prima Facie cases as a block, accept the violations, and approve the sanctions. The Board voted to accept the violations and approve the sanctions of the fifteen (15) remaining Prima Facie cases.

Board Considers and Approves Prima Facie Cases As A Block

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-02971, Mylien Thi Dinh**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Mylien Thi Dinh did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-02971, Mylien Thi Dinh

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found

substantial evidence that Mylien Thi Dinh violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations at \$2,250 each)	\$ 6,750.00
TOTAL		----- \$ 6,750.00

The Board also imposes the following sanction: Revocation of Mylien Thi Dinh's cosmetologist license number 1201123305 for violation of Count 1.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03125, Nhi Viet-Nguyen Tran**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Nhi Viet-Nguyen Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03125, Nhi Viet-Nguyen Tran

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Nhi Viet-Nguyen Tran violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,500.00
TOTAL		----- \$ 2,500.00

The Board also imposes the following sanction: Revocation of Nhi Viet-Nguyen Tran's cosmetologist license number 1201112753 for violation of Count 1.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03186, Diem Kieu Thi Cao**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Diem Kieu Thi Cao did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03186, Diem Kieu Thi Cao

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Diem Kieu Thi Cao violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 5,000.00
	(Two violations at \$2,500 each)	-----
TOTAL		\$ 5,000.00

The Board also imposes the following sanction: Revocation of Diem Kieu Thi Cao's cosmetologist license number 1201114793 for violation of Count 1.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03254, Long Thanh Le**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Long Thanh Le did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03254, Long Thanh Le

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Long Thanh Le violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 4,500.00
	(Two violations at \$2,250 each)	-----
TOTAL		\$ 4,500.00

The Board also imposes the following sanction: Revocation of Long Thanh Le's cosmetologist license number 1201112643 for violation of Count 1.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03291, Minh Tran Anderson**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Minh Tran Anderson did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03291, Minh Tran Anderson

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Minh Tran Anderson violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations at \$2,500 each)	\$ 5,000.00

TOTAL		\$ 5,000.00

The Board also imposes the following sanction: Revocation of Minh Tran Anderson's cosmetologist license number 1201119905 for violation of Count 1.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03321, Hao T. Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Hao T. Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03321, Hao T. Nguyen

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Hao T. Nguyen violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations at \$2,500 each)	\$ 7,500.00

TOTAL		\$ 7,500.00

The Board also imposes the following sanction: Revocation of Hao T. Nguyen's cosmetologist license number 1201112990 for violation of Count 1.

The members voting ‘yes’ were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03323, To Nhu Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. To Nhu Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03323, To Nhu Nguyen

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that To Nhu Nguyen violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations at \$2,250 each)	\$ 4,500.00

TOTAL		\$ 4,500.00

The Board also imposes the following sanction: Revocation of To Nhu Nguyen’s cosmetologist license number 1201121070 for violation of Count 1.

The members voting ‘yes’ were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03374, Quyen B. Dao**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Quyen B. Dao did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03374, Quyen B. Dao

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Quyen B. Dao violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,500.00

TOTAL		\$ 2,500.00

The Board also imposes the following sanction: Revocation of Quyen B. Dao's cosmetologist license number 1201113184 for violation of Count 1.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03382, Phuong Thanh Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Phuong Thanh Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03382, Phuong Thanh Nguyen

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Phuong Thanh Nguyen violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations at \$2,500 each)	\$ 5,000.00

TOTAL		\$ 5,000.00

The Board also imposes the following sanction: Revocation of Phuong Thanh Nguyen's cosmetologist license number 1201120258 for violation of Count 1.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03389, Hong Thi Le**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Hong Thi Le did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03389, Hong Thi Le

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Hong Thi Le violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,500.00

TOTAL		\$ 2,500.00

The Board also imposes the following sanction: Revocation of Hong Thi Le's nail technician license number 1206018811 for violation of Count 1.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03419, Hue-Huong Thi Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Hue-Huong Thi Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03419, Hue-Huong Thi Nguyen

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Hue-Huong Thi Nguyen violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations at \$2,500 each)	\$ 7,500.00

TOTAL		\$ 7,500.00

The Board also imposes the following sanction: Revocation of Hue-Huong Thi Nguyen's cosmetologist license number 1201114681 for violation of Count 1.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03432, Tu Diem Doan**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Tu Diem Doan did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03432, Tu Diem Doan

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found

substantial evidence that Tu Diem Doan violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations at \$2,250 each)	\$ 4,500.00
TOTAL		----- \$ 4,500.00

The Board also imposes the following sanction: Revocation of Tu Diem Doan's cosmetologist license number 1201112874 for violation of Count 1.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03441, Jessica Ho**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Jessica Ho did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03441, Jessica Ho

Concerning Counts 1 and 2, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Jessica Ho violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations at \$2,250 each)	\$ 4,500.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00
TOTAL		----- \$ 6,850.00

The Board also imposes the following sanction: Revocation of Jessica Ho's cosmetologist license number 1201119734 for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-01210, Paul Dexter Osborne**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Paul

File Number 2020-01210, Paul Dexter Osborne dba Sean Paul Barber Braids

Dexter Osborne did not appear at the meeting in person, by counsel or by any other qualified representative.

**and Beauty
Academy**

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Paul Dexter Osborne violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.4	\$ 1,350.00

TOTAL		\$ 1,350.00

The Board also imposes the following sanction: Revocation of Paul Dexter Osborne's cosmetology school license number 1205001373 for violation of Count 1.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-02803, Robious Hair LLC**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Robious Hair LLC did not appear at the meeting in person, by counsel or by any other qualified representative.

**File Number 2020-
02803, Robious Hair
LLC**

Concerning Counts 1 and 2, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Robious Hair LLC violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.6	\$ 1,400.00
Count 2:	18 VAC 41-20-280.6	\$ 1,400.00

TOTAL		\$ 2,800.00

The Board also imposes the following sanction: Revocation of Robious Hair LLC's cosmetology salon license number 1202017312 for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-01420, D’yonta Marques Norman**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. D’yonta Marques Norman did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-01420, D’yonta Marques Norman

Upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve D’yonta Marques Norman’s barber license.

The members voting ‘yes’ were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

Board Member Oanh Dang arrived late to the meeting, and did not participate in the previous actions.

Board Member Ms. Dang arrived to the meeting

In the matter of **File Number 2020-02778, Jeanne Marie Vuncanon**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Jeanne Marie Vuncanon appeared at the meeting in person and addressed the Board.

File Number 2020-02778, Jeanne Marie Vuncanon

Upon a motion by Ms. Gilanshah and seconded by Mr. Mayes, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Jeanne Marie Vuncanon’s cosmetologist license.

The members voting ‘yes’ were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-00366, Wink Boutique LLC**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Haley Joanna Muller, Responsible Manager for Wink Boutique LLC, appeared at the meeting in person and addressed the Board.

File Number 2021-00366, Wink Boutique LLC dba Anecdote

Upon a motion by Ms. LaPierre and seconded by Ms. Acosta, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Wink Boutique LLC’s cosmetology salon license.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-00417, Lonnita Rene Wanzer**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Lonnita Rene Wanzer did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-00417, Lonnita Rene Wanzer

Upon a motion by Ms. LaPierre and seconded by Ms. Acosta, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Lonnita Rene Wanzer's cosmetologist license by endorsement.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-00834, Valentyna Topcha**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Valentyna Topcha was represented by counsel, Peter Anthony Jabaly, who appeared in person and addressed the Board on behalf of Ms. Topcha.

File Number 2021-00834, Valentyna Topcha

Upon a motion by Mr. Quesenberry and seconded by Ms. Gilanshah, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Valentyna Topcha's application for an esthetician and master esthetician license.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-01039, Louis Antonio Valentin**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Louis Antonio Valentin did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-01039, Louis Antonio Valentin

Upon a motion by Ms. LaPierre and seconded by Ms. Acosta, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Louis Antonio Valentin's barber license.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-01120, Tiffani Caitlyn Brown**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Tiffani Caitlyn Brown did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-01120, Tiffani Caitlyn Brown

Upon a motion by Ms. Gilanshah and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Tiffani Caitlyn Brown's nail technician license.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-02207, Phillip Lamont Jordan**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Phillip Lamont Jordan appeared at the meeting in person and addressed the Board.

File Number 2021-02207, Phillip Lamont Jordan

Upon a motion by Ms. Acosta and seconded by Mr. Mayes, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Phillip Lamont Jordan's tattooer license.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

Ms. Acosta recused herself from the meeting.

Ms. Acosta Recused

In the matter of **File Number 2016-03082, Ngoan Thi Nguyen**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Ngoan Thi Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative. The Board was provided with an emailed statement from Ngoan Thi Nguyen.

File Number 2016-03082, Ngoan Thi Nguyen

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial

evidence that Ngoan Thi Nguyen violated the following section of its Regulations:

Count 1: 18 VAC 41-20-280.A.3

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Quesenberry, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

Count 1:	18 VAC 41-20-280.A.3	\$ 6,750.00
	(Three violations at \$2,250 each)	

TOTAL (MONETARY PENALTIES)		\$ 6,750.00

In addition, the Board imposes revocation of Ngoan Thi Nguyen's cosmetologist license number 1201120425 for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Ms. Acosta was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2016-03130, Thu Thi Anh Le**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Thu Thi Anh Le did not appear at the meeting in person, by counsel, or by any other qualified representative. The Board was provided with an emailed statement from Thu Thi Anh Le.

File Number 2016-03130, Thu Thi Anh Le

Concerning Counts 1 and 2, upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Thu Thi Anh Le violated the following sections of its Regulations:

Count 1: 18 VAC 41-20-280.A.3

(Three violations)
Count 2: 18 VAC 41-20-280.6

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

Concerning Counts 1 and 2, upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

Count 1:	18 VAC 41-20-280.A.3	\$ 6,750.00
	(Three violations at \$2,250 each)	
Count 2:	18 VAC 41-20-280.6	\$ 2,300.00

TOTAL (MONETARY PENALTIES)		\$ 9,050.00

In addition, the Board imposes revocation of Thu Thi Anh Le's cosmetologist license number 1201112439 for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Ms. Acosta was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2016-03183, Diane Diep Truong**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Diane Diep Truong did not appear at the meeting in person, by counsel, or by any other qualified representative. The Board was provided with an emailed statement from Diane Diep Truong.

File Number 2016-03183, Diane Diep Truong

Concerning Counts 1 and 2, upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Diane Diep Truong violated the following sections of its Regulations:

Count 1: 18 VAC 41-20-280.A.3

Count 2: 18 VAC 41-20-280.9

The members voting ‘yes’ were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

Concerning Counts 1 and 2, upon a motion by Ms. Gilanshah and seconded by Ms. LaPierre, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00
Count 2:	18 VAC 41-20-280.9	\$ 2,000.00
TOTAL (MONETARY PENALTIES)		\$ 4,250.00

In addition, the Board imposes revocation of Diane Diep Truong’s cosmetologist license number 1201109178 for violation of Counts 1 and 2.

The members voting ‘yes’ were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Ms. Acosta was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2016-03376, Hoi Chau**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Hoi Chau did not appear at the meeting in person, by counsel, or by any other qualified representative. The Board was provided with an emailed statement from Hoi Chau.

File Number 2016-03376, Hoi Chau

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Quesenberry, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Hoi Chau violated the following section of its Regulations:

Count 1: 18 VAC 41-20-280.A.3
(Three violations)

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Quesenberry, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

Count 1:	18 VAC 41-20-280.A.3	\$ 6,750.00
	(Three violations at \$2,250 each)	

TOTAL (MONETARY PENALTIES)		\$ 6,750.00

In addition, the Board imposes revocation of Hoi Chau's cosmetologist license number 1201118629 for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Ms. Acosta was not present, did not participate in the discussion, and did not vote on this matter.

Mr. Quesenberry recused himself from the meeting.

Mr. Quesenberry
Recused

In the matter of **File Number 2016-03201, Dieu Thi Co**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Dieu Thi Co did not appear at the meeting in person, by counsel, or by any other qualified representative. The Board was provided with an emailed statement from Dieu Thi Co.

File Number 2016-
03201, Dieu Thi Co

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Dieu Thi Co violated the following section of its Regulations:

Count 1:	18 VAC 41-20-280.A.3
	(Three violations)

The members voting ‘yes’ were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Ms. LaPierre, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

Count 1:	18 VAC 41-20-280.A.3	\$ 6,750.00
	(Three violations at \$2,250 each)	

TOTAL (MONETARY PENALTIES)		\$ 6,750.00

In addition, the Board imposes revocation of Dieu Thi Co’s cosmetologist license number 1201121664 for violation of Count 1.

The members voting ‘yes’ were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

As Board representatives in this case, Ms. Acosta and Mr. Quesenberry were not present, did not participate in the discussion, and did not vote on this matter.

Mr. Kirschner advised the Board that Dung Thi An Cao had provided a written request to the Board to postpone its hearing of her case until the September 20, 2021 Board Meeting.

File Number 2020-01538, Dung Thi An Cao

Upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board voted to postpone Dung Thi An Cao’s case to the September 20, 2021 Board Meeting.

The members voting ‘yes’ were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

As a Board representatives in this case, Ms. Acosta and Mr. Quesenberry were not present, did not participate in the discussion, and did not vote on this matter.

Ms. Acosta and Mr. Quesenberry returned to the meeting

Ms. Rodriguez provided a report to the Board on examination pass rates for private and public schools for 2019 and 2020.

Exam Statistics

Mr. Kirschner reported to the Board regarding issues that arose during public school testing for 2021 and what steps are being taken to address them. Shannon Webster, Director of Examinations, also reported to the Board on what steps were being taken to resolve problems with public school testing.

Report on Examinations and Exam Content Committee

The Board was advised that the Exam Content Committee is scheduled to meet on Tuesday, September 21, 2021. At present, Mr. Roberts, Mr. Quesenberry, and Ms. LaPierre are Board representatives on the Committee.

REGULATORY ACTION AND BOARD GUIDANCE

Mr. Kirschner presented a report on pending regulatory actions, noting that the revised Tattoo and Body Piercing Regulations are currently in the 60-day public comment period. The Board will review any public comments received at the September 20, 2021 Board meeting, and the final regulations must be approved by the November 2021 Board meeting.

Regulatory Report

Mr. Kirschner also reported to the Board on two other pending regulatory actions, the first to provide an exception to training requirements allowing experience in lieu of substantially equivalent training and the second to implement changes to the instructor program curriculum.

Mr. Crook discussed a proposed Guidance Document regarding substantially equivalent master esthetician training from other states. The proposed Guidance Document, entitled, "Out-of-State Master Esthetics Training" and intended to interpret 18 VAC 41-70-20.B.2 to include both esthetics training and master esthetics training when determining eligibility for the applicable exam, was reviewed by the Board. (Addendum 1)

Guidance Document On Out-of-State Master Esthetics Training

Upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board voted to accept the Guidance Document as written.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

Mr. Kirschner led the Board through a review of all of its existing Guidance Documents and provided staff recommendations of proposed repeals, retentions, and revisions.

Upon a motion by Ms. LaPierre and seconded by Mr. Quesenberry, the Board voted to approve the following actions:

1. Repeal the following Guidance Documents:
 - a. Barbering Scope of Practice
 - b. Endorsement Applicants Not Eligible for Temporary Permits
 - c. Barber Schools Previously Approved to Teach Training Equivalent to the Master Barber Curriculum
2. Retain the following Guidance Documents as is:
 - a. Non-Traditional or Online Instruction
 - b. Barber and Cosmetology Endorsement – Endorsement Candidate from States Offering Only One Licensing Exam
 - c. Barber, Cosmetology, Esthetics School Locations – Interpretation of Location
 - d. Esthetics – Cleaning Multiuse Items That Cannot Be Immersed
 - e. Approved Health Education Certifying Agencies
 - f. Cosmetology Instructors May Teach Nail or Wax Instructor Program
 - g. Master Barber Applicants Who Have Already Completed Training Equivalent to the Master Barber Curriculum
 - h. Master Barber Endorsement
 - i. Definition of Clock Hours
3. Revise the following Guidance Documents (Addendum 2):
 - a. Assessment of a Student’s Competence in Esthetics
 - b. Barber and Cosmetology Schools – Awarding Credits and/or Hours to Transfer Students
 - c. Substantial Equivalence
 - d. Barber and Cosmetology Chief Examiners – Cosmetologists Can Serve as Nail Technician Examiners or a Wax Technician Examiner
 - e. License Required for Certain Procedures
4. Revise the Application Review Matrix – Criminal History and make any other changes necessary to conform the Board’s requirements to the changes in the law pertaining to marijuana legalization.

The members voting ‘yes’ were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

NEW BUSINESS

Mr. Kirschner discussed the formation of a Master Barber Apprenticeship Committee to develop standards for an apprenticeship for master barber training and proposed alternative processes for developing these standards.

**Master Barber
Apprenticeship
Committee**

Mr. Mayes requested that staff develop a draft document to bring to the September 20, 2021 meeting for the Board's consideration. Mr. Kirschner agreed to prepare a draft document.

Mr. Kirschner advised the Board that staff is currently revising the School Self-Inspection Form and will provide the revised form for the Board's review at the September 20, 2021 Board meeting.

**School Self-
Inspection Form
Revision**

Ms. Rodriguez directed the Board to conference announcements and registration information for the upcoming NABBA and NIC Conferences. Mr. Kirschner indicated to the Board that a Board representative could be sponsored to attend the NABBA Conference. Mr. Mayes had previously expressed interest in attending the conference. Mr. Kirschner stated that the Board can consider sending a staff person to the NIC Conference.

**NABBA Conference
and NIC Conference**

Upon a motion by Mr. Quesenberry and seconded by Ms. Gilanshah, the Board voted to sponsor Mr. Mayes as a Board representative to the NABBA Conference in Washington, DC, September 19 – 23, 2021.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

Upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to sponsor a staff person as a Board representative to the NIC Conference in Louisville, Kentucky, October 1 – 4, 2021.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

There being no further business to be brought before the Board, Ms. LaPierre **Adjourn** adjourned the meeting at 11:48 a.m.

Matthew D. Roberts, Board Chair

Mary Broz-Vaughan, Board Secretary

**BOARD FOR BARBERS & COSMETOLOGY
STANDING COMMITTEE ON TRAINING**

DRAFT MINUTES OF MEETING

The Board for Barbers & Cosmetology Standing Committee on Training met on Monday, July 12, 2021, immediately following the full Board Meeting at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Board Room 2, Richmond, Virginia. The following Board members were present:

Gilda Acosta
Margaret B. LaPierre
Alfred O. Mayes
Lonnie Quesenberry
Matthew D. Roberts
Sandra Smith

DPOR staff present for the meeting included:

Stephen Kirschner, Executive Director
Joseph Crook, Regulatory Operations Administrator
Tamika Rodriguez, Licensing Operations Administrator
Cathy Clark, Administrative Assistant

The meeting was called to order at 12:02 p.m.

Call To Order

Mr. Roberts asked for public comments. There were none.

Public Comment

Mr. Kirschner reviewed with the Committee its continuing goals in a slide hand-out, including:

**Goals of
Committee**

- Review training requirements for barbers, cosmetologists, estheticians, wax and nail technicians, instructors, and master level practitioners
- Review the tiered licensure model.
- Determine consistent/fair way to handle student transfers between schools
- Resolve problems with instructor programs in the Regulations

Mr. Kirschner reviewed the past actions of the Committee and its recommendations, including:

**Review of past
actions of the
Committee**

- Instructor Program Revisions
- Experience Waiver
- Transfer Hours
- Hair Only License
- Tiered licensure training hours review

Mr. Kirschner commented that, going forward, staff will use the term “stackable credential” in lieu of tiered licensure, in keeping with the U.S. Department of Labor definition.

The Committee explored the potential for creating a combined hair only and eyelash extension license. After discussion and upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Committee voted to support the creation of a Hair Only license and Eyelash Extension sub-license.

**Eyelash Extension
and Hair Only
License**

The Committee members voting ‘yes’ were Ms. Acosta, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

Mr. Kirschner addressed the committee regarding tiered licensure. The Committee reviewed the chart of the hours and performances for each portion of the tiered curriculum. After discussion, the Committee agreed by consensus to revisit the tiered licensure model at a future committee meeting.

**Stackable
Credential
Curriculum and
Performances**

There being no other discussion, the meeting was adjourned at 12:38 p.m.

Adjourn

Matthew D. Roberts, Board Chair

Mary Broz-Vaughan, Board Secretary



TO: VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: TATTOO AND BODY PIERCING PUBLIC COMMENTS
DATE: SEPTEMBER 3, 2021

Attached you will find the two comments received during the public comment period for the tattoo and body piercing regulatory action's re-proposed phase. After comments is a summary of the comments and a proposed response from the Board for these comments. The board will need to approve responses for these comments at the meeting.

MEMO

TO: Stephen Kirschner

FROM: Fred Safford Esq.

RE: Public Comment on possible changes to the Body piercing regulations

Thank you for the notice and it is our feeling in the ear piercing industry that the existing Body Piercing regulations are in no need of change. Your regulations are the most comprehensive in the United States. It is unfortunate that more states do not follow your outstanding model.

I monitor the body piercing industry and note a significant drop in any innovation or basic competence as body piercing staff retire that had actual training in the medical field. However I see a very slick campaign by a couple of body jewelry manufacturers under the pretend façade of the APP making inroads with quite bad regulations around the country. They have made up lies about metals and set up a self serving site on ASTM to promote the steel process only they use. They dazzle some officials with this and avoid the fact that their so called authority is only a manufacturing standard and nothing more. They also attempt to set standards designated being of body piercing quality and or expertise or standards. This double speak is of no value and does not protect the public. As you know our control was created in 1906 with the Pure Food and Drug act that is now our FDA.

Please keep me posted as to submissions you seek to consider for amendment. I am very happy to assist at no cost. I have worked in this field since 1992 and drafted numerous regulations world wide.

Regards



05/18/21

Fred Safford esq.

3628 Palos Verdes Drive North

Palos Verdes Estates, Ca., 90274

310 721 6365

Epmus1@aol.com



COMMONWEALTH of VIRGINIA

Department of Professional and Occupational Regulation

Ralph S. Northam
Governor

Brian Ball
Secretary of
Commerce and Trade

Mary Broz-Vaughan
Director

MEMORANDUM

TO: Public Participation Guideline Members

FROM: Stephen Kirschner
Executive Director
Board for Barbers and Cosmetology

PHONE: 804-367-8590

DATE: May 7, 2021

SUBJECT: Notice of Public Comment Period

The Board for Barbers and Cosmetology is conducting a general review of its tattooing and body piercing regulations. The proposed changes in the regulations will make clarifying changes, ensure consistency with other board regulations as well as state and federal law, ensure compliance with current industry standards, and make other necessary changes to better protect the public health, safety and welfare.

The 30 day comment period begins May 10, 2021 and ends on Friday, June 9, 2021.

Comments may be submitted online to the Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov>. Additional instructions for submitting comments on Townhall are on the reverse side of this notice. Comments may also be sent to:

Stephen Kirschner
Executive Director
DPOR Board for Barbers and Cosmetology
9960 Mayland Drive, Suite 400
Richmond, VA 23233

Telephone: (804) 367-8590
Fax: (866) 245-9693
Email: BarberCosmo@dpor.virginia.gov

Comments must include the commenter's name and address (physical or email) information in order to receive a response to the comment from the agency.

(continued on back)



VIRGINIA
REGULATORY TOWN HALL



Agency

Department of Professional and Occupational Regulation

Board

Board for Barbers and Cosmetology

Chapter

Tattooing Regulations [18 VAC 41 - 50]

Action	General Review 2017 Tattoo and Body-Piercing
Stage	Proposed
Comment Period	Ends 6/9/2021

[Back to List of Comments](#)

Commenter: DANNY FOWLER

5/13/21 10:14 am

policing

The regs. are the regs. but with DPOR not policing to make sure the REGULATION are being followed the public will never be safe. Just in the Roanoke area, there are 10 or more TATTOO STUDIOS and 45 people working those parlors, maybe 10 people that are tattooing have a permit. most have no formal training. If there is no team to enforce the rules. Those of us that pay the fees take the classes at our own expense need your team to get out in the field and inspect every tattoo shop in the state and weed out the freeloaders. We get nothing for the money we spend with DPOR. Tattooers that follow your rules need something for the money we spend in fees with the state, in the form of getting this non-compident operators from endangering the public with the lack of using proper safety procedures. i.e. Health Inspectors go to RESTAURANTS to inspect. DPOR needs to inspect tattoo shop as well.

I understand DPOR doesn't know enough about this business to be able to inspect. You need to have a team ..trained in how and what too look for. you need help? ask for it DFOWLER.
danny@atimemachine.com

CommentID: **98518**

**Board for Barbers and Cosmetology Rules and Regulations
[18 VAC 41 – 50 and 18 VAC 41 - 60] General Review 2017
Public Comment Summary**

Fee Increase Comments

Commenter	Correspondence	Comment	Recommended Response
Fred Safford	Email	Concerns regarding the allowable metals used in the piercing process and offered their assistance in the development of future regulations.	<p>Neither the Board's current or proposed regulations reference the quality or type of metal that can be used in the jewelry. Moreover, the Board does not regulate the sale of jewelry. The Boards regulations speak only to the piercing service.</p> <p>The Board appreciates the offer of assistance in the development of regulations and welcome any suggestions and will take any suggestions under advisement.</p>
Danny Fowler	Town Hall Website	<p>Does not believe DPOR is enforcing the regulations, therefore the public will never be safe. He states there are multiple unlicensed individuals tattooing in the Roanoke, VA area. Expresses a need for more proactive inspection of tattoo parlors by the Department concerning compliance with the regulations.</p> <p>Suggests that tattooer get nothing for the assessed fees by DPOR.</p>	<p>DPOR inspections at this point in time are complaint driven. The Board is exploring a more proactive inspection program, yet to be implemented. However, at any given time, the Board must balance its resources to focus on the most pressing critical needs that best meet its mission of protecting the health, safety, and welfare of the public.</p> <p>The Board's fees are set in accordance with the Callahan Act which requires the Board to set the fees such that expenditures and revenues are balanced. The fees paid by the licensees are sufficient to cover all of the Boards current operating expenses. An increase in the inspection expenditures would likely result in an increase in the licensing fees.</p>



TO: VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: TATTOO AND BODY PIERCING FINAL REGULATIOIS
DATE: SEPTEMBER 3, 2021

Attached you will find the draft final regulations for the Tattooing and Body Piercing 2017 General Review. The tattoo regulations are first, followed by the body piercing regulations. The draft documents has all of the staff proposed changes highlighted in yellow. These changes are non-substantive, and either involve adding clarify, correcting typographical errors, or adding consistency between these and other board regulations.

Please review the attached draft regulations. Once the board approves the final regulations, the last stage of the regulatory review begins. If you have any suggested edits, feel free to reach out to me prior to the meeting, or bring them up during the meeting. Once the Board is satisfied with the final regulations, it can approve them with a motion to “approve the draft final regulations.”

TATTOO REGULATIONS

Board For Barbers And Cosmetology

General Review 2017 | Tattoo and Body-Piercing

18VAC41-50-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise. All terms defined in Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia are incorporated in this chapter.

"Apprenticeship program" means an approved tattooing training program conducted by an approved apprenticeship sponsor.

"Apprenticeship sponsor" means an individual approved to conduct tattooing apprenticeship training who meets the qualifications in 18VAC41-50-70.

"Aseptic technique" means a hygienic practice that prevents and hinders the direct transfer of microorganisms, regardless of pathogenicity, from one person or place to another person or place.

"Business entity" means a sole proprietorship, partnership, corporation, limited liability company, limited liability partnership, or any other form of organization permitted by law.

["~~Convention tattooer~~" means a tattooer residing outside Virginia who is licensed to work only at a tattoo convention located in Virginia.]

"Direct supervision" means (i) that a Virginia licensed tattooer shall be present in the tattoo parlor at all times when services are being performed by an apprentice, (ii) that a Virginia licensed **and certified** tattooing instructor shall be present in the tattooing school at all times when services are being performed by a student, (iii) that a Virginia licensed **and certified** permanent cosmetic tattooing instructor shall be present in the permanent cosmetic tattooing school at all times when services are being performed by a student, **(iv) that a Virginia licensed and certified master permanent cosmetic tattooer instructor shall be present in the permanent cosmetic tattooing school at all times when master permanent cosmetic tattooer services are being performed by a student, or (v) that a Virginia licensed tattooer shall be present in the tattoo parlor at all times when services are being performed by a guest tattooer.**

"Endorsement" means a method of obtaining a license by a person who is currently licensed in another state **or jurisdiction of the United States.**

["Event tattoo parlor" means a tattoo parlor temporary location licensed to operate for a maximum of five consecutive days.]

"Firm" means any business entity recognized under the laws of the Commonwealth of Virginia.

"Gratuitous services" as used in § 54.1-701.5 of the Code Virginia means providing tattooing services without receiving compensation or reward, or obligation. Gratuitous services do not include services provided at no charge when goods are purchased.

"Guest tattooer" means a tattooer ~~or permanent cosmetic tattooer,~~ **or master permanent cosmetic tattooer** residing outside of Virginia who is licensed only to work for a two-week period at a specified tattoo parlor or permanent cosmetic tattoo salon.

"Guest tattooer sponsor" means a licensed tattoo parlor or permanent cosmetic tattoo salon that is sponsoring and providing direct supervision of a guest tattooer.

"Licensee" means any person, sole proprietorship, partnership, association, corporation, limited liability company, ~~or corporation~~ limited liability partnership, or any other form of

organization permitted by law holding a license issued by the Board for Barbers and Cosmetology, as defined in § 54.1-700 of the Code of Virginia.

~~"Limited term tattooer" means a tattooer licensed to perform tattooing for a maximum of five consecutive days in an organized event or in a Virginia licensed tattoo parlor.~~

~~["Limited term tattoo parlor" means a tattoo parlor temporary location licensed to operate for a maximum of five consecutive days.]~~

"Master permanent cosmetic tattooer" means any person who for compensation practices permanent cosmetic tattooing known in the industry as advanced permanent cosmetic tattooing, including ~~but not limited to cheek blush,~~ **scalp micropigmentation,** eye shadow, and breast and scar repigmentation or camouflage.

"Permanent cosmetic tattoo salon" means any place in which permanent cosmetic tattooing is offered or practiced for compensation.

"Permanent cosmetic tattooer" means any person who for compensation practices permanent cosmetic tattooing known in the industry as basic permanent cosmetic tattooing, including ~~but not limited to~~ eyebrows, [microblading,] eyeliners, lip coloring, lip liners, or full lips.

"Permanent cosmetic tattooing" means placing marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the skin on the face, including ~~but not limited to~~ eyebrows, eyeliners, lip coloring, lip liners, full lips, cheek blush, eye shadow, [forehead and scalp micropigmentation,] and on the body for breast and scar repigmentation or camouflage; also known as permanent ~~make-up~~ makeup or micropigmentation.

"Permanent cosmetic tattooing instructor" means a person who has been certified by the board who meets the competency standards of the board as an instructor of permanent cosmetic tattooing.

"Permanent cosmetic tattooing school" means a place or establishment licensed by the board to accept and train students and offers a permanent cosmetic tattooing curriculum approved by the board.

["Pigments" means tattooing ink designed for use on human skin.]

"Postsecondary educational level" means an accredited college or university that is approved or accredited by an accrediting agency that is recognized by the U.S. Department of Education.

"Reinstatement" means having a license restored to effectiveness after the expiration date has passed.

"Renewal" means continuing the effectiveness of a license for another period of time.

"Responsible management" means the following individuals:

1. The sole proprietor of a sole proprietorship;
2. The partners of a general partnership;
3. The managing partners of a limited partnership;
4. The officers of a corporation;
5. The managers of a limited liability company;
6. The officers or directors of an association or both; and
7. Individuals in other business entities recognized under the laws of the Commonwealth as having a fiduciary responsibility to the firm.

"Sole proprietor" means any individual, not a corporation, who is trading under his own name or under an assumed or fictitious name pursuant to the provisions of §§ 59.1-69 through 59.1-76 of the Code of Virginia.

"Sterilization area" means a separate room or area separate from workstations with restricted client access in which tattooing instruments are cleaned, disinfected, and sterilized.

"Tattoo convention" means an event where Virginia and out-of-state tattooers gather for no more than five consecutive days to offer tattooing services to the public.

"Tattooing instructor" means a person who has been certified by the board who meets the competency standards of the board as an instructor of tattooing.

"Temporary location" means a fixed location at which tattooing is performed for a specified length of time of not more than five days in conjunction with a single event or **celebration convention**.

18VAC41-50-20. General requirements for tattooer, limited-term **[convention tattooer] guest tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer.**

A. ~~In order to receive a license as a tattooer, limited term tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer in compliance with § 54.1-703 of the Code of Virginia, an applicant must~~ Any individual wishing to engage in tattooing, **[limited term guest]** tattooing, permanent cosmetic tattooing, or master permanent cosmetic tattooing shall obtain a license in compliance with § 54.1-703 of the Code of Virginia and meet the following qualifications:

1. The applicant must be in good standing as a tattooer, ~~limited term~~ **[convention tattooer,]** ~~guest tattooer,~~ permanent cosmetic tattooer, or master permanent cosmetic tattooer in every jurisdiction where licensed, certified, or registered. The applicant shall disclose to the board at the time of application for licensure any disciplinary action taken in ~~another Virginia or any other jurisdiction~~ in connection with the applicant's practice as a tattooer, ~~[limited term guest]~~ tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer. This disclosure includes monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure ~~whether~~ if he has been previously licensed in Virginia as a tattooer, ~~[limited term guest]~~ tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer.

Upon review of the applicant's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein the board deems the applicant is unfit or unsuited to engage in tattooing, **[convention tattooing,]** guest tattooing, permanent cosmetic tattooing, or master permanent cosmetic tattooing. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this subdivision. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

2. The applicant shall disclose his physical address. A post office box is not acceptable.

3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia tattooing license laws and ~~the board's tattooing regulations~~ this chapter.

4. In accordance with § 54.1-204 of the Code of Virginia, ~~the each applicant must not have been convicted in any jurisdiction of a misdemeanor or felony that directly relates to the profession of tattooing. The board shall have the authority to determine, based upon all the information available, including the applicant's record of prior convictions, if the applicant is unfit or unsuited to engage in the profession of tattooing. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo~~

~~contendere shall be considered a conviction for the purposes of this section. The applicant shall provide a certified copy of a final order, decree or case decision by a court or regulatory agency with the lawful authority to issue such order, decree or case decision, and such copy shall be admissible as prima facie evidence of such conviction. This record shall be forwarded by the applicant to the board within 10 days after all appeal rights have expired. shall disclose the following information regarding criminal convictions in Virginia and all other jurisdictions:~~

~~a. All misdemeanor convictions involving moral turpitude, sexual offense, **non-marijuana** drug distribution, or physical injury within two years of the date of the application; and~~

~~b. All felony convictions within 20 years of the date of application.~~

~~Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.~~

5. The applicant shall provide evidence satisfactory to the board that the applicant has passed the board approved examination, administered either by the board or by a designated testing service.

~~6. Persons who (i) make application for licensure between October 1, 2006, and September 30, 2007; (ii) have completed three years of documented work experience within the preceding five years as a tattooer; and (iii) have completed a minimum of five hours of health education to include but not limited to bloodborne disease, sterilization, and aseptic techniques related to tattooing and first aid and CPR that is acceptable to the board are not required to complete subdivision 5 of this subsection.~~

B. Eligibility to sit for board-approved examination.

1. Training in the Commonwealth of Virginia.

~~[a.] Any person completing an approved tattooing apprenticeship program in a Virginia licensed tattoo parlor or completing an approved tattooing training program in a Virginia licensed **school of tattooing tattoo school**; or completing a permanent cosmetic tattooing [or master permanent cosmetic tattooing] training program in a Virginia licensed permanent cosmetic tattooing school shall be eligible to sit for the applicable examination.~~

~~[b. Any person completing master permanent cosmetic tattooing training that is acceptable to the board shall be eligible to sit for the examination. Training should be conducted in a permanent facility.]~~

2. Training outside of the Commonwealth of Virginia, but within the United States **or jurisdiction of the United States** and its territories.

~~[a.] Any person completing a tattooing, permanent cosmetic tattooing training, or master permanent cosmetic tattooing training program,] or tattooing apprenticeship [program,] that is substantially equivalent to the Virginia program but is outside of the Commonwealth of Virginia must submit to the board documentation of the successful completion of training or apprenticeship to be eligible for examination. If less than the required hours [of tattooing or permanent cosmetic tattooing training or tattooing apprenticeship was were] completed, an applicant must submit (i) documentation acceptable to the board verifying the completion of a substantially equivalent tattooing training or tattooing apprenticeship or permanent cosmetic tattooing training [or master permanent cosmetic tattooing] or documentation of three years of work experience within the preceding five years as a tattooer; and (ii) documentation of completion of a minimum of five hours of health education to include but not limited to blood-borne disease **(a)**~~

bloodborne pathogens, sterilization, and aseptic techniques related to tattooing and; (b) first aid; and (c) CPR that is acceptable to the board in order to be eligible for examination.

~~[b. Any person completing master permanent cosmetic tattooing training that is acceptable to the board shall be eligible to sit for the examination. Training should be conducted in a permanent facility.]~~

18VAC41-50-30. License by endorsement.

Upon proper application to the board, any person currently licensed to practice as a tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer in any other state or jurisdiction of the United States and who has completed a training or apprenticeship program and an examination that is substantially equivalent to that required by this chapter may be issued a tattooer license, permanent cosmetic tattooer license, or master permanent cosmetic tattooer license, respectively, without an examination. The applicant must also meet the requirements set forth in 18VAC41-50-20 A 1 through A 4.

18VAC41-50-40. Examination requirements and fees.

A. Applicants for initial licensure shall pass an examination approved by the board. The examinations may be administered by the board or by a designated testing service.

B. Any candidate failing to appear as scheduled for examination shall forfeit the examination fee.

C. The applicant shall follow all procedures established by the board with regard to conduct at the examination. Such procedures shall include any written instructions communicated prior to the examination date and any instructions communicated at the site, either written or oral, on the date of the examination. Failure to comply with all procedures established by the board and the testing service with regard to conduct at the examination may be grounds for denial of application.

D. Any applicant who does not pass a reexamination within one year of the initial examination date shall be required to submit a new application.

E. The fee for examination or reexamination is subject to contracted charges to the board by an outside vendor. These contracts are competitively negotiated and bargained for in compliance with the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia). Fees may be adjusted and charged to the candidate in accordance with these contracts. The fee shall not exceed \$225 per candidate.

F. Any candidate failing to apply for initial licensure within five years of passing the written examination shall be required to retake the examination. Records of examinations shall be maintained for a maximum of five years.

18VAC41-50-50. Reexamination requirements. (Repealed.)

~~Any applicant who does not pass a reexamination within one year of the initial examination date shall be required to submit a new application and examination fee.~~

18VAC41-50-60. Examination administration. (Repealed.)

~~A. The examinations may be administered by the board or the designated testing service.~~

~~B. The applicant shall follow all procedures established by the board with regard to conduct at the examination. Such procedures shall include any written instructions communicated prior to the examination date and any instructions communicated at the site, either written or oral, on the date of the examination. Failure to comply with all procedures established by the board and the testing service with regard to conduct at the examination may be grounds for denial of application.~~

~~C. The fee for examination or reexamination is subject to contracted charges to the board by an outside vendor. These contracts are competitively negotiated and bargained for in compliance with the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia). Fees may~~

~~be adjusted and charged to the candidate in accordance with these contracts. The fee shall not exceed \$225 per candidate.~~

18VAC41-50-80. Tattoo parlor, [~~limited term event~~] tattoo parlor, or permanent cosmetic tattoo.

A. Any ~~individual firm~~ wishing to operate a tattoo parlor, [~~limited term event~~] tattoo parlor, or permanent cosmetic tattoo salon shall obtain a tattoo parlor license, [~~limited term event~~] tattoo parlor license, or permanent cosmetic tattoo salon license in compliance with § 54.1-704.1 of the Code of Virginia- and shall meet the following qualifications in order to receive a license:

1. The applicant and all members of the responsible management shall be in good standing as a licensed parlor or salon in Virginia and all other jurisdictions where licensed. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's operation of any tattoo parlor, [~~limited term event~~] tattoo parlor, or permanent cosmetic tattoo salon or practice of the profession. This disclosure includes monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if the applicant or any member of the responsible management has been previously licensed in Virginia as a tattoo parlor, [~~limited term event~~] tattoo parlor, or permanent cosmetic tattoo salon. Upon review of the applicant's and all members of the responsible management's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in the operation of a tattoo parlor, [~~limited term event~~] tattoo parlor, or permanent cosmetic tattoo salon. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this subdivision. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

2. The applicant shall disclose his physical address. A post office box is not acceptable.

3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia tattooing license laws and this chapter.

4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information about the firm and all members of the responsible management regarding criminal convictions in Virginia and all other jurisdictions:

a. All misdemeanor convictions involving moral turpitude, sexual offense, **non-marijuana** drug distribution, or physical injury within two years of the date of the application; and

b. All felony convictions within 20 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

5. The applicant shall disclose the firm's responsible management.

B. A tattoo parlor license, [~~limited term event~~] tattoo parlor license, or permanent cosmetic tattoo salon license shall not be transferable and shall bear the same name and address of the business. Any changes in the name, or address, or ownership of the parlor or salon shall be reported to the board in writing within 30 days of such changes. **New owners** **The new responsible**

management shall be responsible for ~~reporting such changes in writing to the board~~ applying for a new license within 30 days of the changes.

~~C. In the event of a closing of a tattoo parlor or permanent cosmetic tattoo salon, the board must be notified by the owners in writing within 30 days of the closing, and the license must be returned by the owners to the board. Whenever the legal business entity holding the license is dissolved or altered to form a new business entity, the original license becomes void and shall be returned to the board within 30 days of the change. Additionally, the firm shall apply for a new license within 30 days of the change in the business entity. Such changes include:~~

- ~~1. Death of a sole proprietor;~~
- ~~2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and~~
- ~~3. Conversion, formation, or dissolution of a corporation, a limited liability company, an association, or any other business entity recognized under the laws of the Commonwealth of Virginia.~~

~~D. Any change in the officers of a corporation, managers of a limited liability company, or officers or directors of an association shall be reported to the board in writing within 30 days of the change.~~

~~E. Any tattoo parlor or permanent cosmetic tattoo salon wishing to host a guest tattooer must identify itself as the guest tattooer sponsor and must provide direct supervision of any tattooing by the guest tattooer.~~

~~D. F. Any individual firm wishing to operate a tattoo parlor in a temporary location must have a tattoo parlor license or [limited term event] tattoo parlor license issued by the board.~~

~~E. G. A [limited term event] tattoo parlor license is effective for five consecutive days prior to the expiration date.~~

~~F. H. A person or entity firm may obtain a maximum of five [limited term event] tattoo parlor licenses within a calendar year.~~

~~G. [I. A person or entity firm may obtain a maximum of two limited term tattoo parlor licenses within a 30 consecutive days time period.]~~

18VAC41-50-90. Limited term tattooer license. (Repealed.)

~~A. A limited term tattooer license is effective for five consecutive days prior to the expiration date.~~

~~B. A person may obtain a maximum of five limited term tattooer licenses within a calendar year.~~

~~C. A person may obtain a maximum of two limited term tattooer licenses within a 30 consecutive days time period.~~

~~D. A limited term tattooer applicant must meet the following qualifications:~~

- ~~1. Requirements set forth in 18VAC41-50-20 A 1 through A 4.~~
- ~~2. Documentation of health education knowledge to include but not limited to blood-borne disease, sterilization, and aseptic techniques related to tattooing, and first aid and CPR that is acceptable to the board.~~

~~E. A limited term tattooer applicant is not required to complete 18VAC41-50-20 A 5.~~

18VAC41-50-91. [Convention Guest] tattooer license.

~~[A. A convention tattooer license shall expire one year from the last day of the month in which it was issued.~~

~~B. A convention tattooer applicant must meet the following qualifications:~~

- ~~1. Requirements set forth in 18VAC41-50-20 A 1 through A 4.~~

2. Present documentation showing out-of-state residency.

3. Documentation of health education knowledge to include (i) bloodborne disease, sterilization, and aseptic techniques related to tattooing; (ii) first aid; and (iii) CPR that is acceptable to the board.

C. A convention tattooer applicant is not required to complete 18VAC41-50-20 A 5.

A. A guest tattooer license is effective for 14 days prior to the expiration date.

B. An out-of-state resident may obtain up to five guest tattooer licenses per calendar year.

C. A guest tattooer applicant must meet the following qualifications:

1. Requirements set forth in 18VAC41-50-20 A 1 through A 4.

2. Present documentation showing out-of-state residency.

3. Documentation of health education knowledge to include (i) bloodborne disease, sterilization, and aseptic techniques related to tattooing; (ii) first aid; and (iii) CPR that is acceptable to the board.

4. Documentation showing guest tattooer sponsor, including signature of sponsor parlor's responsible management.

D. A guest tattooer must provide the name and license number of the guest tattooer's sponsor, and the duration of the guest tattooer's tattooing for all guest tattooer locations.

E. A guest tattooer applicant is not required to complete 18VAC41-50-20 A 5.]

18VAC41-50-92. Guest tattooer sponsor.

[A. A guest tattooer license is effective for 14 days prior to the expiration date.

B. An out-of-state resident may obtain up to three guest tattooer licenses per calendar year.

C. A guest tattooer applicant must meet the following qualifications:

1. Requirements set forth in 18VAC41-50-20 A 1 through A 4.

2. Present documentation showing out-of-state residency.

3. Documentation of health education knowledge to include (i) bloodborne disease, sterilization, and aseptic techniques related to tattooing; (ii) first aid; and (iii) CPR that is acceptable to the board.

4. Documentation showing guest tattooer sponsor including signature of sponsor parlor's responsible management.

D. A guest tattooer applicant is not required to complete 18VAC41-50-20 A 5.

A. The licensed tattoo parlor **that agrees to sponsoring** a guest tattooer shall ensure that the guest tattooer:

1. Has a valid, current guest tattooer license for the entire duration of his tattooing at the parlor.

2. Is directly supervised by a licensed tattooer.

3. Complies with all Virginia regulations relating to health, sanitation, client qualifications, and standards of practice.

B. The licensed permanent cosmetic **tattooing salon that agrees to sponsoring** a guest tattooer shall ensure that the guest tattooer:

1. Has a valid, current guest tattooer licensed for the entire duration of his tattooing at the salon.

2. Is directly supervised by a licensed tattooer or permanent cosmetic tattooer.

3. Complies with all Virginia regulations relating to health, sanitation, client qualifications, and standards of practice.

C. With the exception of tattoo conventions, a member of the guest tattooer sponsor's responsible management must sign the guest tattooer application certifying the sponsor will ensure the requirements of subsections A and B of this section.

D. The guest tattooer sponsor shall be responsible for the acts or omissions of the guest tattooer in the performance of tattooing or permanent cosmetic tattooing.]

18VAC41-50-93. Guest tattooer sponsor.

A. The licensed tattoo parlor that agrees to sponsor a guest tattooer shall ensure that the guest tattooer:

1. Has a valid, current guest tattooer license for the entire duration of his tattooing at the parlor.
2. Is directly supervised by a licensed tattooer.
3. Complies with all Virginia regulations relating to health, sanitation, client qualifications, and standards of practice.

B. The licensed permanent cosmetic tattooing salon that agrees to sponsor a guest tattooer shall ensure that the guest tattooer:

1. Has a valid, current guest tattooer licensed for the entire duration of his tattooing at the salon.
2. Is directly supervised by a licensed tattooer or permanent cosmetic tattooer.
3. Complies with all Virginia regulations relating to health, sanitation, client qualifications, and standards of practice.

C. The guest tattooer sponsor's responsible management must sign the guest tattooer application certifying the sponsor will ensure the requirements of subsections A and B of this section.

D. The guest tattooer sponsor shall be responsible for the acts or omissions of the guest tattooer in the performance of tattooing or permanent cosmetic tattooing.]

18VAC41-50-100. School license.

A. Any individual firm wishing to operate a tattooing school or permanent cosmetic tattooing school shall obtain a school license in compliance with § 54.1-704.2 of the Code of Virginia: and shall meet the following qualifications in order to receive a license:

1. The applicant and all members of the responsible management shall be in good standing as a licensed parlor or salon in Virginia and all other jurisdictions where licensed. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's operation of any tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon or practice of the profession. This disclosure includes monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if the applicant or any member of the responsible management has been previously licensed in Virginia as a tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon.

Upon review of the applicant's and all members of the responsible management's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in the operation of a tattoo parlor, event tattoo parlor, or permanent cosmetic tattoo salon. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this subdivision. The applicant shall provide a certified copy of a final order, decree, or case

decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

2. The applicant shall disclose his physical address. A post office box is not acceptable.

3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia tattooing license laws and this chapter.

4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information about the firm and all members of the responsible management regarding criminal convictions in Virginia and all other jurisdictions:

a. All misdemeanor convictions involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury within two years of the date of the application; and

b. All felony convictions within 20 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

5. The applicant shall disclose the firm's responsible management.

B. A tattooing school license or permanent cosmetic tattooing school license shall not be transferable and shall bear the same name and address as the school. Any changes in the name or address of the school shall be reported to the board in writing within 30 days of such change. The name of the school must indicate that it is an educational institution. All signs or other advertisements must reflect the name as indicated on the license issued by the board and contain language indicating it is an educational institution.

C. ~~In the event of a change of ownership of a school, the new owners shall be responsible for reporting such changes in writing to the board within 30 days of the changes. Whenever the legal business entity holding the license is dissolved or altered to form a new business entity, the original license becomes void and shall be returned to the board within 30 days of the change. Additionally, the firm shall apply for a new license within 30 days of the change in the business entity. Such changes include:~~

1. Death of a sole proprietor;

2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and

3. Conversion, formation, or dissolution of a corporation, a limited liability company, an association, or any other business entity recognized under the laws of the Commonwealth of Virginia.

D. ~~In the event of a school closing, the board must be notified by the owners in writing within 30 days of the closing, and the license must be returned. Within 30 days of the closing, the school shall return the license to the board and provide a written report to the board on performances and hours of each student who has not completed the program.~~

E. Any change in the officers of a corporation, managers of a limited liability company, or officers or directors of an association shall be reported to the board in writing within 30 days of the change.

18VAC41-50-110. Tattooing instructor certificate.

A. Upon filing an application with the Board for Barbers and Cosmetology, any person meeting the qualifications set forth in this section shall be eligible for a tattooing instructor certificate if the person:

1. Holds a current Virginia tattooer license; ~~and~~
2. Provides documentation of [~~three years of work experience within the past~~ legally tattooing for at least] five years; ~~and~~
3. Passes a course on teaching techniques in a postsecondary education level.

B. Tattooing instructors shall be required to maintain a tattooer license.

18VAC41-50-120. Permanent cosmetic tattooing instructor certificate.

A. Upon filing an application with the Board for Barbers and Cosmetology, any person meeting the qualifications set forth in this section shall be eligible for a permanent cosmetic tattooing instructor certificate if the person:

1. Holds a current Virginia permanent cosmetic tattooer license or master permanent cosmetic tattooer license; ~~and~~
2. Provides documentation of [~~three years of work experience within the past~~ legally tattooing for at least] five years; ~~and~~
3. Passes a course on teaching techniques at the postsecondary education level.

B. Permanent cosmetic tattooing instructors shall be required to maintain a permanent cosmetic tattooer license or master permanent cosmetic tattooer license.

18VAC41-50-130. Fees.

The following fees apply:

FEE TYPE	AMOUNT DUE September 1, 2016, through August 31, 2020	AMOUNT DUE September 1, 2020, and after	WHEN DUE
Individuals:			
Application	\$75	\$105	With application
License by Endorsement	\$75	\$105	With application
Renewal	\$75	\$105	With renewal card prior to expiration date
Reinstatement	\$150* *includes \$75 renewal fee and \$75 reinstatement fee	\$210* *includes \$105 renewal fee and \$105 reinstatement fee	With reinstatement application
Instructors:			
Application	\$100	\$125	With application
License by Endorsement	\$100	\$125	With application
Renewal	\$100	\$150	With renewal card prior to expiration date
Reinstatement	\$200* *includes \$100	\$300* *includes \$150	With reinstatement application

	renewal fee and \$100 reinstatement fee	renewal fee and \$150 reinstatement fee	
Parlors or salons:			
Application	\$130	\$190	With application
Renewal	\$130	\$190	With renewal card prior to expiration date
Reinstatement	\$260* *includes \$130 renewal fee and \$130 reinstatement fee	\$380* *includes \$190 renewal fee and \$190 reinstatement fee	With reinstatement application
Schools:			
Application	\$140	\$220	With application
Renewal	\$140	\$220	With renewal card prior to expiration date
Reinstatement	\$280* *includes \$140 renewal fee and \$140 reinstatement fee	\$440* *includes \$220 renewal fee and \$220 reinstatement fee	With reinstatement application

Part IV

Renewal/Reinstatement Renewal and ~~Resinstatement~~ Reinstatement

18VAC41-50-150. License renewal required.

All tattooer [~~4. A.~~] Tattooer licenses, tattoo parlor licenses, tattooing instructors licenses certificates, tattooing schools licenses, permanent cosmetic tattooer licenses, master permanent cosmetic tattooer licenses, permanent cosmetic tattoo salon licenses, permanent cosmetic tattooing instructor certificate and permanent cosmetic tattooing schools licenses shall expire two years from the last day of the month in which they were issued.

~~[2. Convention tattooer licenses shall expire one year from the last day of the month in which it was issued.~~

~~3. B.] Guest tattooer licenses will expire 14 days after the effective date of the license and may not be renewed.~~

18VAC41-50-160. Continuing education requirement.

All licensed tattooers, permanent cosmetic tattooers, and master permanent cosmetic tattooers shall be required to satisfactorily complete [~~a minimum of five hours of~~] health education to include ~~but not limited to~~ (i) bloodborne disease, sterilization, and aseptic techniques related to tattooing; (ii) first aid; and (iii) CPR during their licensed term. Documentation of training completion shall be provided at the time of renewal along with the required fee.

18VAC41-50-180. Failure to renew.

~~A. When a tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer licensed or certified individual or business entity fails to renew his its license within 30 days following its the expiration date of the license, the licensee shall meet the renewal requirements as prescribed in 18VAC41-50-170 and apply for reinstatement of the license by submitting to the Department of Professional and Occupational Regulation a reinstatement application along with the required renewal and reinstatement fees.~~

~~B. When a tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer licensed or certified individual or business entity fails to renew his its license within two years following the expiration date, reinstatement is no longer possible. To resume practice, the former licensee shall apply for licensure as a new applicant, shall meet all current application requirements, shall pass the board's current examination, and shall receive a new license.~~

~~C. When a tattoo parlor or permanent cosmetic tattoo salon fails to renew its license within 30 days following the expiration date, it shall be required to apply for reinstatement of the license by submitting to the Department of Professional and Occupational Regulation a reinstatement application along with the required renewal and reinstatement fees.~~

~~D. When a tattoo parlor or permanent cosmetic tattoo salon fails to renew its license within two years following the expiration date, reinstatement is no longer possible. To resume practice, the former licensee shall apply for licensure as a new applicant and shall meet all current application requirements.~~

~~E. When a tattooing school or permanent cosmetic tattooing school fails to renew its license within 30 days following the expiration date, the licensee shall be required to apply for reinstatement of the license by submitting to the Department of Professional and Occupational Regulation a reinstatement application along with the required renewal and reinstatement fees.~~

~~F. When a tattooing school or permanent cosmetic tattooing school fails to renew its license within two years following the expiration date, reinstatement is no longer possible. To resume practice, the former licensee shall apply for licensure as a new applicant and shall meet all current application requirements.~~

C. The application for reinstatement for a school's [license] shall provide (i) the reasons for failing to renew prior to the expiration date, and (ii) a notarized statement that all students currently enrolled or seeking to enroll at the school have been notified in writing that the school's license has expired. All of these materials shall be called the application package. Reinstatement will be considered by the board if the school consents to and satisfactorily passes an inspection of the school and if the school's records are maintained in accordance with 18VAC41-50-250 and 18VAC41-50-330. Pursuant to 18VAC41-50-100, 18VAC41-50-230, and 18VAC41-50-310 upon receipt of the reinstatement fee, application package, and inspection results, the board may reinstate the school's license or require requalification or both. If the reinstatement application package and reinstatement fee are not received by the board within six months following the expiration date of the school's license, the board will notify the testing service that prospective graduates of the unlicensed school are not acceptable candidates for the examination. Such notification will be sent to the school and must be displayed in a conspicuous manner by the school in an area that is accessible to the public. No student shall be disqualified from taking the examination because the school was not licensed for a portion of the time the student attended if the school license is reinstated by the board.

~~G. D.~~ The date a renewal fee is received by the Department of Professional and Occupational Regulation, or its agent, will be used to determine whether the requirement for reinstatement of a license is applicable and an additional fee is required.

~~H. E.~~ When a license is reinstated, the licensee shall have the same license number and shall be assigned an expiration date two years from the ~~previous expiration date of the license~~ date of the last day of the month of reinstatement.

I. ~~F.~~ A licensee ~~who~~ that reinstates his its license shall be regarded as having been continuously licensed without interruption. Therefore, a licensee shall be subject to the authority of the board for activities performed prior to reinstatement.

J. ~~G.~~ A licensee ~~who~~ that fails to reinstate his its license shall be regarded as unlicensed from the expiration date of the license forward. Nothing in this chapter shall divest the board of its authority to discipline a licensee for a violation of the law or regulations during the period of time for which the individual was licensed.

18VAC41-50-210. Hours of instruction and performances.

A. Curriculum requirements specified in 18VAC41-50-200 shall be taught over a minimum of 1500 hours as follows:

1. 350 hours shall be devoted to theory pertaining to subdivisions 1, 2, 4, 5, 6, 8, and 9 of 18VAC41-50-200;
2. 150 hours shall be devoted to theory pertaining to subdivision 3 of 18VAC41-50-200; and
3. The remaining 1000 hours shall be devoted to practical training to include but not limited to apprenticeship curriculum requirements and a ~~total~~ minimum of 100 performances pertaining to subdivision 7 of 18VAC41-50-200.

B. An approved tattooing apprenticeship program may conduct an assessment of an apprentice's competence in the theory and practical requirements for tattooing and, based on the assessment, give a maximum of 700 hours of credit towards the requirements in subdivisions A 1 and A 3 of this section. No credit shall be allowed for the 150 hours required in subdivision A 2 of this section.

18VAC41-50-230. General requirements.

A tattooing school shall:

1. Hold a tattooing school license for each and every location.
2. Hold a tattoo parlor license ~~if the school receives compensation for services provided in the area where practical instruction is conducted and services are provided.~~
3. Employ a staff of licensed and certified tattooing instructors.
4. Develop individuals for entry-level competency in tattooing.
5. Submit its curricula for board approval. All changes to curricula must be resubmitted and approved by the board.
6. Inform the public that all services are performed by students if the tattooing school receives compensation for services provided in its clinic by posting a notice in the reception area of the shop or salon in plain view of the public.
7. Conduct classroom instruction in an area separate from the area where practical instruction is conducted and services are provided.
8. Conduct all instruction and training of tattooers students under the direct supervision of a licensed and certified tattooing instructor.

18VAC41-50-240. School identification- (Repealed.)

~~Each tattooing school approved by the board shall identify itself to the public as a teaching institution.~~

18VAC41-50-250. Records.

A. Schools are required to keep upon graduation, termination, or withdrawal, written records of hours and performances showing what instruction a student has received for a period of five

years after the student terminates or completes the curriculum of the school. These records shall be available for inspection by the department. All records must be kept on the premises of each school.

B. For a period of five years after a student completes the curriculum, terminates, or withdraws from the school, schools are required to provide documentation of hours and performances completed by a student upon receipt of a written request from the student.

C. Schools shall within 21 days upon receipt of a written request from a student provide documentation of hours and performances completed by the student as required to be maintained by subsection A of this section.

~~C. D.~~ Prior to a school changing ownership or a school closing, the schools are required to provide to current students documentation of hours and performances completed.

~~D. E.~~ For a period of one year after a school changes ownership, schools are required to provide documentation of hours and performances completed by a current student upon receipt of a written request from the student.

18VAC41-50-260. Hours reported. (Repealed.)

~~Within 30 days of the closing of a licensed tattooing school for any reason, the school shall provide a written report to the board on performances and hours of each of its students who has not completed the program.~~

18VAC41-50-270. Health education. (Repealed.)

~~Any person desiring to enroll in the tattooing school shall be required to provide documentation of satisfactory completion of a minimum of five hours of health education to include but not limited to blood borne disease, sterilization, and aseptic techniques related to tattooing, and first aid and CPR.~~

18VAC41-50-280. Tattooing school curriculum requirements.

A. Any person desiring to enroll in the tattooing school shall be required to provide documentation of satisfactory completion of a minimum of five hours of health education to include (i) bloodborne disease, sterilization, and aseptic techniques related to tattooing; (ii) first aid; and (iii) CPR.

B. Tattooing school curriculum requirements are as follows:

1. Microbiology.
 - a. Microorganisms, viruses, bacteria, fungus;
 - b. Transmission cycle of infectious diseases; and
 - c. Characteristics of antimicrobial agents.
2. Immunization.
 - a. Types of immunizations;
 - b. Hepatitis A—~~G~~ A through G transmission and immunization;
 - c. HIV/AIDS;
 - d. Tetanus, streptococcal, zoonotic, tuberculosis, pneumococcal, and influenza;
 - e. Measles, mumps, and rubella;
 - f. Vaccines and immunization; and
 - g. General preventative measures to be taken to protect the tattooer and client.
3. Sanitation and disinfection.
 - a. Definition of terms:
 - (1) Sterilization;

- (2) Disinfection and disinfectant;
- (3) Sterilizer or sterilant;
- (4) Antiseptic;
- (5) Germicide;
- (6) Decontamination; and
- (7) Sanitation.
- b. The use of steam sterilization equipment and techniques;
- c. The use of chemical agents, antiseptics, disinfectants, and fumigants;
- d. The use of sanitation equipment;
- e. Preservice sanitation procedure; and
- f. Postservice sanitation procedure.
- 4. Safety.
 - a. Proper needle handling and disposal;
 - b. How to avoid overexposure to chemicals;
 - c. The use of Material Safety Data Sheets;
 - d. Blood spill procedures;
 - e. Equipment and instrument storage; and
 - f. First aid and CPR.
- 5. ~~Blood-borne~~ Bloodborne pathogen standards.
 - a. OSHA and CDC ~~blood-borne~~ bloodborne pathogen standards;
 - b. Control plan for ~~blood-borne~~ bloodborne pathogens;
 - c. Exposure control plan for tattooers;
 - d. Overview of compliance requirements; and
 - e. Disorders and when not to service a client.
- 6. Professional standards.
 - a. History of tattooing;
 - b. Ethics;
 - c. Recordkeeping:
 - (1) Client health history;
 - (2) Consent forms; and
 - (3) HIPAA (Health Insurance Portability and Accountability Act of 1996 Privacy Rule) Standards.
 - d. Preparing station, making appointments, parlor ethics:
 - (1) Maintaining professional appearance, notifying clients of schedule changes; and
 - (2) Promoting services of the parlor and establishing clientele.
 - e. Parlor management.
 - (1) Licensing requirements; and
 - (2) Taxes.
 - f. Supplies.
 - (1) Usages;
 - (2) Ordering; and

(3) Storage.

7. Tattooing.

- a. Client consultation;
- b. Client health form;
- c. Client disclosure form;
- d. Client preparation;
- e. Sanitation and safety precautions;
- f. Implement selection and use;
- g. Proper use of equipment;
- h. Material selection and use;
- i. Needles;

[(1) Groupings;

(2) Properties; and

(3) Making;]

j. Ink;

k. Machine:

- (1) Construction;
- (2) Adjustment; and
- (3) Power supply;

l. Art, drawing; and

m. Portfolio.

8. Anatomy.

- a. Understanding of skin; and
- b. Parts and functions of skin.

9. Virginia tattooing laws and regulations.

[C. A licensed tattoo school may conduct an assessment of a student's competence in the respective profession and, based on the assessment, give credit toward the hours requirements specified in this section and 18VAC41-50-290.

The school shall make the assessment based on a review of the student's transcript and the successful completion of a board-approved competency examination administered by the school. The school may also request a copy of a catalog or bulletin giving the full course description when making the evaluation. The number of credit hours awarded shall not exceed the actual hours of instruction verified on the transcript or the number of hours specified in the board-approved curriculum for a specific topic. Credit may only be given for in-person training.]

18VAC41-50-290. Hours of instruction and performances.

A. Curriculum requirements specified in 18VAC41-50-280 shall be taught over a minimum of ~~750~~ 1,000 hours as follows:

- 1. 350 hours shall be devoted to theory pertaining to ~~subdivisions~~ 18VAC41-50-280 B 1, 2, 4, 5, 6, 8, and 9 of 18VAC41-50-280;
- 2. 150 hours shall be devoted to theory pertaining to subdivision 3 of 18VAC41-50-280; and

3. The remaining ~~250~~ 500 hours shall be devoted to practical training to include ~~but not limited to~~ tattooing curriculum requirements and a [~~total~~ minimum] of 100 performances pertaining to ~~subdivision 7 of 18VAC41-50-280 B 7.~~

B. An approved tattooing school may conduct an assessment of a student's competence in the theory and practical requirements for tattooing and, based on the assessment, give a maximum of [~~350-700~~] hours of credit ~~towards~~ toward the requirements in subdivisions A 1 and A 3 of this section. No credit shall be allowed for the 150 hours required in subdivision A 2 of this section.

18VAC41-50-310. General requirements.

A permanent cosmetic tattooing school shall:

1. Hold a permanent cosmetic tattooing school license for each and every location.
2. Hold a permanent cosmetic tattoo salon license if the school receives compensation for services provided in the area where practical instruction is conducted and services are provided.
3. Employ a staff of licensed and certified permanent cosmetic tattooing instructors or licensed and certified master permanent cosmetic tattooing instructors.
4. Develop individuals for entry-level competency in permanent cosmetic tattooing or master permanent cosmetic tattooing.
5. Submit its curricula for board approval.
6. Inform the public that all services are performed by students if the permanent cosmetic tattooing school receives compensation for services provided in its clinic by posting a notice in the reception area of the shop or salon in plain view of the public.
7. Conduct classroom instruction in an area separate from the area where practical instruction is conducted and services are provided.
8. Conduct all instruction and training of permanent cosmetic tattooers under the direct supervision of a licensed and certified permanent cosmetic tattooing instructor or a licensed and certified master permanent cosmetic tattooing instructor.
9. Conduct all instruction and training of master permanent cosmetic tattooers under the direct supervision of a licensed and certified master permanent cosmetic tattooing instructor.]

18VAC41-50-320. School identification. (Repealed.)

~~Each permanent cosmetic tattooing school approved by the board shall identify itself to the public as a teaching institution.~~

18VAC41-50-340. Hours reported. (Repealed.)

~~Within 30 days of the closing of a licensed permanent cosmetic tattooing school for any reason, the school shall provide a written report to the board on performances and hours of each of its students who have not completed the program.~~

18VAC41-50-350. Health education. (Repealed.)

~~Any person desiring to enroll in the permanent cosmetic tattooing school shall be required to provide documentation of satisfactory completion of health education on blood-borne disease.~~

18VAC41-50-360. Permanent cosmetic tattooing school curriculum requirements.

A. Any person desiring to enroll in the permanent cosmetic tattooing school shall be required to provide documentation of satisfactory completion of health education on bloodborne disease.

B. Permanent cosmetic tattooing school curriculum requirements are as follows:

1. Virginia tattooing laws and regulations.
2. Machines and devices.

- a. Coil machine;
 - b. Hand device; and
 - c. Others devices.
3. Needles.
 - a. Types;
 - b. Uses; and
 - c. Application.
4. Anatomy.
 - a. Layers of skin;
 - b. Parts and functions of skin; and
 - c. Diseases.
5. Color theory.
 - a. Skin and pigment color; and
 - b. Handling and storage of pigments.
6. Transmission cycle of infectious diseases.
7. Immunization.
 - a. Types of immunizations; and
 - b. General preventative measures to be taken to protect the tattooer and client.
8. Sanitation and disinfection.
 - a. Definition of terms:
 - (1) Sterilization;
 - (2) Disinfection and disinfectant;
 - (3) Sterilizer or sterilant;
 - (4) Antiseptic;
 - (5) Germicide;
 - (6) Decontamination; and
 - (7) Sanitation;
 - b. The use of steam sterilization equipment and techniques;
 - c. The use of chemical agents, antiseptics, and disinfectants;
 - d. The use of sanitation equipment;
 - e. Preservice sanitation procedure; and
 - f. Postservice sanitation procedure.
9. Safety.
 - a. Proper needle handling and disposal;
 - b. Blood spill procedures;
 - c. Equipment and instrument storage; and
 - d. First aid.
10. ~~Blood-borne~~ Bloodborne pathogen standards.
 - a. OSHA and CDC ~~blood-borne~~ bloodborne pathogen standards;
 - b. Overview of compliance requirements; and
 - c. Disorders and when not to service a client.

11. Anesthetics.
 - a. Use;
 - b. Types;
 - c. Application; and
 - d. Removal.
12. Equipment.
 - a. Gloves;
 - b. Masks;
 - c. Apron;
 - d. Chair;
 - e. Lighting; and
 - f. Work table.
13. Professional standards.
 - a. History of permanent cosmetic tattooing;
 - b. Ethics;
 - c. Recordkeeping:
 - (1) Client health history; and
 - (2) Consent forms.
 - d. Preparing station, making appointments, salon ethics:
 - (1) Maintaining professional appearance, notifying clients of schedule changes; and
 - (2) Promoting services of the salon and establishing clientele.
 - e. Salon management:
 - (1) Licensing requirements; and
 - (2) Taxes.
14. Permanent cosmetic tattooing.
 - a. Client consultation;
 - b. Client health form;
 - c. Client disclosure form;
 - d. Client preparation;
 - e. Drawing and mapping;
 - f. Sanitation and safety precautions;
 - ~~f. g.~~ Implement selection and use;
 - ~~g. h.~~ Proper use of equipment;
 - ~~h. i.~~ Material selection and use.
 - ~~i. j.~~ Eyebrows;
 - ~~j. Eyeliner;~~
 - ~~k. Lip coloring; and~~
 - ~~l. Lip liners.~~
 - k. Microblading;
 - l. Eyeliner;
 - m. Lip coloring; and

n. Lip liners.

C. Master permanent cosmetic tattooing program curriculum requirements are as follows:

1. Virginia tattooing laws and regulations.

2. Machines and devices.

a. Coil machine;

b. Hand device; and

c. Others devices.

3. Needles.

a. Types;

b. Uses; and

c. Application.

4. Advanced Practical Clinical Anatomy.

a. Eyelid Anatomy;

b. Lip Anatomy; and

c. Breast Anatomy.

5. Advanced Color theory.

6. Organic and Inorganic Pigment.

7. Understanding the Surgical Process.

a. The Latissimus Dorsi Flap Procedure;

b. Abdominoplasty and Breast Reconstruction;

c. Other Reconstruction Procedures;

(1) Deep Inferior Epigastric Artery Perforator (DIEP) Flap; and

(2) Superior Gluteal Artery Perforator (SGAP) Flap;

d. Flap size vs. Areola size; and

e. Implant Reconstruction;

(1) Tissue Expansion;

(2) Placing the Implant;

(3) Implant vs. Flap Reconstruction;

(4) Saline vs. Silicone;

(5) Radiation Therapy; and

(6) Lymphedema Lymphedema.

8. Client Consultation.

9. Breast Areolar Pigmentation.

a. Chart Notes;

b. Health Insurance Portability and Accountability Act (HIPAA);

c. Room Setup;

d. Anesthetic for Breast Procedures;

e. Color Selection;

f. Needle Selection;

g. Design and Placement;

(1) Position of the Areola/ Nipple Complex;

- (2) The Penn Triangle;
 - (3) Diameter of the Areola; and
 - (4) Nipple Reconstruction;
 - h. Creating 3-dimensional Nipple/Areola;
 - (1) Understanding and creating a reflection of light; and
 - (2) The Value of Color;
 - i. Covering scar tissue and Periareolar scar blending;
 - j. Aftercare;
 - (1) Tegraderm Tegaderm Aftercare Instructions; and
 - (2) Follow up; and
 - k. Precautions and Contraindications.
- 10. Skin Cancer.
 - a. Basal Cell Carcinomas;
 - b. Squamous Cell Carcinomas;
 - c. Melanoma.
- 11. The Art of Camouflage.
 - a. Client/Patient Selection and Handling;
 - b. Contraindications and When Not to Perform Services;
 - c. Skin Tones;
 - d. Color Selection and Skin Tone Matching;
 - e. Scars;
 - f. Burn Scar; and
 - g. Common Needle Configurations Used for Camouflage.
- 12. Side Effects.
- 13. Insurance.
- 14. Master Permanent Cosmetic Tattooing Procedures.
 - a. Lip;
 - b. Areola;
 - c. Scalp;
 - d. Blush;
 - e. Camouflage;
 - f. Eyeshadow.

D. A licensed school with an approved permanent cosmetic tattooing or master permanent cosmetic tattooing program may conduct an assessment of a student's competence in the respective profession and, based on the assessment, give credit towards the hours requirements specified in the respective subsection of this section and 18VAC41-50-370.

The school shall make the assessment based on a review of the student's transcript and the successful completion of a board-approved competency examination administered by the school. The school may also request a copy of a catalog or bulletin giving the full course descriptions when making the evaluation. The number of credit hours awarded shall not exceed the actual hours of instruction verified on the transcript or diploma or the number of hours specified in the board-approved curriculum for a specific topic. Credit may only be given for in-person training.]

18VAC41-50-370. Hours of instruction and performances.

A. Curriculum and performance requirements specified in 18VAC41-50-360 and this section shall be taught over a minimum of ~~90~~ 200 clock hours for a permanent cosmetic tattooing program and 200 clock hours for a master permanent cosmetic tattooing program.

B. A minimum of 50 performances shall be completed as part of the required permanent cosmetic tattooing instruction, including two eyebrow, two microblading procedures, two lip liners, one lip color, and one full lips. ~~Completion of performances are determined as follows:~~

- ~~1. Two complete eyebrows constitutes one performance;~~
- ~~2. Two complete eye liners constitutes one performance; and~~
- ~~3. One complete lip liner constitutes one performance.~~

C. A minimum of 70 performances shall be completed as part of the master permanent cosmetic tattooing instruction, including:

<u>Lip (cleft lip repigmentation)</u>	<u>10</u>
<u>Areola</u>	<u>10</u>
<u>Scalp Repigmentation</u>	<u>10</u>
<u>Blush Application</u>	<u>10</u>
<u>Camouflage</u>	<u>10</u>
<u>Scar Repigmentation</u>	<u>10</u>
<u>Eyeshadow</u>	<u>10</u>

D. Completion of performances are determined as follows:

1. Two complete eyebrows constitutes one performance;
2. Two complete eye liners constitutes one performance; and
3. One complete lip liner constitutes one performance.

18VAC41-50-380. Display of license.

A. The responsible management for Each each tattoo parlor owner or permanent cosmetic tattoo salon owner shall ensure that all current licenses issued by the board shall be displayed ~~in the reception area of the parlor or salon~~ at the licensee's station or in plain view of the public. Duplicate licenses shall be posted in a like manner in every parlor or salon or location where the licensee provides services.

B. The responsible management for Each each tattoo parlor or permanent cosmetic tattoo salon owner shall ensure that no licensee, apprentice, or student performs any service beyond the scope of practice for the applicable license.

C. Each The responsible management for each tattoo parlor owner or permanent cosmetic tattoo salon owner shall offer to licensees the full series of Hepatitis B vaccine.

D. The responsible management for Each each tattoo parlor owner or permanent cosmetic tattoo salon shall maintain a record for each licensee of one of the following:

1. Proof of completion of the full series of Hepatitis B vaccine;
2. Proof of immunity by blood titer; or
3. Written declaration of refusal of the responsible management's owner's offer of a full series of Hepatitis B vaccine.

E. All licensees shall operate under the name in which the license is issued.

18VAC41-50-390. Physical facilities.

A. A parlor or salon must be in a permanent building or portion of a building, which must be in a location permissible under local zoning codes, if any. If applicable, the parlor or salon shall be separated from any living quarters by complete floor to ceiling partitioning and shall contain no access to living quarters.

B. The parlor, salon or temporary location shall be maintained in a clean and orderly manner.

C. All facilities shall have a blood spill clean-up kit in the work area.

D. Work surfaces shall be cleaned with an EPA registered, hospital grade disinfectant. Surfaces that come in contact with blood or other body fluids shall be immediately disinfected with an EPA registered germicide solution. Appropriate personal protective equipment shall be worn during cleaning and disinfecting procedures.

E. Cabinets for the storage of instruments, ~~dyes~~, pigments, single-use articles, ~~carbon~~ stencils and other utensils shall be provided for each operator and shall be maintained in a sanitary manner.

F. Bulk single-use articles shall be commercially packaged and handled in such a way as to protect them from contamination.

G. All materials applied to the human skin shall be from single-use articles or transferred from bulk containers to single-use containers and shall be disposed of after each use.

H. The walls, ceilings, and floors shall be kept in good repair. The tattooing area shall be constructed of smooth, hard surfaces that are nonporous, free of open holes or cracks, light colored, and easily cleaned. New parlors shall not include any dark-colored surfaces in the tattooing area. Existing parlors or salons with dark-colored surfaces in the tattooing area shall replace the dark-colored surfaces with light-colored surfaces whenever the facilities are extensively remodeled or upon relocation of the business.

I. Parlors, salons or temporary locations shall have adequate lighting of at least 50-foot candles of illumination in the tattooing and sterilization areas.

J. Adequate mechanical ventilation shall be provided in the parlor.

K. Each parlor, salon or temporary location shall be equipped with hand-cleaning facilities for its personnel with unobstructed access to the tattooing area such that the tattooer can return to the area without having to touch anything with his hands. Hand-cleaning facilities shall be equipped either with hot and cold or tempered running water under pressure and liquid germicidal soap or with a sanitizing solution to clean hands. Hand-cleaning facilities shall be equipped with single-use towels or mechanical hand drying devices and a covered refuse container. Such facilities shall be kept clean and in good repair. All facilities must have running water and soap accessible for cleaning of hands contaminated by body fluids.

L. Animals are not permitted in the parlor, salon, or temporary location except for guide or service animals accompanying persons with disabilities, or non-mammalian animals in enclosed glass containers such as fish aquariums, which shall be outside of the tattooing or sterilization areas. No animals are allowed in the tattooing or sterilization areas.

M. Use of tobacco products and consumption of alcoholic beverages shall be prohibited in the tattooing or sterilization areas.

N. No food or drink will be stored or consumed in the tattooing or sterilization areas except for client's use in order to sustain optimal physical condition; such food and drink must be individually packaged.

O. If tattooing is performed where cosmetology services are provided, it shall be performed in an area that is separate and enclosed.

P. All steam sterilizers shall be biological spore tested at least monthly.

Q. Biological spore tests shall be verified through an independent laboratory.

R. Biological spore test records shall be retained for a period of three years and made available upon request.

S. Steam sterilizers shall be used only for instruments used by the parlor's employees.]

18VAC41-50-400. Tattooer or permanent cosmetic tattooer or master permanent cosmetic tattooer responsibilities.

A. All tattooers shall provide to the [~~owner~~ responsible management] **with** one of the following:

1. Proof of completion of the full series of Hepatitis B vaccine;
2. Proof of immunity by blood titer; or
3. Written declaration of refusal of the **owner's responsible management's** offer of a full series of Hepatitis B vaccine.

B. All tattooers shall wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty.

C. All tattooers shall clean their hands thoroughly using hot or tempered water with a liquid germicidal soap or use sanitizing solution to clean hands before and after tattooing and as necessary to remove contaminants.

D. All tattooers must wear single-use examination gloves while assembling tattooing instruments and while tattooing.

E. Each time there is an interruption in the service, [~~each time~~] the gloves become torn or perforated, or whenever the ability of the gloves to function as a barrier is compromised:

1. Gloves shall be removed and disposed of; and
2. Hands shall be cleaned and a fresh pair of gloves used.

F. Tattooers shall use standard precautions while tattooing. A tattooer diagnosed with a communicable disease shall provide to the department a written statement from a health care practitioner that the tattooer's condition no longer poses a threat to public health.

G. Tattooers with draining lesions on their hands or face will not be permitted to work until cleared by a **health care [healthcare]** professional.

H. The area of the client's skin to be tattooed shall be cleaned with an approved germicidal soap according to label directions.

I. Tattooing [~~inks and dyes~~ pigments] shall be placed in a single-use disposable container for each client. Following the procedure, the unused contents and container will be properly disposed of.

J. If shaving is required, razors shall be single-use [~~and. After use, razors shall be recapped and properly~~] disposed of [~~in a puncture-resistant container~~].

K. Each tattooer performing any tattooing procedures in the parlor or salon shall have the education, training, and experience, or any combination thereof, to practice aseptic technique and prevent the transmission of bloodborne pathogens. All procedures shall be performed using aseptic technique.

L. [Multiuse instruments, equipment, furniture, and surfaces that may be contaminated during the tattooing process should be covered or wrapped in a nonporous disposable barrier. This barrier should be removed and disposed of after each service.

M. After the disposable barrier is removed, covered items should be wiped down with an Environmental Protection Agency (EPA) registered disinfectant that is bactericidal, virucidal, and fungicidal.

N.] A set of individual, sterilized needles shall be used for each client. Single-use disposable instruments shall be disposed of in a puncture resistant container.

[M. O.] Used, nondisposable instruments [, such as stainless steel tubes, tips, and grips,] shall be kept in a separate, puncture resistant container until brush scrubbed in hot water soap and then sterilized by autoclaving. Contaminated instruments shall be handled with disposable gloves.

[N. P.] Used [nondisposable] instruments that are ultrasonically cleaned shall be rinsed under running hot water prior to being placed in the used instrument container;

[O. Q.] Used [nondisposable] instruments that are not ultrasonically cleaned prior to being placed in the used instrument container shall be kept in a germicidal or soap solution until brush scrubbed in hot water and soap and sterilized by autoclaving.

[P. R.] The ultrasonic unit shall be sanitized daily with a germicidal solution.

[Q. S.] Nondisposable instruments shall be sterilized and shall be handled and stored in a manner to prevent contamination. Instruments to be sterilized shall be sealed in bags made specifically for the purpose of autoclave sterilization and shall include the date of sterilization. If nontransparent bags are utilized, the bag shall also list the contents.

[R. T.] Autoclave sterilization bags with a color code indicator that changes color upon proper sterilization shall be utilized during the autoclave sterilization process.

[S. Instruments U. Nondisposable instruments] shall be placed in the autoclave in a manner to allow live steam to circulate around them.

[V. A Sealed, puncture proof dirty tube receptacle with cool, liquid sterilant should be maintained in the biohazard or cleanup room.]

W. Sharps containers should be located within reach of the tattooing area.]

[T. X.] Contaminated disposable and single-use items shall be disposed of in accordance with federal and state regulations regarding disposal of biological hazardous materials.

[U. Y.] The manufacturer's written instructions of the autoclave shall be followed.

18VAC41-50-410. Client qualifications, disclosures, and records.

A. Except as permitted in § 18.2-371.3 of the Code of Virginia, a client must be a minimum of 18 years of age and shall present at the time of the tattooing or permanent cosmetic tattooing a valid, government issued, positive identification card including, but not limited to, a driver's license, passport, or military identification. The identification must contain a photograph of the individual and a printed date of birth.

B. The tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer shall verify and document in the permanent client record the client's age, date of birth, and the type of identification provided.

C. No person may be tattooed or permanent cosmetic tattooed who appears to be under the influence of alcohol or drugs.

D. Tattooing or permanent cosmetic tattooing shall not be performed on any skin surface that manifests any evidence of unhealthy conditions such as rashes, boils, infections, ~~or~~ abrasions, or on any asymmetrical, irregular, blurred, or multicolored mole.

E. Before receiving a tattoo or permanent cosmetic tattoo, each client and client's parent or guardian, if applicable, shall be informed verbally and in writing, using the client disclosure form prescribed by the board, about the possible risk and dangers associated with the application of each tattoo. Signatures of both the client and the tattooer shall be required on the client disclosure form to acknowledge receipt of both the verbal and written disclosures.

F. The tattoo parlor or temporary location or permanent cosmetic tattoo salon shall maintain proper records for each client. The information shall be permanently recorded and made available for examination by the department or authorized agent. Records shall be maintained at the tattoo parlor or permanent cosmetic tattoo salon for at least two years following the date of the last entry. The temporary location client records shall be maintained by the license holder. The permanent records shall include the following:

1. The name, address, and telephone number of the client;
2. The date tattooing or permanent cosmetic tattooing was performed;
3. The client's age, date of birth, and a copy of the positive identification provided to the tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer;
4. The specific color or colors of the tattoo or permanent cosmetic tattoo and, when available, the manufacturer's catalogue or identification number of each color used;
5. The location on the body where the tattooing or permanent cosmetic tattooing was performed;
6. The name of the tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer;
7. A statement that the client has received a copy of applicable written care instructions, and that the client has read and understands the instructions; and
8. The signature of the client and if applicable parent or guardian.]

18VAC41-50-420. Grounds for license or certificate revocation, suspension or probation; denial of application, renewal, or reinstatement; or imposition of a monetary penalty.

A. The board may, in considering the totality of the circumstances, fine any licensee or certificate holder and suspend, place on probation, or revoke or refuse to renew or reinstate any license or certificate, or deny any application issued under the provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia and the regulations of the board this chapter if ~~the board~~ it finds that the licensee, certificate holder, or applicant:

1. ~~The licensee, certificate holder, or applicant is~~ Is incompetent, or negligent in practice tattooing, or incapable mentally or physically, as those terms are generally understood in the profession, to (i) practice as a tattooer, ~~limited term tattooer~~, tattooer apprentice, permanent cosmetic tattooer, or master permanent cosmetic tattooer or (ii) operate a parlor, permanent cosmetic tattooing salon, or school;
2. ~~The licensee, certificate holder, or applicant is~~ Is convicted of fraud or deceit in the practice of tattooing or fails to teach the curriculum as provided for in this chapter;
3. ~~The licensee, certificate holder, or applicant obtained~~ Obtained, attempted to obtain, renewed, or reinstated a license by false or fraudulent representation;
4. ~~The licensee, certificate holder, or applicant violates~~ Violates or induces others to violate, or cooperates with others in violating, any of the provisions of this chapter or Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia or any local ordinance or regulation governing standards of health and sanitation of the establishment in which tattooers may practice or offer to practice;
5. Offers, gives, or promises anything of value or benefit to any federal, state, or local employee for the purpose of influencing that employee to circumvent, in the performance of his duties, any federal, state, or local law, regulation, or ordinance governing tattooing as defined in § 54.1-700 of the Code of Virginia;
6. Fails to respond to the board or any of its agents or provides false, misleading, or incomplete information to an inquiry by the board or any of its agents;

7. Fails or refuses to allow the board or any of its agents to inspect during reasonable hours any licensed parlor, salon, or school for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or this chapter;

~~5. The licensee, certificate holder, or applicant fails~~ 8. Fails to produce, upon request or demand of the board or any of its agents, any document, book, record, or copy thereof in a licensee's or owner's responsible management's possession or maintained in accordance with this chapter;

~~6. A licensee or certificate holder fails~~ 9. Fails to notify the board of a change of name or address in writing within 30 days of the change for each and every license. ~~The board shall not be responsible for the licensee's or certificate holder's failure to receive notices, communications and correspondence caused by the licensees' or certificate holder's failure to promptly notify the board in writing of any change of name or address or for any other reason beyond the control of the board;~~

~~7. The licensee, certificate holder, or applicant~~ 10. Makes any misrepresentation or publishes or causes to be published any advertisement that is false, deceptive, or misleading;

~~8. The licensee, certificate holder, or applicant fails~~ 11. Fails to notify the board in writing within 30 days of the suspension, revocation, or surrender of a license or certificate in connection with a disciplinary action in any other jurisdiction or of any license or certificate that has been the subject of disciplinary action in any other jurisdiction; ~~or~~

~~9. In accordance with § 54.1-204 of the Code of Virginia, the licensee or certificate holder has been convicted in any jurisdiction of a misdemeanor or felony that directly relates to the profession of tattooing. The board shall have the authority to determine, based upon all the information available, including the regulant's record of prior convictions, if the regulant is unfit or unsuited to engage in the profession of tattooing or permanent cosmetic tattooing. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere shall be considered a conviction for the purposes of this section. The applicant shall provide a certified copy of a final order, decree or case decision by a court or regulatory agency with the lawful authority to issue such order, decree or case decision, and such copy shall be admissible as prima facie evidence of such conviction. This record shall be forwarded by the applicant to the board within 10 days after all appeal rights have expired.~~

~~B. In addition to subsection A of this section, the board may, in considering the totality of the circumstances, revoke, suspend, place on probation or refuse to renew or reinstate the license of any tattoo parlor, limited term tattoo parlor, or permanent cosmetic tattoo salon or impose a fine as permitted by law, or both, if the board finds that:~~

~~1. The owner or operator of the tattoo parlor, limited term tattoo parlor, or permanent cosmetic tattoo salon fails to comply with the facility requirements of tattoo parlors, limited term tattoo parlors, or permanent cosmetic tattoo salons provided for in this chapter or in any local ordinances; or~~

~~2. The owner or operator allows a person who has not obtained a license to practice as a tattooer, limited term tattooer, permanent cosmetic tattooer, or master permanent cosmetic tattooer unless the person is duly enrolled as an apprentice.~~

~~C. In addition to subsection A of this section, the board may, in considering the totality of the circumstances, revoke, suspend, place on probation, or refuse to renew or reinstate the license of any school or impose a fine as permitted by law, or both, if the board finds that:~~

~~1. An instructor of the approved school fails to teach the curriculum as provided for in this chapter;~~

~~2. The owner or director of the approved school permits or allows a person to teach in the school without a current tattooing instructor certificate; or~~

~~3. The instructor, owner or director is guilty of fraud or deceit in the teaching of tattooing.~~

~~D. In addition to subsection A of this section, the board may, in considering the totality of the circumstances, revoke, suspend, place on probation, or refuse to renew or reinstate the license of any licensee or impose a fine as permitted by law, or both, if the board finds that the licensee fails to take sufficient measures to prevent transmission of communicable or infectious diseases or fails to comply with any local, state or federal law or regulation governing the standards of health and sanitation for the practice of tattooing.~~

12. Has been convicted or found guilty, regardless of the manner of adjudication in Virginia or any other jurisdiction of the United States, of a misdemeanor involving moral turpitude, sexual offense, non-marijuana drug distribution, or physical injury or any felony, there being no appeal pending therefrom or the time for appeal having elapsed. Review of convictions shall be subject to the requirements of § 54.1-204 of the Code of Virginia. Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such conviction or guilt;

13. Fails to inform the board in writing within 30 days of pleading guilty or nolo contendere or being convicted or found guilty regardless of adjudication of any convictions as stated in subdivision 12 of this section;

14. Allows, as responsible management of a parlor, salon, or school, a person who has not obtained a license or quest tattooer license to practice as a tattooer ~~or~~ permanent cosmetic tattooer, [or master permanent cosmetic tattooer,] unless the person is duly enrolled as an apprentice.;

15. Allows, as responsible management of a school, a person who has not obtained an instructor certificate to practice as a tattooing or permanent cosmetic tattooing instructor;

16. Fails to take sufficient measures to prevent transmission of communicable or infectious diseases or fails to comply with sanitary requirements provided for in this chapter or any local, state, or federal law or regulation governing the standards of health and sanitation for the practice of tattooing, or the operation of tattoo parlors or permanent cosmetic tattooing salons; or

17. Fails to comply with all procedures established by the board and the testing service with regard to conduct at any board examination.

FORMS (18VAC41-50)

~~Tattooer Examination & License Application, A425-1231EXLIC (eff. 9/2011)~~

~~Tattoo Training & Experience Verification Form, A425-12TATTREXP (eff. 9/2011)~~

~~Tattooer Examination & License Application, A425-1231EXLIC (eff. 9/2011)~~

~~Tattoo Training & Experience Verification Form, A425-12TATTREXP (eff. 9/2011)~~

[Tattooing Apprenticeship Sponsor Application, A425-12TATSPON \(eff. 9/2011\)](#)

[Tattooer Apprenticeship Certification Application, A425-1234TAC \(eff. 9/2011\)](#)

[Tattoo Apprenticeship Completion Form, A425-12TAC \(eff. 9/2011\)](#)

~~Tattoo Client Disclosure Form, A425-12DIS, A425-12TDIS (eff. 9/2011)~~

~~Limited Term Tattooer License Application, A450-1233LIC v8 (rev. 9/2016)~~

~~Limited Term Tattoo Parlor License Application, A450-1235LIC-v5 (rev. 9/2016)~~
~~Permanent Cosmetic Tattooer Examination & License Application, A425-1236EXLIC (eff. 9/2014)~~
~~Master Permanent Cosmetic Tattooer Examination & License Application, A425-1237EXLIC (eff. 9/2011)~~
~~License by Endorsement Application, A450-1213END-v9 (rev. 9/2016)~~
~~Training & Experience Verification Form, A425-1213TREXP (eff. 9/2011)~~
~~Salon, Shop, Spa & Parlor License/Reinstatement Application, A450-1213BUS-v8 (rev. 9/2016)~~
~~Licensure Fee Notice, A450-1213FEE-v6 (rev. 9/2016)~~
~~Instructor Certification Application, A450-1213INST-v7 (rev. 9/2016)~~
~~Individuals - Reinstatement Application, A450-1213REI-v8 (rev. 9/2016)~~
~~School License Application, A450-1213SCHL-v9 (rev. 9/2016)~~
~~School Reinstatement Application, A450-1213SCH-REIN-v2 (rev. 9/2016)~~
[Tattooer Examination & License Application, A450-1231EXLIC \(rev. 7/2019\)](#)
[Tattoo Client Disclosure Form, A450-12TDIS \(rev. 4/2013\)](#)
[\[~~Limited Term~~Event \] Tattoo Parlor License Application, A450-1235LIC-v6 \(rev. \[7/2019 3/2020 \]\)](#)
[Permanent Cosmetic Tattooer Examination & License Application, A450-1236EXLIC-v13 \(rev. 7/2019\)](#)
[Master Permanent Cosmetic Tattooer Examination & License Application, A450-1237EXLIC-v11 \(rev. 7/2019\)](#)
[License by Endorsement Application, A450-1213END-v10 \(rev. 2/2017\)](#)
[Training & Experience Verification Form, A450-1213TREXP-v6 \(eff. 2/2017\)](#)
[Salon, Shop, Spa & Parlor License/Reinstatement Application, A450-1213BUS-v12 \(rev. 7/2019\)](#)
[Licensure Fee Notice, A450-1213FEE-v7 \(rev. 4/2017\)](#)
[Instructor Certification Application, A450-1213INST-v11 \(rev. 7/2019\)](#)
[Individuals - Reinstatement Application, A450-1213REI-v9 \(rev. 2/2017\)](#)
[School License Application, A450-1213SCHL-v11 \(rev. 2/2017\)](#)
[School Reinstatement Application, A450-1213SCH-REIN-v5 \(rev. 3/2017\)](#)
[\[Convention Tattooer License Application, A450-1233COVLIC-v1 \(eff. 7/2019\) \]](#)
[Guest Tattooer License Application, A450-1233GLIC-v1 \(eff. 7/2019\)](#)

BODY PIERCING REGULATIONS

18VAC41-60-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise. All terms defined in Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia are incorporated in this chapter.

"Apprenticeship program" means an approved body-piercing training program conducted by an approved apprenticeship sponsor.

"Apprenticeship sponsor" means an individual approved to conduct body-piercing apprenticeship training who meets the qualifications in 18VAC41-60-70.

"Aseptic technique" means a hygienic practice that prevents and hinders the direct transfer of microorganisms, regardless of pathogenicity, from one person or place to another person or place.

"Body piercer ear only" means any person who uses only a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both for compensation.

"Body piercing ear only" means the use of a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both.

"Body-piercing ear only salon" means any place in which a fee is charged for the act of using a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both.

"Business entity" means a sole proprietorship, partnership, corporation, limited liability company, limited liability partnership, or any other form of organization permitted by law.

"Endorsement" means a method of obtaining a license by a person who is currently licensed in another state or jurisdiction of the United States.

"Firm" means any business entity recognized under the laws of the Commonwealth of Virginia.

"Gratuitous services" as used in § 54.1-701.5 of the Code Virginia means providing body-piercing services without receiving compensation or reward, or obligation. Gratuitous services do not include services provided at no charge when goods are purchased.

"Licensee" means any person, partnership, ~~association,~~ corporation, limited liability company, ~~or corporation~~ sole proprietorship, limited liability partnership, or any other form of organization permitted by law holding a license issued by the Board for Barbers and Cosmetology as defined in § 54.1-700 of the Code of Virginia.

"Reinstatement" means having a license restored to effectiveness after the expiration date has passed.

"Renewal" means continuing the effectiveness of a license for another period of time.

"Responsible management" means the following individuals:

1. The sole proprietor of a sole proprietorship;
2. The partners of a general partnership;
3. The managing partners of a limited partnership;
4. The officers of a corporation;
5. The managers of a limited liability company;
6. The officers or directors of an association or both; and
7. Individuals in other business entities recognized under the laws of the Commonwealth as having a fiduciary responsibility to the firm.

"Sole proprietor" means any individual, not a corporation, who is trading under his own name or under an assumed or fictitious name pursuant to the provisions of §§ 59.1-69 through 59.1-76 of the Code of Virginia.

"Sterilization area" means a separate room or area separate from workstations with restricted client access in which body-piercing instruments are cleaned, disinfected, and sterilized.

"Temporary location" means a fixed location at which body piercing is performed for a specified length of time of not more than seven days in conjunction with a single event or celebration convention.

18VAC41-60-20. General requirements.

~~A. In order to receive a license as a body piercer in compliance with § 54.1-703 of the Code of Virginia, an applicant must~~ Any individual wishing to engage in body piercing shall obtain a license in compliance with § 54.1-703 of the Code of Virginia and meet the following qualifications:

1. ~~The applicant shall be in good standing as a body piercer in every jurisdiction where licensed, certified, or registered. The applicant shall disclose to the board at the time of application for licensure any disciplinary action taken in another Virginia or any other jurisdiction in connection with the applicant's practice as a body piercer. This disclosure includes monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure whether if he has been previously licensed in Virginia as a body piercer.~~

Upon review of the applicant's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein the board deems the applicant is unfit or unsuited to engage in body piercing and body piercing ear only. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this subdivision. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

2. The applicant shall disclose his physical address. A post office box is not acceptable.

3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia body-piercing license laws and ~~the board's body-piercing regulations~~ this chapter.

~~4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose a conviction, in any jurisdiction, of any misdemeanor or felony. Any plea of nolo contendere shall be considered a conviction for this purpose of this section. The record of a conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such guilt. The board, at its discretion, may deny licensure or certification to any applicant in accordance with § 54.1-204 of the Code of Virginia. the following information regarding criminal convictions in Virginia and all other jurisdictions:~~

a. All misdemeanor convictions involving moral turpitude, sexual offense, **non-marijuana** drug distribution, or physical injury within two years of the date of the application; and

b. All felony convictions within 20 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima

facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

5. The applicant shall provide evidence satisfactory to the board that the applicant has passed the board-approved examination, administered either by the board or by a designated testing service.

~~6. Persons who (i) make application between April 1, 2007, and March 31, 2008; (ii) have completed three years of documented work experience within the preceding five years as a body piercer; and (iii) have completed a minimum of five hours of health education including but not limited to blood borne disease, sterilization, and aseptic techniques related to body piercing and first aid and CPR that is acceptable to the board are not required to complete subdivision 5 of this subsection.~~

B. Eligibility to sit for board-approved body-piercer examination.

1. Training in the Commonwealth of Virginia. Any person completing an approved body-piercing apprenticeship program in a Virginia licensed body-piercing salon shall be eligible to sit for the examination.

2. Training outside of the Commonwealth of Virginia, but within the United States or jurisdiction of the United States and its territories. Any person completing a body-piercing training or apprenticeship program that is substantially equivalent to the Virginia program but is outside of the Commonwealth of Virginia must submit to the board documentation of the successful completion of training or apprenticeship to be eligible for examination. If less than required hours of body-piercing training or body-piercing apprenticeship was completed, an applicant must submit (i) documentation acceptable to the board verifying the completion of a substantially equivalent body-piercing training or body-piercing apprenticeship or documentation of three years of work experience within the preceding five years as a body piercer and (ii) documentation of completion of a minimum of five hours of health education to include ~~but not limited to blood borne~~ (a) bloodborne disease, sterilization, and aseptic techniques related to body piercing and; (b) first aid; and (c) CPR that is acceptable to the board in order to be eligible for examination.

C. In order to receive a license as a body piercer ear only, an applicant must meet the following qualifications:

1. The applicant shall have completed a minimum of three hours of health education to include ~~but not limited to blood borne~~ bloodborne disease and first aid that is acceptable to the board and provide verification of training on a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both and aftercare of piercing.

2. The applicant shall be in good standing in every jurisdiction where licensed, certified, or registered. The applicant shall disclose to the board at the time of application for licensure any disciplinary action taken in another jurisdiction in connection with the applicant's licensed, certified, or registered practice. The applicant shall disclose to the board at the time of application for licensure whether he has been previously licensed in Virginia in any profession regulated by the board.

3. The applicant shall disclose his physical address. A post office box is not acceptable.

4. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia body-piercing license laws and the board's body-piercing regulations.

5. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose a ~~conviction, in any jurisdiction, of any misdemeanor or felony. Any plea of nolo contendere shall be considered a conviction for this purpose of this section. The record of a conviction~~

~~certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such guilt. The board, at its discretion, may deny licensure or certification to any applicant in accordance with § 54.1-204 of the Code of Virginia. the following information regarding criminal convictions in Virginia and all other jurisdictions:~~

~~a. All misdemeanor convictions involving moral turpitude, sexual offense, **non-marijuana** drug distribution, or physical injury within two years of the date of the application; and~~

~~b. All felony convictions within 20 years of the date of application.~~

~~Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.~~

18VAC41-60-30. License by endorsement.

Upon proper application to the board, any person currently licensed to practice as a body piercer in any other state or jurisdiction of the United States and who has completed a training or apprenticeship program and an examination that is substantially equivalent to that required by this chapter may be issued a ~~body piercer~~ body piercer license without an examination. The applicant must also meet the requirements set forth in 18VAC41-60-20 A 1 through A 4.

18VAC41-60-40. Examination requirements and fees.

A. Applicants for initial licensure shall pass an examination approved by the board. The examinations may be administered by the board or by a designated testing service.

B. Any candidate failing to appear as scheduled for examination shall forfeit the examination fee.

C. The applicant shall follow all procedures established by the board with regard to conduct at the examination. Such procedures shall include any written instructions communicated prior to the examination date and any instructions communicated at the site, either written or oral, on the date of the examination. Failure to comply with all procedures established by the board and the testing service with regard to conduct at the examination may be grounds for denial of application.

D. Any applicant who does not pass a reexamination within one year of the initial examination date shall be required to submit a new application.

E. The fee for examination or reexamination is subject to contracted charges to the board by an outside vendor. These contracts are competitively negotiated and bargained for in compliance with the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia). Fees may be adjusted and charged to the candidate in accordance with these contracts. The fee shall not exceed \$225 per candidate.

F. Any candidate failing to apply for initial licensure within five years of passing the written examination shall be required to retake the examination. Records of examinations shall be maintained for a maximum of five years.

18VAC41-60-50. Reexamination requirements. (Repealed.)

~~Any applicant who does not pass a reexamination within one year of the initial examination date shall be required to submit a new application and examination fee.~~

18VAC41-60-60. Examination administration. (Repealed.)

~~A. The examinations may be administered by the board or the designated testing service.~~

~~B. The applicant shall follow all procedures established by the board with regard to conduct at the examination. Such procedures shall include any written instructions communicated prior to the examination date and any instructions communicated at the site, either written or oral, on the~~

~~date of the examination. Failure to comply with all procedures established by the board and the testing service with regard to conduct at the examination may be grounds for denial of application.~~

~~C. The fee for examination or reexamination is subject to contracted charges to the board by an outside vendor. These contracts are competitively negotiated and bargained for in compliance with the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia). Fees may be adjusted and charged to the candidate in accordance with these contracts. The fee shall not exceed \$225 per candidate.~~

18VAC41-60-80. Salon license.

A. Any individual firm wishing to operate a body-piercing salon or body-piercing ear only salon shall obtain a salon license in compliance with § 54.1-704.1 of the Code of Virginia- and shall meet the following qualifications in order to receive a license:

1. The applicant and all members of the responsible management shall be in good standing as a licensed salon in Virginia and all other jurisdictions where licensed. The applicant and all members of the responsible management shall disclose to the board at the time of application for licensure any disciplinary action taken in Virginia and all other jurisdictions in connection with the applicant's operation of any body-piercing salon or body-piercing ear only salon or practice of the profession. This disclosure includes monetary penalties, fines, suspensions, revocations, surrender of a license in connection with a disciplinary action, or voluntary termination of a license. The applicant shall disclose to the board at the time of application for licensure if the applicant or any member of the responsible management has been previously licensed in Virginia as a body-piercing salon or body-piercing ear only salon.

Upon review of the applicant's and all members of the responsible management's prior disciplinary action, the board, in its discretion, may deny licensure to any applicant wherein it deems the applicant is unfit or unsuited to engage in the operation of a body-piercing salon or body-piercing ear only salon. The board will decide each case by taking into account the totality of the circumstances. Any plea of nolo contendere or comparable plea shall be considered a disciplinary action for the purposes of this subdivision. The applicant shall provide a certified copy of a final order, decree, or case decision by a court, regulatory agency, or board with the lawful authority to issue such order, decree, or case decision, and such copy shall be admissible as prima facie evidence of such disciplinary action.

2. The applicant shall disclose his physical address. A post office box is not acceptable.

3. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands the Virginia body-piercing license laws and this chapter.

4. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information about the firm and all members of the responsible management regarding criminal convictions in Virginia and all other jurisdictions:

a. All misdemeanor convictions involving moral turpitude, sexual offense, **non-marijuana** drug distribution, or physical injury within two years of the date of the application; and

b. All felony convictions within 20 years of the date of application.

Any plea of nolo contendere shall be considered a conviction for purposes of this subsection. The record of a conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, in its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

5. The applicant shall disclose the firm's responsible management.

B. A body-piercing salon license or body-piercing ear only salon license shall not be transferable and shall bear the same name and address of the business entity. Any changes in the name, ~~or address, or ownership~~ of the salon shall be reported to the board in writing within 30 days of such changes. New owners responsible management shall be responsible for ~~reporting such changes in writing to the board~~ applying for a new license within 30 days of the changes.

C. ~~In the event of a closing of a body-piercing salon or body-piercing ear only salon, the board must be notified by the owners in writing within 30 days of the closing, and the license must be returned by the owners to the board. Whenever the legal business entity holding the license is dissolved or altered to form a new business entity, the original license becomes void and shall be returned to the board within 30 days of the change. Additionally, the firm shall apply for a new license within 30 days of the change in the business entity. Such changes include:~~

1. Death of a sole proprietor;
2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and
3. Conversion, formation, or dissolution of a corporation, a limited liability company, an association, or any other business entity recognized under the laws of the Commonwealth of Virginia.

D. Any change in the officers of a corporation, managers of a limited liability company, or officers or directors of an association shall be reported to the board in writing within 30 days of the change.

~~D.~~ E. Any individual firm wishing to operate a body-piercing salon in a temporary location must have a body-piercing salon license issued by the board.

Part IV

Renewal/Reinstatement Renewal and Reinstatement

18VAC41-60-110. License renewal required.

All ~~body piercer~~ body piercer, ~~body piercer~~ body piercer ear only, body-piercing salon, and body-piercing ear only salon licenses shall expire two years from the last day of the month in which they were issued.

18VAC41-60-120. Continuing education requirement.

All licensed body piercers shall be required to satisfactorily complete a minimum of five hours of health education to include ~~but not limited to blood borne~~ (i) bloodborne disease, sterilization, and aseptic techniques related to body piercing ~~and;~~ (ii) first aid; and (iii) CPR during their licensed term. All licensed body piercers ear only shall be required to satisfactorily complete a minimum of three hours of health education to include ~~but not limited to blood borne~~ bloodborne disease and first aid during their licensed term. Documentation of training completion shall be provided at the time of renewal along with the required fee.

18VAC41-60-140. Failure to renew.

A. ~~When a body piercer~~ an individual or ~~body piercer ear only~~ business entity fails to renew ~~their~~ its license within 30 days following its expiration date, the licensee shall meet the renewal requirements prescribed in 18VAC41-60-120 and 18VAC41-60-130 and apply for reinstatement of the license by submitting to the Department of Professional and Occupational Regulation a reinstatement application along with the required renewal and reinstatement fees.

B. ~~When a body piercer or body piercer ear only~~ an individual or business entity fails to renew ~~his~~ its license within two years following the expiration date, reinstatement is no longer possible. To resume practice, the former ~~body piercer~~ licensee shall apply for licensure as a new applicant, shall meet all current application requirements, shall pass the board's current examination if

~~applicable, and shall receive a new license. To resume practice, the former body piercer ear only licensee shall apply for licensure as a new applicant, shall meet all current application requirements, and shall receive a new license.~~

~~G. When a body piercing salon or body piercing ear only salon fails to renew its license within 30 days following the expiration date, it shall be required to apply for reinstatement of the license by submitting to the Department of Professional and Occupational Regulation a reinstatement application along with the required renewal and reinstatement fees.~~

~~D. When a body piercing salon or body piercing ear only salon fails to renew its license within two years following the expiration date, reinstatement is no longer possible. To resume practice, the former licensee shall apply for licensure as a new applicant and shall meet all current application requirements.~~

~~E. C.~~ The date a renewal fee is received by the Department of Professional and Occupational Regulation, or its agent, will be used to determine whether the requirement for reinstatement of a license is applicable and an additional fee is required.

~~F. D.~~ When a license is reinstated, the licensee shall have the same license number and shall be assigned an expiration date two years from the ~~previous expiration date of the license~~ date of the last day of the month of reinstatement.

~~G. E.~~ A licensee ~~who~~ that reinstates his its license shall be regarded as having been continuously licensed without interruption. Therefore, a licensee shall be subject to the authority of the board for activities performed prior to reinstatement.

~~H. F.~~ A licensee ~~who~~ that fails to reinstate his its license shall be regarded as unlicensed from the expiration date of the license forward. Nothing in this chapter shall divest the board of its authority to discipline a licensee for a violation of the law or regulations during the period of time for which the individual was licensed.

18VAC41-60-190. Physical facilities.

A. A body-piercing salon or body-piercing ear only salon must be in a permanent building, which must be in a location permissible under local zoning codes, if any. If applicable, the body-piercing salon or body-piercing ear only salon shall be separated from any living quarters by complete floor to ceiling partitioning and shall contain no access to living quarters.

B. The body-piercing salon, body-piercing ear only salon, or temporary location shall be maintained in a clean and orderly manner.

C. A body-piercing salon, body-piercing ear only salon, or temporary location shall have a blood spill clean-up kit in the work area.

D. Work surfaces in a body-piercing salon, body-piercing ear only salon, or temporary location shall be cleaned with an EPA-registered, hospital grade disinfectant. Surfaces that come in contact with blood or other body fluids shall be immediately disinfected with an EPA-registered germicide solution. Appropriate personal protective equipment shall be worn during cleaning and disinfecting procedures.

E. In a body-piercing salon, body-piercing ear only salon, or temporary location, cabinets or containers for the storage of instruments, single-use articles, and other utensils shall be provided for each operator and shall be maintained in a sanitary manner.

F. In a body-piercing salon, body-piercing ear only salon, or temporary location, bulk single-use articles shall be commercially packaged and handled in such a way as to protect ~~them~~ the articles from contamination.

G. In a body-piercing salon, body-piercing ear only salon, or temporary location, all materials applied to the human skin shall be from single-use articles or transferred from bulk containers to single use containers and shall be disposed of after each use.

H. In a body-piercing salon or body-piercing ear only salon, the walls, ceilings, and floors shall be kept in good repair. The body-piercing area shall be constructed of smooth, hard, surfaces that are nonporous, free of open holes or cracks, light colored, and easily cleaned. New physical facilities shall not include any dark-colored surfaces in the body-piercing area. Existing physical facilities with dark-colored surfaces in the body-piercing area shall replace the dark-colored surfaces with light-colored surfaces whenever the facilities are extensively remodeled or upon relocation of the business entity.

I. A body-piercing salon, body-piercing ear only salon, or temporary location shall have adequate lighting of at least 50 foot-candles of illumination in the body-piercing and sterilization areas.

J. In a body-piercing salon, body-piercing ear only salon, or temporary location, adequate mechanical ventilation shall be provided.

K. A body-piercing salon, body-piercing ear only salon, or temporary location shall be equipped with hand-cleaning facilities for its personnel with unobstructed access to the body-piercing area or body-piercing ear only area such that the body piercer or body piercer ear only can return to the area without having to touch anything with his hands. Hand-cleaning facilities shall be equipped either with hot and cold or tempered running water under pressure and liquid germicidal soap or with a sanitizing solution to clean hands. Hand-cleaning facilities shall be equipped with single-use towels or mechanical hand drying devices and a covered refuse container. Such facilities shall be kept clean and in good repair. All facilities must have running water and soap accessible for cleaning of hands contaminated by body fluids.

L. Animals are not permitted in the body-piercing salon, body-piercing ear only salon, or temporary location except for guide or service animals accompanying persons with disabilities or non-mammalian animals in enclosed glass containers such as fish aquariums, which shall be outside of the body-piercing area or sterilization ~~areas~~ area. No animals are allowed in the body-piercing area, body-piercing ear only area, or sterilization ~~areas~~ area.

M. In a body-piercing salon, body-piercing ear only salon, or temporary location, the use of tobacco products and consumption of alcoholic beverages shall be prohibited in the body-piercing area, body-piercing ear only area, or sterilization ~~areas~~ area.

N. In a body-piercing salon, body-piercing ear only salon, or temporary location, no food or drink will be stored or consumed in the body-piercing area, body-piercing ear only area, or sterilization ~~areas~~ area.

O. In a body-piercing salon, body-piercing ear only salon, or temporary location, if body-piercing or body-piercing ear only is performed where cosmetology services are provided, it shall be performed in an area that is separate and enclosed.

P. All steam sterilizers shall be biological spore tested at least monthly.

Q. Biological spore tests shall be verified through an independent laboratory.

R. Biological spore test records shall be retained for a period of three years and made available upon request.

S. Steam sterilizers shall be used only for instruments used by the salon's employees.

18VAC41-60-200. Body piercer and body piercer ear only responsibilities.

A. All body piercers and body piercers ear only shall provide to the owner responsible management with one of the following:

1. Proof of completion of the full series of Hepatitis B vaccine;
2. Proof of immunity by blood titer; or
3. Written declaration of refusal of the owner responsible management offer of a full series of Hepatitis B vaccine.

B. All body piercers and body piercers ear only shall wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty.

C. All body piercers and body piercers ear only shall clean their hands thoroughly using hot or tempered water with a liquid germicidal soap or use sanitizing solution to clean hands before and after body piercing and as necessary to remove contaminants.

D. All body piercers and body piercers ear only must wear single-use examination gloves while assembling instruments and another pair of single-use examination gloves while providing piercing services.

E. Each time there is an interruption in the service, each time the gloves become torn or perforated or become contaminated, or whenever the ability of the gloves to function as a barrier is compromised:

1. Gloves shall be removed and disposed of; and
2. Hands shall be cleaned and a fresh pair of gloves used.

F. Body piercers and body piercers ear only shall use standard precautions while providing piercing services. A body piercer or body piercer ear only diagnosed with a communicable disease shall provide to the department a written statement from a health care practitioner that the body piercer's condition no longer poses a threat to public health.

G. Body piercers and body piercers ear only with draining lesions on their hands or face will not be permitted to work until cleared by a health care professional.

H. The area of the client's skin to be pierced shall be cleaned with an approved germicidal soap or antiseptic product according to label directions.

I. The external skin of the client to be pierced shall be cleaned with an approved germicidal soap or antiseptic product according to the label directions. In the case of oral piercings, the operator shall provide the individual with antiseptic mouthwash in a single-use cup and shall ensure that the individual utilizes the mouthwash provided. In the case of a lip, labret or cheek piercing, procedures described in this subsection for both skin and oral piercings shall be followed.

J. If shaving is required, razors shall be single-use and disposed of in a puncture-resistant container.

K. Each body piercer or body piercer ear only performing any piercing procedures in the salon shall have the education, training and experience, or any combination thereof, to practice aseptic technique and prevent the transmission of blood borne pathogens. All procedures shall be performed using aseptic technique.

L. An individual, single-use, pre-sterilized piercing needle shall be used for each client. Single-use disposable instruments shall be disposed of in a puncture-resistant container.

M. Used, nondisposable instruments shall be kept in a separate, puncture-resistant container until brush scrubbed in hot water soap and then sterilized by autoclaving. Contaminated instruments shall be handled with disposable gloves.

N. Used nondisposable instruments that are ultrasonically cleaned shall be rinsed under running hot water prior to being placed in the used instrument container.

O. Used nondisposable instruments that are not ultrasonically cleaned prior to being placed in the used instrument container shall be kept in a germicidal or soap solution until brush scrubbed in hot water and soap and sterilized by autoclaving.

P. The ultrasonic unit shall be sanitized daily with a germicidal solution.

Q. Nondisposable instruments shall be sterilized and shall be handled and stored in a manner to prevent contamination. Instruments to be sterilized shall be sealed in bags made specifically for the purpose of autoclave sterilization and shall include the date of sterilization. If nontransparent bags are utilized, the bag shall also list the contents.

R. Autoclave sterilization bags with a color code indicator that changes color upon proper sterilization shall be utilized during the autoclave sterilization process.

S. ~~Instruments~~ Nondisposable instruments shall be placed in the autoclave in a manner to allow live steam to circulate around them.

T. Contaminated disposable and single-use items shall be disposed of in accordance with federal and state regulations regarding disposal of biological hazardous materials.

U. The manufacturer's written instruction of the autoclave shall be followed.]

18VAC41-60-220. Grounds for license revocation or suspension or probation; denial of application, renewal, or reinstatement; or imposition of a monetary penalty.

~~A. The board may, in considering the totality of the circumstances, fine any licensee and suspend, place on probation, or revoke or refuse to renew or reinstate any license, or deny any application issued under the provisions of Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia and the regulations of the board~~ this chapter if the board it finds that the licensee or applicant:

~~1. The licensee is~~ Is incompetent or negligent in practice, or incapable mentally or physically, as those terms are generally understood in the profession, to (i) practice as a body piercer or body piercer ear only, or (ii) operate a body piercing salon;

~~2. The licensee or applicant is~~ Is convicted of fraud or deceit in the practice body piercing or body piercing ear only;

~~3. The licensee or applicant attempted~~ Attempted to obtain, obtained, renewed, or reinstated a license by false or fraudulent representation;

~~4. The licensee or applicant violates~~ Violates or induces others to violate, or cooperates with others in violating, any of the provisions of this chapter or Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia or any local ordinance or regulation governing standards of health and sanitation of the establishment in which body piercers or body piercers ear only may practice or offer to practice;

5. Offers, gives, or promises anything of value or benefit to any federal, state, or local employee for the purpose of influencing that employee to circumvent in the performance of his duties any federal, state, or local law, regulation, or ordinance governing body piercing as defined in § 54.1-700 of the Code of Virginia;

6. Fails to respond to the board or any of its agents or provides false, misleading, or incomplete information to an inquiry by the board or any of its agents;

7. Fails or refuses to allow the board or any of its agents to inspect during reasonable hours any licensed salon for compliance with provisions of Chapter 7 (§ 54.1-700 et seq.) or this chapter;

~~5. The licensee or applicant fails~~ 8. Fails to produce, upon request or demand of the board or any of its agents, any document, book, record, or copy thereof in a licensee's or **owner responsible management** possession or maintained in accordance with this chapter;

~~6. A licensee fails~~ 9. Fails to notify the board of a change of name or address in writing within 30 days of the change for each and every license. ~~The board shall not be responsible for the licensee's failure to receive notices, communications and correspondence caused by the licensee's failure to promptly notify the board in writing of any change of name or address or for any other reason beyond the control of the board;~~

~~7. The licensee or applicant~~ 10. Makes any misrepresentation or publishes or causes to be published any advertisement that is false, deceptive, or misleading;

~~8. The licensee or applicant fails~~ 11. Fails to notify the board in writing within 30 days of the suspension, revocation, or surrender of a license, certificate, or permit in connection

with a disciplinary action in any other jurisdiction or of any license, certificate, or permit which has been the subject of disciplinary action in any other jurisdiction;

~~9. The licensee or applicant has been convicted or found guilty in any jurisdiction of any misdemeanor or felony. Any plea of nolo contendere shall be considered a conviction for the purpose of this section. The record of a conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such guilt; or~~

~~10. The licensee, certificate holder, temporary license holder, or applicant fails to notify the board in writing within 30 days that the licensee, certificate holder, temporary license holder, or applicant has pleaded guilty or nolo contendere or was convicted and found guilty of any misdemeanor or felony.~~

~~B. In addition to subsection A of this section, the board may, in considering the totality of the circumstances, revoke, suspend, place on probation or refuse to renew or reinstate the license of any body piercing salon or body piercing ear only salon or impose a fine as permitted by law, or both, if the board finds that:~~

~~1. The owner or operator of the body piercing salon or body piercing ear only salon fails to comply with the facility requirements of body piercing salons or body piercing ear only salons provided for in this chapter or in any local ordinances; or~~

~~2. The owner or operator allows a person who has not obtained a license to practice as a body piercer or body piercer ear only unless the person is duly enrolled as an apprentice.~~

~~C. In addition to subsection A of this section, the board may, in considering the totality of the circumstances, revoke, suspend, place on probation or refuse to renew or reinstate the license of any licensee or impose a fine as permitted by law, or both, if the board finds that the licensee fails to take sufficient measures to prevent transmission of communicable or infectious diseases or fails to comply with any local, state or federal law or regulation governing the standards of health and sanitation for the practice of body piercing or body piercing ear only.~~

12. Has been convicted or found guilty, regardless of the manner of adjudication in Virginia or any other jurisdiction of the United States, of a misdemeanor involving moral turpitude, sexual offense, [non-marijuana] drug distribution, or physical injury or any felony, there being no appeal pending therefrom or the time for appeal having elapsed. Review of convictions shall be subject to the requirements of § 54.1-204 of the Code of Virginia. Any plea of nolo contendere shall be considered a conviction for purposes of this subdivision. The record of a conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such conviction or guilt;

13. Fails to inform the board in writing within 30 days of pleading guilty or nolo contendere or being convicted or found guilty regardless of adjudication of any convictions as stated in subdivision 12 of this section;

14. Allows, as responsible management of a salon, a person who has not obtained a license to practice as a body piercer or body piercer ear only unless the person is duly enrolled as an apprentice;

15. Fails to take sufficient measures to prevent transmission of communicable or infectious diseases or fails to comply with sanitary requirements provided for in this chapter or any local, state, or federal law or regulation governing the standards of health and sanitation for the practice of body piercing, or the operation of body-piercing salon or body-piercing ear only salon; or

16. Fails to comply with all procedures established by the board and the testing service with regard to conduct at any board examination.

FORMS

~~Body Piercer Examination & License Application, A425-1241EXLIC (eff. 9/2011)~~

~~Body Piercing Training & Experience Verification Form, A425-12BPTREXP (eff. 9/2011)~~

~~[Body Piercing Apprenticeship Sponsor Application, A425-12BPSPON \(eff. 9/2011\)](#)~~

~~[Body Piercing Apprentice Certification Application, A425-1244BPAC \(eff. 9/2011\)](#)~~

~~[Body Piercing Apprenticeship Completion Form, A425-12BPAC \(eff. 9/2011\)](#)~~

~~Body Piercing Client Disclosure Form, A425-12BPDIS (eff. 9/2011)~~

~~Body Piercer Ear Only License Application, A450-1245LIC-v6 (rev. 9/2016)~~

~~License by Endorsement Application, A450-1213END-v9 (rev. 9/2016)~~

~~Training & Experience Verification Form, A425-1213TREXP (eff. 9/2011)~~

~~Salon, Shop, Spa & Parlor License/Reinstatement Application, A450-1213BUS-v8 (rev. 9/2016)~~

~~Licensure Fee Notice, A450-1213FEE-v6 (rev. 9/2016)~~

~~Individuals - Reinstatement Application, A450-1213REI-v8 (rev. 9/2016)~~

~~[Body Piercer Examination & License Application, A450-1241EXLIC-v13 \(rev. 7/2019\)](#)~~

~~[Body Piercing Client Disclosure Form, A450-12BPDIS-v2 \(rev. 4/2013\)](#)~~

~~[Body Piercer Ear Only License Application, A450-1245LIC-v7 \(rev. 7/2019\)](#)~~

~~[License by Endorsement Application, A450-1213END-v10 \(rev. 2/2017\)](#)~~

~~[Training & Experience Verification Form, A450-1213TREXP-v6 \(eff. 2/2017\)](#)~~

~~[Salon, Shop, Spa & Parlor License/Reinstatement Application, A450-1213BUS-v12 \(rev. 7/2019\)](#)~~

~~[Licensure Fee Notice, A450-1213FEE-v7 \(rev. 4/2017\)](#)~~

~~[Individuals - Reinstatement Application, A450-1213REI-v9 \(rev. 2/2017\)](#)~~



TO: VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: APPROVED HEALTH EDUCATION CERTIFYING AGENCIES AMENDMENT
DATE: SEPTEMBER 3, 2021

The Board maintains a guidance document that lists the approved health education certifying agencies for tattooers and body piercers. Applicants and licensees must submit proof of Bloodborne Pathogen, First Aid, and CPR training. One of the requirements in the guidance is that First Aid and CPR training be at least half in-person, while Bloodborne Pathogens training could be entirely online.

During the pandemic, health education providers stopped in-person training and conducted online only training. Under the State of Emergency, the DPOR Director waived the in-person training requirements, which included these health education requirements. When the waiver ended on July 30, 2021, applicants and licensees renewing had to submit First Aid and CPR showing in-person training again.

Unfortunately, staff have been receiving widespread complaints that few health education providers have restarted in-person training. Because so few are offering it, it can take many weeks or several months to meet this requirement. This has led to some applicants falling into reinstatement simply because of the unavailability of in-person training.

Staff are requesting that the Board amend its health education guidance to remove the in-person training requirement. It does not appear that the in-person requirement is creating a noticeable difference in safety, and the industry does not appear to recognize value in the requirement. During the 15 months in which tattooers and body piercers were not required to have in-person training, the Department has not received any complaints stemming from online vs. in-person health education training. Additionally, during the tattoo regulatory review, the in-person training requirement for First Aid and CPR was a common complaint.

One further concern is the impact on tattoo conventions in Virginia. Virginia hosts four or five tattoo conventions each year, where hundreds of out-of-state tattooers apply for limited term tattooer licenses. Across the country, some states still limit in-person training, and nationally, many providers still do not offer it. This creates a large obstacle for out-of-state tattooers to get the required limited term license for the any Virginia convention.

In light of those facts, and the difficulty licensees are having meeting the requirement due to factors outside of their control, staff recommend removing the in-person requirement. Attached is a draft revision of the guidance document with new language underlined and the removed

language struck-through. If the Board wishes to approve this change, it can do so with a motion to “remove the in-person training requirement for CPR and First Aid in the health education guidance document.”



Department of Professional and Occupational Regulation

Board for Barbers and Cosmetology

September 20, 2021

Guidance Document: Approved Health Education Certifying Agencies

The following health education (as referred to in 18 VAC 41-50, including limited term tattooers, and 18 VAC 41-60) is deemed acceptable to the Board. Documentation verifying course completion shall bear the name of the individual as it appears on the application or license as well as the name of the Board approved certifying agency. Training may be online, in person, or both.

Content delivery requirements:

Adult CPR—no more than ½ the content delivered online; ½ in person/classroom

First Aid—no more than ½ the content delivered online; ½ in person/classroom

Bloodborne Pathogens—may be in person or online

Board approved courses are listed below (list carries over onto page 2):

American Heart Association

Adult CPR

First Aid

Bloodborne Pathogens

<http://www.heart.org/HEARTORG/>

Emergency Care and Safety Institute

Adult CPR

First Aid

Bloodborne Pathogens

<http://www.ecsinstitute.org/>

American Safety and Health Institute (ASHI)

Bloodborne Pathogens

Adult CPR

First Aid

<http://www.hsi.com/cprtraining/>

Medic First Aid

Bloodborne Pathogens

Adult CPR

First Aid

www.hsi.com/medicfirstaid/

American Red Cross

First Aid

Adult CPR

Bloodborne Pathogens

<http://www.redcross.org/>

National Safety Council

First Aid

Adult CPR

Bloodborne Pathogens

<http://www.nsc.org/pages/home.aspx>

Pro Trainings (Pro CPR)

First Aid

Adult CPR

Bloodborne Pathogens

<http://www.protrainings.com>

Emergency First Response

First Aid

Adult CPR

<http://emergencyfirstresponse.com/>

International Board of Medicine and Surgery

Bloodborne Pathogens

<https://www.tattooartistcertificates.com/>

Body Art Training Group

Bloodborne Pathogens

<http://www.yourtrainingplace.com/>

EMS Safety Services, Inc.

First Aid

Adult CPR

Bloodborne Pathogens

<https://www.emssafetyservices.com/>

Currently Certified Virginia Emergency Medical Technician (VDH)

First Aid

*Other courses not currently listed, may be submitted to the Board for consideration as an approved provider, but will not necessarily be approved to qualify towards licensure requirements.



TO: VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: MASTER BARBER APPRENTICESHIP
DATE: SEPTEMBER 3, 2021

At the July 12, 2021 Board meeting, the Board asked staff to prepare draft work processes and addendum to the standards of apprenticeship for a new Master Barber Apprenticeship, based on the previous 3,000 hour barber apprenticeship. Work processes are the ‘curriculum’ of the apprenticeship, listing the topics and hours for the training program. The Addendum to the standards is the extra rules the Board has applied to the apprenticeship beyond the minimum rules created by the Department of Labor and Industry. Attached are draft work processes and Addendum to the minimum standards for a 3,000 hour master barber apprenticeship. I’ve also included the Department of Labor and Industry Minimum Standards of Apprenticeship.

The Board will have an opportunity to discuss and amend these items at the meeting. Once the Board is satisfied with the work processes and standards, the Board can approve the apprenticeship with a motion to “approve the work processes and addendum to the minimum standards of apprenticeship for the master barber apprenticeship.”

MINIMUM STANDARDS FOR APPRENTICESHIP

Registered with the Virginia Apprenticeship Council
According to Act of Virginia Legislature Chapter 6,
Title 40.1,
Code of Virginia

Effective July 1, 2015
and
Recognized by the U. S. Department of Labor
Office of Apprenticeship

These Minimum Standards for Apprenticeship are hereby adopted for use by:

Sponsor: _____

Date: _____

Signature of Sponsor's Representative: _____

These Standards for Apprenticeship are hereby approved:

Secretary of the Virginia Apprenticeship Council: _____

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1. Interpretations and Implementation of Standards	12. Initial Probationary Period
2. Definitions	13. Periodic Evaluation
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4. Apprenticeship Agreements	15. Apprentice Wages
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8. Supervision of Apprentices	19. Number of Apprentices to be Trained In Program
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11. Related Instruction	

1. INTERPRETATIONS AND IMPLEMENTATION OF STANDARDS

- a. The Minimum Standards For Apprenticeship ("Standards") are based on, and conform to:
 - i. Regulations Governing the Administration of Apprenticeship Programs in the Commonwealth of Virginia", Chapter 20 of the Virginia Administrative Code." (Regulation 16VAC20-21-10 et. seq.)
 - ii. "Voluntary Apprenticeship Act", §§40.1-118 through 40.1-126 of the Code of Virginia
- b. Each registered apprenticeship program must comply, at a minimum, with all items in these Standards. (Regulation 16VAC20-21-30)
- c. Each apprenticeship agreement will be governed by the terms and conditions in these Standards. (Regulation 16VAC20-21-70; VA Code §40.1-121)
- d. If a sponsor and apprentice have a difference of opinion in the interpretation of the Standards which cannot be satisfactorily resolved, either of them may consult with the Commissioner through the Apprenticeship Director, for clarification of the matter in question. (Regulation 16 VAC20-21-120)

2. DEFINITIONS

- a. Apprentice - A person at least 16 years old, who is learning and working in an apprenticeable occupation and is covered by a written Apprenticeship Agreement with an employer, registered with the Virginia Department of Labor and Industry (DOLI). (Regulation 16VAC20-21-20; VA Code §40.1-120)
- b. Apprenticeable Occupation - A skilled trade which: is customarily learned in a practical way through a structured systematic program of on-the-job supervised work experience; is clearly identifiable and recognized throughout an industry; involves manual, mechanical or technical skills which require a minimum of 2,000 hours of on-the-job work experience; requires related instruction to supplement the on-the-job work experience. (Regulation 16VAC20-21-20, VA Code §40.1-120)
- c. Apprenticeship Agreement - (Agreement) An approved written agreement between a sponsor and apprentice (and guardian if apprentice is under 18), as defined in Regulation 16VAC20-21-20. By signing the Agreement, all parties agree to accept all terms and requirements contained in the Standards, the sponsor's Program Registration, the Act and the Regulations. (Regulation 16VAC20-21-70; VA Code §40.1-121)
- d. Sponsor - An employer, association of employers, joint apprenticeship committee or organization of employees that has an approved apprenticeship program registered with the DOLI. A program shall be operated by the sponsor and registered in the sponsor's name. (Regulation 16VAC20-21-20; VA Code §40.1-120)
- e. Supervisor of Apprenticeship - The person designated by the sponsor to perform the duties outlined in the Standards and will be designated on the Program Registration. (Regulation 16VAC20-21-20)
- f. Program Registration - An approved written description of the terms and conditions of apprentices' employment, training and supervision under a sponsor's apprenticeship program for a specific apprenticeable occupation, in accordance with the Act, Regulations, Standards, and any additional State Board Apprenticeship Standards which apply. The Program Registration shall incorporate a written Schedule of Work Processes. (Regulation 16VAC20-21-50)
- g. Virginia Apprenticeship Council (VAC) - Organization which develops regulations and policies, and determines Standards for Apprenticeship in Virginia. Members are appointed by the Governor. The U.S. Department of Labor's Office of Apprenticeship has granted VAC authority to issue Certificates of Completion upon completion of the program. (Regulation 16VAC20-21-20, VA Code §§40.1-117 & 40.1-118, items 1, 3, 4, 5)

- h. Virginia Department of Labor and Industry (DOLI) - The agency which administers the Voluntary Apprenticeship Act and its related regulations in Virginia. DOLI acts as the official agent of the VAC. (Regulation 16VAC20-21-20, VA Code §40.1-125)
- i. Commissioner - The Commissioner of the Virginia Department of Labor and Industry as defined by VA Code §40.1-2.

3. APPRENTICESHIP PROGRAMS

- a. Program Approval - Sponsors must have written notice of registration before establishing any Apprenticeship Agreements to employ and train individual apprentices. (Regulation 16VAC20-21-30, items A, C, D)
- b. Program Termination - Programs may be canceled by sponsor request or de-registered by the DOLI. Canceled programs may be reinstated upon sponsor request, if they meet registration requirements. De-registered programs may be reinstated if the VAC determines that there is adequate evidence that the program is being operated in accordance with the Act and Regulations. (Regulation 16VAC20-21-70 & 16VAC20-21-80)
- c. Program Evaluation - DOLI shall review and evaluate each sponsor's program as required. (Regulation 16VAC21-30, item H)

4. APPRENTICESHIP AGREEMENTS

- a. Each Apprenticeship Agreement is a contract between, and must be signed by, the apprentice (and guardian if apprentice is under 18 years of age) and the sponsor's authorized representative, and registered with the VAC. (Regulation 16VAC20-21-70 item 1, VA Code §40.1-122)
- b. A signed Apprenticeship Agreement indicates that both apprentice (and guardian) and sponsor understand and agree to all apprenticeship requirements.
- c. To be valid, each Apprenticeship Agreement must:
 - i. Comply with Regulation 16VAC20-21-70, VA Code §40.1-121.
 - ii. Contain all required signatures. (Regulation 16VAC20-21-70 item 1, VA Code §40.1-121)
 - iii. Be approved by the DOLI. (Regulation 16VAC 20-21-30, VA Code §40.1-122)
 - iv. Be registered and filed by the sponsor. (Regulation 16VAC20-21-30, item C.1 & 2)
- d. All required signers must receive a copy of the signed Apprenticeship Agreement and Standards.

5. EQUAL EMPLOYMENT OPPORTUNITY

- a. Sponsors and potential sponsors must not discriminate (based on race, color, religion, national origin, sex or physical handicap, which is unrelated to the person's qualifications and ability to perform the job) in recruiting, selecting, employing or training apprentices. (Regulation 16VAC20-21-30 item 2; and 16VAC20-21-50, item 23)
- b. Sponsors must take affirmative action to provide equal opportunity in operating apprenticeship programs. Programs must operate as required under the Virginia State Plan, and they must comply with Title 29 of the Code of Federal Regulations, Part 30. (Regulation 16 VAC 20-21-30, item B.2)

6. TERM OF APPRENTICESHIP

- a. The minimum term for any apprenticeship program shall be 2,000 hours of reasonably continuous employment. (Regulation 16VAC20-21-50, item B. 2.a.; VA Code §40.1-120)
- b. Employment must be supplemented by the amount of related instruction required in the craft or trade. A minimum of 144 hours of related instruction is recommended for each year of apprenticeship. (Regulation 16VAC20-21-50, item B.4.)
- c. When the apprentice is required to work overtime, these overtime

hours WILL/WILL NOT be credited to the term of apprenticeship. (Regulation 16VAC20-21-50, item B.2.)

7. CREDIT FOR PREVIOUS EXPERIENCE

- a. An applicant for apprenticeship may be allowed credit on the term of apprenticeship documented for prior experience whether with the sponsor or elsewhere.
- b. The sponsor's Supervisor of Apprenticeship must review and approve the applicant's record of previous experience before such experience will be credited. (Regulation 16VAC20-21-50, item B.14)

8. SUPERVISION OF APPRENTICES

- a. Each sponsor must designate a Supervisor of Apprenticeship. (Regulation 16VAC20-21-20)
- b. The Supervisor of Apprenticeship must assure that:
 - i. All programs are registered with the DOLI.
 - ii. All apprentices receive a company orientation that includes: Standards of Apprenticeship, any additional industry standards, company policies, safety rules and regulations.
 - iii. All apprentices receive instruction in safe and healthful working methods in each operation as it is encountered throughout the term of apprenticeship.
 - iv. All apprentices are adequately trained and supervised in all areas by qualified personnel. (Regulation 16VAC20-21-50, item B.11)
 - v. Each apprentice's progress is reviewed and documented prior to moving to a new wage level. (Regulation 16VAC20-21-50, items B.5, B.6)
 - vi. Credit for previous experience is granted when appropriate. (Regulation 16VAC20-21-50, item B.14)
 - vii. Each apprentice is notified of related instruction requirements and the name and location of each approved related instruction provider. (Regulation 16VAC20-21-50, item B.4)
 - viii. Related Instruction Provider(s) is contacted to review each apprentice's educational progress before the expiration of each wage period. (Regulation 16VAC20-21-50, item B.6)
 - ix. Records are prepared and filed at specified intervals of apprentice's aptitude, skill and progress. Submits prompt and complete written notification to DOLI of any change in apprentice status. (Regulation 16VAC20-21-30.E; 16VAC20-21-50, item B.6.)
 - x. Any other duties needed to develop and maintain an effective apprenticeship program. (Regulation 16VAC20-21-50)

9. RESPONSIBILITIES OF APPRENTICES

- a. Apprentices are employees and have basic employee responsibilities. Each apprentice must make every effort to become a well-qualified journeyworker.
- b. Each apprentice must be on time for work, learn all work processes, complete all work assignments, and take initiative to ask appropriate questions.
- c. Each apprentice must be registered for related instruction courses, attend regularly and be on time.
- d. Each apprentice should review these Standards and the sponsor's Program Registration to ensure that he/she is trained and paid according to these documents.
- e. Each apprentice has the responsibility to consult with the Supervisor of Apprenticeship to assure that all accurate and appropriate records are updated and DOLI is notified promptly of any changes in status.
- f. Each apprentice must use appropriate conduct in the classroom and on the job site.
- g. Each apprentice must obtain licensing applications following completion of the apprenticeship Program.

10. ON-THE-JOB TRAINING

- a. The apprentice shall be given instruction and work experience as established by industry practice and as listed in the work processes.
- b. The work experiences do not need to be in the precise order as listed in the work processes.
- c. The work processes must be recorded in the Program Registration.

11. RELATED INSTRUCTION

- a. Each apprentice shall receive related instruction and shall provide the Supervisor of Apprenticeship with evidence of satisfactory participation and progress following completion of each class.
- b. A minimum of 144 hours of related instruction is recommended for each year of apprenticeship. (Regulation 16VAC20-21-50, item B.4; 16VAC20-21-70, item 5.b.)
- c. The Apprenticeship Agreement can be suspended or canceled when an apprentice does not satisfactorily complete either the on-the-job training or related instruction. Exceptions may be allowed for sickness or injury. (Regulation 16VAC20-21-70, item 8.b.(1)&(2))

12. INITIAL PROBATIONARY PERIOD

- a. Each apprentice must serve between 500 and 2,000 hours of the apprenticeship term as an initial probationary period. The specific number of hours is stated in each Program Registration. (Regulation 16VAC20-21-50, items B.2 & B.10; 16VAC20-21-70, item 8.a)
- b. During the probationary period cancellation of the Apprenticeship Agreement may be requested by the sponsor or the apprentice. Notice of such actions must be given to the DOLI. (Regulation 16VAC20-21-50, item B.20-22; 16VAC20-21-60, item B.2.b)
- c. Full credit will be given for the initial probationary period toward completion of the apprenticeship program. (Regulation 16VAC20-21-50, item B.10)
- d. All apprentices registered under these Standards shall be subject to an initial probationary period of _____ hours of employment.

13. PERIODIC EVALUATION

The progress of each apprentice's job performance and related instruction shall be subject to a periodic review prior to the expiration of each wage period. Should a review reveal a lack of interest or ability on the part of the apprentice, the apprentice will be informed of the deficiency and may be placed on probation for a sufficient period to determine improvement or failure. At the end of the probationary period, if the apprentice has not shown acceptable improvement, the apprenticeship agreement may be suspended or canceled. The sponsor must promptly notify the apprentice and the DOLI in writing of any suspension or cancellation. (Regulation 16VAC20-21-50, items B.6 & B.22; 16VAC 20-21-70, item 8.b)

14. HOURS OF WORK

- a. Hours of work for apprentices shall be the same as for all other employees in the same occupation. The VAC defines a full-time work week as 37-40 hours.
- b. Time spent at related instruction MAY OR MAY NOT be considered as hours of work. The sponsor's decision must be documented in the Program Registration. (Regulation 16VAC20-21-70, item b.7)
- c. Sponsors shall not require apprentices to work hours that would interfere with attending related instruction except in emergencies.

15. APPRENTICE WAGES

- a. The term of each apprenticeship program shall be divided into periods, with wages that progressively increase as the apprentice progresses in skill and productivity. Wages will be established in accordance with federal and state wage laws. (Regulation 16VAC 20-21-50, items B.5 & B.14; 16VAC20-21-70, item 7; 16VAC20-21-80, item C.1.(iii))

- b. Wages are based on the basic rate paid to journeyworkers and must reflect any credit given for previous experience. Overtime shall be based on the same percentage as that paid all other hourly employees. (Regulation 16VAC20-21-50, item B.5)
- c. The minimum wages paid all apprentices employed under these Standards must be recorded in the Program Registration. (16VAC20-21-50, item B.5)
- d. Apprentices who are given credit for previous training or experience shall be paid the wage rate commensurate with the period to which such credit advances them. (Regulation 16VAC20-21-50, items B.5 & B.14)

16. TRANSFER, LAYOFF/REINSTATEMENT, SUSPENSION OR CANCELLATION

- a. Transfer - If a sponsor is no longer able to fulfill his obligation for training of an apprentice, the apprentice may be transferred or registered with credit for previous training to another sponsor. DOLI must be notified in writing and must approve all transfers.(Regulation 16VAC20-21-30.E;16VAC20-21-50,item B.15; 16VAC20-21-80, item B.)
- b. Layoff/Reinstatement - Apprentices may be laid-off in the commensurate ratio of apprentices to journeyworkers. Apprentices laid-off under these Standards shall be entitled to seniority privileges and shall be reinstated in the seniority standing before any new apprentices are registered. DOLI must be notified in writing of all apprentices laid-off and/or reinstated.
- c. Suspension and Cancellation - Apprenticeship agreements may be suspended or canceled at any time for appropriate reason. The sponsor must notify DOLI in writing within 45 days stating the reason for the suspension or cancellation. (Regulation 16 VAC 20-21-70, item 8.b. (1 & 2); 16VAC20-21-30, item E; 16VAC20-21-50, item B.20)

17. CERTIFICATE OF COMPLETION

Upon the completion of the term of apprenticeship and having met the requirements of the program, the VAC shall be requested by the sponsor to prepare a Certificate of Completion, to be issued in the name of the apprentice who has successfully completed training and the term of apprenticeship.(Regulation 16VAC20-21-30,item E; 16VAC20-21-50, item B.17)

18. STUDENT APPRENTICES

- a. Student apprenticeships are available to high school and community college students.
- b. All apprenticeships requirements and restrictions described in the Standards shall apply to student apprentices, except the following:
 - i. For high school students, a letter of permission from their principal is required;
 - ii. Student status must be maintained. If a student leaves school prior to graduation his/her student apprenticeship will be canceled;
 - iii. Work hours and related instruction requirements may be different for student apprentices than non-student apprentices.

19. NUMBER OF APPRENTICES TO BE TRAINED IN THE PROGRAM

The number of apprentices shall be determined by the adequacy of facilities, the need of journeypersons in the community and reasonable assurance of employment in the occupation establishment upon completion of training. To ensure adequate training the ratio of apprentices to journeypersons shall not exceed: one (1) apprentice to _____ journeyworker(s). (Regulation 16VAC20-21-50, items B.8 & B.9)

20. ADDITIONAL SPONSOR APPRENTICE QUALIFICATIONS (optional)

- a. Age Minimum* _____
- b. Education _____
- c. Physical Capability _____
- d. Other _____
- e. See attached _____

*minimum permitted by law is 16 years of age

21. MODIFICATIONS

The sponsor must notify the DOLI promptly in writing of any proposed program modifications and request approval from the DOLI. Any program modifications shall not alter or affect apprenticeship agreements in effect at the time of modification without the consent of all parties affected. (Regulation 16VAC20-21-30, items E. and H.2; 16VAC20-21-50, item B.20)

The apprenticeship program may be cancelled by DOLI for due cause. The sponsor may withdraw his program by submitting a written request to the DOLI. (Regulation 16VAC20-21-80)

Board for Barbers and Cosmetology
Addendum to Minimum Standards of Apprenticeship for
Cosmetology, Barber, Master Barber and Nail Technician

The following requirements are added to the Minimum Standards of Apprenticeship for cosmetology, barber, master barber, and nail apprenticeships.

2. Definitions -

- a. 'State Board' shall mean the Virginia Board for Barbers and Cosmetology.
- b. 'Journeyworker' shall mean an individual who holds a valid, current cosmetologist, barber, master barber, or nail technician license issued by the Virginia Board for Barbers and Cosmetology.
- c. 'Work Process' shall mean the apprenticeship training program outline and performance completion requirements

3. Apprenticeship Program.

- a. The salon or shop must have a current Virginia Cosmetology Salon, Barber Shop or Nail Salon license issued by the Board for Barbers and Cosmetology and local Business and Professional Occupation License if applicable.
- b. The supervisor of apprentices must be a Virginia licensed Cosmetologist, Barber, Master Barber or Nail Technician.
- c. The salon, shop, or spa shall comply with the Rules and Regulations promulgated by the Virginia Department of Health and the Occupational and Safety Division of the Virginia Department of Labor and Industry.
- d. The salon or shop shall have sufficient licensed cosmetologists, barbers, master barber, or nail technicians as to be in compliance with the ratio established in these Standards of Apprenticeship.

6. Terms of Apprenticeship.

- a. The minimum term of a cosmetology or master barber apprenticeship shall be at least 3,000 hours of work experience during a period of 18 months (1½ years) as stipulated in the Training Program Outline and shall consist of continuous employment, supplemented by the required related instruction for the trade of cosmetology or master barbering, respectively. Credit for previous experience will be included in the required 3,000 hours.
- b. The minimum term of a barbering or nail technology apprenticeship shall be at least 2,000 hours of full-time employment over a 12-month period, supplemented by the related study.

7. Credit for Previous Experience.

- a. An apprentice may be allowed credit on the term of apprenticeship for that portion of experience, whether with the sponsor or elsewhere, which is equivalent to that which he/she would have received under these Standards of Apprenticeship. Barbers apprenticeship hours can transfer at a one to one ratio into a master barber apprenticeship for any complete content that is identical between the programs.
- b. An apprentice transferring from a cosmetology school or a barber school to the apprenticeship program may be allowed credit for training received on the basis of two (2) hours of apprenticeship for each hour of school training. Certification of training must be presented to the apprenticeship representative before credit can be awarded.
- c. An apprentice transferring from a nail technician school to the apprenticeship program shall receive hour for hour credit toward the apprenticeship. Evidence of training must be presented to the apprenticeship representative before credit can be awarded.
- d. Any licensed cosmetologist with less than two years of licensure, cosmetology apprentice, or cosmetology student who transfers from cosmetology to barbering may receive no more than fifty percent (50%) credit for their previous experience of training or training towards the term of apprenticeship.
- e. Any licensed barber or master barber with less than two years of licensure, barber or master barber apprentice, or barber student who transfers from barbering to cosmetology may receive no more than fifty percent (50%) credit for their previous experience of training or training towards the term of apprenticeship.
- f. Applicant who was formerly enrolled in A VDOE Approved program while in high school may be allowed credit for that portion of time spent on the job.

8. Supervision of Apprentices. In addition to subsection A of this section, the Supervisor of Apprenticeship must assure that apprentice is under supervision of a journeyworker licensed in the applicable profession of the apprenticeship.

15. Apprenticeship Wages. In addition to subsection A of this section, under no circumstances shall a sponsor charge an apprentice a fee for apprenticeship training or booth or space rental during the term of the apprenticeship.

19. Number of Apprentices to be Trained in the Program. In addition to subsection A of this section.

- a. If a facility has one (1) or two (2) licensed cosmetologists, there may be one (1) cosmetology apprentice. If a facility has three (3) or four (4) licensed cosmetologist, there may be up to two (2) cosmetology apprentices. If a facility has five (5) or six (6) licensed cosmetologists, there may be up to three (3) cosmetology apprentices. Etc.
- b. If a facility has one (1) or two (2) licensed barbers, there may be one (1) barbering apprentice. If a facility has three (3) or four (4) licensed barbers, there may be up to two (2) barbering apprentices. If a facility has five (5) or six (6) licensed barbers, there may be up to three (3) barbering apprentices. Etc.
- c. If a facility has one (1) or two (2) licensed master barbers, there may be one (1) master barbering apprentice. If a facility has three (3) or four (4) licensed master barbers, there may be up to two (2) master barbering apprentices. If a facility has five (5) or six (6) licensed master barbers, there may be up to three (3) master barbering apprentices. Etc.

- d. If a facility has one (1) or two (2) licensed nail technicians, there may be one (1) nail technology apprentice. If a facility has three (3) or four (4) licensed nail technicians, there may be up to two (2) nail technology apprentices. If a facility has five (5) or six (6) licensed nail technicians, there may be up to three (3) nail technology apprentices. Etc.

MASTER BARBERING APPRENTICESHIP TRAINING PROGRAM OUTLINE

A. Haircutting and grooming..... 1200 hours

- 1. Analyzing skin or scalp conditions;
- 2. Giving scalp treatments and waxing limited to the scalp;
- 3. Giving facial massage or treatment;
- 4. Sanitizing and maintaining implements and equipment;
- 5. Honing and stropping a razor;
- 6. Cutting the hair with a razor, clippers, shears;
- 7. Tapering the hair;
- 8. Thinning the hair;
- 9. Shampooing the hair;
- 10. Styling the hair with a hand hair dryer;
- 11. Hair pieces,

B. Orientation and hygiene 600 hours

- 1. Apprenticeship guidelines;
- 2. State law, regulations and professional ethics;
- 3. Client consultation;
- 4. Personal hygiene;

C. Chemical relaxers, perms, color and shaving 800 hours

- 1. Thermal waving;
- 2. Permanent waving with chemicals;
- 3. Shaving;
- 4. Trimming a moustache or beard;
- 5. Applying hair color;
- 6. Lightening or toning the hair; and

D. Business and shop management 400 hours

- 1. Business and shop management

TOTAL 3000 hours

Safety is the first priority in all apprenticeship programs and, as the sponsors' primary responsibility, must be taught and practiced continuously in all on-the-job processes.

MASTER BARBERING APPRENTICESHIP PERFORMANCE COMPLETION REQUIREMENTS

<u>Performances</u>	<u>Number Required</u>
A. Hair and scalp treatments	10
B. Hair styling services	320
C. Bleaching and frosting	10
D. Hair Coloring (including tinting, temporary rinses, and semi-permanent color)	35
G. Cold permanent waving or chemical relaxing	25
H. Hair shaping	50
I. Wig care, styling, placing on model	5
J. Finger waving and thermal waving	30
K. Facials and waxings	5
TOTAL	490

The required number of performance completions must be accomplished during the term of the apprenticeship, which shall not exceed eighteen (18) months in duration.



TO: VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: REMOTE PARTICIPATION POLICY
DATE: SEPTEMBER 3, 2021

At the July 12, 2021 Board meeting, staff indicated that there may be a way for individual board members to participate in board meetings from remote locations under certain circumstances. The Code of Virginia does allow for remote participation in limited situations when the Board has approved a remote participation policy that conforms to the requirements laid out in the law.

Attached is a proposed remote participation policy. You will note that the policy only applies to individual members and only when a personal matter, disability, or medical condition prevents in-person attendance of that member. Additionally, a quorum of the board must be physically present at the primary location. This remote participation policy is also limited to committee meetings. Physical attendance is still required for full Board meetings. This policy can be adopted by the Board through a motion to “adopt the proposed remote participation policy.”

BOARD FOR BARBERS AND COSMETOLOGY

POLICY: Remote Participation in Board Meetings

Effective Date: September 20, 2021

-
- I. PURPOSE:** The purpose of this policy is to document the requirements for individual members of the Board for Barbers and Cosmetology to participate in committee meetings using electronic communications pursuant to subdivisions A 1 and A 2 of § 2.2-3708.2 of the Code of Virginia, including an approval process for such remote participation.
- II. POLICY STATEMENT:** Individual members of the Board for Barbers and Cosmetology who are unable to attend a committee meeting in person, due to a medical condition or personal matter that prevents physical attendance, may participate remotely by electronic communication means as permitted by § 2.2-3708.2.
- III. APPLICABILITY:** This Board policy shall apply to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the committee meeting.
- This policy applies only to meetings of standing committees and subcommittees, not to regular Board meetings.
- IV. GENERAL PROVISIONS:**
- A. REQUIREMENTS**
1. If a personal matter, disability, or medical condition prevents in-person attendance, the individual member requesting to participate remotely must notify the Board Chair through the Board Executive Director on or before the day of the meeting.
 2. An individual member's remote participation due to a personal matter is limited by law to two meetings each calendar year.
 3. Whenever an individual member is approved by the Board to participate from a remote location, the law requires a quorum of the Board to be physically assembled at the primary meeting location, and there must be arrangements for the voice of the remote participant to be heard by all persons at the primary meeting location.
 4. The meeting minutes must reflect the member's remote location and the reason preventing physical attendance (either the fact of disability/medical condition or the nature of the personal matter with specificity).
- B. APPROVAL PROCESS**
1. An individual member's remote participation is approved unless such participation would violate this Board policy or the provisions of the Virginia Freedom of Information Act (FOIA).
 2. If an individual member's participation from a remote location is challenged, the Board will vote whether to allow such participation.
 3. If the Board votes to disapprove of a member's remote participation because such participation would violate this policy or FOIA, such disapproval will be recorded in the meeting minutes with specificity.



TO: VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: SCHOOL SELF-INSPECTION FORM REVISIONS
DATE: SEPTEMBER 3, 2021

At the May Board meeting, Board members raised concerns about some licensed schools not taking their regulatory responsibilities into full consideration. At the meeting, staff proposed enhancing the School Self-Inspection form, which schools must complete once a year, in an effort to reinforce the regulatory obligations of the schools. Attached is a revised School Self-Inspection form. The revisions including streamlining the demographic portion of the current form and adding more safety and regulatory questions in the response section.

The attached draft begins with the current Self-Inspection form followed by the revised Self Inspection form. Please consider the form revisions and bring any suggested revisions to the Board meeting. In May, the Board also spoke about requiring the self-inspection form along with the school reinstatement application, which staff can implement as well. If the Board would like to implement the revised form, it can do so with a motion to “adopt the revisions to the School Self-Inspection form.”

Commonwealth of Virginia
Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233-1485
(804) 367-8509
www.dpor.virginia.gov
barbercosmo@dpor.virginia.gov



**Virginia Board for Barbers and Cosmetology
SCHOOL SELF-INSPECTION FORM**

Virginia Board For Barbers and Cosmetology
School Owners

Pursuant to the Board's regulations pertaining to the practices of Barbering, Cosmetology, Nail Technology, Waxing, and Esthetics, each licensed school shall complete and maintain a self-inspection form. The self-inspection form will need to be updated on an annual basis, and kept on the premises of the school for 5 years, so that it may be requested and reviewed by the board at its discretion. Enclosed you will find the applicable regulation site for each of these professions.

The purpose of the program is to allow you the opportunity to assess your compliance with local, state, and federal policies, regulations, and standards governing health, sanitation, and safety, by completing the attached Self-Inspection Form. The self-inspection program is designed to complement, but not take the place of, our program of conducting inspections in conjunction with investigations into alleged violations of the Code of Virginia and the Board's Regulations.

Should you have any questions pertaining to the information contained in the attached Self-Inspection Form, please feel free to contact us at (804) 367-8509.

We want to thank you for your compliance with this program, and for doing your part to protect the health, safety, and welfare of all the citizens of the Commonwealth.

SINCERELY,

BOARD FOR BARBERS AND COSMETOLOGY

**THIS FORM SHALL BE KEPT AND MAINTAINED ON THE PREMISES OF THE SCHOOL.
DO NOT RETURN THIS FORM TO THE BOARD FOR BARBERS AND COSMETOLOGY.**



**Virginia Board for Barbers and Cosmetology
 SCHOOL SELF-INSPECTION FORM**

The purpose of this program is to allow you the opportunity to assess your compliance with the Board's standards governing sanitation and safety, by completing this Self-Inspection Form. The self-inspection program is designed to complement, but not take the place of, our program of conducting inspections in conjunction with investigations into alleged violations of the Code of Virginia and the Board's Regulations. Compliance with these rules does not infer compliance with other requirements set forth by federal, state, and local laws, codes, ordinances, and regulations as they apply to business operation, physical construction and maintenance, safety, and public health.

1. Shop/Salon Name _____

2. Mailing Address (PO Box accepted) _____

_____ City State Zip Code

3. Street Address (PO Box not accepted) Check here if Street Address is the same as the Mailing Address listed above.

_____ City State Zip Code

4. Virginia License Number

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 Expiration Date _____

5. Location License Posted _____

6. Owner/Manager _____

7. If Owner/Manager is a practitioner, provide license number(s): _____

Please check or provide the appropriate response: (Y=Yes, N=No, NA=Not Applicable)

8. **Regulatory**

a. The license bears the same name and address as the business? Y N NA

b. Licenses and certificates are posted in reception area? Y N NA

c. Is the facility sufficiently ventilated to exhaust hazardous or objectionable airborne chemicals, and allow the free flow of air? Y N NA

d. Does this school also have a shop or salon license? Y N NA

If so, how many chairs are for non-student use? _____

e. Which of the following courses are taught at this school?

Barbering Y N NA

Cosmetology Y N NA

Nail Care Y N NA

Wax Care Y N NA

If other, please specify: _____

9. How many hours of safety and sanitation are taught as part of each program this school offers?

10. **Sanitation**

- a. Do your students wash their hands with antibacterial soap prior to providing services to each customer? Y N NA
- b. Are floors free of hair, nail, and other waste materials? Y N NA
- c. Is the floor surface a washable surface other than carpet? Y N NA
- d. Are soiled and/or used cloth materials stored in containers made of cleanable materials and separate from those which are clean or pre-sanitized? Y N NA
- e. Is the waiting area clean and does it have a trash can available for customers? Y N NA
- f. Is there a fully functional bathroom in the facility, with a working toilet and sink that is available for student and client use? Y N NA
- g. Are tools, implements, linens, and multi-use articles cleaned, sanitized, and/or sterilized after use upon each client? Y N NA
- h. Are service chairs, nail care tables, sinks/shampoo bowls, facial and waxing tables, dryers and dryer chairs, apparatus for waxing and facials, tanning beds, and other objects which touch the client sanitized and/or sterilized after each use? Y N NA
- i. Does each student in the facility have access to a wet disinfectant unit large enough whereby objects to be disinfected may be completely immersed? Y N NA
- j. Are all pre-sanitized tools and implements, linens and equipment stored for use in a sanitary enclosed or covered receptacle? Y N NA
- k. Is the facility free of insects, rodents, birds, or any type of animals? Y N NA

11. **Safety**

- a. Does this facility have a "Certificate of Occupancy" from the local building official, zoning board, or health department? Y N NA
- b. Does this facility have on its premises any cosmetic product that has been banned by the U.S. Food and Drug Administration? Y N NA
- c. Does this facility have a blood/bodily fluid cleanup kit in the work area? Y N NA
- d. Are heat producing appliances and equipment placed so as to prevent accidental injury and fires? Y N NA
- e. Are all work areas free of clutter, trash, and other items that may pose a hazard? Y N NA
- f. Are all bottles and containers properly labeled? Y N NA

- g. Is this facility used for any purpose other than hair, nail, waxing, or esthetics Y N NA services? If yes, please explain.

Pursuant to the Virginia Board for Barbers and Cosmetology Regulations pertaining to the practices of Barbering, Cosmetology, Nail Technology, Waxing, and Esthetics, all licensed schools shall complete and maintain a self-inspection form. The self-inspection form will need to be updated on an annual basis, and kept on the premises of the school for 5 years, so that it may be requested and reviewed by the board at it's discretion. In the event of a change of address or ownership, a new form should be completed. Copies of the Board's regulations may be obtained from the Board by calling (804) 367-8509 or e-mailing your request to the Board at barbercosmo@dpor.virginia.gov. You can also view the regulations on the DPOR website located at www.dpor.virginia.gov.

12. Name of Owner/Instructor/Principal Completing this Form: _____

Signature of Owner/Instructor/Principal Completing this Form: _____

Date Completed: _____
MM/DD/YYYY

THIS FORM SHALL BE KEPT AND MAINTAINED ON THE PREMISES OF THE SCHOOL.
DO NOT RETURN THIS FORM TO THE BOARD FOR BARBERS AND COSMETOLOGY.

PROPOSED SCHOOL SELF INSPECTION FORM

Commonwealth of Virginia
Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233-1485
(804) 367-8509
www.dpor.virginia.gov
barbercosmo@dpor.virginia.gov

Virginia Board for Barbers and Cosmetology
SCHOOL SELF-INSPECTION FORM

Virginia Board for Barbers and Cosmetology
School Owners

Pursuant to the Board's regulations pertaining to the practices of Barbering, Cosmetology, Nail Technology, Waxing, and Esthetics, each licensed school must complete and maintain a self-inspection form. On an annual basis, you must update the school self-inspection form, and kept the form on the premises of the school for 5 years. The board may request and review this form at its discretion.

The purpose of the form is to allow you the opportunity to share with the board your continued compliance and for you to assess your compliance with local, state, and federal policies, laws, regulations, and standards governing health, sanitation, and safety. The self-inspection form supplements, but does not takes the place of, the board's ability to conduct inspections in conjunction with investigations into alleged violations of the Code of Virginia and Regulations.

Should you have any questions pertaining to the information contained in the attached Self-Inspection Form, please email the Board at barbercosmo@dpor.virginia.gov.

We want to thank you for keeping this form up-to-date, and for doing your part to protect the health, safety, and welfare of all the citizens of the Commonwealth.

SINCERELY,

BOARD FOR BARBERS AND COSMETOLOGY

Commonwealth of Virginia
Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233-1485
Board for Barbers and Cosmetology (804) 367-8509
Regulatory Programs & Compliance Division (804) 367-8504

Virginia Board for Barbers and Cosmetology
SCHOOL SELF-INSPECTION FORM

Compliance with these rules does not confer compliance with other requirements set forth by federal, state, and local laws, codes, ordinances, and regulations as they apply to business operation, physical construction and maintenance, safety, and public health. Licensees shall take sufficient measures to prevent the transmission of communicable and infectious diseases and comply with the sanitation standards identified in this section and shall ensure that all employees likewise comply.

Directory Information

1. SCHOOL Name
 - _____
 - Has the school address changed? _____ If so, was the address change reported to the Board? _____
2. School License Number _____
3. School License Expiration Date _____
4. Where does the school currently post the school's license certificate? (18VAC41-20-260)
 - _____
5. School owner/ownership name: _____
6. Responsible management: (18 VAC 41-20-10) – Has the responsible management changed? ____ If so, was the change reported to the Board? _____

Education

7. As of today, does this school maintain accreditation by an agency recognized by the U.S. Department of Education?
 - YES NO
8. As of today, does this school maintain a valid certification to operate from the State Council of Higher Education for Virginia (SCHEV)?
 - YES NO
9. Is this a place or establishment licensed by the board to:
 - Accept and train students and that offers a barber, master barber, or dual barber/master barber curriculum approved by the board?
 - i. YES NO
 - Accept and train students in body-piercing?
 - i. YES NO
 - Accept and train students in nail care?

- i. YES NO
 - Accept and train students and offer a cosmetology curriculum approved by the Board?
 - i. YES NO
 - Accept and train students and offers an esthetics curriculum approved by the Board?
 - i. YES NO
 - Accept and train students in tattooing?
 - i. YES NO
 - Accept and train students in waxing?
 - i. YES NO
10. Do all instructors at this school maintain a valid practitioner license?
- YES NO
11. Do all barber instructors at this school maintain a valid instructor certification issued by the Board?
- YES NO NA
12. Does the school require all student instructors to maintain a valid student instructor temporary permit issued by the Board?
- YES NO NA
13. Does this school enroll students who are not taking a course in barbering, nail care, cosmetology, waxing, tattooing, body-piercing, or esthetics?
- YES NO NA
 - If yes, please explain: _____
14. Has DPOrever inspected this school for compliance with the laws and regulations promulgated by the Board?
- YES NO
 - If yes, please provide the date and reason for the inspection.
15. Do any of the school's instructors who are currently teaching function as an examiner for the board or the designated testing service provider?
- YES NO NA
16. Do any of the school's owners or responsible management function as an examiner for the board or the designated testing service provider?
- YES NO NA

Regulatory

17. Does the school license bear the same name and address as the school? (18 VAC 41-20-130)
- YES NO
18. Does the name of the school indicate that it is an educational institution?
- YES NO
19. Do all signs or other advertisements, reflect the school name as indicated on the license, and contain language indicating it is an educational institution?
- YES NO
20. Does this school maintain a separate license for each and every location that it operates?
- YES NO
21. If the school receives compensation for services provided in its clinic, then does this school also hold a facility license?

- YES NO NA
22. Does this school only employ a staff of and ensure all training is conducted only by licensed and certified instructors?
- YES NO NA
23. When did this school last submit its curricula for board approval?
- Date: _____
24. Has this school submitted all changes to its curricula, including hours of operation and physical location, and has the new curricula been approved by the board?
- YES NO NA
25. Is the current curricula based on a minimum of clock hours that were approved by the Board and does it include performances in accordance with the regulations?
- YES NO NA
26. Does the school inform the public that all services are performed by students if the school receives compensation for services provided in its clinic by posting a notice in the reception area of the shop or salon in plain view of the public?
- YES NO NA
27. Does the school conduct all classroom instruction in an area separate from the clinic area where practical instruction is conducted and where services are provided?
- YES NO
 - If no, please explain.
28. Does the school possess the necessary equipment and implements to teach the respective curriculum?
- YES NO
29. Does the school own all necessary equipment or implement?
- YES NO NA
 - If NO, then the school must provide a copy of all agreements associated with the use of such property by the school to the board with this form.
30. Does this school maintain on the premises of each school the following records available for inspection by the board or any of its agents for the period of a student's enrollment through five years after the student's completion of the curriculum, termination, or withdrawal:
- The enrollment application containing student's signature and a two-inch by two-inch color head and shoulders photograph?
 - i. YES NO
 - The daily record of attendance containing student's signature?
 - i. YES NO
 - The student clock hours containing student's signature and method of calculation?
 - i. YES NO
 - The practical performance completion sheets containing student's signature?
 - i. YES NO
 - The final transcript?
 - i. YES NO
 - All other relevant documents that account for a student's accrued clock hours and practical applications?
 - i. YES NO

31. Is this school able to produce to the board or any of its agents within 10 days of a request any document, book, or record concerning any student, or for which the licensee is required to maintain records, for inspection and copying by the board or its agents?
- YES NO NA
 - If no, please explain: _____
32. Does this school provide documentation of hours and performances completed by the student within 21 days upon receipt of a written request from a student?
- YES NO NA
 - If no, please explain: _____
33. Does the school ensure that all current licenses, certificates, or permits issued by the board are displayed in plain view of the public either in the reception area or at individual work stations of the school?
- YES NO
34. Does this school ensure that no employee, licensee, student, or apprentice performs any service beyond the scope of practice for the applicable license?
- YES NO

Sanitation and Safety

35. Is this school kept clean and sanitary at all times when providing barber, master barber, cosmetology, nail, or waxing services to the public?
- YES NO

A wet disinfection unit is a container large enough to hold a disinfectant solution in which the objects to be disinfected are completely immersed. A wet disinfection unit must have a cover to prevent contamination of the solution. The solution must be an Environmental Protection Agency (EPA) registered disinfectant that is bactericidal, virucidal, and fungicidal. Disinfectant solutions shall be used according to manufacturer's directions.

36. How many wet disinfection units does the school have available for student use?
- # _____
37. Disinfection of multiuse items constructed of hard, nonporous materials such as metal, glass, or plastic that the manufacturer designed for use on more than one client, including clippers, scissors, combs, and nippers are to be carried out prior to servicing a client.
- Does the school follow the five step process for disinfection of multiuse items found in the regulations?
 - i. YES NO
38. Does the school prohibit the disinfection and reuse of these items and the use of single-use items on more than one client?
- i. YES NO
39. Does the school require students to disinfect electrical clipper blades before and after each use?
- 1. YES NO
40. Does the school require all students to clean and disinfect all wax pots with an EPA-registered disinfectant that is bactericidal, virucidal, and fungicidal?
- i. YES NO
41. Does the school provide a wet disinfection unit at each station?

i. YES NO

42. Does the school provide all students with instruction on how to maintain, in accordance with manufacturer's recommendations, all sinks, bowls, tubs, whirlpool units, air-jetted basins, pipe-less units, and non-whirlpool basins used in the performance of nail care?

- YES NO

43. Are all sinks, bowls, tubs, whirlpool units, air-jetted basins, pipe-less units, and non-whirlpool basins used in the performance of nail care cleaned and disinfected immediately after each client?

i. YES NO

General sanitation and safety requirements.

44. Does the school require students to clean all service chairs, wash basins, shampoo sinks, workstations and work stands, and back bars?

- YES NO

45. Are the school's floor surfaces in all work areas a washable surface other than carpet?

- YES NO

46. Does the school keep the floor clean and free of hair, nail clippings, dropped articles, spills, clutter, trash, electrical cords, other waste materials, and any other items that may pose a hazard?

- YES NO

47. Are all the school's furniture, fixtures, walls, floors, windows, and ceilings clean and in good repair and free of water seepage and dirt?

- YES NO

48. Are all mats secured or do all mats lie flat?

- YES NO

49. Does the school maintain a fully functional bathroom in the same building with a working toilet and sink available for clients?

- YES NO

50. Does the school keep antibacterial soap and clean single-use towels or a hand air-drying device for the client's use?

i. YES NO

ii. Does the school launder bathroom towels?

1. YES NO

51. Does the school use the bathroom as a work area or does the school use the bathroom for the open storage of chemicals?

i. YES NO

- For facilities newly occupied after January 1, 2017, does the school maintain the bathroom exclusively for client use?

i. YES NO

52. If the school has general areas for client use, then does the school keep the general area neat and clean with a waste receptacle for common trash?

- YES NO

53. Are all electrical cords placed to prevent entanglement by the client or licensee?

- YES NO

54. Does the school keep all sharp tools, implements, and heat-producing appliances in safe working order at all times, safely stored, and placed so as to prevent any accidental injury to the student, client or licensee?

- YES NO

55. Is the salon area of the school sufficiently ventilated to exhaust hazardous or objectionable airborne chemicals, and to allow the free flow of air?

- YES NO

56. Does the school provide adequate lighting?

- YES NO

Articles, tools, and products.

57. Does the school provide clean towels, robes, or other linens to be used by each patron?

- YES NO

58. Does the school store the clean towels, robes, or other linens in a clean, pre-disinfected, and dry cabinet, drawer, or non-airtight covered container?

- YES NO NA

59. Does the school store all soiled towels, robes, or other linens in a container enclosed on all sides including the top?

- YES NO NA

60. Does the school store all soiled towels, robes, or other linens in a separate laundry room?

- YES NO NA

61. Whenever a haircloth is used, does the school use a clean towel or neck strip placed around the neck of the patron to prevent the haircloth from touching the skin?

- YES NO NA

62. Does the school require soiled implements to be removed from the tops of work stations immediately after use?

- YES NO NA

63. Does the school require all lotions, ointments, creams, and powders to be labeled and kept in closed containers?

- YES NO

64. Does the school require a clean spatula, other clean tools, or clean disposable gloves to be used to remove bulk substances such as creams or ointments from jars?

- i. YES NO

65. Does the school require sterile cotton or sponges to be used to apply creams, lotions, and powders?

- i. YES NO

66. After each use, does the school require cosmetic containers to be covered?

- i. YES NO

Chemical storage and emergency information.

67. Does the school have in the immediate working area a binder with all Safety Data Sheets (SDS) provided by manufacturers for any chemical products used?

- YES NO

68. Does the school have a blood spill clean-up kit in the work area that contains at minimum latex gloves, two 12-inch by 12-inch towels, one disposable trash bag, bleach, one empty spray bottle, and one mask with face shield or any Occupational Safety and Health Administration (OSHA) approved blood spill clean-up kit?

- YES NO

69. Does the school label and store in a nonflammable storage cabinet or a properly ventilated room all flammable chemicals?

- YES NO

70. Does the school label and keep in separated storage all chemicals that could interact in a hazardous manner (e.g., oxidizers, catalysts, and solvents)?

- YES NO

Client health guidelines

71. Does the school require all employees and students who are providing client services to cleanse their hands with an antibacterial product prior to providing services to each client?

- YES NO NA

72. Does the school allow students to use products in a manner that is disapproved by the FDA?

- YES NO

73. When was the last time this school was inspected by the Virginia Department of Health as required by § 54.1-705 of the Code of Virginia?

- Date_____



TO: VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: FINANCIAL STATEMENTS
DATE: SEPTEMBER 3, 2021

Attached you will find the most recent Statement of Financial Activity and the Supporting Statement of Year-to-Date Activity for the Board. Additionally, you will find the Agency Statement of Financial Activity.

**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Board for Barbers and Cosmetology
954230**

2020-2022 Biennium

July 2021

	July 2021 Activity	Biennium-to-Date Comparison	
		July 2018 - July 2019	July 2020 - July 2021
Cash/Revenue Balance Brought Forward			103,570
Revenues	308,740	3,727,500	4,362,087
Cumulative Revenues			4,465,657
Cost Categories:			
Board Expenditures	17,192	193,692	239,907
Board Administration	139,347	1,250,135	1,186,544
Administration of Exams	5,925	72,763	64,431
Enforcement	113,005	800,794	958,313
Legal Services	0	20,376	27,240
Information Systems	40,051	966,752	815,641
Facilities and Support Services	35,236	354,562	378,772
Agency Administration	60,229	554,509	540,528
Other / Transfers	0	(57)	0
Total Expenses	410,986	4,213,525	4,211,377
Transfer To/(From) Cash Reserves	(11,159)	0	(166,957)
Ending Cash/Revenue Balance			421,237

Cash Reserve Beginning Balance	5,579,456	0	5,735,254
Change in Cash Reserve	(11,159)	0	(166,957)
Ending Cash Reserve Balance	5,568,297	0	5,568,297

Number of Regulants	
Current Month	75,266
Previous Biennium-to-Date	73,879

Department of Professional and Occupational Regulation
Supporting Statement of Year-to-Date Activity
Board for Barbers and Cosmetology - 954230
Fiscal Year 2022

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal YTD Charges	Planned Annual Charges	Current Balance	Projected Charges at 6/30	Projected Variance Favorable (Unfavorable)	
																	Amount	%
Board Expenditures	17,192	0	0	0	0	0	0	0	0	0	0	0	17,192	206,310	189,117	153,834	52,476	25.4%
Board Administration	139,347	0	0	0	0	0	0	0	0	0	0	0	139,347	1,194,646	1,055,299	955,203	239,443	20.0%
Administration of Exams	5,925	0	0	0	0	0	0	0	0	0	0	0	5,925	54,842	48,917	44,644	10,198	18.6%
Enforcement	113,005	0	0	0	0	0	0	0	0	0	0	0	113,005	1,233,428	1,120,423	792,244	441,185	35.8%
Legal Services	0	0	0	0	0	0	0	0	0	0	0	0	0	35,336	35,336	0	35,336	100.0%
Information Systems	40,051	0	0	0	0	0	0	0	0	0	0	0	40,051	879,341	839,290	310,382	568,960	64.7%
Facilities / Support Svcs	35,236	0	0	0	0	0	0	0	0	0	0	0	35,236	410,726	375,491	362,971	47,755	11.6%
Agency Administration	60,229	0	0	0	0	0	0	0	0	0	0	0	60,229	725,814	665,585	424,585	301,228	41.5%
Other / Transfers	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Charges	410,986	0	0	0	0	0	0	0	0	0	0	0	410,986	4,740,444	4,329,458	3,043,863	1,696,581	35.8%

**Department of Professional and Occupational Regulation
Statement of Financial Activity**

Agency Total

2020-2022 Biennium

July 2021

	July 2021 Activity	Biennium-to-Date Comparison	
		July 2018 - July 2019	July 2020 - July 2021
Cash/Revenue Balance Brought Forward			992,779
Revenues	1,477,224	20,110,011	21,838,299
Cumulative Revenues			22,831,078
Cost Categories:			
Board Expenditures	154,393	1,933,802	1,823,249
Board Administration	568,530	5,122,711	4,817,189
Administration of Exams	37,764	348,777	320,649
Enforcement	877,519	7,460,138	7,342,469
Legal Services	0	207,572	222,102
Information Systems	167,491	4,058,573	3,393,523
Facilities and Support Services	196,758	2,102,826	2,103,492
Agency Administration	251,872	2,327,127	2,249,140
Other / Transfers	0	(1,531)	4,890
Total Expenses	2,254,327	23,559,995	22,276,703
Transfer To/(From) Cash Reserves	(157,599)	0	(2,025,642)
Ending Cash/Revenue Balance			2,580,017

Cash Reserve Beginning Balance	19,399,561	0	21,267,604
Change in Cash Reserve	(157,599)	0	(2,025,642)
Ending Cash Reserve Balance	19,241,962	0	19,241,962

Number of Regulants

Current Month	317,748
Previous Biennium-to-Date	313,182