

TITLE 216 – DEPARTMENT OF HEALTH

CHAPTER 40 – PROFESSIONAL LICENSING AND FACILITY REGULATION

SUBCHAPTER 05 – PROFESSIONAL LICENSING

PART 4 – Barbers, Hairdressers/Cosmeticians, Manicurists, Estheticians, and Instructors

4.1 Authority

These Regulations are promulgated pursuant to the authority conferred by R.I. Gen. Laws § [5-10-2\(a\)\(4\)](#), for the purpose of establishing prevailing standards for the licensing of barbers, hairdressers/cosmeticians, manicurists, estheticians, and instructors for these professions.

4.2 Incorporated Materials

These Regulations hereby adopt and incorporate 29 C.F.R. § 1910.1000 “Air Contaminants” (2018) by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these Regulations.

4.3 Definitions

- A. The following words, when used in these Rules and Regulations, shall be construed as follows:
1. “Act” means R.I. Gen. Laws Chapter 5-10, entitled “Barbers, Hairdressers, Cosmeticians, Manicurists and Estheticians.”
 2. "Apprentice barber" means an employee whose principal occupation is service with a barber who has held a current license as a barber for at least three (3) years with a view to learning the “practice of barbering,” as defined in § 4.3(A)(15) of this Part.
 3. "Barber" means any person who shaves or trims the beard, waves, dresses, singes, shampoos or dyes the hair or applies hair tonics, cosmetic preparations, antiseptics, powders, oil clays, or lotions to scalp, face or neck of any person; or cuts the hair of any person, gives facial and scalp massages or treatments with oils, creams, lotions, or other preparations.
 4. "Board" means the state Board of Barbering and Hairdressing as provided for in the Act.

5. "Department" means the Rhode Island Department of Health.
6. "Esthetician" means a person who engages in the practice of esthetics, and is licensed as an esthetician.
7. "Esthetician shop" means a shop licensed under the Act and this Part to do esthetics on any person.
8. "Esthetics" means the practice of cleaning, stimulating, manipulating and beautifying skin, including but not limited to the treatment of such skin problems as dehydration, temporary capillary dilation, excessive oiliness and clogged pores.
9. "Hair design shop" means a shop licensed under the Act and this Part to do barbering or hairdressing/cosmetic therapy, or both, to any person.
10. "Hairdresser and cosmetician" means any person who arranges, dresses, curls, cuts, waves, singes, bleaches or colors the hair or treats the scalp, or manicures the nails of any person either with or without compensation or who, by the use of the hands or appliances, or of cosmetic preparations, antiseptics, tonics, lotions, creams, powders, oils or clays, engages, with or without compensation, in massaging, cleansing, stimulating, manipulating, exercising or beautifying or in doing similar work upon the neck, face or arms or who removes superfluous hair from the body of any person.
11. "Instructor" means any person licensed as an instructor under the provisions of the Act and this Part.
12. "Manager" means a person licensed as a barber, hairdresser/cosmetician, manicurist or esthetician for at least one (1) year who is registered with the Department by the owner of the shop to be responsible for supervising the operation of the shop and its employees as it relates to the Act and this Part.
13. "Manicuring shop" means a shop licensed under the Act and this Part to do manicuring only on the nails of any person.
14. "Manicurist" means any person who engages in manicuring for compensation, and is licensed as a manicurist.
15. "The practice of barbering" means the engaging by any licensed barber in all or any combination of the following practices: shaving or trimming the beard or cutting the hair; giving facial and scalp massages or treatments with oils, creams, lotions, or other preparations either by hand or mechanical appliances; singeing, shampooing, arranging, dressing, curling, waving, chemical waving, hair relaxing, or dyeing the hair or

applying hair tonics; applying cosmetic preparations, antiseptics, powders, oils, clays or lotions to scalp, face or neck.

16. "The practice of hairdressing and cosmetic therapy" means the engaging by any licensed hairdresser/cosmetician in any one (1) or more of the following practices: the application of the hands or of mechanical or electrical apparatus, with or without cosmetic preparations, tonics, lotions, creams, antiseptics, or clays, to massage, cleanse, stimulate, manipulate, exercise, or otherwise to improve or to beautify the scalp, face, neck, shoulders, arms, bust or upper part of the body or the manicuring of the nails and toenails of any person; or the removing of superfluous hair from the body of any person; or the arranging, dressing, curling, waving, weaving, cleansing, cutting, singeing, bleaching, coloring or similarly treating the hair of any person. Provided, however, that the practice of hairdressing and cosmetic therapy shall not include natural hair braiding.
17. "The practice of manicuring" means the cutting, trimming, polishing, tinting, coloring or cleansing the nails of any person.
18. "School" means a school approved under R.I. Gen. Laws Chapter 16-40 devoted to the instruction in and study of the theory and practice of barbering, hairdressing/cosmetic therapy, esthetics and/or manicuring.

4.4 License Requirements

- A. No person shall practice barbering, hairdressing/cosmetic therapy, esthetics, or manicuring in this State, unless the person shall have first obtained a license from the Department or has been registered as an apprentice barber as provided by the Act and this Part.
- B. No person shall engage in barbering instruction, hairdressing/cosmetic therapy instruction, manicuring instruction or esthetics instruction in any school as defined in § 4.3(A)(18) of this Part unless the person shall have first obtained an instructor license as provided by the Act and this Part.
- C. Students enrolled in programs of hairdressing/cosmetic therapy or barbering may enter into a work-study arrangement after they have completed at least one thousand (1,000) hours of classroom instruction.
 1. Students participating in a work study arrangement shall be under the direct supervision of a licensed hairdresser/cosmetician, or barber.
 2. The level of hairdressing/cosmetic therapy or barbering procedures performed by the student shall be as determined by the registered manager or owner/manager, of the hair design shop, who shall be responsible for all procedures performed by the student.

3. Students shall wear a name tag that clearly identifies the person as a student.
4. No classroom hours of instruction credit shall be granted for a student's participation in a work-study arrangement.
5. No student shall work at any time while the school he/she is enrolled in is in session.
6. The work study arrangement shall not continue beyond the student's graduation from school or completion of course work.

4.4.1 Exemptions

Exemption from this Part is pursuant to R.I. Gen. Laws § [5-10-29](#).

4.4.2 General Qualifications for All Applicants

- A. In addition to the qualifications for licensure specified by R.I. Gen. Laws § 5-10-8, all applicants for licensure under this Part must meet the following requirements:
 1. Have satisfactorily completed a course of instruction in an approved school of barbering, hairdressing/cosmetic therapy, manicuring, or esthetics as outlined in § 4.4.3 of this Part; and
 2. Have satisfactorily passed a written and practical examination as outlined in § 4.5.2 of this Part to determine the fitness of the applicant to receive a license; and
 3. Have complied with § 4.4.3 of this Part and other requirements stated in this Part.

4.4.3 Classes of Licenses

A. Hairdresser/Cosmetician

1. The Department shall issue a hairdresser/cosmetician license to an individual who meets the requirements of § 4.4.2 of this Part and who meets the following requirements:
 - a. Has completed a course of instruction in hairdressing/cosmetic therapy consisting of not less than one thousand ~~two hundred~~ (1,0200) hours of continuous study and practice in an approved school.
 - (1) Students participating in a hairdressing/cosmetic therapy course of instruction in an approved school prior to June 22,

2017 must complete one thousand five hundred (1,500) hours of continuous study and practice.

B. Manicurist. The license requirements for manicurists are pursuant to R.I. Gen. Laws § [5-10-9\(3\)](#).

C. Esthetician

1. The Department shall issue an esthetician license to an individual who meets the requirements of § 4.4.2 of this Part and meets the following requirements:
 - a. Has completed a course of instruction in esthetics consisting of not less than six hundred hours (600) of continuous study and practice over a period of not less than four (4) months in an approved school of hairdressing/cosmetic therapy; or
 - b. Holds a diploma or certificate from a skin care school that is recognized as a skin care school by the State or nation in which it is located, provided that the skin care school required at least six hundred (600) hours of continuous study and practice in order to graduate.

D. Barber

1. The Department shall issue a barber license to an individual who meets the requirements of R.I. Gen. Laws §§ [5-10-9\(5\)\(i\) through \(ii\)](#) and § 4.4.2 of this Part. Alternatively, the Department shall issue a barber license to an individual who meets the following requirement:
 - a. Has successfully completed one thousand (1,000) hours of barber instruction in an approved school and has completed a minimum of eight hundred and forty (840) hours of barber on-the-job training, as a registered barber apprentice, obtained within a minimum of six (6) months as a registered apprentice.

E. Apprentice Barber

1. The Department shall issue an apprentice barber registration to an individual who meets the following requirements:
 - a. Submits acceptable evidence that any training the apprentice receives shall be conducted by and under the direct supervision of a licensed barber in a licensed hair design shop.
 - b. Apprentice barbers shall be under the direct supervision of a licensed barber who must be on the premises with the apprentice barber.

- c. The number of apprentice barbers which a licensed barber may supervise in a licensed hair design shop serving the general public shall be no more than one (1) apprentice barber to one (1) licensed barber.
- d. The number of inmates, registered as apprentice barbers, which a licensed barber may supervise in a licensed hair design shop serving the inmate population of the Department of Correction's inmate facilities or a detention center shall be no more than fifty (50).

F. Hairdresser/Cosmetician, Barber, Manicurist, or Esthetician Instructor

- 1. The Department shall issue a hairdresser/cosmetician, barber, manicurist or esthetician instructor license to an individual who meets the requirements of § 4.4.2 of this Part, and who meets the following requirements:
 - a. Has held a licensed hairdresser's/cosmetician's license, a barber's license, a manicurist's license or an esthetician's license, issued under the laws of this State, or another State, for at least three (3) years preceding the date of application for an instructor's license; and
 - b. Has satisfactorily completed three hundred (300) hours of instruction in hairdressing/cosmetic therapy, barber, manicurist, or esthetician teacher training approved by the Department.
 - c. Passed an examination approved by the Department.

4.5 Application for License and Fees

4.5.1 Application

- A. Application for licensure shall be completed and submitted on forms provided by the Department. The application shall be accompanied by the following documents and fee:
 - 1. U.S. born applicants: a certified copy of birth certificate
 - 2. Foreign born applicants: proof of lawful entry into the country
 - 3. Professional education transcripts: Supporting certified transcript of educational credentials as required in § 4.4.2 of this Part, signed by an official, verifying the dates of attendance and completion of the appropriate program. Such documentation must be sent directly from the school to the Department and must consist of original statements and/or

photocopies bearing the signature of the school official and the imprint of the school seal.

4. High school graduation: Verification of high school graduation or equivalent may be an original signed statement from an official of the high school or equivalent program or a notarized photocopy of the original document, or, in lieu of high school graduation or the equivalent; verification of twenty-five (25) or more years of prior experience in the practice for which the license is sought.
5. Applicants who obtained their high school education in a foreign country must have their high school credentials evaluated by a recognized educational documentation evaluation center for equivalency.
6. Fees: The license fee as set forth in the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part [10-05-2](#) of this Title).

4.5.2 Licensing by Examination

- A. Applicants shall be required to satisfactorily pass an examination(s) for the specific class of license the applicant is seeking (barber, hairdresser/cosmetician, manicurist, esthetician or hairdressing/cosmetician, manicurist, esthetician instructor), as determined by the Department to test the qualifications of the applicant to practice in a specific classification(s) in accordance with the statutory and regulatory requirements of this Part.
- B. For written examination(s), the Department may utilize a nationally recognized examination, such as the National Interstate Council (NIC) of State Boards of Hairdressing Examination or such other examination from a recognized examination service or agency as may be determined by the Department.
 1. The minimal passing score of the written examination(s) approved by the Department for hairdresser/cosmetician, manicurist, esthetician, barbers, and instructors shall be seventy percent (70%).
- C. Practical examinations shall be given in a manner prescribed by the Department and the minimal passing score shall be seventy percent (70%).
- D. Re-Examination

In case of failure of any applicant to satisfactorily pass an examination, the applicant shall be entitled to re-examination upon payment of the required re-exam fee to the examination service or agency that administers the nationally recognized examination for the Department.

4.5.3 Requirements for Applicants Licensed in Another State

- A. Any person licensed to practice barbering, hairdressing/cosmetic therapy, manicuring or esthetics in another State where the requirements are the equivalent of those of this State, the applicant shall be entitled to a license for barbering, hairdresser/cosmetician, manicurist or esthetician, upon the acceptance of his or her credentials by the Department including but not limited to:
1. Verification of licensure in good standing from each State in which the applicant holds or has held a license as a barber, hairdresser/cosmetic therapist, manicurist or esthetician.
 2. The applicant must have satisfactorily passed a written and practical examination acceptable to the Department of the theory and practice of barbering, hairdressing/cosmetic therapy, manicuring or esthetics, depending on the licensure classification which the applicant is seeking.
 3. If the requirements of another State are not equivalent to the requirements of this State, the Department may grant the following:
 - a. Barber/hairdresser/cosmetician applicant one hundred (100) hours of instructional credit for each three (3) month period that said applicant was licensed and actively practicing, up to a limit of five hundred (500) hours.
 - b. Esthetician applicant forty (40) hours of instructional credit for each three (3) month period that said applicant was licensed and actively practicing, up to a limit of two hundred (200) hours.
 - c. Manicurist applicant twenty (20) hours of instructional credit for each three (3) month period that said applicant was licensed and actively practicing, up to a limit of one hundred (100) hours.
- B. Persons who have been duly licensed by examination under the laws of other States of the United States or Territories, and the District of Columbia shall not be prevented from practicing the profession for which they have been trained in either barbering, hairdressing/cosmetic therapy, manicuring or esthetics in this State for a period of three (3) months, provided:
1. The applicant files an application and obtains a license from the Department within three (3) months from the start of their employment.
 2. The privilege to work for three (3) months as provided for in § 4.5.3(B) of this Part shall not be extended or renewed beyond the three (3) months from the date of issuance of the temporary permit.

4.5.4 Requirements for Applicants from Another Country

- A. Any person licensed to practice barbering, hairdressing/cosmetic therapy, manicuring or esthetics in another country where the educational requirements are essentially equivalent of those of this State may be entitled to apply to sit for the licensing examination for barbering, hairdresser/cosmetician, manicurist or esthetician, upon the acceptance of his or her credentials by the Department.
 - 1. If the education and training requirements of another country are not equivalent to the requirements of this State, the Department may grant the applicant up to one thousand (1,000) hours of instructional credit for a combination of foreign training and experience for a minimum of two and one half (2 ½) years (thirty (30) months) of actively practicing their profession in a foreign country.
- B. The applicant must satisfactorily meet all of the requirements of § 4.4.2 of this Part.
- C. The applicant shall not be prevented from practicing the profession for which they have been trained either in barbering, hairdressing/cosmetic therapy and/or manicuring or esthetics in this State for a period of three (3) months, provided:
 - 1. The applicant files an application and obtains a license from the Department within three (3) months from the start of their employment.
 - 2. The privilege to work for three (3) months as provided for in § 4.5.4(C) of this Part shall not be extended or renewed beyond the three (3) months from the date of issuance of the temporary permit.

4.6 Issuance and Renewal of License and Fee

- A. The Department shall issue to applicants who have satisfactorily met the licensure requirements of this Part, a license to practice barbering, hairdressing/cosmetic therapy, or manicuring, or esthetics or to be an instructor in this State. The license unless sooner suspended or revoked, shall expire on the thirtieth (30th) day of September of every other year following the date of issuance of original license, which will be determined on an odd-even year basis.
- B. Every licensed person who wishes to renew his or her license shall file a renewal application with the Department together with the renewal fee as set forth in the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part [10-05-2](#) of this Title) submitted to the Department on or before the thirtieth (30th) day of September in each renewal year.
- C. Upon receipt of such renewal application and fee, the Department shall grant a renewal license effective October 1st and expiring two (2) years later on September 30th.
- D. Any person who has failed to renew his or her license on or before the thirtieth (30th) day of September following the date of issuance may be renewed by the

Department upon payment of the current renewal fee plus an additional fee as set forth in the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part [10-05-2](#) of this Title).

- E. Each licensee shall have his or her license on their person while performing the duties for which they are licensed and shall be readily available upon the request of an agent of the Department.

4.6.1 Demonstrator's Permit

- A. Any person recognized by the Department as an authority or expert in the theory or practice of barbering, hairdressing/cosmetic therapy, manicuring or esthetics and is the holder of a current esthetician's, manicurist's, or a barber's, hairdresser's/cosmetician's license in this State, another State or the District of Columbia may be issued a demonstrator's permit by the Department for not more than six (6) days duration for educational and instructive demonstration.
 - 1. For the purposes of this Part, an authority or expert in the theory or practice of barbering, hairdressing/cosmetic therapy, manicuring or esthetics shall be any person sponsored by a recognized manufacturer or distributor of hair and/or skin products, or sponsored by a State hairdressing or barber association.
- B. Furthermore, a demonstrator shall be a person qualified to demonstrate in the area of specialty(ies) such as barbering, hairdressing/cosmetic therapy, manicuring or esthetics, to licensed hairdressers/cosmeticians, manicurists, or estheticians, and/or to students in approved schools which shall exclude public participation.
- C. A demonstrator's permit shall not be used in the sense of a license to practice barbering, manicuring, esthetics or hairdressing/cosmetic therapy.
- D. Applicants seeking a demonstrator's permit must apply to the Department, complete forms provided by the Department and return said forms to the Department accompanied by the fee as set forth in the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part [10-05-2](#) of this Title).

4.7 Licensure Requirements for Shops

4.7.1 General Requirements

- A. No shop, place of business or establishment shall be opened or conducted within the State by any person, association, co-partnership, corporation, or otherwise for the practice of barbering, manicuring and/or hairdressing/cosmetic therapy or esthetics without being licensed in accordance with the statutory and regulatory provisions of this Part.

- B. No license shall be granted to any shop, place of business or establishment for the practice of barbering, hairdressing/cosmetic therapy, manicuring or esthetics unless the designated supervising manager in the practice of barbering, hairdressing/cosmetic therapy, manicuring or esthetics thereof is duly licensed and shall have been licensed in the appropriate class of license as set forth in § 4.4.3 of this Part for a period of at least one (1) year immediately prior to the filing of the application for the licensure of the shop.
- C. Persons working in a shop who are independent contractors, not considered to be employees of the shop owner for tax purposes, are considered to be an independent business requiring a separate hair design shop license.
- D. Latex
 - 1. Any shop, place of business or establishment licensed for the practice of barbering or hairdressing/cosmetic therapy that utilizes latex gloves shall do so in accordance with the provisions of the rules and regulations pertaining to the Use of Latex Gloves by Health Care Workers, in Licensed Health Care Facilities, and by Other Persons, Firms, or Corporations Licensed or Registered by the Department (Part [20-15-3](#) of this Title).

4.7.2 Exemptions

Exemptions to the practice of barbering, hairdressing, cosmetic therapy, manicuring and esthetics in a fixed place of business is in accordance with the provisions set forth in R.I. Gen. Laws § [5-10-23](#).

4.7.3 Application for License and Fee

- A. Application for a license to conduct, maintain or operate a shop for the practice of barbering, hairdressing/cosmetic therapy, or manicuring, or esthetics shall be made on forms provided by the Department and shall contain such information as the Department requires, and in accordance with the provisions of this Part.
- B. Forms shall be completed and submitted to the Department with the following documentation:
 - 1. Evidence of compliance with the local zoning laws, in which the shop, place of business or establishment is located;
 - 2. Application for registration of the supervising manager; and
 - 3. License fee as set forth in the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part [10-05-2](#) of this Title).

4.7.4 Issuance and Renewal of License and Fee

- A. The Department may issue a license or renewal thereof for a period of no more than one (1) year, if the applicant meets the requirements of this Part. The license, unless sooner suspended or revoked, shall expire on the first (1st) day of July following the date of issuance and may be renewed from year to year subject to inspection and approval by the Department.
- B. For each license renewal thereof, the licensure renewal fee as set forth in the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part [10-05-2](#) of this Title) must accompany the application renewal form provided by the Department.
- C. A license shall be issued to a specific licensee for a specific address and shall not be transferable to a new address. The license shall be issued only for the premises and the individual owner, operator or lessee or to the corporate entity responsible for the operation.
- D. A license issued under this Part shall be the property of the State and loaned to such licensee and it shall be kept posted in a conspicuous place on the licensed premises.

4.7.5 Organization and Management (Manager)

- A. Each shop, establishment or business engaged in barbering, hairdressing/cosmetic therapy, manicuring or esthetics shall have an individual to serve as manager, who could be the owner, provided the individual meets the qualifications of § 4.7.1(B) of this Part. Said manager shall furthermore be required to be available at all times during the hours of the shop's operation.
- B. In addition, the manager of each shop shall be registered with the Department. Written documentation of name, address and qualifications of the manager must be submitted by the owner to the Department.
- C. No manager shall manage more than one (1) shop at any given time.
- D. The owner of a licensed shop and the manager shall notify the Department in writing within ten (10) days from the date of termination of employment of the manager of any licensed shop, establishment, or place of business. The license of said shop shall expire forty-five (45) days from the date the Department was notified by the owner, if no manager meeting the qualifications of § 4.7.5(A) of this Part is registered with the Department.

4.7.6 Environmental Maintenance and Sanitation

- A. Each shop, establishment or place of business shall be maintained to provide a safe, sanitary, clean and comfortable environment. All furnishings shall be kept in good repair. The premises shall be kept free of hazards at all times.
- B. The following sanitary practices shall be exercised at all times:

1. Hand washing between patrons with soap and warm water;
2. A clean towel shall be used for each patron;
3. All linens and towels shall be deposited in a closed receptacle after use;
4. Used linens and towels shall be laundered either by commercial laundering or by a noncommercial laundering process which includes immersion in water at a temperature of at least one hundred forty degrees Fahrenheit (140° F) for not less than fifteen (15) minutes during the washing or rinsing treatment;
5. Whenever a haircloth, protective drape or cape is used on a patron, a clean towel or other clean protection shall be placed around the patron's neck in such a manner as to prevent the patron's skin from contacting the haircloth, protective drape or cape;
6. The headrest of chairs shall be covered with a clean towel or paper sheet for each patron.
7. All combs, brushes, non-electrical instruments with a sharp point or edge (scissors, tweezers, cuticle nippers, manicure/pedicure scissors etc.) and other such articles, after use on a patron, must be:
 - a. Thoroughly cleaned with a detergent and hot water and then rinsed;
 - b. Treated with an effective disinfectant registered by the Environmental Protection Agency (EPA) with demonstrated bactericidal, fungicidal and virucidal activity and used according to manufacturer's instructions.
 - c. Stored until their next use in a manner that will prevent recontamination.
8. All electrical instruments (clippers, vibrators, etc.), after use on a patron, must be:
 - a. Thoroughly cleaned to remove foreign matter;
 - b. Treated with an effective disinfectant registered by the Environmental Protection Agency (EPA) with demonstrated bactericidal, fungicidal and virucidal activity and used according to manufacturer's instructions.
 - c. Stored until their next use in a manner that will prevent recontamination.

9. When household bleach is used for disinfecting environmental surfaces it shall be used in a 1:10 dilution (or one quarter (1/4) cup bleach to two and one half (2 ½) cups of tap water).
10. The use of a lancet or any other type of device to break the skin is prohibited.
11. The use of a straight edge multi-use razor is prohibited. Only single use (disposal) razors are acceptable and shall be properly discarded after each use.
12. The use of a razor blade callus shaver is prohibited.
13. The reuse of any depilatories and any paraffin wax which has been adhered to any part of a client's body is prohibited.
14. No persons shall bring any animal, fowl, reptile, etc., into or permit any animal, fowl, reptile, etc., to be brought into, or permit any animal, fowl, reptile, etc., to remain in a shop. Service animals accompanying sightless or hearing impaired persons are exempted from this section. Aquariums containing fish are allowed.
15. The multi-use of cosmetics is prohibited. This includes the use of:
 - a. Applicators, septic pencils which are not disposable;
 - b. Multi-use of lipsticks, powder puffs and brushes;
 - c. Curlers and such supplies in which hair strands cannot be easily removed or cleaned or sanitized; and
 - d. Any other equipment and supplies that the Department may determine inappropriate because of sanitary and safety reasons.
16. When only a portion of a cream, liquid, powder or other cosmetic preparation is to be removed from the container, it shall be removed in such a way as not to contaminate the remaining portion.
17. The possession and/or use of any cosmetic nail preparation containing methyl methacrylate (MMA) shall be prohibited.

4.7.7 Structural, Air and Environmental Requirements, Equipment and Supplies

- A. A shop, place of business or establishment licensed to practice hairdressing/cosmetic therapy, manicuring or esthetics must meet the following structural requirements:
 1. The Fire Safety requirements of the State Fire Code;

2. The State Building Code Commission requirements;
 3. The local zoning laws; and
 4. Federal Occupational Safety and Health Administration (OSHA) standards for air contaminants as published in the Federal Register 29 C.F.R. § 1910.1000 "Air Contaminants," incorporated by reference at § 4.2 of this Part.
- B. Furthermore, the following provisions must be maintained:
1. Every salon must have an adequate supply of potable hot and cold water;
 2. The floors must have washable floor coverings;
 3. Storage space must be provided to keep clean supplies and linens separate from soiled linens and supplies; and
 4. Each shop shall provide, on the premises or in the same building, adequate (in compliance with the State Plumbing Code) toilet and lavatory facilities. Toilet facilities and hand washing sinks shall be kept clean and sanitary without offensive odors and in working condition at all times. Each hand washing sink shall have a soap dispenser and disposable towels or an air dryer for hands.
- C. An adequate amount of appropriate equipment, instruments and supplies in accordance with the type of services provided, shall be maintained on the premises. In addition:
1. Covered receptacles must be provided for debris;
 2. Containers and/or cabinets for clean supplies and soiled towels and/or articles;
 3. Clean and soiled supplies must be kept separately (e.g., towels, combs, brushes)
 4. All mechanical and electrical equipment shall be maintained in a safe and operating condition.

4.8 Inspection, Advertising and Permanent Makeup

4.8.1 Inspections

The provisions for inspection are in accordance with the R.I. Gen. Laws § [5-10-25](#).

4.8.2 Advertising

No person or establishment licensed under the statutory and regulatory provisions of this Part shall advertise by written or spoken words of a character tending to deceive or mislead the public.

4.8.3 Permanent Makeup

The implanting of pigment into the skin or "permanent makeup" is prohibited by any person licensed under the Act and this Part unless such person is also licensed as a physician under the provisions of R.I. Gen Laws Chapter 5-37, or a tattoo artist in accordance with Tattoo Artists and Tattoo Parlors (Subchapter 10 Part [15](#) of this Chapter).

4.8.4 Electrolysis

In accordance with R.I. Gen. Laws § 5-10-20, no license issued under the provisions of the Act and this Part shall be construed to authorize, as a part of the practice of hairdressing/cosmetic therapy, the practice of "electrolysis," which, for the purpose of the Act, is defined as the insertion of an electrically heated instrument at the root of a hair to prevent the growth thereof. Persons practicing electrolysis shall be licensed to do so in accordance with Practice of Electrolysis (Part [29](#) of this Subchapter).

4.9 Revocation or Suspension, Violations, Sanctions, Practices and Procedures

4.9.1 Revocation or Suspension of License, Permit or Certificate

Any license, permit, certificate of approval or registration issued by the Department may be revoked or suspended by the Department for violation of any provisions of the Act and this Part. Furthermore failure to comply with this Part, failure to comply with the prevailing standards of practice, or such other cause as the Department deems sufficient, may be cause for the license, permit or certification of approval or registration to be denied, suspended or revoked, provided however that no license, permit, certificate of approval or registration shall be suspended or revoked without the holder having been given ten (10) days notice in writing specifying the complaint made and the charges preferred against the accused and a reasonable opportunity given the accused to present evidence and testimony and to be represented by counsel at a hearing or hearings, to be held by the Department upon the complaint and charges preferred against the accused.

4.9.2 Rules Governing Practices and Procedures

All hearings and reviews required under the provisions of the Act shall be held in accordance with requirements of Practices and Procedures before the Department of Health (Part [10-05-4](#) of this Title) and Access to Public Records (Part [10-05-1](#) of this Title).