TDLR

- TDLR Rules and Regulations Power Point
- TDLR Laws and Rules Book
1. What does “Board” mean?

The Advisory Board on Cosmetology
2. What does “Commission”, and “Department” mean?

• Commission – means the Texas Commission of Licensing & Regulation
• Department – means the Texas Department of Licensing & Regulation.
3. What is meant by “Executive Director”

The executive director of the department.
4. What does “public school” include?

A public high school, a public junior college or any other nonprofit tax exempt institution that conducts a cosmetology program.
5. List the primary services “cosmetology” includes.

- Treating a person’s hair by providing any method of treatment as a primary service, including arranging, beautifying, bleaching, cleansing, coloring, cutting, dressing, dyeing, processing, shampooing, shaping, singeing, straightening, styling, tinting or waving;
- Bobbing, clipping, cutting or trimming
- Weaving or braiding
- Servicing a person’s wig or artificial hairpiece.
- Treating a person’s mustache or beard by arranging, beautifying coloring, processing, styling or trimming
• Cleansing, stimulating or massaging a person’s scalp, face, neck or arms;
• Beautifying a person’s face, neck or arms using a cosmetic preparation, antiseptic, tonic, lotion, powder, oil, clay, cream or appliance;
• Administering facial treatments
• Removing superfluous hair from a person’s body using depilatories or mechanical tweezers’;
• Treating a person’s nails by cutting, trimming, polishing, tinting, coloring, cleansing or manicuring or attaching false nails or massaging, cleansing, treating or beautifying a person’s hands or feet
6. What is a “fashion photography studio”?

A permanent establishment that charges a fee exclusively for a photographic sitting.
7. How many people are on the advisory board for cosmetology?

Consists of five members appointed by the presiding officer of the commission.
8. What are the board duties?

Advises the commission and the department on:

– Education and curricula for applicants
  – The content of examinations
  – Proposed rules and standards on technical issues related to cosmetology
  – And other issues affecting cosmetology.
9. What must a person have in order to perform the practice of cosmetology?

A license / certificate or permit
11. Where may a person licensed by the department practice cosmetology?

Only at a facility operated by a person holding a beauty shop license, private beauty culture school license or other license issued by the department.
12. What does one need in order to be eligible for an operator license?

• Be at least 17 years of age
• Obtained a high school diploma or equivalent.
• Have completed 1500 hours of instruction in a beauty school or 1000 hours & 500 related high school courses prescribed by the commission in a vocational cosmetology program in a public school.
13. What does one need in order to be eligible for an instructors license?

- Be at least 18 years of age
- Completed the 12th grade or its equivalent
- Hold an operator license
- Completed a course consisting of 750 hours of instruction in cosmetology courses or
- Two years of verifiable experience as a licensed operator and 250 hours of instruction in cosmetology in a commission approved training program.
14. How many hours of instruction must you obtain for a manicurist license?

600 hours
15. How many hours of instruction must you obtain for a facialist license?

750 hours
16. In what areas can you get a specialty certificate?

- Weaving or braiding
- Shampooing/conditioning
- Wig/artificial hair
- Manicuring
- Facialist
17. An applicant for a license is entitled to the license if the applicant has done what 4 things?

- Meets the applicable eligibility requirements
- Passes the applicable examination
- Pays the required fee
- Had not committed an act that constitutes a ground for denial of the license
18. Why and when does a person obtain a student permit?

• The department shall require a student enrolled in a school of cosmetology in this state to hold a permit stating the student’s name and name of school.

• The department shall issue a student permit to an applicant who submits an application to the department and pays a $25 fee.
19. Explain how a shampoo apprentice permit works?

• Must be at least 16 years of age
• Expires 1 year from the day of issuance
• Does not have to have any hours of instruction of cosmetology
• Must be paid at least minimum wage by employer.
20. If a person has a shampoo permit, what is the least amount of money he/she can receive?

Must be paid at least minimum wage by employer.
21. Can a student obtain hours while working as a shampoo assistant?  

No
22. An applicant for a beauty shop license must pay what kind of fee?

**Inspection Fee**
23. An applicant is entitled to a beauty shop license if..... (what 3 things)?

- The application complies with commission rules
- The applicant pays the required license fee &
- The applicant has not committed an act that constitutes a ground for denial of a license.
24. An applicant is entitled to a booth rental license if...(what 3 things)?

• Pays the application fee
• Complies with commission rules &
• Has not committed an act that constitutes a ground for denial of a license or certificate.
25. How often do you have to renew your operators license?

Every 2 years
26. How long does a temporary license last? Can it be renewed?

60 Days

It Cannot Be Renewed
27. Why would someone want to have their license on an inactive status?

They do not want to work in a salon at the moment & they do not have to do continuing education.
28. Does a person have to pay to have an inactive status?

YES
29. Do you ever have to renew an inactive status?

Yes, Every 2 Years
30. How do you change inactive status to active status?

• Applying to the department for reinstatement of the certificate or license on the form prescribed by the department

• Submitting written documentation that the person has completed continuing education

• Paying the required certificate or license fee
31. Participation in continuing education is mandatory for whom?

Mandatory for all license renewals
32. Where do you keep your license if you are employed?

In the person’s place of business or employment
33. When can a beauty shop, beauty school and specialty shop operate on the same premises?

The facilities are separated by walls of permanent construction without an opening between the facilities.
34. When can a barber and a cosmetologist work in the same facility?

The facility has a dual license
35. When can a person have an infectious or contagious disease and be denied employment?

If the person KNOWS they are suffering from an infectious or contagious disease for which the person is not entitled to protection under the Americans with Disabilities Act of 1990.
36. Who is responsible for an autoclave, ultraviolet, dry heat or other commission approved sterilizer?

The owner or manager of a beauty shop, specialty shop or school.
37. An autoclave, ultraviolet, dry heat or other commission approved sterilizer must be registered and listed with whom?

Federal Food and Drug Administration
38. How many instructors must you have for 25 students?

ONE
39. How many instructors must you have for 26 students?

TWO
40. A student cannot earn more than how many hours in a week?

48 HOURS
41. Can students transfer hours from one school to another?

YES, as long as it is in TEXAS
42. What happens if a student does not pay their tuition?

The student transcript cannot be certified to the school to which the student seeks a transfer.
43. When can a school receive compensation for a students work?

Completed 10 percent of the required number of hours
Applicants must pass the written examination before being eligible to take the practical examination.
When appearing for an examination, the examinee shall bring the instruments necessary to give a practical demonstration of cosmetology services or a practical demonstration of the services distinctive to his or her specialty.
All department examinations consist of a written & practical part.

A passing grade of 70 on each part is needed to satisfy the examination requirement.
To be admitted to an examination, the examinee must present a current, valid government issued photo identification, which includes the applicant’s full name and date of birth.
Examinees are required to wear a smock/lab coat with sleeves & closed toe shoes for the practical examination.
• Models used in an examination are required to be at least 16 years of age.
• The department may require parental approval for models under 18 years of age.
• To be eligible for a beauty salon, specialty salon or booth rental license, an applicant must obtain the current law and rules book.

• For a booth rental license, you must hold an active department issued cosmetology license.
A licensee may not receive continuing education hours for attending the same course more than once.
To be granted a license through reciprocity or endorsement from another state of the United States, one must provide documentation that licensure in another state was obtained by standards substantially equivalent to those of TEXAS.
A person who cannot provide documentation of standards equivalent to those in Texas must pass the applicable written and practical examination for the license.
• Cosmetology establishments shall be inspected periodically, according to a risk-based schedule or as a result of a complaint.
• These inspections will be performed to determine compliance with the requirements of TDLR relating to public safety, licensing and sanitation.
• Inspections shall be performed during the normal operating hours of the cosmetology establishments.
• Inspections will be conducted without advanced notice.
Any new or relocated cosmetology establishment must be inspected and approved by the department before it may operate.
• Each beauty salon or specialty salon shall be inspected at least once every two years.

• Upon completion of the inspection, the owner shall be advised in writing of the results.
Risk-based inspections are those required in addition to periodic inspections required for cosmetology establishments determined by the department to be a greater risk to public health or safety.
Licensee who leases space as an independent contractor on the premises of a cosmetology establishment to engage in any practice of cosmetology authorized under the Act must obtain a booth rental permit.
• A current photograph of the licensee approximately 1 ½ inches by 1 ½ inches shall be attached to the front of the license, certificate or permit.

• Licensees shall notify the department in writing of any name change within 30 days of the change.
Chemical Bleach Solutions

• A chemical used to destroy bacteria & to disinfect implements & non-porous surfaces
• Solutions should be mixed fresh at least once per day.
Chlorine bleach solutions fall into 3 categories based on concentration & exposure time.

- **Low level disinfection**: Add 2 teaspoons household bleach to one gallon water, soak 10 minutes minimum.
- **High level disinfection**: Add 1/3 cup household bleach to one gallon water, soak 20 minutes minimum.
- **Blood & body fluid cleanup & disinfection**: Add 1 ¾ cups household bleach to one gallon water, also referred to as a 10% bleach solution.
Clean or Cleansing

- Washing with liquid soap and water, detergent antiseptics or other adequate methods to remove all visible debris or residue
- Cleansing is not disinfection.
Disinfect or Disinfection

- The use of chemicals to destroy pathogens on implements & other hard, non-porous surfaces to render an item safe for handling, use and disposal.
Disinfectant in this chapter, one of the following department approved chemicals

- EPA registered bactericidal, fungicidal and virucidal disinfectant used in accordance with the manufacturer’s instructions.
- A chlorine bleach solution used in accordance with this chapter or
- An Isopropyl alcohol used at a concentration of at least 70% and ethyl alcohol used at a concentration of at least 90% low level disinfectant.
EPA-registered bactericidal, fungicidal and virucidal disinfectant

• When used according to manufacturer’s instructions, a chemical that is a low level disinfectant used to destroy bacteria and to disinfect implements and non-porous surfaces.
Multi-use-items

• Items constructed of hard materials with smooth surfaces such as metal, glass or plastic typically for use on more than one client.
• The term includes but is not limited to such items as clippers, scissors, combs, nippers, and some nail files.
Single-use- items

• Porous items made or constructed of cloth, wood or other absorbent materials having rough surfaces usually intended for single use including but not limited to such items as tissues, orangewood sticks, cotton balls, some buffer blocks and gauze.
Sterilize or Sterilization

• To make free from live bacteria or other microorganism by use of an autoclave, dry heat or ultraviolet light.
Health & Safety Standards
EPA registered bactericidal, fungicidal and virucidal disinfectants shall be used as follows

- Implements and surfaces shall first be thoroughly cleaned of all visible debris prior to disinfection.
- EPA disinfectants become inactivated and ineffective when visible contaminated with debris, hair, dirt and particulates.
• Some disinfectants may be sprayed on the instruments, tools or equipment to be disinfected.

• Disinfectants in which implements are to be immersed shall be prepared fresh daily or more often if solution becomes diluted or soiled.

• In all cases the disinfectant shall be used in accordance with the manufacturers’ recommendation or other guidance in this rule.

• These chemicals are harsh & may affect the long term use of scissors and other sharp objects.
Chlorine bleach solutions shall be used as follows:

- At the appropriate concentration is an effective disinfectant for all purposes in a salon.
- Mixed daily
- Kept in a closed covered container and not exposed to sunlight.
- May affect the long term use of scissors and other sharp objects.
Chlorine bleach solutions shall be used as follows: cont

- Might react with vapors from other chemicals. Do not place or store near other chemicals used in salons or near flame.
- Used or soiled chlorine bleach solution shall be properly disposed of each day.
Isopropyl or Ethyl Alcohols

- Low level disinfectants
- Should not be used to clean and disinfect blood or body fluid
- Kept in a covered container. Deteriorates in some plastics, metals and rubber items.
- May be sprayed onto porous or absorbent surfaces after cleaning, with contact time on the surface of the item for at least one minute, provided the porous items have not contacted broken or unhealthy skin or nails.
Health & Safety Standards – General Requirements
A license may not perform services on a client if the licensee has reason to believe the client has a contagious condition such as head lice, nits, ringworm or inflamed, infected, broken skin or an open wound or sore in the area to be serviced.
• Multi-use equipment, implements, tools or materials not addressed in this chapter shall be cleaned and disinfected before use on each client. Except as otherwise provided in this chapter, chairs and dryers do not need to be disinfected prior to use for each client.
• Single-use equipment, implements, tools or porous items not addressed in this rule shall be discarded after use on a single client.
• Electrical equipment that cannot be immersed in liquid shall be wiped clean and disinfected prior to each use on a client.
• All clean and disinfected implements and materials when not in use shall be stored in a clean, dry, debris-free environment including but not limited to drawers, cases, tool belts, rolling trays or hung from hooks. They must be stored separate from soiled implements and materials.

• Ultraviolet electrical sanitizers are permissible for use as a dry storage container.

• Non-cosmetology related supplies must be stored in separate drawers or locations.
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