

# Office of the Revisor of Statutes

## Administrative Rules



**TITLE:** Adopted Permanent Rules Relating to Salon Licensing and Operational Requirements

**AGENCY:** Board of Cosmetologist Examiners

**REVISOR ID:** R-4552

**MINNESOTA RULES:** Chapters 2105 and 2110

The attached rules are approved for  
filing with the Secretary of State

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202517

1.1 **Board of Cosmetologist Examiners**

1.2 **Adopted Permanent Rules Relating to Salon Licensing and Operational Requirements**

1.3 **2105.0010 DEFINITIONS.**

1.4 *[For text of subparts 1 to 6, see Minnesota Rules]*

1.5 Subp. 7. [See repealer.]

1.6 *[For text of subparts 8 to 10, see Minnesota Rules]*

1.7 Subp. 10a. [See repealer.]

1.8 Subp. 10b. [See repealer.]

1.9 Subp. 10c. [See repealer.]

1.10 *[For text of subparts 10d and 10e, see Minnesota Rules]*

1.11 Subp. 11. **Licensed services.** "Licensed services" means those services defined as the  
1.12 practice of cosmetology under Minnesota Statutes, section 155A.23, subdivision 3.

1.13 *[For text of subparts 11a to 12a, see Minnesota Rules]*

1.14 Subp. 13. **Unregulated service.** "Unregulated service" means those services not  
1.15 defined as the practice of cosmetology under Minnesota Statutes, section 155A.23,  
1.16 subdivision 3, and that are exempt from regulation by the board. Unregulated services are  
1.17 ear piercing; body art; body painting; henna tattoos and permanent tattoos; eyebrow  
1.18 embroidery; eyebrow microblading; permanent hair removal; permanent makeup; tanning  
1.19 by UV radiation and spray tanning units; injectables; services for theatrical, television, film,  
1.20 fashion, photography, or media productions or media appearances; mortuary services;  
1.21 massage; body wraps and lymphatic drainage when performed by a massage therapist; the  
1.22 practice of medicine as defined in Minnesota Statutes, section 147.081, subdivision 3; hair  
1.23 braiding; and threading as defined in Minnesota Statutes, section 155A.23, subdivision 13.

1.24 *[For text of subpart 14, see Minnesota Rules]*

2.1 **2105.0105 SCOPE.**

2.2 *[For text of subpart 1, see Minnesota Rules]*

2.3 Subp. 2. **Esthetics.** The practice of esthiology is the cosmetic treatment of the stratum  
2.4 corneum of the epidermal layer of the skin surface. Esthetic practice includes eyelash  
2.5 technology services in subpart 4 and includes items A to F:

2.6 A. cleansing, stimulating, or massaging a person's scalp, face, neck, arms, legs,  
2.7 or trunk with or without the use of any cosmetic preparation, antiseptic, tonic, lotion, or  
2.8 cream;

2.9 *[For text of item B, see Minnesota Rules]*

2.10 C. basic exfoliation as defined in part 2105.0010, manual or machine skin  
2.11 cleansing, and basic extractions;

2.12 *[For text of items D to F, see Minnesota Rules]*

2.13 *[For text of subparts 3 and 4, see Minnesota Rules]*

2.14 Subp. 5. **Advanced practice esthetic services.** The practice of advanced practice  
2.15 (AP) esthetics is the cosmetic treatment of the epidermal layer of the skin. AP esthetics  
2.16 includes esthetic services in subpart 2 and:

2.17 A. advanced exfoliation as defined in part 2105.0010 including dermaplaning,  
2.18 microdermabrasion, chemical or enzyme exfoliation, and other exfoliation methods that  
2.19 exceed the stratum corneum;

2.20 *[For text of items B to D, see Minnesota Rules]*

2.21 **2105.0110 ADVERTISING.**

2.22 The following provisions govern all advertising relating to the practice of cosmetology:

2.23 *[For text of items A to D, see Minnesota Rules]*

3.1 E. Only currently licensed practitioners may identify themselves as a  
3.2 "cosmetologist," "esthetician," "aesthetician," "advanced practice esthetician," "advanced  
3.3 practice aesthetician," "nail technician," and "eyelash or lash technician." It is a violation  
3.4 of this chapter to qualify any board license title with another term, including the use of terms  
3.5 such as "medical," "certified," "master," and other qualifying terms.

3.6 **2105.0115 INSPECTIONS.**

3.7 *[For text of subparts 1 and 2, see Minnesota Rules]*

3.8 Subp. 3. **Posting inspection results.** The board must provide each salon with a detailed  
3.9 inspection report on the inspection findings. Within ten business days of the issuance date  
3.10 on the results and report, the salon must conspicuously post the inspection report so that it  
3.11 is visible at all times in the reception area or at each customer entrance. The inspection  
3.12 report must remain posted until replaced by a new inspection report. The complete, unaltered  
3.13 inspection report must be legibly printed on standard 8-1/2 x 11 inch paper. Permit holders  
3.14 under part 2105.0410 are not subject to the posting requirements in this subpart.

3.15 Subp. 4. **Inspection penalties and discipline.**

3.16 *[For text of item A, see Minnesota Rules]*

3.17 B. Board staff must issue penalties prescribed in Minnesota Statutes, section  
3.18 155A.25, for violations in subitems (1) to (4) cited during a board inspection of a salon or  
3.19 permit holder except as provided for in subpart 5. Licensees must pay penalties in full before  
3.20 any license is renewed or issued.

3.21 (1) A salon is subject to penalty for violations cited during a salon inspection  
3.22 for:

3.23 *[For text of units (a) to (c), see Minnesota Rules]*

4.1 (d) reuse of or failure to dispose of single-use items immediately after  
4.2 use;

4.3 (e) the presence of prohibited callus shavers, graters, or rasps; and

4.4 (f) refusal or failure to cooperate with an inspection.

4.5 (2) A DLSP is subject to penalty for violations cited during inspection for:

4.6 *[For text of units (a) to (c), see Minnesota Rules]*

4.7 (d) reuse of or failure to dispose of single-use items immediately after  
4.8 use;

4.9 (e) the presence of prohibited callus shavers, graters, or rasps; and

4.10 (f) the DLSP's refusal or failure to cooperate with an inspection.

4.11 (3) An individual practitioner is subject to penalty for violations cited during  
4.12 a salon inspection for:

4.13 *[For text of units (a) and (b), see Minnesota Rules]*

4.14 (c) reuse of or failure to dispose of single-use items immediately after  
4.15 use;

4.16 (d) the presence of prohibited callus shavers, graters, or rasps; and

4.17 (e) the practitioner's refusal or failure to cooperate with an inspection.

4.18 *[For text of subitem (4), see Minnesota Rules]*

4.19 *[For text of subpart 5, see Minnesota Rules]*

4.20 **2105.0145 APPLICANTS FOR INDIVIDUAL LICENSES.**

4.21 Subpart 1. **Cosmetologists, nail technicians, estheticians, and eyelash**  
4.22 **technicians.** Applicants for a cosmetologist, nail technician, esthetician, or eyelash

5.1 technician license who have not been licensed in other states must be at least 17 years old,  
5.2 and must provide the items required in items A to D:

5.3 A. a completed application form;

5.4 B. original passing test results no more than one year old of the following  
5.5 board-approved tests for the license sought:

5.6 (1) general theory test;

5.7 (2) written practical test; and

5.8 (3) test on Minnesota laws and rules;

5.9 C. proof of completion of training as follows:

5.10 (1) graduates of a Minnesota-licensed cosmetology school must submit the  
5.11 original course completion certificate with the notarized signatures of the school manager  
5.12 or owner documenting the successful completion of the curriculum and the required number  
5.13 of hours of training, all of which include any hours transferred from another school within  
5.14 the past five years: 1,550 hours for a cosmetologist; 600 hours for an esthetician; 350 hours  
5.15 for a nail technician; and 38 hours for an eyelash technician. If the completed training is  
5.16 more than five years old, a skills course certificate no more than one year old must also be  
5.17 submitted;

5.18 (2) a graduate of a training program licensed by another state that is:

5.19 (a) equal to the curriculum and minimum hour requirements required of  
5.20 Minnesota-licensed cosmetology schools for a cosmetologist, esthetician, nail technician,  
5.21 or eyelash technician program must submit an original notarized board form from a licensed  
5.22 cosmetology school that establishes the completion of the curriculum and required number  
5.23 of hours of training, all of which include any hours transferred from another school within  
5.24 the past five years: 1,550 hours for a cosmetologist; 600 hours for an esthetician; 350 hours

6.1 for a nail technician; and 38 hours for an eyelash technician. If the completed training is  
6.2 more than five years old, a skills course certificate from a Minnesota-licensed cosmetology  
6.3 school no more than one year old must also be submitted; and

6.4 (b) not equal to the curriculum and minimum hour requirements required  
6.5 of Minnesota-licensed cosmetology schools for a cosmetologist, esthetician, nail technician,  
6.6 or eyelash technician program must obtain a course completion certificate by applying to  
6.7 a Minnesota-licensed cosmetology school as a transfer student under part 2110.0705 and  
6.8 must meet and complete the school's requirements. The applicant must then submit the  
6.9 original course completion certificate with the notarized signatures of the school manager  
6.10 or owner, documenting successful completion of the required curriculum and number of  
6.11 hours of training: 1,550 hours for a cosmetologist; 600 hours for an esthetician; 350 hours  
6.12 for a nail technician; and 38 hours for an eyelash technician. If the completed training is  
6.13 more than five years old, a skills course certificate from a Minnesota-licensed cosmetology  
6.14 school no more than one year old must also be submitted;

6.15 (3) an applicant who partially completed a training program licensed by  
6.16 another state, or who completed an unlicensed training program in another state, must obtain  
6.17 a course completion certificate by applying to a Minnesota-licensed cosmetology school as  
6.18 a transfer student under part 2110.0705 and must meet and complete the school's  
6.19 requirements. The applicant must then submit the original course completion certificate  
6.20 with the notarized signatures of the school manager or owner, documenting successful  
6.21 completion of the required curriculum and number of hours of training: 1,550 hours for a  
6.22 cosmetologist; 600 hours for an esthetician; 350 hours for a nail technician; and 38 hours  
6.23 for an eyelash technician. If the completed training is more than five years old, a skills  
6.24 course certificate from a Minnesota-licensed cosmetology school no more than one year  
6.25 old must also be submitted; or

7.1 (4) applicants whose training occurred in other countries must apply under  
7.2 part 2105.0183, subpart 3; and

7.3 D. payment of the fees required by Minnesota Statutes, section 155A.25.

7.4 Subp. 1a. **Advanced practice estheticians.** An AP esthetician license supersedes an  
7.5 esthetician license.

7.6 *[For text of item A, see Minnesota Rules]*

7.7 B. An applicant for an AP esthetician license who completed training in Minnesota  
7.8 for both an esthetician or cosmetologist license and an AP esthetician license but does not  
7.9 hold an active esthetician or cosmetologist license must be at least 17 years old and must  
7.10 provide the following:

7.11 (1) a completed application form;

7.12 (2) an original course completion certificate for a board-approved esthetician  
7.13 or cosmetology course documenting the successful completion of the curriculum with the  
7.14 notarized signature of the school manager or school owner. If the completed training is  
7.15 more than five years old, a skills course certificate no more than one year old must also be  
7.16 submitted;

7.17 (3) original passing test results no more than one year old of the  
7.18 board-approved general theory and written practical tests for the esthetician or cosmetology  
7.19 license:

7.20 (a) general theory test;

7.21 (b) written practical test; and

7.22 (c) Minnesota laws and rules test;

7.23 (4) original passing test results no more than one year old of the following  
7.24 board-approved tests for the AP esthetician license:

8.1 (a) general theory test; and

8.2 (b) written practical test;

8.3 (5) an original AP esthetician course completion certificate from a  
8.4 board-approved school with the notarized signature of the school manager or school owner.  
8.5 If the completed AP esthetician training is more than five years old, a skills course certificate  
8.6 no more than one year old must also be submitted; and

8.7 (6) payment of the fees required by Minnesota Statutes, section 155A.25.

8.8 C. An applicant with an AP esthetician license or master esthetician license from  
8.9 another state must apply under part 2105.0183, subpart 4.

8.10 **Subp. 2. Salon managers.**

8.11 A. An applicant who holds an active Minnesota operator license and wishes to  
8.12 advance to a salon manager license must:

8.13 (1) submit a completed application form;

8.14 (2) submit original passing test results of the salon manager test no more than  
8.15 one year old; and

8.16 (3) pay the fees required in Minnesota Statutes, section 155A.25.

8.17 B. An applicant who does not hold an operator license and wishes to apply for a  
8.18 salon manager license may apply for the operator and salon manager license at the same  
8.19 time without first paying for the operator license. An applicant must:

8.20 (1) submit a completed application for an operator license and meet the  
8.21 requirements for the operator license;

8.22 (2) submit a completed application for a salon manager license;

9.1 (3) submit original passing test results of the salon manager test that are no  
9.2 more than one year old; and

9.3 (4) pay the fees required of a salon manager applicant in Minnesota Statutes,  
9.4 section 155A.25.

9.5 C. An applicant who holds an active salon manager license and is applying for a  
9.6 practitioner license in another field may apply for a salon manager license in the new field  
9.7 without first obtaining or paying for an operator license in the new field. An applicant must:

9.8 (1) submit a completed application for the new field and meet the requirements  
9.9 for the operator license; and

9.10 (2) pay the fees required in Minnesota Statutes, section 155A.25.

9.11 D. An applicant who holds an active salon manager license in one field and an  
9.12 active operator license in another field may advance the operator license to a salon manager  
9.13 license without meeting the testing requirements in item A. An applicant must:

9.14 (1) submit a completed application; and

9.15 (2) pay the fees required in Minnesota Statutes, section 155A.25.

9.16 *[For text of subpart 3, see Minnesota Rules]*

9.17 Subp. 4. **Instructors.** Applicants for an instructor license must meet the requirements  
9.18 in items A to F. Items D and E do not apply to applicants who hold a current Minnesota  
9.19 instructor license and are applying for an instructor license in a new field. An applicant  
9.20 must:

9.21 A. submit a completed application form;

9.22 B. hold an active Minnesota license as an operator or manager;

10.1 C. document at least 2,700 hours of licensed practice in the same licensure field  
10.2 as the instructor license type sought within the three years prior to application;

10.3 D. submit the original course completion certificate of a board-approved instructor  
10.4 course on teaching methodology not more than one year old;

10.5 E. submit original passing instructor test results not more than one year old for  
10.6 the instructor general theory, practical, and laws and rules tests; and

10.7 F. pay the fees required in Minnesota Statutes, section 155A.25.

10.8 Subp. 5. **Additional licenses.**

10.9 *[For text of items A and B, see Minnesota Rules]*

10.10 C. An applicant who holds an active Minnesota practitioner license in one field  
10.11 and is applying for a practitioner license in another field is not required to retake the test  
10.12 on Minnesota laws and rules. All other application requirements in this part must be met.

10.13 **2105.0183 TRANSFER OF LICENSES FROM OTHER STATES OR COUNTRIES.**

10.14 Subpart 1. **Applicants with required training who are licensed in another**  
10.15 **state.** Applicants for a cosmetologist, esthetician, nail technician, or eyelash technician  
10.16 operator license who have completed or exceeded the required number of hours of training:  
10.17 1,550 hours for a cosmetologist; 600 hours for an esthetician; 350 hours for a nail technician;  
10.18 and 38 hours for an eyelash technician and are licensed in another state must be at least 17  
10.19 years of age and must provide the following:

10.20 *[For text of items A to C, see Minnesota Rules]*

10.21 D. original passing test results no more than one year old of a board-approved  
10.22 general theory test. If a certification of licensure from a state in which the applicant has  
10.23 been licensed attests that the applicant has passed such a test, this requirement is met and  
10.24 the general theory does not have to be retaken;

11.1 E. original passing test results no more than one year old of a board-approved  
11.2 written practical test. If a certification of licensure from a state in which the applicant has  
11.3 been licensed attests that the applicant has passed such a test, this requirement is met and  
11.4 the written practical test does not have to be retaken;

11.5 F. original passing test results of the Minnesota state laws and rules test no more  
11.6 than one year old; and

11.7 G. payment of the fees required by Minnesota Statutes, section 155A.25.

11.8 Subp. 2. **Applicants with less than the required training who are licensed in another**  
11.9 **state.** Applicants for a cosmetologist, esthetician, nail technician, or eyelash technician  
11.10 operator license who have not completed the required number of hours of training: 1,550  
11.11 hours for a cosmetologist; 600 hours for an esthetician; 350 hours for a nail technician; and  
11.12 38 hours for an eyelash technician, and who are licensed in another state must be at least  
11.13 17 years old and must provide the following:

11.14 *[For text of items A to D, see Minnesota Rules]*

11.15 E. original passing test results no more than one year old of a board-approved  
11.16 general theory test. If a certification of licensure from a state in which the applicant has  
11.17 been licensed attests that the applicant has passed such a test, this requirement is met and  
11.18 the general theory test does not have to be retaken;

11.19 F. original passing test results no more than one year old of a board-approved  
11.20 written practical test. If a certification of licensure from a state in which the applicant has  
11.21 been licensed attests that the applicant has passed such a test, this requirement is met and  
11.22 the written practical test does not have to be retaken;

11.23 G. original passing test results no more than one year old of the Minnesota state  
11.24 laws and rules test; and

11.25 H. payment of the fees required by Minnesota Statutes, section 155A.25.

12.1 Subp. 3. **Applicants with training and experience in another country who have**  
12.2 **not been licensed in another state.** Applicants for a cosmetologist, esthetician, nail  
12.3 technician, or eyelash technician operator license whose training was outside the United  
12.4 States and have not been licensed by another state must be at least 17 years old and must:

12.5 *[For text of item A, see Minnesota Rules]*

12.6 B. complete an application and submit the following items:

12.7 (1) original passing test results of a board-approved general theory test no  
12.8 more than one year old;

12.9 (2) original passing test results of a board-approved written practical test no  
12.10 more than one year old;

12.11 (3) original passing test results of the Minnesota state laws and rules test no  
12.12 more than one year old; and

12.13 (4) payment of the fees required by Minnesota Statutes, section 155A.25.

12.14 *[For text of subpart 4, see Minnesota Rules]*

12.15 Subp. 4a. **Applicants with an advanced practice or master esthetician training or**  
12.16 **license from another state or country.** An applicant for an advanced practice esthetician  
12.17 operator license whose training or licensure is from another state or country must be at least  
12.18 17 years old and must:

12.19 *[For text of item A, see Minnesota Rules]*

12.20 B. complete an application and submit the following items:

12.21 (1) if applicant has held a cosmetologist, esthetician, or AP esthetician license  
12.22 in another state, a certification of licensure no more than 90 days old sent to the board  
12.23 directly from each state where the applicant has been licensed. A license certification must  
12.24 verify the current status and history of licensure, discipline history, hours of training, and

13.1 whether or not the licensee has passed the general theory and practical tests. If a state does  
13.2 not issue certification of licensure, the applicant must submit a copy of the most recent  
13.3 license and a completed supplemental verification form;

13.4 (2) original passing test results no more than one year old of a board-approved  
13.5 esthetician or cosmetology general theory test. If a certification of licensure from a state in  
13.6 which the applicant has been licensed attests that the applicant has passed such a test, this  
13.7 requirement is met and the general theory test does not have to be retaken;

13.8 (3) original passing test results no more than one year old of a board-approved  
13.9 esthetician or cosmetology written practical test. If a certification of licensure from a state  
13.10 in which the applicant has been licensed attests that the applicant has passed such a test,  
13.11 this requirement is met and the written practical test does not have to be retaken;

13.12 (4) original passing test results of a board-approved theory AP esthetician  
13.13 test no more than one year old;

13.14 (5) original passing test results of a board-approved written practical AP  
13.15 esthetician test no more than one year old;

13.16 (6) original passing test results of the Minnesota state laws and rules test no  
13.17 more than one year old; and

13.18 (7) payment of the fees required by Minnesota Statutes, section 155A.25.

13.19 *[For text of subpart 5, see Minnesota Rules]*

13.20 **2105.0187 SKILLS COURSES.**

13.21 A. A cosmetologist skills course, esthetician skills course, advanced practice  
13.22 esthetician skills course, nail technician skills course, or eyelash technician skills course  
13.23 must be offered in person and taught by an instructor licensed in the course subject.

14.1 B. Only a licensed school with current approval to offer a licensure course may  
14.2 offer a skills course in the same licensure field.

14.3 C. Each skills course must begin with an initial board-approved skills test. The  
14.4 school must use board-approved scoring of the skills test and a board skills test form.

14.5 (1) Attendees who pass the skills test have completed the skills course. The  
14.6 school must issue a signed and dated skills course certificate specifying the license field to  
14.7 the attendee.

14.8 (2) Attendees who do not pass the initial skills test must complete the school's  
14.9 skills course curriculum for each skill test area not passed. The attendee has completed the  
14.10 skills course when the attendee passes the skills test for the licensure field.

14.11 D. Each licensee or applicant must attend a skills course specific to the licensure  
14.12 field held or sought by the licensee or applicant.

14.13 E. Schools must provide attendees with a skills course certificate showing  
14.14 successful completion of the skills test, and must retain records of attendees for five years.

14.15 F. The board is authorized to audit a skills course and skills test at any time, and  
14.16 board staff or a representative may take a skills class at any time at no cost for the purposes  
14.17 of auditing the course. Board approval of a skills course is subject to revocation if the board  
14.18 determines a skills course or skills test does not reflect current professional standards or  
14.19 practices, or if the board finds just cause. The disciplinary provisions of Minnesota Statutes,  
14.20 section 155A.33, apply.

14.21 **2105.0190 MAINTAINING INDIVIDUAL LICENSES.**

14.22 *[For text of subparts 1 to 3, see Minnesota Rules]*

15.1 Subp. 4. **Display of license.** The practitioner must conspicuously post an original,  
15.2 unaltered, and current license at each salon where the practitioner practices. The conditions  
15.3 in items A to D must be met at all times.

15.4 *[For text of item A, see Minnesota Rules]*

15.5 B. Whenever the license is not posted at the workstation, the practitioner must  
15.6 post a license at the reception area or at each customer entrance of the salon.

15.7 *[For text of item C, see Minnesota Rules]*

15.8 D. Licenses and names posted must provide the public with a full, unobstructed  
15.9 view of the unaltered license or name.

15.10 Subp. 5. [Repealed, 41 SR 305]

15.11 **2105.0205 RETIRED LICENSE.**

15.12 A licensee with an active or expired Minnesota practitioner license who has ceased all  
15.13 practice of cosmetology may apply for a retired license that does not allow any practice of  
15.14 cosmetology as defined in Minnesota Statutes, section 155A.23, subdivision 3. The board  
15.15 must void any active license when a retired license is issued for the remainder of the license  
15.16 cycle. If the practitioner's license is expired, the applicant must pay the renewal and late  
15.17 fees required by Minnesota Statutes, section 155A.25.

15.18 *[For text of items A and B, see Minnesota Rules]*

15.19 **2105.0215 PROCEDURE FOR RENEWING AN EXPIRED LICENSE.**

15.20 Subpart 1. **Practitioner licenses expired less than three years.** If an operator's, salon  
15.21 manager's, instructor's, or school manager's license has been expired for less than three  
15.22 years, a new license cycle will be issued upon renewal of the license. To renew the license,  
15.23 the individual must:

15.24 *[For text of items A and B, see Minnesota Rules]*

16.1 *[For text of subparts 2 to 4, see Minnesota Rules]*

16.2 **2105.0225 OUTSTANDING FEES OR PENALTIES.**

16.3 When an applicant or licensee has outstanding penalties for any violation of this chapter  
16.4 or chapter 2110 or Minnesota Statutes, chapter 155A, and has exhausted all rights of appeal,  
16.5 the board must not issue or renew a license or permit. When a licensee or applicant has  
16.6 entered into an approved payment plan with the board for outstanding fines or penalties,  
16.7 the applicant or licensee must be current with payments before the board can issue or renew  
16.8 any license or permit.

16.9 **2105.0305 DESIGNATED LICENSED SALON MANAGER.**

16.10 *[For text of items A and B, see Minnesota Rules]*

16.11 C. A DLSM must not be responsible for more than one salon unless the salons  
16.12 are not open concurrently and the salons or DLSM attest in writing to the board of the  
16.13 business hours of each salon.

16.14 D. A DLSM who is no longer serving as the DLSM must notify the board in  
16.15 writing via e-mail or mail of the resignation as DLSM. The effective date of the resignation  
16.16 is the date the resignation notice is received by the board or the date the DLSM change form  
16.17 is received by the board, whichever date is earliest. The DLSM is liable under Minnesota  
16.18 Statutes, section 155A.33, for the compliance of the salon and licensees in the absence of  
16.19 any written notice of the change to the board, regardless of the status of the DLSM's license.

16.20 *[For text of items E and F, see Minnesota Rules]*

16.21 **2105.0322 MAINTAINING SALON LICENSE.**

16.22 *[For text of subparts 1 to 3, see Minnesota Rules]*

17.1       **Subp. 4. Maintain insurance.**

17.2           A. The salon must maintain any required workers' compensation insurance as  
17.3 required by Minnesota Statutes, section 155A.29, subdivision 2, for the salon and salon  
17.4 employees.

17.5           B. The salon must maintain professional liability insurance as required by  
17.6 Minnesota Statutes, section 155A.29, subdivision 2, for the salon and salon employees, and  
17.7 must ensure that each practitioner leasing space in the salon continuously maintains  
17.8 professional liability insurance or is covered by the salon's professional liability policy.

17.9           C. The salon must maintain proof of current professional liability insurance on  
17.10 the salon premises for the salon and all licensees practicing under the salon license.

17.11                       *[For text of subpart 5, see Minnesota Rules]*

17.12       **Subp. 5a. Remodel of physical premises.** A salon that is remodeling or adding  
17.13 additional contiguous space to the current licensed salon is not required to report such  
17.14 changes to the board, but must ensure that any changes made are in compliance with this  
17.15 chapter and with applicable building codes and permit processes.

17.16                       *[For text of subparts 6 and 7, see Minnesota Rules]*

17.17       **Subp. 8. Change of owner.** A salon license must not be transferred when the salon  
17.18 is sold, or when a corporation owning a salon is sold. If the salon license has not expired,  
17.19 the new owner has 60 days after the date of the change of ownership to become licensed  
17.20 according to part 2105.0310. If a new license has not been issued by day 61, the salon must  
17.21 cease operations until a license is issued. If the salon license is expired at the time of the  
17.22 change of ownership, the new owner may not operate the salon until the salon is licensed.

17.23                       *[For text of subparts 9 and 10, see Minnesota Rules]*

18.1 **2105.0360 SALON PHYSICAL REQUIREMENTS.**18.2 *[For text of subparts 1 to 5, see Minnesota Rules]*

18.3 Subp. 5a. [See repealer.]

18.4 Subp. 6. **Designated sinks and disinfecting areas.**

18.5 A. Each salon must have at least one designated sink for handwashing and cleaning  
18.6 and disinfecting of tools and implements.

18.7 B. The designated sink must not be a restroom sink, water fountain, mop sink, or  
18.8 pedicure tub. A shampoo bowl may not be a designated sink unless the salon has only one  
18.9 practitioner.

18.10 C. Each designated sink must:

18.11 (1) have hot and cold running potable water plumbed in;

18.12 (2) be equipped with liquid or foam soap, single-service paper or cloth towels,  
18.13 and have a receptacle for discarded towels; and

18.14 (3) be of sufficient size to wash the tools and implements used in regulated  
18.15 services offered in the salon.

18.16 D. At least one designated sink in the salon must be immediately adjacent to a  
18.17 disinfecting area with a workspace sufficient to hold the wet disinfectant containers used  
18.18 to disinfect the tools and implements used in the salon.

18.19 E. All licensees practicing in a salon must have continuous access to one or more  
18.20 designated sinks and disinfecting areas within the licensed salon.

18.21 F. Each work area where regulated services are provided must have a sink or must  
18.22 be continuously equipped with an alcohol-based hand sanitizer containing a minimum of  
18.23 60 percent alcohol. The hand sanitizer dispenser must be wall-mounted or visible at all  
18.24 times in the work area.

19.1 *[For text of subparts 6a to 8, see Minnesota Rules]*

19.2 Subp. 9. **Certain salon types.** Additional requirements for salons located in private  
19.3 residences are under part 2105.0393. Additional requirements for mobile salons are under  
19.4 part 2105.0395. Additional requirements for suite-style salons are under part 2105.0397.

19.5 **2105.0370 SALON OPERATIONAL REQUIREMENTS.**

19.6 A salon must continuously meet the following minimum operational requirements.

19.7 *[For text of item A, see Minnesota Rules]*

19.8 B. Each salon must comply with federal hazard communication standards, Code  
19.9 of Federal Regulations, title 29, section 1910.1200, and must:

19.10 *[For text of subitem (1), see Minnesota Rules]*

19.11 (2) at least once every 12 months, inform all licensees practicing in the salon  
19.12 of:

19.13 (a) the potential health effects of the hazardous products and chemicals;  
19.14 and

19.15 (b) the measures licensees must take to protect themselves from these  
19.16 hazards, including specific procedures the salon has implemented to protect practitioners  
19.17 from exposure to hazardous products. The procedures must include best work practices,  
19.18 spill cleanup, emergency procedures, and personal protective equipment to be used.

19.19 C. The active salon license showing the current DLSP must be conspicuously  
19.20 posted facing the public side of the reception area or at each customer entrance providing  
19.21 the public a full, unobstructed view of the license.

19.22 *[For text of items D to F, see Minnesota Rules]*

20.1 **2105.0375 INFECTION CONTROL REQUIREMENTS.**

20.2 Subpart 1. **Duties.** It is the responsibility of all licensees, including the salon owner  
20.3 and the designated licensed salon manager (DLSM) to ensure that all infection control  
20.4 requirements are followed. Items, tools, and equipment on the salon premises that may be  
20.5 used for regulated services are subject to the requirements of this part even if not intended  
20.6 for use in services regulated by the board or intended for personal use.

20.7 *[For text of subparts 2 to 5, see Minnesota Rules]*

20.8 Subp. 6. **Storage of items.**

20.9 A. Disinfected items must be stored in clean, closed containers, cupboards or  
20.10 drawers, or on a clean towel and covered with a clean cloth towel or clean drape, and must  
20.11 not come into contact with contaminated items or nondisinfected items.

20.12 B. Storage containers must have solid sides and lids and must be cleaned and  
20.13 disinfected weekly and before use if visibly soiled. Disinfectant wipes or sprays may be  
20.14 used only when the container is too large to be submerged in disinfectant.

20.15 C. Plastic or paper bags or sealed wrapping must not be used to store disinfected  
20.16 items unless the item has been sterilized under the requirements of subpart 4a.

20.17 D. Items pulled out for service must not come into contact with contaminated  
20.18 surfaces.

20.19 E. Tools and implements that are pulled out for a service prior to the client's arrival  
20.20 must be placed on and covered by a clean cloth or paper towel. The towel must be discarded  
20.21 at the end of the service.

20.22 F. Immediately after each service, tools, implements, linens, and other nonelectrical  
20.23 items that have been removed from clean storage must be placed in covered and closed  
20.24 containers labeled "used" or immediately cleaned and disinfected or sterilized.

21.1 Subp. 7. **Safety and infection-control practices.**

21.2 *[For text of items A to E, see Minnesota Rules]*

21.3 F. Licensees must comply with all manufacturer's directions for product and  
21.4 equipment use.

21.5 (1) When the manufacturer's use directions recommend, advise, or require a  
21.6 patch test, the licensee must:

21.7 *[For text of units (a) and (b), see Minnesota Rules]*

21.8 *[For text of subitems (2) and (3), see Minnesota Rules]*

21.9 *[For text of items G to N, see Minnesota Rules]*

21.10 O. Licensees must wear gloves as required in this part. Before donning gloves,  
21.11 licensees must wash hands and wrist area with soap and water. Gloves must be changed  
21.12 during a service if a glove becomes damaged or comes in contact with any nondisinfected  
21.13 surface or objects or with a third person. Gloves must be discarded at the end of every  
21.14 service.

21.15 Licensees must wear gloves when:

21.16 *[For text of subitems (1) to (3), see Minnesota Rules]*

21.17 (4) when the licensee's skin on the hand is not intact or is compromised;

21.18 (5) when mixing or touching disinfectant solutions; and

21.19 (6) when recommended or required by manufacturer's directions for product  
21.20 or device use.

21.21 Subp. 8. **Laundered items.** Each towel, robe, and linen used to cover or protect  
21.22 customers must be used only once and then be laundered with detergent and hot water in a  
21.23 washing machine, dried on hot, and immediately stored in a clean, covered container.

22.1 A. Plastic or nylon capes and aprons may be washed in a machine and dried on  
22.2 any setting in a dryer or may be disinfected with a spray disinfectant.

22.3 B. Used or soiled towels, linens, and capes must be stored in closed containers  
22.4 labeled "used."

22.5 C. Steamed towels and cloths must meet the requirements of subpart 15, item G.

22.6 *[For text of subparts 9 to 11, see Minnesota Rules]*

22.7 Subp. 12. **Pedicure stations.** Pedicure tubs, including basins, and piped and pipeless  
22.8 tubs must be cleaned and disinfected according to items A to C.

22.9 A. Immediately after each service:

22.10 *[For text of subitems (1) to (4), see Minnesota Rules]*

22.11 (5) the basin or tub must be filled with clean water and an EPA-registered,  
22.12 hospital-level disinfectant must be added following the manufacturer's directions. If the  
22.13 pedicure tub is electrical, the fan or pump must be turned on and the unit operated for the  
22.14 entire contact time;

22.15 (6) after the contact time is complete, the disinfectant must be drained and  
22.16 the tub rinsed with clean water; and

22.17 (7) the faucet, faucet handles, controls, and all surfaces not covered with  
22.18 water when the tub is filled must be wiped with a disinfectant wipe, with the surface  
22.19 remaining wet for the entire contact time.

22.20 B. Pedicure tub and foot basin liners are single-use items under subpart 13 and  
22.21 must be disposed of immediately after use. Subitems (1) to (4) apply when liners are used.

22.22 (1) If liners are used, only disposable foot basin or tub liners designed  
22.23 specifically for and manufactured for use as a foot basin or tub liner must be used.

23.1 (2) Salons choosing to use liners must use liners on all pedicure tubs and  
23.2 basins in the salon, and must maintain a sufficient supply of tub liners based on the  
23.3 practitioner and salon service volume to ensure liners are used with each tub or basin.

23.4 (3) Immediately after each service:

23.5 (a) the liner must be discarded in the trash;

23.6 (b) any magnetic or removable parts exposed to the water contained in  
23.7 the liner must be cleaned and then disinfected as required in subitems (3) and (4);

23.8 (c) the basin or tub must be scrubbed and cleaned of all visible debris  
23.9 with a clean brush and liquid soap and water, rinsed with clean water, and wiped dry with  
23.10 a new, clean paper towel; and

23.11 (d) the faucet, faucet handles, controls, and any other surface not covered  
23.12 by the liner must be wiped with a disinfectant wipe, with the surface remaining wet for the  
23.13 entire contact time.

23.14 (4) At the end of each business day, each tub or basin must be cleaned and  
23.15 disinfected following the procedures in item A.

23.16 C. Pedicure tubs of all kinds must always be maintained in a clean and disinfected  
23.17 condition as identified in items A and B, even if the tub is broken or not in service.

23.18 *[For text of subparts 13 and 14, see Minnesota Rules]*

23.19 Subp. 15. **Salon fixtures.**

23.20 *[For text of items A to D, see Minnesota Rules]*

23.21 E. Rolling carts, work trays, or other containers used to hold tools and implements  
23.22 during a hair, skin, waxing, nail, pedicure, or other service must be cleaned and disinfected  
23.23 with disinfectant wipes or spray weekly and before use if visibly soiled.

24.1 *[For text of items F and G, see Minnesota Rules]*

24.2 *[For text of subpart 16, see Minnesota Rules]*

24.3 **2105.0393 SALONS LOCATED IN PRIVATE RESIDENCES.**

24.4 Salons may be established in private residences if the conditions in items A to G are  
24.5 met.

24.6 *[For text of items A to E, see Minnesota Rules]*

24.7 F. If the salon space does not include a restroom, licensees and customers must  
24.8 have access to the residential bathroom. All medications and hazardous substances in the  
24.9 residential bathroom must be kept in locked cupboards.

24.10 G. If the salon owner or DLSP is at the home when a board inspector visits, the  
24.11 board inspector must be allowed access to the salon space for the purposes of an inspection,  
24.12 even if the salon is not open for business at the time of the inspection visit.

24.13 **2105.0397 SUITE-STYLE SALONS.**

24.14 *[For text of subpart 1, see Minnesota Rules]*

24.15 Subp. 1a. **Sinks.** Each suite-style salon must have a designated handwashing sink and  
24.16 disinfecting area in the suite-style salon that meets the requirements of part 2105.0360,  
24.17 subpart 6.

24.18 *[For text of subparts 2 to 7, see Minnesota Rules]*

24.19 **2105.0410 LICENSED SERVICES NOT OFFERED IN A LICENSED SALON.**

24.20 Subpart 1. **Nursing homes, housing with services and assisted living facilities.** This  
24.21 part applies to nursing homes licensed under Minnesota Statutes, chapter 144A, housing  
24.22 with services establishments registered under Minnesota Statutes, section 144D.02, and  
24.23 operating under title protection under Minnesota Statutes, chapter 144G, and beginning  
24.24 August 1, 2021, assisted living facilities licensed under Minnesota Statutes, chapter 144G.

25.1           A. A salon as defined in Minnesota Statutes, section 155A.23, subdivision 9, that  
25.2 is located in a nursing home, housing with services entity, or assisted living facility is  
25.3 required to be licensed if any cosmetology services are provided to anyone other than the  
25.4 homebound residents of the nursing home, housing with services entity, or assisted living  
25.5 facility. A resident of a housing with services entity receiving comprehensive home care  
25.6 services and residents of an assisted living facility receiving assisted living services are  
25.7 considered to be homebound residents. All residents of a nursing home are considered  
25.8 homebound for the purposes of this part.

25.9           B. A salon as defined in Minnesota Statutes, section 155A.23, subdivision 9,  
25.10 located in a nursing home, housing with services entity, or assisted living facility is not  
25.11 required to be licensed if:

25.12                   (1) only homebound residents are served by the salon, and nonhomebound  
25.13 residents, staff, family members, or the public are never served by the salon; and

25.14                   (2) the use of the unlicensed salon is restricted to:

25.15                           (a) board-licensed practitioners of cosmetology services who have  
25.16 homebound service permits and provide services for homebound residents of the facility;

25.17                           (b) staff employed by the facility providing services to homebound  
25.18 residents of the facility, and the services are limited to washing hair, setting hair, trimming  
25.19 hair, filing nails, applying and removing nail polish, and makeup applications;

25.20                           (c) family members providing services to their own homebound family  
25.21 members who are residents of the facility; and

25.22                           (d) volunteers providing services without compensation to homebound  
25.23 residents of the nursing home, housing with services entity, or assisted living facility.

25.24                           *[For text of subparts 2 and 3, see Minnesota Rules]*

26.1 **2110.0010 DEFINITIONS.**26.2 *[For text of subparts 1 to 17a, see Minnesota Rules]*

26.3 Subp. 17b. [See repealer.]

26.4 Subp. 17c. [See repealer.]

26.5 *[For text of subparts 17d and 17e, see Minnesota Rules]*

26.6 Subp. 18. **Licensed services.** "Licensed services" means those services defined as the  
26.7 practice of cosmetology under Minnesota Statutes, section 155A.23, subdivision 3.

26.8 *[For text of subparts 18a to 20, see Minnesota Rules]*26.9 **2110.0100 UNREGULATED SERVICES.**

26.10 Subpart 1. **Disclosure.** All unregulated services identified in part 2110.0010, subpart  
26.11 20, offered within a school clinic shall be clearly identified as "unregulated services" and  
26.12 listed on a sign conspicuously posted in the reception area. The sign shall contain lettering  
26.13 at least one inch high and shall state: "Unregulated services. The following services offered  
26.14 by (school name) are not regulated by the Board of Cosmetologist Examiners:

26.15 \_\_\_\_\_

26.16 \_\_\_\_\_

26.17 \_\_\_\_\_"

26.18 *[For text of subpart 2, see Minnesota Rules]*26.19 **2110.0545 SKILLS COURSES.**

26.20 A. A cosmetologist skills course, esthetician skills course, advanced practice  
26.21 esthetician skills course, nail technician skills course, or eyelash technician skills course  
26.22 must be offered in person and taught by an instructor licensed in the course subject.

27.1 B. Only a licensed school with current approval to offer a licensure course may  
27.2 offer a skills course in the same licensure field.

27.3 C. Each skills course must begin with an initial board-approved skills test. The  
27.4 school must use board-approved scoring of the skills test and a board skills test form.

27.5 (1) Attendees who pass the skills test have completed the skills course. The  
27.6 school must issue a signed and dated skills course certificate specifying the license field to  
27.7 the attendee.

27.8 (2) Attendees who do not pass the initial skills test must complete the school's  
27.9 skills course curriculum for each skills test area not passed. The attendee has completed the  
27.10 skills course when the attendee passes the skills test for the licensure field.

27.11 D. Each licensee or applicant must attend a skills course specific to the licensure  
27.12 field held or sought by the licensee or applicant.

27.13 E. Schools must provide attendees with a skills course certificate showing  
27.14 successful completion of the skills test, and must retain records of attendees for five years.

27.15 F. The board is authorized to audit a skills course and skills test at any time, and  
27.16 board staff or a representative may take a skills class at any time at no cost for the purposes  
27.17 of auditing the course. Board approval of a skills course is subject to revocation if the board  
27.18 determines a skills course or skills test does not reflect current professional standards or  
27.19 practices, or if the board finds just cause. The disciplinary provisions of Minnesota Statutes,  
27.20 section 155A.33, apply.

27.21 **2110.0705 TRANSFER STUDENTS.**

27.22 *[For text of subparts 1 and 2, see Minnesota Rules]*

27.23 **Subp. 3. Evaluation of transfer students.**

27.24 *[For text of item A, see Minnesota Rules]*

28.1 B. The evaluation results must identify any specific additional training necessary  
28.2 for the issuance of the course completion certificate, based on the applicable training  
28.3 requirements identified in this chapter and the school's assessment of the student's training  
28.4 and experience.

28.5 *[For text of item C, see Minnesota Rules]*

28.6 **REPEALER.** Minnesota Rules, parts 2105.0010, subparts 7, 10a, 10b, and 10c; 2105.0155,  
28.7 subparts 1, 2, 3, and 4; 2105.0182; 2105.0360, subpart 5a; and 2110.0010, subparts 17b and  
28.8 17c, are repealed.

January 10, 2020

**VIA EMAIL ONLY**

Nancy Breems  
Secretary of State, Elections Division  
180 State Office Building  
100 Rev Dr Martin Luther King Jr Blvd  
St. Paul, Minnesota 55155-1299  
[official.documents@state.mn.us](mailto:official.documents@state.mn.us)

**Re: *In the Matter of the Proposed Rules of the Minnesota Board of  
Cosmetologist Examiners Governing Licensing and Practice  
Requirements, Minnesota Rules Chapters 2105 and 2110  
OAH 71-9013-36146; Revisor R-4552***

Dear Ms. Breems:

Enclosed for filing is an electronic copy of the above-entitled adopted rules.

Please send the agency copy of the rules to:

Jill Freudenwald  
Chief of Staff  
Minnesota Board of Cosmetologist Examiners  
1000 University Ave Ste 100  
Saint Paul, MN 55104

If you have any questions, please contact me at (651) 361-7888, at  
[lisa.armstrong@state.mn.us](mailto:lisa.armstrong@state.mn.us), or via fax at (651) 539-0310.

Sincerely,

  
LISA ARMSTRONG  
Legal Assistant

Enclosures

cc: Jill Freudenwald (via email)