

**RULES
OF
THE TENNESSEE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**

**CHAPTER 0200-03
SANITARY REQUIREMENTS**

TABLE OF CONTENTS

0200-03-.01	Applicability	0200-03-.09	Repealed
0200-03-.02	Violations	0200-03-.10	Lavatories and Shampoo Bowls
0200-03-.03	Location	0200-03-.11	Restrooms in Shops
0200-03-.04	Communicable Diseases	0200-03-.12	Attire in Barber Schools
0200-03-.05	Sanitation and Disinfection	0200-03-.13	Repealed
0200-03-.06	Prohibited Hazardous Substances/Use of Products	0200-03-.14	Responsibility for Compliance
0200-03-.07	Furnishings and Equipment	0200-03-.15	Animals
0200-03-.08	Wet Disinfection Containers	0200-03-.16	Facial Treatments
		0200-03-.17	Shops Providing Limited Services

0200-03-.01 APPLICABILITY.

- (1) Unless otherwise specified, the provisions of this Chapter shall apply to all barber schools and colleges, and barber shops.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.02 VIOLATIONS.

- (1) Any violation of the provisions of this Chapter will be deemed to be unprofessional conduct within the meaning of T.C.A. § 62-3-121(7).

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.03 LOCATION.

- (1) Barber shops, and barber schools and colleges may be operated only in rooms which are adequately lighted and ventilated, and so constructed that they can be kept clean. Floors, walls, ceilings, and windows must remain free of dirt, dust, and other unclean substances. Floors shall be thoroughly swept or mopped each day. All hair, nail dust and nail tips shall be removed from the floor promptly after completion of each customer.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.04 COMMUNICABLE DISEASES.

- (1) No patron with definite open sores, exhibiting symptoms of infectious or contagious disease or disorder of the skin, or parasitic infestations will be served in a shop or school unless written permission from a physician has been secured.
- (2) No master barber or barber technician who knowingly has an infectious or contagious disease or parasitic infestation in a communicable stage shall give service in a school or shop.

(Rule 0200-03-.04, continued)

- (3) The Board shall have the right to require a physical examination of any person employed in a shop or school who is suspected of having a contagious or infectious disease or parasitic infestation in a communicable stage.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Amendment filed July 24, 1984; effective August 23, 1984. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.05 SANITATION AND DISINFECTION.

- (1) No licensee or student shall commence work on any patron before:
 - (a) Washing hands with soap and water; and
 - (b) Placing around the patron's neck a clean cape.
- (2) Wet Disinfection Standard.
 - (a) All tools and implements, except those which come in contact with blood or body fluids, must be cleaned with soap and water and disinfected by complete immersion in an EPA registered, bactericidal, virucidal, fungicidal disinfectant that is mixed and used according to the manufacturer's directions.
- (3) Dry Disinfection Standard.
 - (a) All tools and implements which have come in contact with blood or body fluids must be cleaned in soap and water and disinfected by complete immersion in an EPA registered, hospital grade, bactericidal, virucidal, fungicidal disinfectant effective against HIV-1 and Hepatitis B Virus mixed and used according to the manufacturer's direction.
 - (b) Disinfected implements must be stored in a disinfected, dry, covered container.
- (4) A licensee shall maintain a supply of antiseptic and/or liquid or spray styptic to be used in the event that a patron's skin is accidentally broken during a service.
- (5) Before use, manicuring instruments must be cleaned with soap and water, and completely immersed in an EPA registered bactericidal, virucidal, fungicidal disinfectant mixed and used according to the manufacturer's directions.
- (6) Footbath.
 - (a) Foot baths shall be cleaned with soap and water and disinfected with an EPA registered, bactericidal, virucidal disinfectant that is mixed and used according to the manufacturer's directions.
 - (b) The filters and jets shall be flushed, cleaned with soap and water and an EPA registered, bactericidal, virucidal, fungicidal disinfectant circulated through the machine in accordance with the manufacturer's directions.
- (7) Towels.
 - (a) A separate, clean towel shall be provided for each patron.
 - (b) Headrests shall be covered with a separate, clean towel or paper for each patron.

(Rule 0200-03-.05, continued)

- (c) The practice of dipping a towel previously used for any purpose into a container of hot water and using the towel on a patron is prohibited.
- (8) Combs.
 - (a) Each licensee shall have a sufficient number of combs to allow for proper disinfection.
 - (b) No operator shall carry combs or other instruments in the pockets of clothing.
- (9) Powders, Lotions and Creams.
 - (a) Powders and lotions must be applied with a clean applicator and disposed of immediately after each use.
 - (b) Creams and other semi-solid substances must be removed from their container with a clean spatula (or similar device), which is disinfected or disposed of immediately after use.
- (10) After exposure to blood or bodily fluids, licensee shall immediately wash hands with soap and water and use hand sanitizer or antiseptic.
- (11) All equipment, shampoo basins, furnishing and work surfaces must be kept in good repair, and disinfected after each service.

Authority: T.C.A. §§ 62-3-128 and 62-3-128(a). **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Repeal and new rule filed October 15, 2004; effective December 29, 2004. Amendments filed October 16, 2023; effective January 14, 2024.

0200-03-.06 PROHIBITED HAZARDOUS SUBSTANCES/USE OF PRODUCTS.

- (1) No establishment or school shall have on the premises cosmetic products containing hazardous substances which have been banned by the United States Food and Drug Administration (FDA) for use in cosmetic products, including, but not limited to, liquid methyl methacrylate. No product shall be used in a manner that is inconsistent with the cosmetic products manufacturer's instructions.

Authority: T.C.A. § 62-3-128(a). **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Repeal and new rule filed October 15, 2004; effective December 29, 2004.

0200-03-.07 FURNISHINGS AND EQUIPMENT.

- (1) All chairs, other furnishings, and shampoo and tonic containers shall be kept clean and (where applicable) in good repair.
- (2) All barber and/or styling chairs shall be separated by a distance of at least five (5) feet (measured from the center of each chair).

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.08 WET DISINFECTION CONTAINERS.

- (1) Every disinfecting solution container must be clean and filled with an EPA registered, bactericidal, virucidal, fungicidal disinfectant that is mixed and used according to the manufacturer's directions.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Amendments filed October 16, 2023; effective January 14, 2024.

0200-03-.09 REPEALED.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Amendment filed January 3, 1986; effective February 2, 1986. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Repeal filed October 16, 2023; effective January 14, 2024.

0200-03-.10 LAVATORIES AND SHAMPOO BOWLS.

- (1) All lavatories and shampoo bowls shall be kept clean and free from soiled linens. Back bars and mirrors shall likewise be kept clean at all times.
- (2) All lavatories must have hot and cold running water.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.11 RESTROOMS IN SHOPS.

- (1) Every new or relocated barber shop shall contain or have available for its use within the building, sanitary restroom facilities, including:
 - (a) A water-flushed toilet, from which the waste water shall be discharged into a sewage system approved by the Department of Health and Environment.
 - (b) A wash basin with hot and cold running water; and
 - (c) Soap and clean towels.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal by Public Chapter 969; effective June 30, 1984. New rule filed July 24, 1984; effective August 23, 1984. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.12 ATTIRE IN BARBER SCHOOLS.

- (1) All barber students and instructors shall maintain a high standard of personal hygiene and appearance. All students in a school of barbering must wear a uniform prescribed by the school. All instructors must wear smocks and/or shirt and tie with name and title.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-03-.13 REPEALED.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed June 17, 1983; effective July 18, 1983. Repeal filed July 10, 1997; effective September 23, 1997.

0200-03-.14 RESPONSIBILITY FOR COMPLIANCE.

- (1) The manager of an establishment shall be responsible for maintaining all parts thereof in a sanitary condition at all times, and insuring that such establishment is operated in compliance with this Chapter. However, this rule shall not relieve any licensee of responsibility for the sanitary condition of any space or equipment used in an establishment.
- (2) The manager or designated manager of an establishment shall be required to be on the premises at all times barber related services are being rendered.
 - (a) The manager is entitled to two (2) thirty (30) minute periods in which he/she may be away from the premises during the day so long as the manager is reachable by phone and can return to the shop within twenty (20) minutes in the event that a representative of the Board requests their presence, an employee or customer requires assistance, or for any other situation that would require the manager's presence.
 - (b) The manager's name must be posted and their registration number must be available to any employee or customer of the shop. The manager or designated manager shall not be relieved of responsibility for compliance during those times when the manager is away from the premises.
- (3) The shop manager must be licensed by this board for at least one (1) discipline that the shop is licensed to offer. Managers may manage employees across disciplines. This rule shall not interfere with the statutory requirements that each licensee may only offer those services they are licensed to practice, and licensees are only practicing those services that the shop is licensed to offer.

Authority: T.C.A. §§ 62-3-109 and 62-3-128. **Administrative History:** Original rule filed July 24, 1984; effective August 23, 1984. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Amendments filed March 9, 2017; effective June 7, 2017.

0200-03-.15 ANIMALS.

- (1) Animals permitted or prohibited in shops, including fish for decorative purposes and birds in cages, shall be controlled by T.C.A. Title 62, Chapter 3, including § 62-3-132.

Authority: T.C.A. §§ 62-3-128 and 62-3-132. **Administrative History:** Original rule filed July 24, 1984; effective August 23, 1984. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Amendments filed October 16, 2023; effective January 14, 2024.

0200-03-.16 FACIAL TREATMENTS.

- (1) Only the non-living, uppermost layers of facial skin, known as the epidermis may, by any method or means, be removed, and then only for the purpose of beautification.
- (2) Skin removal techniques and practices which affect the living layers of facial skin, known as the dermis, are prohibited.
- (3) Only commercially available products for the removal of facial skin for the purpose of beautification may be used. Mixing or combining skin removal products is prohibited except as it is required by the manufacturer's instructions.

Authority: T.C.A. §§ 62-3-105 and 62-3-128(a). **Administrative History:** Original rule filed October 15, 2004; effective December 29, 2004.

0200-03-.17 SHOPS PROVIDING LIMITED SERVICES.

- (1) The executive director to the Board may, in his/her discretion, waive one or more of the equipment requirements as provided in this Chapter to accommodate shops offering limited services. A request for such a waiver must be made in writing by the applicant, on forms prescribed by the Board, and shall specifically identify the equipment that the applicant desires to omit and the reasons that the omitted equipment is not necessary for the limited services provided. If the services offered change, the applicant shall complete a new application and receive a new inspection.
- (2) Any shop issued a waiver of the equipment requirements shall meet all other requirements listed in this Chapter and pay the fees set out in Rule 0200-01-.11.

Authority: T.C.A. § 62-4-105. **Administrative History:** New rule filed October 16, 2023; effective January 14, 2024.