

**ANNUAL NEWS AND INFORMATION
FOR SOUTH DAKOTA COSMETOLOGISTS AND NAIL TECHNICIANS**

January 2004

**South Dakota COSMETOLOGY
COMMISSION**

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NEW LAWS AND RULES IN 2003.

New legislation and rules were passed and took effect on July 1, 2003. All laws and rules were rewritten for easy understandability and simplicity. The laws created separate licenses for estheticians, esthetician managers, esthetics salons or booths, nail instructors, esthetics instructors, nail schools, and esthetic schools. Cosmetologists can still do skin care as well as hair and nails. Nail technicians cannot do skin care or hair removal. In addition, the Commission has rule-making authority to require continuing education for advanced practices such as electric nail files, microdermabrasion, chemical peels or new health issues such as AIDS or hepatitis. Presently, the only continuing education that is required is for instructors and any licensee practicing microdermabrasion.

Esthetician licenses will expire annually on the licensee's birth month/date. All other licenses still expire annually on January 31. It is being discussed to change all individual licenses to an annual birth month/date expiration. If you have any thoughts on this, please feel free to contact our office staff.

Salon and booths. New and expanded safety and sanitation rules are in place. The inspectors will be discussing the new rules with licensees when they inspect. Some of the new rules: salons must now post a sign listing any services that are not licensed/inspected by the Commission such as tanning; the blood spill procedures must be with the first aid kit; restrooms shall have liquid soap and disposable towels or air hand dryer; electric files/attachments must be designed for use on the human nail; pedicure footspas must be cleaned with soap/water and then disinfected before each client; microdermabrasion machines must be designed for esthetics, not medical; multi-use articles must be washed with soap/water before disinfected; NO animals or birds in the salons; all waste must be removed daily; floors must be made free of hair after each client; and specific information for exfoliation skin practices and products are listed for skin care.

Prohibited equipment and procedures are dermaplane, laser, radiation, dermabrasion, ultrasound, blades, knives and any tools, except for lancets, that invade the skin or living cells. Remember, any procedure in which human tissue is cut or altered by mechanical or energy form, including electrical or laser energy or ionizing radiation is prohibited. Our licensees can only do non-invasive procedures.

We want to thank all our licensees who sent comments and provided support for these changes. To get the laws and rules book, you may ask your inspector, call the office and request a copy, or check the web page at www.state.sd.us/dol/boards/cos.

2004 (Tentative) Exam and Board Meeting Schedule

March 8-9	September 27-28
May 10-11	November 1-2
July 12-13	December 6-7

September 26 & 27 Instructors' continuing education seminar in Pierre.

NURSING HOMES

A licensed nursing home facility does not need a salon license under the following conditions: (1) a licensed cosmetologist provides cosmetology services only to residents of the facility and (2) staff members/volunteers (do not get reimbursement) only wash, set or trim hair.

SERVICES OUTSIDE THE SALON

The law reads “cosmetology, nail technology, and esthetics may only be practiced in a licensed salon or booth.” Exceptions are: demonstrators (such as beauty shows), or persons unable to come to the salon because of imprisonment, disabling sickness, or other disability as long as the licensee documents the service through a salon or booth.

ASK YOUR INSPECTOR

If you are confused over safety and sanitation procedures, ask your inspector. Your inspector is there to help you. Your inspector will spend time explaining the most recent safety and sanitation procedures and requirements.

DISCIPLINARY ACTIONS

The following disciplinary actions have become effective since the last newsletter. A Stipulation and Assurance of Voluntary Compliance is a settlement agreement between licensees and the cosmetology commission without proceeding through a formal hearing, and constitutes neither an admission nor a denial of any violation.

Tho Minh Han, Sioux Falls. Alleged violation-working as a nail technician without a license. Agreement: Apply for licensure immediately, pass the state boards, pass an inspection, and pay legal reimbursement costs-\$75. Alleged violation of SDCL 36-15-56(2).

Katherine Morse, Hair Design Co, Sioux Falls. Alleged violation-employment of unlicensed person to perform nail technician services and failure to post licenses in salon. Agreement: Immediately renew and post licenses, pay legal reimbursement costs-\$75.00. Alleged violation of SDCL 36-15-56(6); 36-15-56(2); ARSD 20:42:04:09.

Sandy Meyer, Main Event Salon, Wagner. Alleged violation-allowing unlicensed person to work in her salon as a cosmetologist. Agreement: Must immediately get all employees licensed, pass an inspection, pay legal reimbursement costs-\$95.00. Alleged violation of SDCL 36-15-56(6).

Lucy Grant, Wagner. Alleged violation-working as a cosmetologist without a license. Agreement: Apply for a licensure immediately, pass the state boards, pass an inspection, and pay legal reimbursement costs-\$45. Alleged violation of SDCL 36-15-56(2).

LICENSE FORMAT

For 2004, the individual licenses are colored PURPLE. The salon licenses are colored GREEN. You cannot copy this license. If you wish a duplicate, the fee is \$5.00.

Please note that the top third of the license is your receipt and ID card, the middle third is your license on safety paper, and **the bottom third is your renewal form for the next year. Important: Please send in your renewal form when you renew your license. Each license shows the expiration date.**

WEB PAGE

We encourage you to see our web page for information, tips, what’s new, calendar, commission minutes, forms and much more all year round. Our web page address is www.state.sd.us/dol/boards/cos.

Commissioners	Staff in Pierre	Inspectors	
Jackie Dahlquist 212 S A Ave. New Underwood, SD 57761	Dorothy Johnson PO Box 536 Parker, SD 57053	Executive Director Susan K. Monge Secretary Nina Fromm	Barb Brenden 605-532-5682 Northeast area Jan Kilber 605-426-6254 Central area Karen Dossett 605-334-7957 Sioux Falls area
Ila Davis 12563 358th Ave. Ipswich, SD 57451	Lois Porch PO Box 317 Philip, SD 57567	Inspectors	
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