

South Dakota Cosmetology Commission

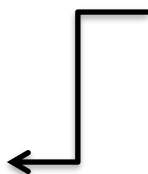
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2019

COS INFO

2018 COSMETOLOGY LAWS & RULES CHANGES

LAW CHANGES

- 1. Cosmetology Education Hours Lowered** - Effective January 1, 2019, cosmetology school education hours were lowered from 2100 to 1500 hours and cosmetology apprenticeships were lowered from 3000 to 2150 hours.
- 2. Number of Apprentices Allowed In An Apprentice Salon** – Effective July 1, 2018, the law was changed to allow two apprentices per instructor in an apprentice salon, with a maximum of four apprentices in the salon.
- 3. Salon License Exemption For Certain Assisted Living Facilities** - Effective July 1, 2018, assisted living facilities that allow cosmetology services only to residents of the facility are not required to have a salon license.
- 4. Instructor Licensure** – The junior instructor license was eliminated.

ADMINISTRATIVE RULE UPDATES

- 1. Curriculum Changes** - Updates were made to the administrative rules, including curriculum changes for cosmetology school education and apprenticeship education to coincide with reduced hour requirement.
- 2. Instructor Licensure** – The rules define that to be licensed as an instructor the cosmetologist, esthetician or nail technician must complete 12 hours of new instructor training and pass the South Dakota Instructor Cosmetology Laws & Rules exam and the National Instructor Theory examination.

Copies of the updated South Dakota Cosmetology Laws/Rules book are available by sending \$2.00 to the SD Cosmetology Commission, 500 E Capitol Ave, Pierre SD 57501.

2020 FEE INCREASES

Certain fees charged by the Cosmetology Commission will increase, effective January 1, 2020. The fee categories and the new amounts are shown below:

Exam Application - \$100

Personal License Renewal – \$25

Instructor Initial License & Renewal - \$35

Salon/Booth License Renewal - \$40.00

Exam Retake (1 exam) - \$60

Exam Retake (2 exams) - \$70

Exam Retake (3 exams) - \$80

Fees for licenses expiring in 2019 will remain the same as previous years: \$20 for personal license renewal, \$25 for instructor license renewal, and \$35 for Salon/Booth license renewal.

LICENSE RENEWAL INFORMATION

1. Visit our website to renew on-line using your credit or debit card, or
2. Send in the renewal form (bottom third of your license) with the renewal fee.
3. Each licensee must send in their own renewal and fees. We will not accept checks from a different individual. If sending cash or a money order, the licensee must provide a signed, notarized letter stating that they are authorizing the renewal of their license with the provided form of payment.
4. There is a \$20 late penalty if the license is not renewed by the expiration date -- birth date for personal licenses and salon/booth opening date.

You are allowed to renew your licenses early – many licensees renew in January every year.

SALON & BOOTH RENTAL INFORMATION

1. You must apply for a booth license if you rent a chair in a salon. (This means you are an independent contractor and are NOT an employee of the salon.)
2. If you move to a new physical address, you must apply for a new salon or booth license and have it posted before you can work in the new location.
3. Salon and booth permits are not renewable. Once your new space is inspected, the Commission will send you a new license that is no longer in permit status.

ONLINE SERVICES

Visit our website to:

1. Renew License(s)
2. Apply for a Salon/Booth License
3. Request a Certification (when transferring license to a new state)

PROHIBITED PRODUCTS, EQUIPMENT AND PROCEDURES

The following products, equipment and procedures are prohibited from use:

1. Liquid monomer nail products containing methyl methacrylate monomers (MMA)
2. Chemicals containing bichloroacetic acid (BCA) or any acid in any concentration level that requires a prescription or acts on living tissue
3. Fumigants, formalin tablets or formalin liquids
4. Roll on wax
5. Blades, knives, razor-type callus shavers, credo blades, rasps, graters, or any other implements used to remove corns or calluses capable of cutting below the stratum corneum layer of the skin, except for lancets used specifically for extraction of impurities
6. Dermaplane procedures, dermabrasion procedures, ultrasound equipment, microneedling
7. Any procedure in which human tissue is cut or altered by any FDA Class 3 or above mechanical or energy devices
8. UV sterilizers or light boxes are prohibited as infection control devices.

2019 COMMISSION MEETINGS

February 12 – Pierre

April 12 – Sioux Falls

July 26 – Pierre

September 20 – Rapid City

December 3 – Pierre

Meeting dates subject to change

LICENSE CERTIFICATION EDUCATION HOURS

- * Electric Nail File – 8 Hours
- * Eyelash Extensions – 16 Hours
- * Microdermabrasion – 16 Hours

The certification must be displayed on your license.

Visit our website for a list of preapproved education providers.

Commission Members

Tammy Ugofsky, President – Yankton

Tami Stokes, Vice President -- Lead

Crystal Carlson, Sec/Treas. – Lead

Lori Little, Public Member – Spearfish

Debbie Pageler, Public Member – Sisseton

Office Staff

Kate Boyd, Executive Director

Kelsey Skoglund, Violations Specialist

Teresa Diederich, Secretary

Inspectors

Nancy LaBrie – Northeastern area

Georgia Linn – Western area

Mary Rasmussen – Southeastern area

2018 CONSENT AGREEMENTS & COMMISSION ORDERS

Rock Star Nails and Spa Salon, Rapid City. Violation-Allowing three unlicensed individuals to perform nail technology services in the salon. Consent Agreement- No active suspension for Rock Star Nails and Spa Salon license so long as they pay a monetary penalty of \$1,000 imposed by the Commission; additional inspections for one year.

Ronni Pospisil Booth, Yankton. Violation- Worked without a booth license for nine months. Consent Agreement- No active suspension for Ronni Pospisil Booth; the Commission imposes a monetary penalty of \$225 for the immediate reinstatement of the booth license.

The Cutting Crew Salon, Yankton- Kelly Vornhagen. Violation- Allowed a Nail Technician to work as a booth renter in the salon for nine months without a proper booth license. Consent Agreement- No active suspension for The Cutting Crews Salon license; the Commission imposes a penalty of \$100 for the immediate reinstatement of the salon license.

Thao Thu Phuong Tran, Sioux Falls. Violation- Used a prohibited callus shaver type pedicure tool that is capable of cutting below the stratum corneum layer of the skin. Consent Agreement- No active suspension for Ms. Tran's personal license; the Commission imposes a monetary penalty of \$450 for the immediate reinstatement of her personal license.

Le Hai Ocampo, Sioux Falls. Violation- Used a prohibited callus shaver type pedicure tool that is capable of cutting below the stratum corneum layer of the skin. Consent Agreement- No active suspension for Ms. Ocampo's personal license; the Commission imposes a monetary penalty of \$450 for the immediate reinstatement of her personal license.

AJ's Wicked Salon and Spa, Rapid City. Violation-Allowed the salon license to lapse for six months. Consent Agreement- No Active suspension for the salon license; the Commission imposes a penalty of \$150 for the immediate reinstatement of the salon license.

Simply Divine Day Spa Salon, Sioux Falls-Kelsey Burns. Violation- Allowed the salon license to lapse for five months. Consent Agreement- No active suspension for the salon license; the Commission imposes a penalty of \$125 for the immediate reinstatement of the salon license.

Jayde Tree Salon LLC, Rapid City. Violation- Allowed the salon license to lapse for over a year. Consent Agreement- No active suspension for the salon license; the Commission imposes a penalty of \$325 for the immediate reinstatement of the salon license.

Lisa Lenz Booth, Canton-Lisa Lenz. Violation- Allowed her personal license to lapse for seven months and her booth license to lapse for three months. Consent Agreement- No active suspension for Ms. Lenz's personal and booth licenses; the Commission imposes a penalty of \$175 for the immediate reinstatement of Ms. Lenz's personal license; the Commission imposes a penalty of \$75 for the immediate reinstatement of the booth license.

2018 CONSENT AGREEMENTS & COMMISSION ORDERS - Continued

3rd Avenue Salon and Spa, Mitchell-Janelle Vaughan. Violation- Allowed the salon license to lapse for eight months. Consent Agreement- No active suspension for the salon license; the Commission imposes a penalty of \$200 for the immediate reinstatement of the salon license.

Marilyn's North Mane Salon, Doland- Marilyn Mason. Violation- Allowed the salon license to lapse for four months. Consent Agreement- No Active suspension for the salon license; the Commission imposes a penalty of \$100 for the immediate reinstatement of the salon license.

Traci Vansickle Booth, Sioux Falls. Violation- Allowed her personal license to lapse for ten months and her booth license to lapse for eight months. Consent Agreement- No active suspension for Ms. Vansickle's personal and booth licenses; the Commission imposes a penalty of \$250 for the immediate reinstatement of Ms. Vansickle's booth and personal licenses.

Melissa Chavez, Hartford. Violation- Personal licenselapsed for six months. Consent Agreement- No active suspension for Ms. Chavez's personal license; the Commission imposes a penalty of \$150 for the immediate reinstatement of her license.

Mai Lees Threading Beauty Salon, Rapid City- Mai Ozbirn. Violation- Allowed her salon license to lapse for twelve months. Consent Agreement- No active suspension for the salon license; the Commission imposes a penalty of \$300 for the immediate reinstatement of the salon license.

Tesia Walker Booth, Rapid City. Violation- Allowed her booth license to lapse for five months. Consent Agreement- No active suspension for Ms. Walker's Booth license; the Commission imposes a penalty of \$125 for the immediate reinstatement of the booth license.

Bobbi Beatch, Mitchell. Violation- Allowed her personal license to lapse for six months. Consent agreement- No active suspension for Ms. Beatch's personal license; the Commission imposes a penalty of \$150 for the immediate reinstatement of Ms. Beatch's personal license.

Angela Steen Booth, Chamberlain. Violation- Allowing her booth license to lapse for nine months and her personal license to lapse for four months. Consent Agreement- No active suspension for Ms. Steen's personal and booth licenses; the Commission imposes a penalty of \$100 for the immediate reinstatement of Ms. Steen's personal license; the Commission imposes a penalty of \$225 for the immediate reinstatement of Ms. Steen's Booth license.

Nails Studio Salon, Sioux Falls- Kelly Vuong. Violation- Operating a salon in an unsafe and unsanitary condition. Consent Agreement- No active suspension for Ms. Vuong's personal license and Nails Studio Salon license; the Commission imposes a monetary penalty of \$125 for the immediate reinstatement of Nails Studio Salon license; the Commission imposes a monetary penalty of \$125 for the immediate reinstatement of Ms. Vuong's personal license; additional inspections for one year; any failed inspection will result in an immediate 24 hour salon closure; if Ms. Vuong decides to sell her salon she cannot apply for a new salon or booth license prior to September 1, 2019.

Darla Bierwagen Booth, Sioux Falls. Violation- Operating a booth in an unsafe and unsanitary condition. Consent Agreement- No active suspension for Ms. Bierwagen's personal and booth licenses; Ms. Bierwagen pay \$350 for the immediate reinstatement of her license and to cover the costs of additional inspections; any failed inspection will result in an immediate 24-hour suspension of Ms. Bierwagen's personal and booth licenses.

Radiance Day Spa, Sioux Falls. Violation- Allowed salon license to lapse for seven months. Consent Agreement- No active suspension for the salon license; The Commission imposes a penalty of \$175 for the immediate reinstatement of the salon license.

Jessica Sedy, Rapid City. Violation- Allowed personal license lapsed four months. Consent Agreement- No active suspension for Ms. Sedy's personal license; Commission imposes a penalty of \$100 for the immediate reinstatement of her license.

Camille Rische Booth, Watertown. Violation- Allowed her personal license to lapse for five months and her booth license to lapse for three months. Consent Agreement- No active suspension for Ms. Rische's personal and booth licenses; The Commission Imposes a penalty of \$100 for the immediate reinstatement of her licenses.

Davi Nails Salon, Sioux Falls- Kevin Phung. Violation- Allowed the salon license to lapse for eleven months. Consent Agreement- No active suspension for the salon license; the Commission imposes a penalty of \$125 for the immediate reinstatement of Davi Nails Salon license.

Megan Fritzsche, Miller. Violation- Personal license lapsed for seven months. Consent Agreement- No active suspension of Ms. Fritzsche's personal license; The Commission imposes a penalty of \$175 for the immediate reinstatement of her license.

Kerrie Smythe Booth, Sioux Falls. Violation- Allowed her booth license to lapse for eight months. Consent Agreement- No active suspension for Ms. Smythe's Booth license; The Commission imposes a penalty of \$100 for the immediate reinstatement of her booth license.

Carrie Hanson Booth, Winner. Violation- Operating a booth without first obtaining the proper license. Consent Agreement- No active suspension for Ms. Hanson's Booth license; The Commission imposes a penalty of \$75 for the immediate reinstatement of her booth license.

Hair Candy Salon, Belle Fourche- Candace Dowling. Violation- Allowed salon license to lapse for six months. Consent Agreement- No active suspension for the salon license; the Commission imposes a penalty of \$150 for the immediate reinstatement of the salon license.

2018 CONSENT AGREEMENTS & COMMISSION ORDERS - Continued

Peggy Sproat, Rapid City. Violation- Allowed an unlicensed individual to instruct students and allowed junior instructors to supervise students without the supervision of a senior instructor at Headlines Academy. Consent Agreement- 6 months of suspension held in abeyance for one year; Ms. Sproat pay \$1,000 for the immediate reinstatement of her licenses; Successfully complete an educational course given by staff on licensing laws and regulations at a cost of \$50.

Headlines Academy, Rapid City. Violation- Allowed an unlicensed individual to instruct students and allowed junior instructors to supervise students without the supervision of a senior instructor. 9/20/18 Consent Agreement- 60 days of suspension held in abeyance for one year pending no violations of cosmetology laws or rules; Headlines pay \$4,500 for the immediate reinstatement of the school license; additional inspections for one year at a cost of \$1,000; Headlines will send the Commission Office weekly instructor work schedules for one year.

Headlines Academy, Rapid City. Failed school inspection while under Consent Agreement from 9/20/18. Consent Agreement – School license suspended for 30 days, held in abeyance with no active suspension; school voluntarily closes for one day on 1/21/19, instructors attend a commission seminar on cosmetology statutes and administrative rules, instructors take the online Barbicide certification infection control course, four unannounced inspections between the seminar and 9/20/19.

Mary Ann Rankin, Rapid City. Violation – Worked as an unlicensed instructor for a period of eight months. Consent Agreement – No active suspension of Ms. Rankin’s personal license; Commission imposes a \$100.00 penalty for immediate reinstatement of her personal license and pay \$50 to take a course on cosmetology laws and regulations and pass the Instructor State Laws exam.

Candice Geick Booth, Sioux Falls. Violation- Allowed her booth license to lapse for fifteen months. Consent Agreement-No active suspension for Ms. Geick’s booth license; The Commission imposes a penalty of \$375 for the immediate reinstatement of her booth license.

Hollie Jeffery Booth, Sturgis. Violation- Allowed her booth license to lapse for five months. Consent Agreement-No active suspension for Ms. Jeffery’s booth license; The Commission imposes a penalty of \$125 for the immediate reinstatement of her booth license.

The Cutting Edge Salon, Menno. Violation- Salon license to lapsed for eleven months. Consent Agreement- No active suspension for the salon license; The Commission imposes a penalty of \$275 for the immediate reinstatement of the salon license.

New Leaf Body Spa Salon, Mitchell. Violation- Salon license lapsed for five months. Consent Agreement- No active suspension for the salon license; Penalty of \$125 for the immediate reinstatement of the salon license.

Amanda Sogge, Rapid City. Violation- Personal license lapsed for ten months. Consent Agreement- No active suspension for her personal license; The Commission imposes a penalty of \$250 for the immediate reinstatement of her personal license.

Images by Sheila Salon, Salem- Sheila Anderson. Violation- Allowed her personal and salon licenses to lapse for fourteen months. Consent Agreement- No active suspension for Ms. Anderson’s licenses; the Commission imposes a penalty of \$350 for the immediate reinstatement of her personal license; The Commission imposes a penalty of \$350 for the immediate reinstatement of the salon license.

Hair Unlimited Salon, Armour- Dionne Harrington. Violation- Allowed her personal license to lapse for three months and the salon license to lapse for five months. Consent Agreement- No active suspension for Ms. Harrington’s personal and salon licenses; The Commission imposes a penalty of \$75 for the immediate reinstatement of her personal license; The Commission imposes a penalty of \$125 for the immediate reinstatement of the salon license.

Wanda Gasper Booth, Rapid City. Violation- Allowed her booth license to lapse for six months. Consent Agreement- No active suspension for Ms. Gasper’s booth license; The Commission imposes a penalty of \$150 for the immediate reinstatement of her booth license.

The Getaway Salon and Spa, Box Elder – Patricia Schmidt. Violation- Allowed the salon license to lapse for six months. Consent Agreement- No active suspension for the salon license; The Commission imposes a penalty of \$150 for the immediate reinstatement of the salon license.

Best Nail Salon, Yankton – Mai Ngo. Violation- Allowed an unlicensed individual perform nail technology services in the salon. Consent Agreement-No active suspension for Ms. Ngo’s personal license; Ms. Ngo will successfully complete an educational course about South Dakota Laws and Rules; No active suspension for Best Nail Salon license; additional inspections for one year; the Commission imposes a penalty of \$300 for the immediate reinstatement of the salon license.

Merissa Luetjen, Sioux Falls. Violation- Allowed her personal license to lapse for four months. Consent Agreement- No active suspension for Ms. Luetjen’s personal license; The Commission imposes a penalty of \$100 for the immediate reinstatement of her personal license.

Tina Fletcher/Best Little Hair House, Rapid City. Violation-Allowed her personal license to lapse for six months and her salon license to lapse for nine months. Consent Agreement – No active suspension for Ms. Fletcher’s personal license; The Commission imposes a penalty of \$150 for immediate reinstatement of personal license. No active suspension of Salon license, with 15 days suspension held in abeyance for a period of one year with no further violations.