

**Arkansas Department of Health
Proposed Rules Pertaining to Arkansas Department of Health Cosmetology
Public Comments Received**

Written comments were received during informal public comment period, response to written comments from Leslie Roste received August 17, 2015.

Comment	Response
I would respectfully offer the following suggestions, My notes are in blue :	
<p>1. Add definitions for:</p> <ul style="list-style-type: none"> • Clean: Removal of visible debris through use of soap/detergent and water or a chemical cleaner • Disinfect: Destruction of bacterial, viral and fungal pathogens (not spores) through the use of proper process and chemical disinfectants intended for use in the salon setting. • Disinfectant: EPA registered disinfectant that is bactericidal, virucidal and fungicidal • Sterilize: Destruction of all microbial life through proper use of an autoclave • Porous: Items made or constructed of material that has pores or openings and cannot be properly cleaned so that all visible residue is removed or is damaged or contaminated by cleaning and disinfecting. 	Presented to CTAC changed Rule 1 to add definitions for clarification.
<p>2. I would remove the word “sanitize” from the rules – it has been removed from all textbooks to avoid word confusion. “clean” and “sanitize” mean the same thing, so “clean” is being used exclusively in the text books and in most states with rules written after 2014</p>	Presented to CTAC made suggested changes to language for clarification.
<p>(5.1) Health and Safety Rules (C) Physical Facilities:</p> <p>3. (4) Hand Washing Facilities – Each school of cosmetology, each postsecondary school of cosmetology, and each salon establishment shall provide hand washing facilities installed in accordance with the Arkansas State Plumbing Code. The facilities shall have a soap dispenser (with soap) and disposable towels or an air dryer for hands. Common towels and bar soap are prohibited.</p>	Presented to CTAC made suggested changes to language for clarification.
<p>4. Garbage and Refuse – Garbage and refuse shall be kept in closed, durable, easily cleanable, insect- proof and rodent-proof containers that do not leak and do not absorb liquids. No school of cosmetology, each postsecondary school of cosmetology, or salon establishment shall permit an accumulation of garbage or refuse.</p>	Considered change, discussed during Rule Committee meeting, omitted at industry request. Presented to CTAC agreed with industry recommendation.

Comment	Response
<p>5. (a) A liquid sanitizer sanitizer disinfecting receptacle to hold instruments and supplies (note: you are “disinfecting” not sanitizing in this container – take credit for that!) with an EPA registered disinfecting solution that is bactericidal, capable of destroying bacteria; virucidal, capable of destroying viruses; and fungicidal, capable of destroying fungi. Disinfectants must be used according to manufacture labels to be safe and effective. Contact time listed on the manufacturers label must be adhered to at all times to effectively destroy pathogens. The receptacle must be large enough that the instruments and supplies are completely submerged. The disinfectant solutions shall remain covered at all times and shall be changed daily or whenever visibly cloudy or dirty; (note: federal EPA label on all disinfectants state that they must be changed daily – this is a requirement to make efficacy claims)</p>	<p>Presented to CTAC made suggested changes to language for clarification.</p>
<p>6. All soiled linens must be in a separate closed receptacle from clean ones;</p>	<p>Considered change, discussed during Rule Committee meeting, omitted at industry request. Presented to CTAC agreed with industry recommendation</p>
<p>7. Communicable disease – add statement about inflamed, open or irritated skin – these statements give your licensee a way to turn away clients that might be contagious without having to “diagnose” them</p>	<p>Presented to CTAC added partial language suggestion “open, irritated”</p>
<p>8. Treatment Tables – Treatment tables must be sanitized cleaned and disinfected before each treatment Do you want these tables “Clean” or “disinfected” - the current way it is written requires only that they clean it. I would also add a requirement to place clean linens or disposable paper between client and table before each service</p>	<p>Presented To CTAC changed language “Sanitized” to “cleaned and disinfected”. Clean linens language already present in Rule.</p>
<p>9. Pedicure Spas – Pedicure spas and equipment must be sanitized and disinfected before each service. This needs to be MUCH more specific – I can provide best practice that is practical if you would like</p>	<p>Presented to CTAC added language from Candidate Information Bulletin(CIB) for Cosmetology Practical Examination</p>

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<p>10. Used Towels to be discarded Do you really want them thrown away? – After a towel has once been used, it shall be deposited in a receptacle, and shall not again be used until properly laundered and sanitized. I would be specific on how they are to be laundered: “Towels and linens shall be washed on the hot cycle and dried until hot to the touch. It is acceptable to have towels and linens commercially laundered” / Why did you remove “closed” - that is important as stated above</p>	<p>Presented to CTAC omitted language “used towels to be discarded” and added partial language.</p>
<p>11. All used porous supplies or instruments which cannot be disinfected shall be disposed of in a waste receptacle immediately after use. If you remove the examples of items that cannot be disinfected then you should define porous and non-porous in definitions and then require that all porous items be discarded – I can provide those definitions</p>	<p>Presented to CTAC made suggested change to add the word “porous” to language for clarification.</p>
<p>12. Before use upon a client, all electrical instruments shall be sanitized cleaned of visible debris, such as hair , and disinfected with an EPA registered disinfecting solution containing bactericidal, capable of destroying bacteria; virucidal, capable of destroying viruses; and fungicidal, capable of destroying fungi. Disinfectants must be used according to manufacture labels to be safe and effective. All disinfectable instruments (that have been used on a client or soiled in any manner) shall be placed in a properly labeled receptacle that contains only dirty items awaiting disinfection. This specific rule should allow for a spray or wipe and should give them instructions on how to store them after they are disinfected. In general, I suggest a clean place such as a hook, or on a clean towel, covered by a clean towel.</p>	<p>Presented to CTAC added partial language suggestion.</p>
<p>13. (23) Non-Electrical Instruments and Equipment- (a)Before use upon a client, all non-electrical instruments shall be sanitized cleaned , by use of soap/detergent and water, rinsed and then disinfected with an EPA registered disinfecting solution containing bactericidal, capable of destroying bacteria; virucidal, capable of destroying viruses; and fungicidal, capable of destroying fungi. Disinfectants must be used according to manufacture labels to be safe and effective. All disinfectable instruments that have been used on a client or soiled in any manner shall be placed in a properly labeled receptacle that contains only dirty items awaiting disinfection. Disinfected items should be stored in a clean, closed container marked either “disinfected” or “ready for use”.</p>	<p>Presented to CTAC added partial language suggestion.</p>

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<p>14. (24) Sterilizing Electrolysis Instruments-All needles and lancets must be single use and disposable. Disposable needles or lancets are recommended, but if non-disposable needles or lancets are used they must be properly sterilized with an autoclave. For proper disposal of needles and lancets refer to Ark. Code Ann. § 20-7-109 and Ark. Code Ann. §§ 20-32-101 – 112. Instruments that cannot be sterilized with an autoclave must be sterilized with an EPA registered disinfecting solution containing bactericidal, capable of destroying bacteria; virucidal, capable of destroying viruses; and fungicidal, capable of destroying fungi. Disinfectants must be used according to manufacture labels to be safe and effective. Dry sterilizer or UV lights are not acceptable sterilization techniques.</p>	<p>Presented to CTAC made suggested changes to language for clarification.</p>
<p>15. (b) Removal from Container – When only a portion of a cosmetic preparation is to be used on a client, it shall be removed from the container in such a way as not to contaminate the remaining portion. All product shall be removed with either a disinfected multi-use spatula or single use disposable spatula</p>	<p>Considered change, discussed during CTAC voted to leave Rule as written.</p>
<p>16. (c) Pencil Cosmetics – Pencil cosmetics shall be disinfected and sharpened before each use. Sharpeners shall be properly disinfected before each use. Why did you remove disinfecting the sharpener either before or after each use... if it has touched someone’s eye and then you stick it in the sharpener, any pathogens are now up in the sharpener so that the next time you sharpen it , the pencil is contaminated</p>	<p>Considered change, discussed during Rule Committee meeting, omitted at industry request. Presented to CTAC agreed with industry recommendation</p>
<p>17. A couple of other notes:</p> <ul style="list-style-type: none"> • If you define what an approved disinfectant is in the definitions, you would not have to repeat it throughout... may save some keystrokes! • I would definitely add specific processes for waxing services – these are very popular services with a LOT of risks – I can help with those • Add specifics for nails and particularly pedicure bowls – this is where most case law comes from in cosmetology 	<p>Presented to CTAC made suggested changes for clarification on waxing services and pedicure bowls.</p>