



VIRTUAL/TELECONFERENCE
COSMETOLOGY EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Will Johnson (608) 266-2112
June 12, 2023

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

9:30 AM

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of March 27, 2023 (4-6)**
- C. Introductions, Announcements and Recognition
- D. Reminders: Conflicts of Interest, Scheduling Concerns
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff, and Board Updates
 - 2) Board Members – Term Expiration Dates
 - a. Blake, Melissa K. – 7/1/2024
 - b. Cwojdzinski, Kayla M. – 7/1/2024
 - c. Halverson, Georgianna – 7/1/2023
 - d. Hoepfner, Ann M. – 7/1/2023
 - e. Jackson, Megan A. – 7/1/2023
 - f. Lee, Kristin N. – 7/1/2023
 - g. Quintal, Daisy L. – 7/1/2023
- F. Legislative and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration (7)**
 - 1) Cos 1, 2, 5, and 6, Relating to Scope of Practice and Education (**8-18**)
 - 2) Pending and Possible Rulemaking Project (**19**)
- H. Speaking Engagement(s), Travel, or Public Relation Request(s)**
 - 1) Consideration of Attendance: National Interstate Council of State Boards of Cosmetology (NIC) Annual Conference, October 27-30, 2023 | Albuquerque, New Mexico
- I. Deliberation on Items Added After Preparation of Agenda
 - 1) Introductions, Announcements and Recognition

- 2) Election of Officers, Appointment of Liaison(s), Delegation of Authorities
- 3) Administrative Matters
- 4) Education and Examination Matters
- 5) Credentialing Matters
- 6) Practice Matters
- 7) Legislative and Policy Matters
- 8) Administrative Rule Matters
- 9) Liaison Reports
- 10) Public Health Emergencies
- 11) Board Liaison Training and Appointment of Mentors
- 12) Informational Items
- 13) Division of Legal Services and Compliance (DLSC) Matters
- 14) Presentations of Petitions for Summary Suspension
- 15) Petitions for Designation of Hearing Examiner
- 16) Presentation of Stipulations, Final Decisions and Orders
- 17) Presentation of Stipulations and Interim Orders
- 18) Presentation of Proposed Final Decision and Orders
- 19) Presentation of Interim Orders
- 20) Petitions for Re-Hearing
- 21) Petitions for Assessments
- 22) Petitions to Vacate Orders
- 23) Requests for Disciplinary Proceeding Presentations
- 24) Motions
- 25) Petitions
- 26) Appearances from Requests Received or Renewed
- 27) Speaking Engagement(s), Travel, or Public Relation Request(s)

J. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

K. Deliberation on Division of Legal Services and Compliance (DLSC) Matters

- 1) **Case Closings**
 - a) 17 BAC 104 – K.A.S., R.S. **(20-28)**
 - b) 19 BAC 096 – R.S., K.S., J.D. **(29-34)**
 - c) 20 BAC 055 – S.M. **(35-39)**
 - d) 20 BAC 057 – D.D. **(40-43)**
 - e) 20 BAC 072 – D.I. **(44-47)**
 - f) 20 BAC 073 – N.C., D.N. **(48-53)**
 - g) 21 BAC 043 – P.S. **(54-58)**
 - h) 22 BAC 008 – V.C.P. **(59-65)**
 - i) 23 BAC 007 – D.O., T.U.L. **(66-69)**

L. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters

- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspension
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decision(s) and Order(s)
- 9) Proposed Final Decision(s) and Order(s) of Default
- 10) Proposed Interim Orders
- 11) Administrative Warnings
- 12) Review of Administrative Warnings
- 13) Proposed Final Decisions and Orders
- 14) Orders Fixing Costs/Matters Related to Costs
- 15) Case Closings
- 16) Board Liaison Training
- 17) Petitions for Assessments and Evaluations
- 18) Petitions to Vacate Orders
- 19) Remedial Education Cases
- 20) Motions
- 21) Petitions for Re-hearings
- 22) Appearances from Requests Received or Renewed

M. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

N. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

O. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: AUGUST 28, 2023

 MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE
COSMETOLOGY EXAMINING BOARD
MEETING MINUTES
MARCH 27, 2023**

PRESENT: Melissa Blake, Kayla Cwojdzinski, Georgianna Halverson, Ann Hoepner, Megan Jackson, Daisy Quintal

EXCUSED: Kristin Lee

STAFF: Will Johnson, Executive Director; Jameson Whitney, Legal Counsel; Dana Denny, Administrative Rule Coordinator; Katlin Schwartz, Bureau Assistant; and other Department staff.

CALL TO ORDER

Megan Jackson, Chairperson, called the meeting to order at 9:33 a.m. A quorum was confirmed with six (6) members present.

ADOPTION OF AGENDA

MOTION: Ann Hoepner moved, seconded by Kayla Cwojdzinski, to adopt the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JANUARY 23, 2023

MOTION: Ann Hoepner moved, seconded by Kayla Cwojdzinski, to approve the Minutes of January 23, 2023 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Delegation of Authorities

Delegation of Authority to Credentialing Liaison

MOTION: Ann Hoepner moved, seconded by Kayla Cwojdzinski, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Cos 1, 2, 5, and 6, Relating to Scope of Practice and Education

MOTION: Megan Jackson moved, seconded by Ann Hoepner, to designate the Chairperson to serve as liaison to DSPS staff for drafting COS 1, 2, 5, and 6, relating to Scope of Practice and Education. Motion carried unanimously.

CLOSED SESSION

MOTION: Ann Hoepfner moved, seconded by Daisy Quintal, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss. 19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Megan Jackson, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Melissa Blake-yes; Kayla Cwojdzinski-yes; Georgianna Halverson-yes; Ann Hoepfner-yes; Megan Jackson-yes; and Daisy Quintal-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:07 a.m.

DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Administrative Warnings

20 BAC 020 – J.M.M.

MOTION: Ann Hoepfner moved, seconded by Kayla Cwojdzinski, to issue an Administrative Warning in the matter of J.M.M., DLSC Case Number 20 BAC 020. Motion carried unanimously.

Case Closings

MOTION: Ann Hoepfner moved, seconded by Kayla Cwojdzinski, to close the following DLSC Cases for the reasons outlined below:

1. 20 BAC 006 – F.N., S.N.L. – Prosecutorial Discretion (P3)
2. 20 BAC 047 – C.B., S.C., L.A.H. – Prosecutorial Discretion (P2)
3. 21 BAC 008 – S.J. – Prosecutorial Discretion (P2)
4. 21 BAC 044 – N.N.B. – Prosecutorial Discretion (P7)
5. 22 BAC 022 – 17 A.S.A.S. – Prosecutorial Discretion (P2)

Motion carried unanimously.

Proposed Stipulations and Final Decision and Orders

MOTION: Megan Jackson moved, seconded by Daisy Quintal, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings of the following cases:

1. 20 BAC 040 – Son T. Lieu
2. 21 BAC 037 – Wanda K. Kramer-Hanson

Motion carried unanimously.

Proposed Final Decisions and Order of Default

20 BAC 036 – Gijeila Rivera Quiles

MOTION: Ann Hoepner moved, seconded by Megan Jackson, to adopt the Proposed Decision and Order of Default in the matter of disciplinary proceedings against Gijeila Rivera Quiles, DLSC Case Number 20 BAC 036. Motion carried unanimously.

21 BAC 040 – Katelyn E. Sorey

MOTION: Kayla Cwojdzinski moved, seconded by Georgianna Halverson, to adopt the Proposed Decision and Order of Default in the matter of disciplinary proceedings against Katelyn E. Sorey, DLSC Case Number 21 BAC 040. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Ann Hoepner moved, seconded by Daisy Quintal, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 10:28 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Ann Hoepner moved, seconded by Kayla Cwojdzinski, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

MOTION: Ann Hoepner moved, seconded by Kayla Cwojdzinski, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:29 a.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Dana Denny		2) Date when request submitted: 05/31/2023 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Cosmetology Examining Board			
4) Meeting Date: 06/12/2023	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Cos 1, 2, 5 and 6 Relating to Scope of Practice and Education 2. Pending or Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Act on a Scope Statement and Drafting of Rules; Review Board’s Current Rule Projects Attachments: <ul style="list-style-type: none"> Cos 1, 2, 5 and 6 Administrative Code Chapters Scope Statement - Cos 1, 2, 5 and 6 Rule Project Chart Copies of current Board Rule Projects Can be Viewed Here: https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx			
11) Authorization			
Dana Denny		05/31/23	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Chapter Cos 1

DEFINITIONS

Cos 1.01 Definitions.

Note: Chapter BC 1 was renumbered ch. Cos 1 under s. 13.92 (4) (b) 1., Stats., Register February 2013 No. 686.

Note: See Chapter SPS 50 for rules governing the licensing of barbers, barbering managers, and barbering establishments.

Cos 1.01 Definitions. For the purposes of chs. Cos 1 to 10:

(1) “Antiseptic” means a chemical that kills or inhibits the growth of organisms on skin or living tissue.

(1v) “Board” means the cosmetology examining board.

(2) “Chemical relaxing” means the process of straightening hair by use of chemical agents.

(2m) “Chemical waving” means a system of permanent waving employing chemicals rather than heat.

(3) “Contagious” means capable of being transmitted by direct or indirect contact.

(3e) “Cosmetologist” has the meaning given in s. 454.01 (7e), Stats.

(3g) “Credential” means a license, permit or certificate or certification of registration that is issued under ch. 454, Stats.

(3r) “Cutting,” as used at s. 454.01 (13), Stats., means exclusively the cutting of human nails, cuticles and calluses, and does not refer to any other invasive procedure.

(4) “Department” means the department of safety and professional services.

(6) “Disinfectant” means a chemical or product that destroys disease-causing bacteria.

Note: Examples of disinfectants are: 1. A solution of household bleach (5 ¼ percent sodium hypochlorite) and water containing at least 500 parts per million (ppm) available chlorine (1:100 dilution, or 2 teaspoons of household bleach per quart of water made fresh each day prior to use); 2. A solution of at least 70% isopropyl alcohol; 3. A solution using a phenolic germicidal such as Lysol (brown bottle); 4. A solution using an iodophor germicidal agent such as iodine or Betadyne; and 5. A solution using a quaternary ammonium germicide agent such as Lysol (spray) or Barbicide Plus.

(6e) “Disinfection” means application of a disinfectant following thorough cleaning of the utensil.

(6m) “Division” means the division of legal services and compliance in the department of safety and professional services.

(6s) “Exfoliation” means the process whereby the superficial epidermal cells are removed from the skin.

(7) “Full time” means work which is performed for 30 hours per week or the maximum number of hours an establishment is open if the establishment is open less than 30 hours per week.

(7m) “General supervision” means the supervising physician is available for direct communication, either in person or by telephone, radio, radiotelephone, television or similar means and is physically located within 120 miles of the licensee.

(8) “Infectious” means capable of being transmitted, with or without contact.

(9) “Laser” means light amplification by the stimulated emission of radiation.

(10) “Licensee” means a person who holds a license, permit, certificate or registration issued by the board or who has the right to renew a license, permit, certificate or registration issued by the board.

(11g) “Massaging,” as used at s. 454.01 (2) and (13), Stats., means massage for cosmetic rather than therapeutic purposes.

(11n) “Mechanical exfoliation” means the physical removal of surface epidermal cells by means that include but are not limited to brushing machines, granulated scrubs, peel-off masques or drying preparations that are rubbed off, and microdermabrasion.

(11r) “Microdermabrasion” means mechanical exfoliation using an abrasive material or apparatus to remove surface epidermal cells with a mechanical closed loop vacuum system.

(11w) “Nail enhancement” means any material other than nail polish which is added to the fingernail or toenail generated by the person’s own body, or which is used to enhance the fingernail or toenail of a person.

(12) “Owner” means the person who holds an establishment license or right to renew an establishment license.

(13) “Patron” means a person to whom services from a cosmetologist, aesthetician, electrologist or manicurist are provided for compensation.

(13m) “Personal care services” means shampooing, setting, combing, brushing, cutting, chemical waving, chemical relaxing, bleaching or coloring the hair. “Personal care services” also includes electrology, manicuring and aesthetic services.

(13t) “Physician” means a person licensed in Wisconsin to practice medicine and surgery.

(14) “Practitioner” means a person who holds a current license to practice cosmetology issued under s. 454.06 (2), Stats.

(14m) “Sterilization” means a process which destroys all forms of microbial life, including spores.

(15) “Supervision” means regular, on-premise coordination, direction and inspection of the practice of another.

(16) “Training permit holder” means a person who holds a current training permit issued pursuant to s. 454.06 (9), Stats.

Note: Immersion of the object to be disinfected in a solution of household bleach (5 ¼ percent sodium hypochlorite diluted to 2 teaspoons per quart of water).

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; renum. (7) to (13) to be (8) to (14), cr. (7), Register, December, 1990, No. 420, eff. 1-1-91; r. and recr. (11), r. (14), renum. (12) and (13) to be (13) and (14), cr. (12), Register, May, 1993, No. 449, eff. 6-1-93; renum. (1) to (1m), cr. (1), Register, November, 1994, No. 467, eff. 12-1-94; renum. (1) to be (1m), cr. (1), (2m), (10m), (13m) and (16), r. and recr. (2) and (9), renum. and am. (5) to be (15) and am. (6), (8) and (14), Register, May, 1999, No. 521, eff. 6-1-99; correction in (1m) made under s. 13.93 (2m) (b) 1., Stats., Register, May, 1999, No. 521; CR 02-058: am. (intro.) and (6), cr. (3g), (3r), (6r), (11m), (14m) and (17), renum. (9) (intro.) to be (6h) and am., r. (9) (a) to (d) and (10m), Register September 2003 No. 573, eff. 10-1-03; CR 05-118: r. (1m), am. (3), (3r) and (8), renum. (6h), (6r), (11) and (11m) to be (6e), (6m), (11e) and (11g), cr. (6s), (7m), (9), (11n), (11r), (11w) and (13t) Register November 2006 No. 611, eff. 12-1-06; corrections in (4), (6m) made under s. 13.92 (4) (b) 6., Stats., Register January 2012 No. 673; CR 11-011: am. (intro.) Register March 2012 No. 675, eff. 4-1-12; corrections in (intro.), (1v), (11g), (13), (14) made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; CR 15-035: cr. (3e), (3m), am. (6m), r. (11e), (17) Register December 2015 No. 720, eff. 1-1-16; CR 18-002: r. (3m) Register April 2018 No. 748, eff. 5-1-18; correction in (intro.) made under s. 13.92 (4) (b) 7., Stats., Register February 2023 No. 806.

Chapter Cos 2

PRACTICE AND PROFESSIONAL CONDUCT

Cos 2.02	Treatments prohibited, infectious and contagious diseases.	Cos 2.046	Personal care services outside of a licensed establishment generally.
Cos 2.025	Delegated medical procedures.	Cos 2.05	Advertising.
Cos 2.03	Practice standards.	Cos 2.06	Responsibilities of owners.
Cos 2.04	Unauthorized practice.	Cos 2.07	Responsibilities of the cosmetology manager.
Cos 2.045	Personal care services for persons in hospitals, nursing homes, and correctional institutions.	Cos 2.08	Responsibilities of licensees.
		Cos 2.09	Continuing education.

Note: Chapter BC 2 was renumbered ch. Cos 2 under s. 13.92 (4) (b) 1., Stats., Register February 2013 No. 686.

Note: See Chapter SPS 50 for rules governing the licensing of barbers, barbering managers, and barbering establishments.

Cos 2.02 Treatments prohibited, infectious and contagious diseases. (1) No licensee may treat any disease of the skin unless under the direction of a physician.

(2) No licensee may provide services to a patron suffering from an infectious or contagious scalp or skin disease unless the licensee takes appropriate precautions and uses safeguards to prevent the spread of the disease to other patrons and to the licensee.

(3) No licensee, having a known infectious or contagious disease, may provide a service to a patron if the licensee is, by reason of the disease, unable to safely and competently perform the service.

(4) No licensee may provide services to a patron if the licensee has a known infectious or contagious disease unless the licensee takes appropriate precautions and uses safeguards which prevent the spread of the disease to patrons.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (3), Register, May, 1999, No. 521, eff. 6-1-99.

Cos 2.025 Delegated medical procedures.

(1) Licensees may provide client services constituting medical procedures only as directed, supervised and inspected by a physician who has the power to direct, decide and oversee the implementation of the client services provided in licensed establishments.

(2) Delegated medical procedures include the following:

(a) Laser hair removal services.

(b) Microdermabrasion services, except as specified under sub. (2r).

(c) Chemical exfoliation, except for application of commercially available exfoliation products utilized in accordance with the manufacturers' instructions, limited to the following:

1. Alpha hydroxyl acids of 30% or less, with a ph of not less than 3.0.

2. Salicylic acids of 20% or less, with a ph of not less than 3.0.

(2r) A licensee may utilize microdermabrasion devices in his or her practice without medical supervision if all of the following conditions are met:

(a) The device shall be of an aesthetic grade and not labeled as a prescription device by the United States Food and Drug Administration. Only FDA approved Class I machines may be used pursuant to this subsection.

(b) The device utilizes a closed loop negative pressure system that incorporates a tissue retention device.

(c) The normal and customary use of the device results in the removal of only the surface epidermal cells of the skin.

(d) Eye protection is provided to the client and protective gloves are worn by the operator.

(e) Microdermabrasion services are not provided within 48 hours before or after a chemical exfoliation.

(f) The licensee has performed a pretreatment assessment on the client and reviewed the results with the client.

(g) The client has given written consent prior to the administration of the services. The consent shall contain all of the following:

1. A statement setting forth in general terms the nature and purpose of the procedure or procedures, together with the known risks associated with the procedure or procedures, if reasonably determinable.

2. A statement that acknowledges that the disclosure of that information has been made and that all questions asked about the procedure or procedures have been answered in a satisfactory manner.

3. The signature of the client for whom the procedure is to be performed, or if the client for any reason lacks legal capacity to consent, is signed by a person who has legal authority to consent on behalf of that client.

(3) Delegated medical procedures shall be undertaken only pursuant to formal written protocols setting forth the nature and scope of the procedures delegated, describing the supervisory plan, and indicating any contraindications to undertaking the procedure. A laser hair removal product or device, or intense pulsed light device shall not be used on a minor unless the minor is accompanied by a parent or guardian and only under the general supervision of a physician.

(4) A licensee providing client services constituting delegated medical procedures shall upon request make available to the client and to the board a copy of the formal written protocols.

(5) Should a client service constituting a delegated medical procedure be contraindicated based either upon the written protocol or some other basis, the licensee shall decline to carry out the procedure and shall explain to the client the basis for the licensee's inability to provide the service.

(6) A licensee providing client services constituting delegated medical procedures in a licensed establishment shall post in a conspicuous location in the immediate area where the procedure is carried out the name of the delegating physician and the nature and scope of the procedures delegated.

History: CR 02-058: cr. Register September 2003 No. 573, eff. 10-1-03; CR 05-118: renum. (2) (a) and (c) to be (2) (a) (intro.) and (c) (intro.) and am. (c) (intro.), cr. (2) (a) 1. to 5., (c) 1. and 2., (2g), (2r) and (6), am. (2) (b) and (3) Register November 2006 No. 611, eff. 12-1-06; corrections in (2) (a) (intro.), 1., (2r) (h) (intro.), 1. made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; CR 15-035: am (2) (a) (intro.), r. 1. to 5., (2g), (2r) (h), (i), (j) Register December 2015 No. 720, eff. 1-1-16.

Cos 2.03 Practice standards. (1) Services provided by any licensee shall be performed in a manner that is consistent with basic and accepted practice standards and in accordance with all state statutes, board rules and local codes and ordinances.

(2) Licensees may provide only those services which they are competent to perform by training or experience and are licensed to provide.

(3) Licensees shall provide services to the best of their ability and make reasonable efforts to comply with requests in a manner that is satisfactory to a patron. Licensees shall not provide services to a patron without first obtaining the consent of the patron or legal guardian of the patron.

(4) Licensees may neither consume alcohol nor take controlled substances during practice, unless prescribed by a physician.

(5) Licensees shall take adequate and necessary precautions to protect the patron from health and safety hazards when performing services. Licensees shall not smoke while performing personal services on a patron.

(7) Licensees shall not engage in sexual harassment or sexual assault of a patron, former patron, employee, employer, or co-worker. In this section, "sexual harassment" and "sexual assault" have the meanings defined in ss. 111.32 (13), 940.225 (1), (2), (3) and (3m) and 948.02 (1) and (2), Stats.

Note: Section 111.32 (13) defines sexual harassment as "...unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature. 'Sexual harassment' includes conduct directed by a person at another person of the same or opposite gender. 'Unwelcome verbal or physical conduct of a sexual nature' includes but is not limited to the deliberate, repeated making of unsolicited gestures or comments of a sexual nature; the deliberate, repeated display of offensive sexually graphic materials which is not necessary for business purposes; or deliberate verbal or physical conduct of a sexual nature, whether or not repeated, that is sufficiently severe to interfere substantially with an employee's work performance or to create an intimidating, hostile or offensive work environment."

(8) A licensee may not provide the following services unless both the licensee and the establishment are properly licensed by the department of safety and professional services:

- (a) Body piercing, except for piercing of ears.
- (b) Tattooing, including permanent cosmetics.
- (c) Operation of a tanning booth.

Note: Body piercers, body piercing establishments, tattooists and tattoo establishments are regulated by the Department of Safety and Professional Services under ch. SPS 221, Wis. Adm. Code. Tanning facilities and tanning facility operators are regulated by the Department of Safety and Professional Services under ch. SPS 220, Wis. Adm. Code.

(9) Licensees may not use methyl methacrylate monomer, commonly referred to as MMA in liquid form, and may not use any cosmetic or nail product formulated with MMA as one of its ingredients.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; cr. (7), Register, May, 1997, No. 497, eff. 6-1-97; am. (3) and (5), r. and recr. (4) and r. (6), Register, May, 1999, No. 521, eff. 6-1-99; CR 02-058: cr. (8) and (9) Register September 2003 No. 573, eff. 10-1-03; correction in (8) (intro.) made under s. 13.92 (4) (b) 6., Stats., Register March 2012 No. 675; CR 20-025: am. (8) (intro.) Register July 2021 No. 787, eff. 8-1-21.

Cos 2.04 Unauthorized practice. (1) Licensees may not assist or participate in the unauthorized or unlicensed practice of cosmetology, aesthetics, electrology or manicuring.

(2) Licensees shall report to the board unauthorized or unlicensed practice or other violations of ch. 454, Stats., and chs. Cos 1 to 10.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; corrections in (1), (2) made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; CR 15-035: am. (2) Register December 2015 No. 720, eff. 1-1-16; correction in (2) made under s. 13.92 (4) (b) 7., Stats., Register July 2021 No. 787.

Cos 2.045 Personal care services for persons in hospitals, nursing homes, and correctional institutions.

A licensee may provide any personal care services, subject to all practice standards set forth in this chapter, to persons who are in hospitals, nursing homes, or correctional institutions, regardless of whether it is done in a designated area or in the personal room of an inmate, patient, or infirm person.

History: Cr. Register, May, 1999, No. 521, eff. 6-1-99; correction in (2) made under s. 13.92 (4) (b) 7., Stats., Register February 2013 No. 686; CR 20-025: r. and recr. Register July 2021 No. 787, eff. 8-1-21.

Cos 2.046 Personal care services outside of a licensed establishment generally. Other than personal care services provided under s. Cos 2.045, an appropriately creden-

tial licensee may provide services outside of a licensed establishment as follows:

(1) Aesthetics, cosmetology, and manicuring services may be provided outside of a licensed establishment if all the following are true:

(a) The licensee owns, manages, is employed by, or affiliated with an establishment that is licensed to provide services under s. 454.08 (2), Stats.

(b) The licensee brings to the outside service location their active license certificate, or a copy, provided to them under s. 454.06 (7), Stats.

(c) The licensee complies with all practice standards provided in this chapter when providing personal care services outside of a licensed establishment.

(d) The licensee complies with all sanitation and safety precautions regarding the use of chemical processes provided in ch. Cos 4.

(e) The services provided do not involve the use of a chemical process, with the following exceptions:

1. A licensee practicing aesthetics or cosmetology outside of a licensed establishment may apply cosmetics, oils, lotions, clay, creams, antiseptics, powders, or tonics.

2. A licensee practicing cosmetology outside of a licensed establishment may use cleansing, styling, and finishing products for the purpose of cutting or styling hair.

(2) Electrology services may be provided outside of a licensed establishment if all the following are true:

(a) The licensee complies with all practice standards provided in this chapter when providing personal care services outside of a licensed establishment.

(b) The licensee complies with all sanitation and safety precautions provided in ch. Cos 4.

History: CR 20-025: cr. Register July 2021 No. 787, eff. 8-1-21.

Cos 2.05 Advertising. (1) Advertising by licensees shall be truthful and accurate and may not mislead the public.

(2) An establishment shall either post a list of cost of services in a conspicuous place or display a sign which states: "All establishment patrons have the right to be informed of the cost of services before the services are provided."

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89.

Cos 2.06 Responsibilities of owners. The owner of any licensed establishment shall be responsible for compliance with ch. 454, Stats., and chs. Cos 2, 3 and 4. The owner shall:

(2) Provide supplies and equipment necessary to maintain safe and sanitary establishment conditions.

(3) Ensure the provision of supervision and training of apprentices, temporary permit holders and training permit holders.

(4) Maintain and provide appropriate records for apprentices, temporary permit holders, training permit holders, and practitioners, including employment records, to enable apprentices or practitioners to meet the requirements of s. 440.63 (3) (a) 1. or 454.10 (2), Stats., for credentialing as a practitioner or instructor. Owners shall maintain these records for a minimum of 5 years.

(5) In the case of an owner of a cosmetology establishment who is not a licensed cosmetologist, employ at least one licensed cosmetologist to act as a full-time manager who shall ensure that the establishment operates in compliance with state statutes and administrative rules.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (2) (a) and (b), Register, May, 1993, No. 449, eff. 6-1-93; renum. and am. (1) and (2) (intro.) to be (intro.) and (2) (a) to be (5), r. (2) (b) and (c), renum. (2) (d) to be (2) and cr. (3) and (4), Register, May, 1999, No. 521, eff. 6-1-99; CR 02-058: am. (5) Register September 2003 No. 573, eff. 10-1-03; corrections in (intro.), (5) made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; CR 15-035: am. (4), (5) Register December 2015 No. 720, eff. 1-1-16; CR 18-002: am. (4) Register April 2018 No. 748, eff. 5-1-18; CR 20-025: am. (5) Register July 2021 No. 787, eff. 8-1-21.

Cos 2.07 Responsibilities of the cosmetology manager. (1) The manager of a cosmetology establishment shall be responsible for the daily operations of an establishment and ensure that the establishment is in compliance with ch. 454, Stats., and chs. Cos 3 and 4. The cosmetology manager shall maintain supplies and equipment necessary to ensure safe and sanitary establishment conditions.

(1g) A cosmetology manager shall train and supervise any apprentices in accordance with s. Cos 6.04 (1) and shall supervise any temporary permit holders and training permit holders.

(1r) The cosmetology manager shall, for a minimum of 5 years, maintain and provide appropriate records for apprentices, temporary permit holders, training permit holders, and practitioners, including employment records, to enable apprentices or practitioners to meet the requirements of s. 440.63 (3) (a) 2. or 454.10 (2), Stats., for credentialing as a practitioner or instructor.

(2) The cosmetology manager shall post all required licenses, permits and notices.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (1), (2) (intro.), (e), (f) and (g), Register, May, 1993, No. 449, eff. 6-1-93; am. (1), cr. (1g) and (1r) and r. and recr. (2), Register, May, 1999, No. 521, eff. 6-1-99; CR 02-058: am. (1g) Reg-

ister September 2003 No. 573, eff. 10-1-03; CR 05-118: am. (1g) Register November 2006 No. 611, eff. 12-1-06; corrections in (1), (1g) made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; CR 12-016: am. (1g) Register August 2013 No. 692, eff. 9-1-13; CR 15-035: am. (title), (1), (1g), (1r), (2) Register December 2015 No. 720, eff. 1-1-16; CR 18-002: am. (1), (1r) Register April 2018 No. 748, eff. 5-1-18.

Cos 2.08 Responsibilities of licensees. Licensees holding current licenses or permits granted under ch. 454, Stats., shall:

(1) Be responsible for compliance with the sanitation and safety precautions contained in ch. Cos 4.

(2) Be responsible for their own professional practice, conduct and compliance with ch. Cos 2.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; renum. from BC 2.09, Register, May, 1993, No. 449, eff. 6-1-93; renumber (1) to be Cos 2.08 under s. 13.92 (4) (b) 1., Stats., and corrections in (1) (a), (b) made under s. 13.92 (4) (b) 7., Register February 2013 No. 686.

Cos 2.09 Continuing education. To ensure competency, the board may require specific remedial continuing education requirements for any licensee as part of a disciplinary process.

History: CR 20-025: cr. Register July 2021 No. 787, eff. 8-1-21.

Chapter Cos 5 COURSES OF INSTRUCTION

Cos 5.001 Instruction.
Cos 5.01 Courses.
Cos 5.015 Persons providing practical instruction in schools and specialty schools.

Cos 5.02 Practitioner license syllabus.
Cos 5.04 Aestheticians license syllabus.
Cos 5.05 Electrologist license syllabus.
Cos 5.06 Manicurist license syllabus.

Note: Chapter BC 5 was renumbered ch. Cos 5 under s. 13.92 (4) (b) 1., Stats., Register February 2013 No. 686.

Note: See Chapter SPS 50 for rules governing the licensing of barbers, barbering managers, and barbering establishments.

Cos 5.001 Instruction. An applicant for licensure as a cosmetologist, aesthetician, electrologist, or manicurist may receive instruction in a school of cosmetology licensed under s. 440.62 (3) (ar), Stats., exempted under s. 440.61, Stats., or accredited by any of the following:

(1) National Accrediting Commission of Career Arts & Sciences (NACCAS).

(2) Accrediting Commission of Career Schools and Colleges (ACCSC).

(3) Council on Occupational Education (COE).

(4) National Interstate Council of State Boards of Cosmetology (NIC).

(5) Any other accrediting agency relating to cosmetology that is recognized by the U.S. Department of Education.

History: CR 15-020: cr. Register July 2015 No. 715, eff. 8-1-15; CR 18-002: am. (intro.) Register April 2018 No. 748, eff. 5-1-18.

Cos 5.01 Courses. Schools which provide instruction to students for cosmetology practitioner or specialty schools which provide instruction to students for aesthetician, electrologist, or manicurist licenses shall develop curricula for instruction which are based on the applicable syllabus approved by the board. A school or specialty school shall offer at a minimum the hours listed for subjects in the appropriate syllabus included in this section.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; renumber (1) to be Cos 5.01 under s. 13.92 (4) (b) 1., Stats., and correction made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; EmR1502: emerg. am., eff. 1-15-15; CR 15-020: am. Register July 2015 No. 715, eff. 8-1-15; CR 18-002: am. Register April 2018 No. 748, eff. 5-1-18.

Cos 5.015 Persons providing practical instruction in schools and specialty schools. No person may use the title, "Wisconsin certified cosmetologist, aesthetician, electrologist, or manicurist instructor," or use any title that implies the person is a Wisconsin certified instructor, or represents the person to be a Wisconsin certified instructor under this chapter unless the person holds a current license in cosmetology, aesthetics, electrology, or manicuring and meets the requirements under s. 440.63 (3), Stats.

History: CR 20-025: Register July 2021 No. 787, eff. 8-1-21.

Cos 5.02 Practitioner license syllabus. A syllabus for the practitioner license is shown below in Figure 5.02:

FIGURE 5.02

	SUBJECTS	THEORY HOURS	PRACTICAL HOURS
I.	Hygiene, grooming and personal development.	10	0

II.	Bacteriology, sterilization and sanitation.	20	20
III.	Haircutting, hair tapering (clipper-cuts), razor cutting, hairstyling, curling, thermal waving, finger-waving, roller setting, pincurl placement, blow-drying, shampoos, scalp and hair treatments, conditioning, reconditioning, hair analysis, and care of hairpieces, wigs and wefts. Tools, equipment and implements (identification and usage).	140	440
IV.	Hair straightening, hair relaxing, thermal hair straightening, blow-outs, permanents, hair coloring, tinting, bleaching and chemistry. Tools, equipment and implements (identification and usage).	185	392
V.	Shaving, beard and mustache shaping, trimming, superfluous hair removal, waxing, facials, facial massages, facial makeup, eyelashes, light therapy, basic principles of electricity, and introduction to electrology. Tools, equipment and implements (identification and usage).	35	60
VI.	Manicuring, including nail enhancement. Tools, equipment and implements (identification and usage).	10	25

VII.	Anatomy and physiology of the hair, skin and nails and disorders of the hair, skin, scalp and nails.	50	0
VII.	Product knowledge, product use and sales, preparing and consulting with customer for services.	30	0
IX.	Laws, rules, professional ethics and history of cosmetology.	18	0
X.	Individual student needs, industry trends and electives (e.g. recordkeeping, mathematics, communications, human relations, public relations, first aid, etc.) (Hours may include structured visits conducted by the school outside of the classroom at one or more cosmetology establishments.)	40	75
TOTAL HOURS:		538	1012

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. Register, July, 1994, No. 463, eff. 8-1-94; am., Register, May, 1999, No. 521, eff. 6-1-99; am. Register, September, 2000, No. 537, eff. 10-1-00; CR 05-118; am. Register November 2006 No. 611, eff. 12-1-06; correction in Figure 5.02 made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; EmR1502: emerg. r. and recr., eff. 1-15-15; CR 15-020: r. and recr. Figure 5.02 Register July 2015 No. 715, eff. 8-1-15.

Cos 5.04 Aestheticians license syllabus. A syllabus for the aestheticians license is shown below in Figure 5.04:

FIGURE 5.04

	SUBJECTS	THEORY HOURS	PRACTICAL HOURS
I.	Introduction		
	Law and Code, Bookkeeping, Business Management, History, and Ethics	26	
II.	Safety, Sanitation and Sterilization	30	20
III.	Anatomy and Physiology	30	
IV.	Chemistry, Treatments and Process	24	
V.	Treatment-Product and Techniques	32	96
VI.	Electricity, Machines and Equipment	10	35

VII.	Make-up and Color Analysis	12	20
VIII.	Individual Student Needs and Electives (Hours may include structured visits conducted by the school outside of the classroom at one or more cosmetology or aesthetics establishments.)	65	50
TOTAL HOURS:		229	221

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. Register, September, 2000, No. 537, eff. 10-1-00; correction in Figure 5.04 made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686.

Cos 5.05 Electrologist license syllabus. A syllabus for the electrologist license is shown below in Figure 5.05:

FIGURE 5.05

	SUBJECTS	THEORY HOURS	PRACTICAL HOURS
I.	Introduction		
	Law and Code, Bookkeeping, Business Management, History and Ethics	30	
II.	Basic Principles of Electricity and Equipment Usage	20	20
III.	Anatomy, Physiology and Microbiology	20	
IV.	Safety, Sanitation and Sterilization	30	20
V.	Modalities of Electrology	20	50
VI.	Electrology Techniques and Variables	20	50
VII.	Clinical Practice:		
	Consultation, Evaluation, Complications, Contraindications, Positioning and Draping, Lighting and Optics, and Epilatic Techniques	40	60
VIII.	Individual Student Needs and Electives (Hours may include structured visits conducted by the school outside of the classroom at one or more electrology establishments.)	30	40
TOTAL HOURS:		210	240

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. Register, September, 2000, No. 537, eff. 10-1-00.

Cos 5.06 Manicurist license syllabus. A syllabus for the manicurist license is shown below in Figure 5.06:

FIGURE 5.06

	SUBJECTS	THEORY HOURS	PRACTICAL HOURS
I.	Introduction		
	Law and Codes, Book-keeping, Business Management, History and Ethics	36	
II.	Safety, Sanitation, Sterilization, First Aid and Bacteriology	10	25
III.	Nails and Skin Disorders	24	10
IV.	Anatomy and Physiology	18	8

V.	Manicuring and Pedicuring, including nail enhancement	24	112
VI.	Introduction to Advertising	12	
VII.	Individual Student Needs and Electives (Hours may include structured visits conducted by the school outside of the classroom at one or more cosmetology or manicuring establishments.)	7	14
TOTAL HOURS:		131	169

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. Register, July, 1994, No. 463, eff. 8-1-94; am. Register, September, 2000, No. 537, eff. 10-1-00; CR 05-118: am. Register November 2006 No. 611, eff. 12-1-06; correction in Figure 5.06 made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686.

Chapter Cos 6

APPRENTICESHIP PROCEDURES AND STANDARDS

Cos 6.01 Applications and permits.
Cos 6.02 Theory and practical instruction.
Cos 6.03 Theory syllabus for apprentices.

Cos 6.04 Practical training for apprentices.
Cos 6.05 Transfer credit.

Note: Chapter BC 6 was renumbered ch. Cos 6 under s. 13.92 (4) (b) 1., Stats., Register February 2013 No. 686.

Note: See Chapter SPS 50 for rules governing the licensing of barbers, barbering managers, and barbering establishments.

Cos 6.01 Applications and permits. (1) The owner of an establishment seeking to train an apprentice shall contact the department of workforce development or the department for an application.

(2) An initial apprenticeship permit shall be issued for a period of 3 years. The permit shall be renewable for one additional one year period upon all of the following:

(a) The payment of the renewal fee specified in s. 440.08 (2) (b), Stats.

(b) Certification to the board from the department of workforce development of acceptable progress by the apprentice in theory instruction and practical training.

(4) An apprentice shall not engage in any cosmetology work or attend school until a permit has been issued.

(5) Each apprentice shall enter an apprenticeship contract with an establishment owner or his or her designated agent who shall employ and make arrangements for training of the apprentice in accordance with ch. 454, Stats., and the rules of the board.

(6) The owner or his or her designated agent shall provide the apprentice with the equipment necessary to learn all phases of practical cosmetology as listed in s. Cos 6.04 and keep records of all apprentice practical work hours.

(7) An apprentice seeking to transfer his or her apprenticeship contract to another establishment owner shall contact the department of workforce development or the department for transfer procedures. An apprentice shall not transfer without prior approval of the board.

(8) Cancellation of an apprenticeship contract by the department of workforce development shall result in an automatic suspension of an apprenticeship permit.

(9) An apprentice who has failed to complete an apprenticeship within 4 years from the date of issuance of his or her initial permit may apply for reentry into the apprenticeship program. Upon its review of the applicant's apprenticeship records, the board may deny the application or issue another apprenticeship permit under specified terms and conditions. The board may allow an apprentice credit for theory and practical training actually obtained under a previous permit.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (5) and (6), Register, May, 1993, No. 449, eff. 6-1-93; am. (1), (4), (5), (6) and (7), r. and recr. (2), r. (3) and cr. (8) and (9), Register, May, 1999, No. 521, eff. 6-1-99; corrections in (4), (6) made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686.

Cos 6.02 Theory and practical instruction. Following issuance of an apprenticeship permit, an apprentice shall enroll in the first available course of theory instruction at a school of cosmetology and shall maintain acceptable attendance and progress in instruction and practical training. The manager shall pay the apprentice for the hours of school attendance and practical training.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. Register, May, 1993, No. 449, eff. 6-1-93; am. Register, May, 1999, No. 521, eff. 6-1-99; correction made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686.

Cos 6.03 Theory syllabus for apprentices. Schools which provide theory instruction for apprentices shall develop a curriculum based on the syllabus in Figure 6.03 (1):

FIGURE 6.03 (1)

	SUBJECTS	THEORY HOURS
I.	Hygiene, grooming and personal development.	10
II.	Bacteriology, sterilization and sanitation.	20
III.	Tools, equipment and implements (identification and usage).	18
IV.	Haircutting, hair tapering (clippercuts), razor cutting, hairstyling, curling, thermal waving, finger-waving, roller setting, pin-curl placement, blow-drying, shampoos, scalp and hair treatments, conditioning, reconditioning, hair analysis, and care of hairpieces, wigs and wefts.	56
V.	Hair straightening, hair relaxing, thermal hair straightening, blow-outs, permanents, hair coloring, tinting, bleaching and chemistry.	78
VI.	Shaving, beard and mustache shaping, trimming, superfluous hair removal, waxing, facials, facial massages, facial makeup, eyelashes, light therapy, basic principles of electricity, and introduction to electrolysis.	30
VII.	Manicuring, including nail enhancement.	10
VIII.	Anatomy and physiology of the hair, skin and nails and disorders of the hair, skin, scalp and nails.	50
IX.	Laws, rules, professional ethics and history of cosmetology.	16
	TOTAL HOURS:	288

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. Figure 6.03 (1), VII, Register, November, 1994, No. 467, eff. 12-1-94; am. (1), Register, May, 1999, no. 521, eff. 6-1-99; CR 05-118: am. Figure 6.03 (1) Register November 2006 No. 611, eff. 12-1-06; correction in Figure 6.03 (1) made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686.

Cos 6.04 Practical training for apprentices. (1) (a) The establishment owner with whom an apprentice contracts shall employ a cosmetology manager, whose cosmetology license is not an inactive license, to train and supervise the apprentice, except as provided in pars. (b) and (c). An apprentice shall only

work under the supervision of a cosmetology manager, except as provided in pars. (b) and (c).

(b) A cosmetology manager may delegate their supervisory duty to a practitioner who has completed at least 2,000 hours of licensed practice.

(c) A cosmetology manager may delegate their supervisory duty to a barber licensed under ch. 454, Stats., who has completed at least 2,000 hours of licensed practice, but only if the apprentice is a barbering apprentice as referenced in s. 454.22 (1) (c), Stats., and if the apprentice engages only in barbering.

Note: Under sections 454.10 (1) and 454.26 (1) of the Statutes, every apprentice is also governed by section 106.01 of the Statutes and chapter DWD 295.

(3) Each apprentice must receive at least 3,712 hours of training and experience in the practical services of cosmetology to qualify for the examination as a practitioner. Training and experience shall include the subjects and practical hours of training shown below in Figure 6.04 (3):

FIGURE 6.04 (3)

	SUBJECTS	PRACTICAL HOURS
I.	Bacteriology, sterilization and sanitation in the establishment.	70
II.	Haircutting, hair tapering (clipper-cuts), razor cutting, hairstyling, curling, thermal waving, finger-waving, roller setting, pin curl placement, blow-drying, shampoos, scalp and hair treatments, conditioning, reconditioning, hair analysis, and care of hairpieces, wigs and wefts.	1,300
III.	Hair straightening, hair relaxing, thermal hair straightening, blow-outs, permanents, hair coloring, tinting, bleaching and chemistry.	1,000
IV.	Shaving, beard and mustache shaping, trimming, superfluous hair removal, waxing, facials, facial massages, facial makeup, eyelashes, light therapy, basic principles of electricity, and introduction to electrology.	80
V.	Manicuring, including nail enhancement.	30
VI.	General patron service and individual apprentice needs	1,232
	TOTAL PRACTICAL HOURS	3,712

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (1), r. (2), Register,

May, 1993, No. 449, eff. 6-1-93; am. Figure 6.04 (3), V, Register, November, 1994, No. 467, eff. 12-1-94; am. (1) and (3), Register, May, 1999, No. 521, eff. 6-1-99; CR 05-118: am. Figure 6.04 (3) Register November 2006 No. 611, eff. 12-1-06; correction in (3) made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; CR 12-016: renum. (1) to (1) (a) and am., cr. (1) (b), (c) Register August 2013 No. 692, eff. 9-1-13; CR 15-035: am. (1) Register December 2015 No. 720, eff. 1-1-16; CR 18-002: am. (1) (a) Register April 2018 No. 748, eff. 5-1-18.

Cos 6.05 Transfer credit. (1) Apprentices transferring to a school program shall be granted credit for hours attained at a ratio of one apprentice theory hour to one student theory hour and 4 apprentice practical hours to one student practical hour.

(2) Students transferring to an apprenticeship program shall be granted credit for hours attained at a ratio of one apprentice theory hour to one student theory hour and one apprentice practical hour to one student practical hour.

(3) The department may grant transferees to an apprenticeship program credit for calendar time spent in prior training.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (2) and cr. (3), Register, May, 1999, No. 521, eff. 6-1-99.

STATEMENT OF SCOPE

COSMETOLOGY EXAMINING BOARD

Rule No.: Chapters COS 1, 2, 5, and 6

Relating to: Scope of Practice and Education

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is for the Board to review the requirements relating to education in Wisconsin Administrative Code Chapters COS 1, 2, 5 and 6 and conduct a comprehensive review on courses of instruction.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Wisconsin Administrative Code Chapters COS 1, 2, 5 and 6 cover requirements for professional and personal conduct, courses of instruction, and apprenticeship procedures and standards, respectively. The Board has identified the need for a comprehensive evaluation of these rules to ensure that they are clear, consistent with current professional and academic practices and standards, and that they comply with applicable Wisconsin statutes.

The alternative to making these updates is that license and education requirements will continue to be inconsistently interpreted by those currently within and interested in entering the profession.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., states that “[each examining board] [s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

Section 227.11 (2) (a), Stats., states that an agency, “may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Section 440.62 (5) (b) 1., Stats., states that “[t]he cosmetology examining board shall promulgate rules prescribing the subjects required to be included in courses of instruction at schools of cosmetology and specialty schools and establishing minimum standards for courses of instruction and instructional materials and equipment at schools of cosmetology and specialty schools.”

Section 454.075, Stats., states that “[t]he examining board shall identify by rule the accrediting agencies it approves to accredit schools for the purpose of satisfying educational requirements for an initial license or a license renewal under this subchapter.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

80 hours

6. List with description of all entities that may be affected by the proposed rule:

Wisconsin licensed cosmetologists and aestheticians, sponsors and providers of initial and continuing education related to credentials issued by the Cosmetology Examining Board, and those looking to enter those professions.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

None to minimal. The rule is not likely to have a significant economic impact on small businesses.

Contact Person: Dana Denny, Administrative Rule Coordinator, DSAdminRules@wisconsin.gov, (608) 287-3748.

Approved for publication:

Approved for implementation:



Authorized Signature



Authorized Signature

12/12/2022

Date Submitted

3/16/2023

Date Submitted

**Cosmetology Examining Board
Rule Projects (updated 5/31/23)**

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause/ Summary	Current Stage	Next Step
21-020	139-20	4/26/2023	COS 2, 3, 5 and 8	Scope of practice, mobile establishments and distance learning /The board considered revising rules to establish regulations relating to the provision of certain services, including but not limited to, microdermabrasion, microblading, and dermaplaning. They also considered revising rules to clarify when mobile practice and remote or distance learning may be allowed for the purposes of meeting the education requirements to receive a credential from the board.	Legislative Review.	Adoption.
	008-23	7/23/2025	COS 1, 2, 5 and 6	Education and Clarification of courses of instruction /The objective of the proposed rule is for the Board to review the requirements relating to education in Wisconsin Administrative Code Chapters COS 1, 2, 5 and 6 and conduct a comprehensive review on courses of instruction.	Rule drafting.	Board Review and Approval of Preliminary Rule Draft.