



**VIRTUAL/TELECONFERENCE
COSMETOLOGY EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Will Johnson (608) 266-2112
January 13, 2026**

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

9:00 AM

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of October 27, 2025 (4-6)**
- C. Introductions, Announcements and Recognition
- D. Reminders: Conflicts of Interest, Scheduling Concerns
- E. Administrative Matters – Discussion and Consideration (7-30)**
 - 1. Department, Staff, and Board Updates
 - 2. **2026 Meeting Dates (7)**
 - 3. **Annual Policy Review (8-12)**
 - 4. **Election of Officers, Appointment of Liaison and Alternates, Delegation of Authorities (13-30)**
 - 5. Board Members – Term Expiration Dates
 - a. Beckett, Dutch W.V. – 7/1/2027
 - b. Blake, Melissa K. – 7/1/2028
 - c. Cwojdzinski, Kayla M. – 7/1/2028
 - d. George, Fawn J. – 7/2/2027
 - e. Hoepfner, Ann M. – 7/1/2027
 - f. Jackson, Megan A. – 7/1/2027
 - g. McIntosh, Dana – 7/1/2027
 - h. Watkins, Alexis – 7/1/2027
- F. Administrative Rule Matters – Discussion and Consideration (31-44)**
 - 1. Drafting Proposals: Cos 1 to 4, Relating to Definitions and Establishment Requirements **(32-43)**
 - 2. Pending and Possible Rulemaking Projects **(44)**
- G. Legislative and Policy Matters – Discussion and Consideration

H. DSPS Interdisciplinary Advisory Committee – Update

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. **Administrative Warnings**
 - a. 22 BAC 038 – M.B., M.H. **(45-51)**
2. **Case Closings**
 - a. 23 BAC 023 – F.L.S. **(52-58)**
 - b. 23 BAC 068 – C.N.S.S. **(59-62)**
 - c. 23 BAC 128 – M.N.S., H.K.V. **(63-73)**
 - d. 24 COS 0056 – V.V.T. **(74-77)**
 - e. 25 COS 0016 – B.C., T.M.H. **(78-85)**

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: APRIL 21, 2026

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://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of any agenda item may be changed by the board for the convenience of the parties. The person credentialed by the board has the right to demand that the meeting at which final action may be taken against the credential be held in open session. 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
OCTOBER 27, 2025**

PRESENT: Dutch Beckett, Fawn George (*arrived at 9:49 a.m.*), Megan Jackson, Ann Hoeppner, Dana McIntosh, Alexis Watkins

ABSENT: Melissa Blake, Kayla Cwojdzinski,

STAFF: Will Johnson, Executive Director; Joseph Ricker, Legal Counsel; Nilajah Hardin, Administrative Rule Coordinator; Tracy Drinkwater, Board Administration Specialist; and other Department staff.

CALL TO ORDER

Megan Jackson, Chairperson, called the meeting to order at 9:32 a.m. A quorum was confirmed with five (5) members present.

ADOPTION OF AGENDA

MOTION: Ann Hoeppner moved, seconded by Alexis Watkins, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JULY 28, 2025

MOTION: Ann Hoeppner moved, seconded by Dutch Beckett, to approve the Minutes of July 28, 2025, as published. Motion carried unanimously.

**PRELIMINARY PUBLIC HEARING ON STATEMENT OF SCOPE: SS 063-25 ON COS 1
TO 4, RELATING TO DEFINITIONS AND ESTABLISHMENT REQUIREMENTS**

Review Preliminary Public Hearing Comments

MOTION: Ann Hoeppner moved, seconded by Dutch Beckett, to affirm the Board has provided an opportunity to receive public comments concerning Scope Statement (SS) 063-25 on Cos 1 to 4, Relating to Definitions and Establishment Requirements. Additionally, after consideration of all public comments and feedback the Board approves SS 063-25 for implementation. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Fawn George arrived at 9:49 a.m.

Preliminary Rule Draft: Cos 1, 2, 4, 5 and 6, Relating to Education and Approved Formal Training

MOTION: Ann Hoepfner moved, seconded by Alexis Watkins, to designate Dana McIntosh to approve the preliminary rule draft of Cos 1, 2, 4, 5 and 6, Relating to Education and Approved Formal Training, for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

CLOSED SESSION

MOTION: Dana McIntosh moved, seconded by Ann Hoepfner, 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: Dutch Beckett-yes; Fawn George-yes, Ann Hoepfner-yes; Megan Jackson-yes; Dana McIntosh-yes; and Alexis Watkins-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:20 a.m.

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

Proposed Stipulations, Final Decisions and Orders

23 BAC 047 – Uyen Thi Tam Nguyen

MOTION: Dutch Beckett moved, seconded by Ann Hoepfner, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Uyen Thi Tam Nguyen, DLSC Case Number 23 BAC 047. Motion carried unanimously.

Administrative Warnings

25 COS 0072 – E.A.H.

MOTION: Dana McIntosh moved, seconded by Megan Jackson, to issue an Administrative Warning in the matter of E.A.H., DLSC Case Number 25 COS 0072. Motion carried unanimously.

Case Closings

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

1. 23 BAC 111 – N.S., L.M. – Prosecutorial Discretion (P2)
2. 24 COS 0016 – C.M.W., K.S. – Insufficient Evidence
3. 25 COS 0008 – K.R.H., T.S.S. – Prosecutorial Discretion (P1)
4. 25 COS 0009 – F.I.H.S., C.M.B.R. – Insufficient Evidence
5. 25 COS 0028 – T.H.R. – Prosecutorial Discretion (P5)
6. 25 COS 0094 – D.L.B. – No Violation

Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Dana McIntosh moved, seconded by Fawn George, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 10:31 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Ann Hoepfner moved, seconded by Dana McIntosh, 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 Hoepfner moved, seconded by Alexis Watkins, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:32 a.m.

COSMETOLOGY EXAMINING BOARD
2026 Meeting Dates

Meeting Date	Start time	Location	Agenda Item Deadline
Tuesday, January 13, 2026	9:00 AM	Virtual	12/31/2025
Tuesday, April 21, 2026	9:00 AM	Virtual	4/9/2026
Tuesday, July 28, 2026	9:00 AM	Virtual	7/16/2026
Tuesday, October 13, 2026	9:30 AM	Virtual	10/1/2026

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

AGENDA REQUEST FORM

- 1) Name and title of person submitting the request: Audra Cohen-Plata, DPD Division Administrator
 - 2) Date When Request Submitted: 12/11/2025
 - 3) Name of Board, Committee, Council, Section: **All Boards**
 - 4) Meeting Date: **First Meeting of 2026**
-
- 5) Attachments: **Yes**
 - 6) How should the item be titled on the agenda page? **Administrative Matters: Annual Policy Review**
 - 7) Place Item in: **Open Session**
 - 8) Is an appearance before the Board being scheduled? No
 - 9) Name of Case Advisor(s), if applicable: N/A
-
- 10) Describe the issue and action that should be addressed:

Please be advised of the following policy item attachments:

- 1) 2026 Annual Policy Review Memo
- 2) Timeline of a Meeting
- 3) Sample Per Diem Report



DATE: January 1, 2026
TO: DSPP Board, Council, and Committee Members
FROM: Division of Policy Development
SUBJECT: 2026 Administrative Policy Reminders

Please be advised of the following policy items:

1. In-Person and Virtual Meetings: Depending on the frequency of scheduled meetings, discussion topics, and member availability, DSPP may host one or more in-person meetings. Virtual connection options are available for all board meetings. If you are traveling internationally, please see item 9 below.
2. Attendance/Quorum: Thank you for your service and commitment to meeting attendance. If you cannot attend a meeting or have scheduling conflicts impacting your attendance, please let us know as soon as possible. A quorum is required for Boards, Sections, and Councils to meet pursuant to Open Meetings Law. Connect to / arrive at meetings 10 minutes before posted start time to allow for audio/connection testing, and timely Call to Order and Roll Call. Virtual meetings include viewable onscreen materials and A/V (speaker/microphone/video) connections.
3. Walking Quorum: Board/Section/Council members must not collectively discuss the body's business outside a properly noticed meeting. If several members of a body do so, they could be violating the open meetings law.
4. Mandatory Training: All Board Members must complete Public Records and Ethics Training, annually. [Register to set up an account](#) in the Cornerstone LearnCenter online portal or [Log in](#) to an existing account.
5. Agenda Deadlines: Please communicate agenda topics to your Executive Director before the agenda submission deadline at 12:00 p.m., eight business days before a meeting. (Attachment: Timeline of a Meeting)
6. Travel Voucher and Per Diem Submissions: Please submit all Per Diem and Reimbursement claims to DSPP within 30 days of the close of each month in which expenses are incurred. (Attachment: Per Diem Form) Travel Vouchers are distributed on travel approval.
7. Lodging Accommodations/Hotel Cancellation Policy: Lodging accommodations are available to eligible members for in-person meetings. Standard eligibility: the member must leave home before 6:00 a.m. to attend an in-person meeting by the scheduled start time.
 - a. If a member cannot attend a meeting, they must cancel their reservation with the hotel within the applicable cancellation timeframe.
 - b. If a meeting is changed to occur remotely, is canceled, or rescheduled, DSPP staff will cancel or modify reservations as appropriate.
8. Inclement Weather Policy: In inclement weather, the DSPP may change a meeting from an in-person venue to a virtual/teleconference only.
9. International Travel: Use of State-managed IT resources and access of State data outside the United States are strictly prohibited, as they cause an unacceptable level of cybersecurity risk. This prohibition includes all State-provided or State-managed IT resources housed on personal devices. Please advise your Executive Director of any planned international travel commitments that may coincide with board meetings or other board business in advance of your departure.

Timeline of a Meeting

At least 2 weeks (10 business days) prior to the meeting

Submit Agenda Item suggestions to the Board's Executive Director. Include background materials. Copyright-protected materials must be accompanied by written permission from the publisher to share documents.

8 business days prior to the meeting

The Agenda is drafted. (All agenda materials are due to the Department by 12:00 p.m.)

7 business days prior to the meeting

The draft agenda is submitted to the Executive Director; the Executive Director transmits it to the Chair for review and approval.

5 business days prior to the meeting

The approved agenda is returned to the Board Administration Specialist (BA) for agenda packet production and compilation.

4 business days prior to the meeting

Agenda packets are posted on the DSPS Board SharePoint site and on the Board webpage.

Agenda Item Examples:

- | | |
|---|--|
| <ul style="list-style-type: none">• Open Session Items<ul style="list-style-type: none">• Public Hearings and Administrative Rules Matters• Administrative Matters• Legislation and Policy Matters• Credentialing Matters• Education and Exam Issues• Public Agenda Requests• Current Issues Affecting the Profession | <ul style="list-style-type: none">• Closed Session items<ul style="list-style-type: none">• Deliberations on Proposed Disciplinary Actions• Monitoring Matters• Professional Assistance Procedure (PAP) Issues• Proposed Final Decisions and Orders• Orders Fixing Costs/Matters Relating to Costs• Credentialing Matters• Education and Exam Issues |
|---|--|

Thursday of the Week Prior to the Meeting

Agendas are published for public notice on the Wisconsin Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

1 business day after the Meeting

"Action" lists are distributed to Department staff detailing board actions on closed session business.

5 business days after the Meeting

"To Do" lists are distributed to staff to ensure that board open session decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the Wisconsin Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

Department of Safety and Professional Services
PER DIEM REPORT

INSTRUCTIONS: Record board-related activities by date, indicate relevant purpose code, the duration of time spent in B-code activities, location, and activity description. Only one \$25.00 per diem payment will be issued on any given calendar day. Submit one form per month and within 60 days of the last activity being reported. Send completed forms to your Board's Administrative Specialist.

Purpose Codes:

A CODE	Official meetings including Board Meetings, Hearings and Examinations and Test Development Sessions (automatic day of per diem) Examples: board, committee, board training or screening panels; Senate Confirmation hearings, legislative and disciplinary hearings, or informal settlement conferences; test administration, test review or analysis events, national testing events, tour of test facilities, etc.
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B CODE **Other** (One (1) per diem will be issued for every five (5) hours spent in category B, per calendar month): i.e., review of disciplinary cases, consultation on cases, review of meeting materials, board liaison work, e.g., contacts regarding Monitoring, Professional Assistance Procedure, Credentialing, Education and Examinations

[illegible]

CLAIMANT'S CERTIFICATION The Board/Council member named above, certifies, in accordance with § 16.53, Wis. Stats., that this account for per diem, is just and correct; and that this claim is for service necessarily incurred in the performance of duties required by the State, as authorized by law.

Board Member Approval & Date:

TOTAL DAYS CLAIMED: _____ @ \$25.00 = _____ Supervisor Approval & Date: _____

COSMETOLOGY EXAMINING BOARD
2025 Elections and Liaisons

Election of Officers

2025 ELECTION RESULTS	
Chairperson	Megan Jackson
Vice Chairperson	Kayla Cwojdzinski
Secretary	Ann Hoeppner

Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Kayla Cwojdzinski <i>Alternate: Dutch Beckett</i>
Monitoring Liaison(s)	Dutch Beckett <i>Alternate: Dana McIntosh</i>
Professional Assistance Procedure (PAP) Liaison(s)	Kayla Cwojdzinski <i>Alternate: Alexis Watkins</i>
Education and Examinations Liaison(s)	Megan Jackson <i>Alternate: Melissa Blake</i>
Legislative Liaison(s)	Alexis Watkins <i>Alternate: Ann Hoeppner</i>
Digest Liaison(s)	Melissa Blake <i>Alternate: Fawn George</i>
Travel Authorization Liaison(s)	Dutch Beckett <i>Alternate: Melissa Blake</i>
Screening Panel	Ann Hoeppner, Kayla Cwojdzinski, Melissa Blake, Alexis Watkins <i>Alternate: Fawn George</i>
OTHER APPOINTMENTS	
Interdisciplinary Advisory Committee	Alexis Watkins <i>Alternate: Dana McIntosh</i>

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Paralegal Richanda Turner, on behalf of Attorney Joseph Ricker		2) Date when request submitted: 12/19/2025 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Cosmetology Examining Board			
4) Meeting Date: 01/13/2026	5) Attachments: ☒ Yes ☐ No	6) How should the item be titled on the agenda page? Reaffirming 2025 delegations and new 2026 delegations	
7) Place Item in: ☒ Open Session ☐ Closed Session	8) Is an appearance before the Board being scheduled? (If yes, please complete Appearance Request for Non-DSPS Staff) ☐ Yes ☒ No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: The Board members need to review and consider reaffirming 2025 delegations and new delegations for 2026.			
11) Authorization <i>Richanda Turner</i> Signature of person making this request 12/19/25 Date Supervisor (Only required for post agenda deadline items) Date Executive Director signature (Indicates approval for post agenda deadline items) Date			
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 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.			



State of Wisconsin
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES
CORRESPONDENCE / MEMORANDUM

DATE: January 1, 2026

TO: Board, Council, and Committee Members

FROM: Legal Counsel

SUBJECT: Liaison Definitions and Delegations Explanations

Executive Summary

This memorandum provides an overview of the liaison roles and common delegation authorities that enable DSPS Boards, Sections, and Committees to efficiently fulfill their statutory responsibilities. It explains the function of each liaison position, such as, Credentialing, Monitoring, PAP, Education and Examination, Legislative, Travel Authorization, and Communication Liaisons, as well as Screening Panel Members, and outlines how these roles support Board operations between meetings. This memorandum also includes model motions for liaisons, Department staff, and Department attorneys to ensure timely processing of credential applications, monitoring requests, disciplinary matters, and administrative tasks. The delegations promote consistency, reduce delays, and allow the Department and Boards to respond promptly to legal and operational needs while maintaining their responsibility to protect public health, safety, and welfare.

Overall Purpose of Liaison Appointments

Each Board/Section (Board) has inherent authority that is established in our Wisconsin Statutes. This authority may change from Board to Board. Further information on your Board's authority can be found in Wis. Stat. ch. 15. Generally, each Board has authority to grant credentials, discipline credential holders, and set standards for education and examinations and unprofessional conduct. In order to efficiently accomplish these tasks, Boards may appoint Liaisons. Liaisons assist with the operations of the Boards' purpose by weighing in on legislative matters, traveling to national conferences, or communicating with stakeholders.

At the first Board meeting of each year, the Department asks the Boards to make Liaison appointments. Your practical knowledge and experience as an appointed member of a professional board are essential in making determinations regularly. The Liaison positions listed below assist

the Department to complete operations between Board meetings. In most cases, Liaisons can make decisions for the full Board in their designated area. However, these areas are determined through the delegation process. Please note a Liaison may also decide to send the delegated matter to the full Board for consideration as appropriate. Delegations assist the Board in defining the roles and authorities of each Liaison and other Board functions.

Liaison Definitions

Credentialing Liaison: The Credentialing Liaison is empowered by the Board to review and make determinations regarding certain credential applications. The Credentialing Liaison may be called on by Department staff to answer questions that pertain to qualifications for licensure, which may include whether a particular degree is suitable for the application requirements, whether an applicant's specific work experience satisfies the requirements in statute or rule for licensure, or whether an applicant's criminal or disciplinary history is substantially related to the practice of the profession in such a way that granting the applicant a credential would create a risk of harm to the public. The Credentialing Liaison serves a very important role in the credentialing process. If the Credentialing Liaison has a question on a request, it is advisable for the Liaison to consult further with Department staff or bring the matter to the full Board for consideration.

Monitoring Liaison: The Monitoring Liaison is empowered by the Board to make decisions on any credential that is subject to Monitoring either through a disciplinary order or initial licensure. The Department Monitors will send requests from credential holders to the Monitoring Liaison. A common request could be to remove a limitation that has been placed on a credential or to petition for full licensure. The Monitoring Liaison can review these requests and make decisions on behalf of the Board. If the Monitoring Liaison has a question on a request, it is advisable for the Liaison to consult further with Department staff or bring the matter to the full Board for consideration.

Professional Assistance Procedure (PAP) Liaison: PAP is a voluntary program open to credential holders with substance abuse issues who wish to seek help by being held accountable through treatment and monitoring by the Department and Board. As part of PAP, the credential holder enters into an agreement with the Department to undergo testing, counseling, or other rehabilitation. The PAP Liaison's role includes responding to credential holders' requests for modifications and terminations of provisions of the agreement. Similar to the Monitoring Liaison, the Department Monitors will send requests from credential holders to the PAP Liaison for further review.

Education and Examination Liaison: Some Boards are required by statute or rule to approve qualifying education and examinations. The Education and Examination Liaison provides guidance to Department staff to exercise authority of the Board to approve or decline examinations and educational programs and related requests. This determination requires a level of professional expertise and should be performed by a professional member of the Board. For some Boards, the Education and Examination Liaison will also be tasked with approving continuing education programs and courses.

Legislative Liaison: The Legislative Liaison is not the Board's designated lobbyist and should exercise their delegated authority carefully. The Legislative Liaison is permitted to act and speak

on the Board's behalf regarding pending and enacted legislation or actions being considered by the legislature outside of Board meetings. Please review Wis. Stat. ch. 13 for important reminders on lobbying.

Travel Authorization Liaison: The Travel Authorization Liaison is authorized to approve a Board member to travel to events and speak or act on the Board's behalf between Board meetings. The Travel Authorization Liaison is called upon to make decisions when sufficient notice was not received, and the full Board could not determine a representative to travel. The Travel Authorization Liaison is tasked with making determinations if the Board appointed representative is not able to attend or if the Board becomes authorized to send additional members as scholarship and funding streams can be unpredictable.

Communication Liaison: The Communication Liaison responds to questions that arise on behalf of the Board. The Communication Liaison works with the Department to cultivate an appropriate response which will be sent by the Executive Director or Board Counsel. The Communication Liaison **can** be responsible for all types of communication on behalf of the Board. However, the Board can appoint a separate **Website Liaison** to work with DSPS staff to make changes and ensure the Board webpage contains updated and accurate information. Additionally, for the Boards that are required by statute to produce a newsletter or digest, the Board can appoint a separate **Newsletter/Digest Liaison** to assemble and approve content for those communications.

Screening Panel Members: Screening Panel Members review incoming complaints against credential holders and determine which complaints should be opened for investigation and which complaints should be closed without further action. The complexity and amount of work in this role depends substantially on your Board. As a member of the Screening Panel, you are asked to apply your professional expertise to determine if a complaint alleges unprofessional conduct.

Delegations Explanations

CREDENTIALING DELEGATIONS

The overall purpose of credentialing delegations is to allow the credentialing process to proceed as efficiently and effectively as possible.

Delegation of Authority to Credentialing Liaison (Generic)

MOTION EXAMPLE: 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.

PURPOSE: To allow a representative of the Board to assist Department staff with credentialing applications and eliminate the need for the entire Board to convene to consider credential application content or questions. Additionally, it is most efficient to have the designated liaison

who has assisted with the credentialing process be able to effectuate decisions which require a signature.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION EXAMPLE: to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review.

PURPOSE: To permit Department staff to efficiently issue credentials and eliminate the need for Board/Section/Liaison review when all credentialing legal requirements are met in an application. This delegation greatly decreases the workload of Board members and cuts down processing time on applications.

Delegation of Authority for Predetermination Reviews

MOTION EXAMPLE: to delegate authority to the Department attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f).

PURPOSE: In general, the Wisconsin Fair Employment Act (codified in Wis. Stat. Ch. 111) prohibits licensing agencies from discriminating against applicants because of their arrest and/or conviction record. However, there are exceptions which permit denial of a license in certain circumstances. Individuals who do not possess a license have a legal right to apply for a determination of whether they are disqualified from obtaining a license due to their conviction record. This process is called “Predetermination.” Predetermination reviews must be completed within 30 days. This delegation allows Department attorneys to conduct predetermination reviews and efficiently make these legal determinations without need for Board/Section/Liaison review.

Delegation of Authority for Conviction Reviews

MOTION EXAMPLE: to delegate authority to the Department attorneys to review and approve applications with convictions which are not substantially related to the relevant professional practice.

PURPOSE: As used here, “substantially related” is a legal standard that is used in the Wisconsin Fair Employment Act. The concept of what is “substantially related” is informed by case law. This delegation permits Department attorneys to independently conduct conviction reviews and efficiently approve applications if convictions are not substantially related to the practice of the profession. Applications that contain conviction records that may be substantially related to the practice of a profession will still be submitted to the Credentialing Liaison for input.

Delegation to DSPS When Applicant's Disciplinary History Has Been Previously Reviewed

MOTION EXAMPLE: to delegate authority to Department staff to approve applications where Applicant's prior discipline has been approved for a previous credential and there is no new discipline.

PURPOSE: Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison for a lower-level credential.

Delegation to DSPS When Applicant's Conviction History Has Been Previously Reviewed

MOTION EXAMPLE: to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous credential and there is no new conviction record.

PURPOSE: Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of conviction history that has already been reviewed and approved for a lower-level credential.

Delegation of Authority for Reciprocity Reviews

MOTION EXAMPLE: to delegate authority to the Department attorneys to review and approve reciprocity applications in which the out-of-state license requirements meet Wisconsin license requirements. (Specific legal standards are referenced in the motion depending on credential/profession type.)

PURPOSE: Applications via reciprocity or endorsement require comparison of Wisconsin licensing requirements to the licensing requirements of another jurisdiction. These reviews consider the legal standard for reciprocity, which varies by profession, as well as the specified legal requirements to obtain licensure in the profession. This delegation permits Department attorneys to independently conduct reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

Delegation of Authority for Military Reciprocity Reviews

MOTION EXAMPLE: to delegate authority to the Department attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09.

PURPOSE: The law permits service members, former service members, and their spouses to be licensed if they hold licensure in other jurisdictions that qualify them to perform acts authorized by the credential they are seeking in Wisconsin. This is a shortened path to licensure that does not require meeting the specific requirements/standards for licensure/reciprocity in a profession. By law, the Department/Board must expedite the issuance of a reciprocal license via military

reciprocity. This delegation permits Department attorneys to independently conduct military reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

Delegation of Authority for Application Denial Reviews

MOTION EXAMPLE: to delegate authority to the Department's attorney supervisors to serve as the Board designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential.

PURPOSE: When an application is denied, the applicant has a legal right to appeal the denial determination. Applicants must meet a specified legal standard in order to have an appeal granted. Additionally, Wisconsin law sets specific time frames for appeal decisions. This delegation permits Department attorney supervisors to independently review and efficiently act on requests for hearing as a result of a denial of a credential.

Delegation to Department Attorneys to Approve Duplicate Legal Issue

MOTION EXAMPLE: to delegate authority to Department attorneys to approve a legal matter in connection with a renewal application when that same/similar matter was already addressed by the Board and there are no new legal issues for that credential holder.

PURPOSE: The intent of this delegation is to be able to approve prior discipline by the Board for the renewal applicant. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison.

Delegation to Department Attorneys to Approve Prior Discipline

MOTION EXAMPLE: to delegate authority to Department attorneys to approve an applicant's prior professional discipline which resulted in a forfeiture/fine/other monetary penalty, remedial education, and/or reprimand, that is 10 years old or older, and the previously disciplined credential is currently in good standing.

PURPOSE: In order to continue improving processing application legal reviews in a timely matter, this delegation gives Department attorneys authority to approve prior professional discipline which meets all of the following criteria: (1) it is at least ten years old; (2) it resulted in a monetary penalty, remedial education, and/or reprimand; and (3) the previously disciplined credential is currently in good standing.

MONITORING DELEGATIONS

The overall purpose of monitoring delegations is to be able to enforce the Boards orders and limited licenses as efficiently and effectively as possible. Monitoring delegations have two categories: delegations to the Monitoring Liaison and delegations to the Department Monitor.

Delegation of Authority to Department Monitor

MOTION EXAMPLE: to delegate authority to the Department Monitor:

- a. to grant full reinstatement of licensure if education is the only limitation and credential holder has submitted the required proof of course completion.
- b. to suspend the credential if the credential holder has not completed Board ordered education, paid costs, paid forfeitures, within the time specified by the Board Order.
- c. to lift a suspension when compliance with education and costs provisions have been met.

PURPOSE: These delegations allow for the Department Monitor to automatically act on requests when certain criteria are met or not met without needing to burden the Monitoring Liaison. The Board can set their own criteria for what actions they would like to be handled by the Department, the Monitoring Liaison, and the full Board.

Delegation of Authority to Monitoring Liaison

MOTION EXAMPLE: to delegate authority to the Monitoring Liaison to approve or deny all requests received from the credential holder.

PURPOSE: These delegations allow the Board to set criteria for what decisions can be made by the Board member(s) serving as the Monitoring Liaison and what matters should be decided by the full Board.

Education and Examination Delegations

MOTION EXAMPLE: to delegate authority to the Education and Examination Liaison(s) to address all issues related to qualifying education, continuing education and examinations. Motion carried unanimously. (Differs by Board.)

PURPOSE: Some Boards are responsible for approving qualifying educational programs or continuing education courses. A delegation is executed in order for an Education and Examination Liaison to make these determinations on behalf of the Board and with assistance of the Department. Additionally, some Boards review examinations and individual scores to qualify for a credential.

MISCELLANEOUS DELEGATIONS

Document Signature

MOTION EXAMPLE: to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION EXAMPLE: in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the

Executive Director, Board Counsel, or DPD Division Administrator, the authority to sign on behalf of a Board member as necessary. Motion carried unanimously.

PURPOSE: To take the action approved at Board meetings, the Department may need to draft correspondence and/or Orders after the meetings have adjourned. These actions then need to be signed by a Board Member. This interaction usually takes place over email and a Board member can authorize the use of their signature that is kept on file.

Urgent Matters

MOTION EXAMPLE: in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

PURPOSE: Allows for quick responses to urgent matters that may need Board approval or for which the Department requires guidance from the Board.

Delegation to Chief Legal Counsel-Due to Loss of Quorum

MOTION EXAMPLE: to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

PURPOSE: Sometimes Boards can struggle to meet quorum necessary to conduct business. This happens for a multitude of reasons, but this delegation allows for the Boards to have disciplinary cases decided by Chief Legal Counsel if the Board fails to meet quorum for two consecutive meetings.

Delegation to Chief Legal Counsel-Stipulated Resolutions

MOTION EXAMPLE: to delegate to the Department's Chief Legal Counsel the authority to act on behalf of the Board concerning stipulated resolutions providing for a surrender, suspension, or revocation of a credential, where the underlying merits involve serious and dangerous behavior, and where the signed stipulation is received between Board meetings. The Board further requests that Chief Legal Counsel only act on such matters when the best interests of the Board, Department, and the Public are best served by acting upon the stipulated resolution at the time the signed stipulation is received versus waiting for the next Board meeting. Motion carried unanimously.

PURPOSE: For matters of public safety, it may be necessary to take immediate action on a stipulated agreement rather than allowing a credential holder to continue practicing unencumbered until the next scheduled meeting. This delegation allows Chief Legal Counsel to act on behalf of the Board when there is a stipulated agreement. A stipulated agreement is an agreement to which all relevant parties have consented to the terms.

Voluntary Surrenders

MOTION EXAMPLE: to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter.

MOTION EXAMPLE: to delegate authority to the Department to accept the voluntary surrender of a credential when there is no pending complaint or disciplinary matter with the Department pursuant to Wis. Stat. § 440.19.

PURPOSE: Credential holders can ask the Boards to accept surrender of their credentials at any time. These delegations are in place for the different situations that arise from those requests. If a credential holder is seeking to surrender their credential because they wish to leave the profession, that can be processed with this delegation by the Department if they have no pending disciplinary complaints. If the credential holder wishes to surrender while they have a pending disciplinary complaint, that request is reviewed by the individual Board member assigned to the case.

DLSC Pre-screening

MOTION EXAMPLE: to delegate pre-screening decision making authority to the DSPS screening attorney for opening cases where the credential holder has failed to respond to allegations contained in the complaint when requested by intake (case will be opened on failure to respond and the merits of the complaint).

PURPOSE: Pre-screening delegations exist so the Board can define specific parameters where the Department can review disciplinary complaints and open those cases if they meet certain criteria. Boards also have the authority to set certain criteria that would allow the Department to review and close a case if the criteria is met.

Delegation to Handle Administrative Rule Matters

MOTION EXAMPLE: to delegate authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to act on behalf of the Board regarding administrative rule matters between meetings. Motion carried unanimously.

PURPOSE: In order to advance the administrative rules process, action may need to occur between meetings. This allows for quick responses to urgent matters that may need Board approval or for which the Department requires guidance from the Board.

Cosmetology Examining Board
January 27, 2025
2025 DELEGATIONS

New Delegations for 2025

Pre-Screening Delegation

MOTION: Dutch Beckett moved, seconded by Kayla Cwojdzinski, to delegate to the screening attorney the authority to immediately open cases that consist solely of any one of the following, or combination of the following: practice by an individual holding an expired license issued by the Board, practice by a licensed individual outside of an establishment with a valid license, practice by an establishment with an expired establishment license, and safety and sanitary violations that on their face warrant an inspection of an establishment. Motion carried unanimously.

Delegation to Department Attorneys to Approve Prior Discipline

MOTION: Ann Hoeppner moved, seconded by Alexis Watkins, to delegate authority to Department Attorneys to approve an applicant's prior professional discipline which resulted in a forfeiture/fine/other monetary penalty, remedial education, and/or reprimand, that is 10 years old or older, and the previously disciplined credential is currently in good standing. Motion carried unanimously.

Delegation to Handle Administrative Rule Matters

MOTION: Ann Hoeppner moved, seconded by Fawn George, to delegate authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to act on behalf of the Board regarding administrative rule matters between meetings. Motion carried unanimously.

Review and Approval of 2024 Delegations including new modifications

MOTION: Alexis Watkins moved, seconded by Megan Jackson, to reaffirm all delegation motions made in 2024, as reflected in the January 27, 2025, agenda materials, which were not otherwise modified or amended during the January 27, 2025, meeting. Motion carried unanimously.

All Combined Delegations for 2025

Review and Approval of 2024 Delegations including new modifications

MOTION: Alexis Watkins moved, seconded by Megan Jackson, to reaffirm all delegation motions made in 2024, as reflected in the January 27, 2025,

agenda materials, which were not otherwise modified or amended during the January 27, 2025, meeting. Motion carried unanimously.

Document Signature Delegations

MOTION: Ann Hoeppner moved, seconded by Kayla Cwojdzinski, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION: Ann Hoeppner moved, seconded by Dutch Beckett, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director, Board Counsel or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Ann Hoeppner moved, seconded by Kayla Cwojdzinski, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to Loss of Quorum

MOTION: Ann Hoeppner moved, seconded by Kayla Cwojdzinski, to delegate the review and authority to act on disciplinary cases to DSPS Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

Delegation to Chief Legal Counsel for Stipulated Resolutions

MOTION: Ann Hoeppner moved, seconded by Kayla Cwojdzinski, to delegate to DSPS Chief Legal Counsel the authority to act on behalf of the Board concerning stipulated resolutions providing for a surrender, suspension, or revocation of a credential, where the underlying merits involve serious and dangerous behavior, and where the signed stipulation is received between Board meetings. The Board further requests that Chief Legal Counsel only act on such matters when the best interests of the Board, Department and the Public are best served by acting upon the stipulated resolution at the time the signed stipulation is received versus waiting for the next Board meeting. Motion carried unanimously.

Delegation to Chief Legal Counsel for Citation Approval

MOTION: Ann Hoepfner moved, seconded by Melissa Blake, to delegate authority to DSPS Chief Legal Counsel or designee to make the final decision and approve citations. Motion carried

Pre-Screening Delegation

MOTION: Dutch Beckett moved, seconded by Kayla Cwojdzinski, to delegate to the screening attorney the authority to immediately open cases that consist solely of any one of the following, or combination of the following: practice by an individual holding an expired license issued by the Board, practice by a licensed individual outside of an establishment with a valid license, practice by an establishment with an expired establishment license, and safety and sanitary violations that on their face warrant an inspection of an establishment. Motion carried unanimously.

Monitoring Delegations

Delegation to Monitoring Liaison

MOTION: Dutch Beckett moved, seconded by Ann Hoepfner, to delegate authority to the Monitoring Liaison(s) to make any determination on Orders under monitoring and to refer to the Full Board any matter the Monitoring Liaison deems appropriate. Motion carried unanimously.

Delegation to Department Monitor

MOTION: Kayla Cwojdzinski moved, seconded by Alexis Watkins, to delegate authority to the Department Monitor as outlined below:

1. to grant reinstatement of licensure if education and/or costs are the sole condition of the order and the credential holder has submitted the required proof of completion for approved courses and paid the costs.
2. to suspend the license if the credential holder has not completed Board ordered education and/or paid costs and forfeitures within the time specified by the Board order. The Department Monitor may remove the suspension and issue an order when proof of completion and/or payment has been received.
3. to suspend the license (or remove stay of suspension) if a credential holder fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if credential holder ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
4. to grant or deny approval when a credential holder proposes treatment providers, mentors, and supervisors unless the Order specifically requires full-Board or Board designee approval.

5. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete Board ordered continuing, disciplinary, or remedial education.
6. to grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by a credential holder.
7. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete a Board ordered evaluation or exam.

Motion carried unanimously.

Delegation of Authorities for Legal Counsel to Sign Monitoring Orders

MOTION: Ann Hoepfner moved, seconded by Kayla Cwojdzinski, to delegate to Legal Counsel the authority to sign Monitoring orders that result from Board meetings on behalf of the Board Chairperson. Motion carried unanimously.

Delegation to Department Attorneys to Approve Duplicate Legal Issue

MOTION: Ann Hoepfner moved, seconded by Megan Jackson, to delegate authority to Department Attorneys to approve a legal matter in connection with a renewal application when that same/similar matter was already addressed by the Board and there are no new legal issues. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: Ann Hoepfner moved, seconded by Daisy Quintal, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

Delegation of Authority for Predetermination Reviews

MOTION: Ann Hoepfner moved, seconded by Daisy Quintal, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

Delegation to Department Attorneys to Approve Prior Discipline

MOTION: Ann Hoepfner moved, seconded by Alexis Watkins, to delegate authority to Department Attorneys to approve an applicant's prior professional discipline which resulted in a forfeiture/fine/other monetary penalty, remedial education, and/or reprimand, that is 10 years old or older, and the previously disciplined credential is currently in good standing. Motion carried unanimously.

Delegation of Authority for Conviction Reviews

MOTION: Megan Jackson moved, seconded by Ann Hoeppepner, to delegate authority to the Department Attorneys and Paralegals to make decisions regarding applications according to Wis. Stat. § 454.06(1)(b). Motion carried unanimously.

Delegation to DSPS When Applicant's Discipline History Has Been Previously Reviewed

MOTION: Ann Hoeppepner moved, seconded by Megan Jackson, to delegate authority to Department staff to approve applications where Applicant's prior discipline has been approved for a previous credential and there is no new discipline. Motion carried unanimously.

Delegation to DSPS When Applicant's Conviction History Has Been Previously Reviewed

MOTION: Ann Hoeppepner moved, seconded by Daisy Quintal, to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous credential and there is no new conviction record. Motion carried unanimously.

Delegation of Authority for Reciprocity/Endorsement Reviews

MOTION: Ann Hoeppepner moved, seconded by Daisy Quintal, to delegate authority to the Department Attorneys to review and approve reciprocity/endorsement applications in which the out of state services are substantially the same as those in Wisconsin. Motion carried unanimously.

Delegation of Authority for Military Reciprocity Reviews

MOTION: Ann Hoeppepner moved, seconded by Kayla Cwojdzinski, to delegate authority to the Department Attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Ann Hoeppepner moved, seconded by Daisy Quintal, to delegate authority to the Department's Attorney Supervisors to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Delegation to DPCP Legal Team Paralegals and Attorneys to Approve AODA/FTP Evaluators/Assessors

MOTION: Ann Hoeppepner moved, seconded by Daisy Quintal, to delegate authority to the DPCP Legal Team Attorneys and Paralegals to review and approve Applicant's proposed Evaluators/Assessors for AODA and FTP

assessments, unless the request specifically requires full-Board or Board liaison approval. Motion carried unanimously.

Voluntary Surrenders

MOTION: Kayla Cwojdzinski moved, seconded by Ann Hoeppner, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

MOTION: Ann Hoeppner moved, seconded by Daisy Quintal, to delegate authority to the Department to accept the voluntary surrender of a credential when there is no pending complaint or disciplinary matter with the Department pursuant to Wis. Stat. § 440.19. Motion carried unanimously.

Education and Examination Liaison(s) Delegation

MOTION: Ann Hoeppner moved, seconded by Daisy Quintal, to delegate authority to the Education and Examination Liaison(s) to address all issues related to education and examinations. Motion carried unanimously.

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies

MOTION: Ann Hoeppner moved, seconded by Daisy Quintal, to authorize the Department staff to provide national regulatory related bodies with all board member contact information that the Department retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Ann Hoeppner moved, seconded by Kayla Cwojdzinski, to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

Legislative Liaison Delegation

MOTION: Ann Hoeppner moved, seconded by Megan Jackson, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

Newsletter Liaisons Delegation

MOTION: Ann Hoeppner moved, seconded by Kayla Cwojdzinski, to delegate authority to the newsletter liaisons to handle all matters relating to newsletters. Motion carried unanimously.

Travel Authorization Liaison Delegation

MOTION: Ann Hoepfner moved, seconded by Daisy Quintal, to delegate authority to the Travel Authorization Liaison to approve any board member travel to and/or participation in events germane to the board, and to designate representatives from the Board to speak and/or act on the Board's behalf at such events. Motion carried unanimously.

Delegation to Handle Administrative Rule Matters

MOTION: Ann Hoepfner moved, seconded by Fawn George, to delegate authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to act on behalf of the Board regarding administrative rule matters between meetings. Motion carried unanimously.

Pre-Screening Delegation of Authority When Credential Holder Has Failed to Respond to Allegations in Intake Complaint

MOTION: [Board member name] moved, seconded by [Board member name], to delegate pre-screening decision making authority to the DSPS screening attorney for opening cases where the credential holder has failed to respond to allegations contained in the complaint when requested by intake (case will be opened on failure to respond and the merits of the complaint).

Delegation of Authority to Credentialing Liaison

MOTION: [Board member name] moved, seconded by [Board member name], 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 [].

OR IN THE ALTERNATIVE

Delegation of Authority for Predetermination Decisions

MOTION: [Board member name] moved, seconded by [Board member name], to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). For matters where the Department Attorney has indicated underlying convictions may result in a denial, the Credentialing Liaison(s) can act on behalf of the Board in regard to any denial due to predetermination decisions. Motion carried [].

Review and Approval of 2025 Delegations including new modifications

MOTION: [Board member name] moved, seconded by [Board member name], to reaffirm all delegation motions made in 2025, as reflected in the January 13, 2026 agenda materials, which were not otherwise modified or amended during the January 13, 2026 meeting. Motion carried [].

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Nilajah Hardin Administrative Rules Coordinator		2) Date when request submitted: 12/30/25 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting													
3) Name of Board, Committee, Council, Sections: Cosmetology Examining Board															
4) Meeting Date: 01/13/26	5) Attachments: ☒ Yes ☐ No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Drafting Proposals: Cos 1 to 4, Relating to Definitions and Establishment Requirements 2. Pending or Possible Rulemaking Projects													
7) Place Item in: ☒ Open Session ☐ Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> ☐ Yes ☒ No		9) Name of Case Advisor(s), if required: N/A												
10) Describe the issue and action that should be addressed: Attachments: -Scope Statement – Cos 1 to 4 -Wisc. Admin. Code Chs. Cos 1 to 4 -Rule Projects Chart Copies of current Board Rule Projects Can be Viewed Here: https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx															
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">11) Authorization</td> <td style="width: 40%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"> </td> <td style="border-bottom: 1px solid black; text-align: right;">12/30/25</td> </tr> <tr> <td style="text-align: right;">Signature of person making this request</td> <td style="text-align: right;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;"> Supervisor (if required)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;"> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> </table>				11) Authorization			12/30/25	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	
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	12/30/25														
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.															

STATEMENT OF SCOPE

COSMETOLOGY EXAMINING BOARD

Rule No.: Cos 1 to 4

Relating to: Definitions and Establishment Requirements

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 to review existing definitions and requirements surrounding safe practice in cosmetology establishments and potentially make updates or changes to align with current practice in the profession.

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 to 4 currently cover definitions and various requirements for cosmetology establishments. The Board has identified the need to update some of the definitions and other requirements relating to safety after working on a recent project on Mobile Establishments under CR 24-088.

The alternative to making these updates is that the Wisconsin Administrative Code will continue to be ambiguous and outdated regarding safe practice and definitions for cosmetology establishments.

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 454.08 (4), Stats., states that “[t]he examining board shall, by rule, establish minimum standards concerning the maintenance, equipment, plans, and specifications for licensed establishments as they relate to the public health and safety. The examining board may not promulgate a rule requiring the use of a tuberculocidal disinfectant by a barber or cosmetologist in an establishment licensed under this section.”

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:

Individuals and entities who hold cosmetology, aesthetics, manicuring, and electrology practitioner and establishment credentials, or are seeking such a credential.

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: Nilajah Hardin, Administrative Rule Coordinator, DSPSAdminRules@wisconsin.gov, (608) 267-7129.

Approved for publication:



Authorized Signature

05/13/2025

Date Submitted

Approved for implementation:



Authorized Signature

11/18/2025

Date Submitted

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.

(7r) “Hazardous substances” has the meaning given in s. 299.01 (6), Stats.

Note: Section 299.01 (6), Stats., reads as follows: “‘Hazardous substance’ means any substance or combination of substances including any waste of a solid, semisolid, liquid or gaseous form which may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or which may pose a substantial present or potential hazard to human health or the environment because of its quantity, concentration or physical, chemical or infectious characteristics. This term includes, but is not limited to, substances

which are toxic, corrosive, flammable, irritants, strong sensitizers or explosives as determined by the department.”

(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.

(11t) “Mobile establishment” means an establishment providing cosmetology, aesthetics, electrology, or manicuring services located in a mobile vehicle or mobile structure and, where applicable, any tow vehicle attached to the mobile establishment.

(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](#); [CR 24-088](#): cr. (7r), (11t) [Register September 2025 No. 837](#), eff. 10-1-25.

Chapter Cos 2

PRACTICE AND PROFESSIONAL CONDUCT

Cos 2.01	Definitions.	Cos 2.046	Personal care services outside of a licensed establishment generally.
Cos 2.02	Treatments prohibited, infectious and contagious diseases.	Cos 2.05	Advertising.
Cos 2.025	Delegated medical procedures.	Cos 2.06	Responsibilities of owners.
Cos 2.03	Practice standards.	Cos 2.07	Responsibilities of the cosmetology manager.
Cos 2.04	Unauthorized practice.	Cos 2.08	Responsibilities of licensees.
Cos 2.045	Personal care services for persons in hospitals, nursing homes, and correctional institutions.	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 2.01 Definitions. For the purposes of this chapter:

(1) “Chemical process” means the use of chemical reactions to change the texture, style, or length of hair, skin, or nails.

(2) “Dermaplaning,” also referred to as dermablading, means a skin resurfacing procedure that uses a scalpel and blade held at a 45-degree angle to the skin to remove hair and some of the stratum corneum.

(3) “Impact” means to touch, change, alter, modify, or transform.

(4) “Microblading” means a permanent makeup technique in which a handheld tool made of several tiny needles is used to cut into the skin in fine, short strokes to insert pigment to change its appearance.

(5) “Microneedling,” also referred to as collagen induction therapy, means a cosmetic procedure that involves repeatedly puncturing the skin with tiny sterile needles in a single use cartridge. The needle depth of the single use cartridge may be adjusted by the operator and is attached to a power-operated device that moves the needle up and down at a rapid pace.

(6) “Stratum corneum,” also referred to as the horny layer of the skin, means the outermost layer of the epidermis, usually made up of 10-30 layers of corneocytes or dead cells.

History: CR 22-085: cr. Register October 2023 No. 814, eff. 11-1-23.

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.

(1m) No licensee may diagnose any disease of the skin.

(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; CR 22-085: cr. (1m) Register October 2023 No. 814, eff. 11-1-23.

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 2.0.

2. Salicylic acids of 20% or less, with a ph of not less than 2.0.

(d) Microneedling.

(e) Any treatment impacting a skin layer below the stratum corneum.

(2m) The following are delegated medical procedures unless the licensee has received formal training in the procedure as part of a board-approved curriculum and the treatment, as performed, does not impact a skin layer below the stratum corneum:

(a) Dermaplaning, when performed by an aesthetician licensed under s. 454.06 (4), Stats.

(b) Eyelash or eyebrow tinting.

(c) Microblading.

(d) Utilization of electromagnetic radiation and electric current.

(e) Utilization of thermal energy.

(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; CR 22-085: am. (2) (c) 1., 2., cr. (2) (d), (e), (2m) Register October 2023 No. 814, eff. 11-1-23; correction in (2m) (a) made under s. 35.17, Stats., Register October 2023 No. 814.

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 credentialed 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) Register 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 3

ESTABLISHMENTS AND INSPECTIONS

Cos 3.01 Establishment requirements.
 Cos 3.02 Other establishment requirements.
 Cos 3.04 Establishment applications.

Cos 3.05 Inspections.
 Cos 3.06 Change of ownership or location.

Note: Chapter BC 3 was renumbered ch. Cos 3 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 3.01 Establishment requirements. (1) Cosmetology, aesthetics, electrology, and manicuring shall not be practiced outside the confines of a licensed establishment except as provided in ss. Cos 2.045 and 2.046. Establishments, including floors, walls, ceilings, furniture, equipment, tools, utensils and instruments, shall at all times be in good repair and maintained in an orderly and sanitary condition.

(3) If public drinking facilities are provided, disposable drinking cups or a drinking fountain shall be available.

(4) All floor coverings in an establishment shall be kept in a clean, orderly and safe condition. Loose hair shall be removed regularly and placed in a closed container.

(5) A toilet room shall not be used as a dispensary or for the providing of services.

(6) Establishments shall provide safe and secure areas for storing, cleaning and disinfecting equipment. Poisonous substances stored in public areas shall be locked in a cabinet or closet, with the exception of over-the-counter products used for room deodorizing. These products shall be kept in an elevated location out of the reach of children.

(7) Plastic or metal containers of adequate size shall be provided to store all soiled linen. All soiled linen shall be properly cleaned in compliance with s. Cos 4.02 (6) or disposed of after use.

(8) Establishments where apprentices are trained shall provide equipment, supplies and products for all cosmetology services.

(9) No smoking shall be allowed in areas of an establishment where flammable products or materials are being used or stored.

(10) Animals shall not be in an establishment during business hours, except for service animals.

Note: Section 106.52 (1) (fm), Stats., reads as follows: “‘Service animal’ means a guide dog, signal dog, or other animal that is individually trained or is being trained to do work or perform tasks for the benefit of a person with a disability, including the work or task of guiding a person with impaired vision, alerting a person with impaired hearing to intruders or sound, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.”

(11) Where an establishment is located in the same building as a residence, the business and living quarters shall be separate. A mobile establishment may not be located in a vehicle or mobile structure that also contains a residence.

(12) Establishments shall provide a basin which has hot and cold running water, and a chair which is designed for the service to be provided. At least one basin shall be constructed and available to permit licensees to wash their hands prior to serving each patron and following removal of gloves. Establishments shall provide the equipment and supplies necessary to perform services offered. Basins may be shared with other establishments located on the same premises.

(13) The establishment license shall be posted in the establishment.

(14) All facilities shall be equipped with a ventilation system adequate to comply with minimal occupational safety and health standards.

(15) A mobile establishment shall be licensed as an establishment under the requirements of this chapter. A mobile establishment is subject to all of the following requirements:

(a) The establishment shall meet the requirements of this chapter and ch. Cos 4, including requirements related to establishments, inspections, sanitation, and safety. All services provided through a mobile establishment shall meet the standards of practice and professional conduct under ch. Cos 2.

(b) A mobile establishment license is valid for a specific vehicle or mobile structure and may not be transferred to a different vehicle or mobile structure.

(c) The mobile establishment’s name as shown on the license shall be visibly displayed and clearly legible on at least one exterior side of the mobile establishment.

Note: See section s. SPS 364.0401 to 364.0404, Wisconsin administrative code.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (2) and (4), cr. (12), Register, December, 1990, No. 420, eff. 1-1-91; emerg. am. (12), eff. 8-8-91; am. (12), Register, February, 1992, No. 434, eff. 3-1-92; am. (2), (5) and (11), Register, May, 1993, No. 449, eff. 6-1-93; r. (2), am. (5), (6) and (12) and cr. (13) and (14), Register, May, 1999, No. 521, eff. 6-1-99; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, May, 1999, No. 521; CR 05-118: am. (7) Register November 2006 No. 611, eff. 12-1-06; corrections in (1), (7), (8) made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; CR 15-035: am. (6), (10) Register December 2015 No. 720, eff. 1-1-16; CR 20-025: am. (1) Register July 2021 No. 787, eff. 8-1-21; CR 24-088: am. (11), cr. (15) Register September 2025 No. 837, eff. 10-1-25.

Cos 3.02 Other establishment requirements. (1) COSMETOLOGY MANAGER REQUIRED. The owner of a cosmetology establishment shall not operate the establishment unless a cosmetology manager has been employed for the establishment, subject to the exception for temporary unavailability of a cosmetology manager in s. Cos 2.06 (5). The cosmetology manager shall be responsible for supervising and managing the operation of the establishment. The owner and the cosmetology manager shall ensure that the establishment operates in compliance with ch. 454, Stats., and rules of the board as follows:

(a) The owner of more than one establishment shall employ a sufficient number of cosmetology managers to satisfy the requirement that a cosmetology manager be present full time in each establishment as defined in s. Cos 1.01 (7).

(b) The owner of a cosmetology establishment may satisfy the requirement in this section by employing a cosmetology manager who also works at an establishment owned by a different person, provided the cosmetology manager works full time as defined in s. Cos 1.01 (7) at each establishment where he or she is employed as a cosmetology manager.

(c) A cosmetology manager is required to be present in an establishment full time, as defined in s. Cos 1.01 (7), but if an establishment is open for more than 30 hours per week, the cosmetology manager is not required to be present in the establishment

at all times when the establishment is open for business, and the cosmetology manager may be absent for reasonable brief periods during a day.

(2) CHAIR OR BOOTH LEASING. An owner may lease a chair or booth to a licensed individual as follows:

(a) A lease agreement shall be in writing.

(b) The lessee of a chair or booth shall be responsible for ensuring that the leased chair or booth operates in compliance with ch. 454, Stats., and the rules of the board, and the lessee shall hold a cosmetology and an establishment license.

Note: "Lease agreement" in this section includes chair and booth "rental" agreements. To avoid unintended insurance and tax consequences all parties to a lease or rental agreement are advised to consult with appropriate business advisors and government agencies.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; r. and recr., Register, May, 1999, No. 521, eff. 6-1-99; CR 02-058: am. (1) (intro.), r. and recr. (2) (b) Register September 2003 No. 573, eff. 10-1-03; CR 05-118: am. (1) (a) to (c) Register November 2006 No. 611, eff. 12-1-06; corrections in (1) (intro.), (a) to (c), (3) made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; CR 15-035: am. (1), (2) (b), r. (3) Register December 2015 No. 720, eff. 1-1-16; CR 18-002: am. (1) (intro.), (2) (b) Register April 2018 No. 748, eff. 5-1-18.

Cos 3.04 Establishment applications. (1) Before a person may open a new establishment, or change the ownership of an existing establishment, or relocate and create a new establishment as specified in s. Cos 3.06 (2), the person shall submit an application to the board on a form specified by the board.

(2) The application required under sub. (1) shall include all of the following:

(a) The identity of the owner.

(b) A mailing address where board correspondence may be received.

(c) The physical address of the establishment, or, for a mobile establishment, the physical address where the mobile establishment is parked when not in service.

(d) The name of the cosmetology manager required under s. 454.08 (6), Stats.

(e) The type of business.

(f) A copy of the floor plan showing dimensions and required equipment.

(g) For a mobile establishment, a description of the vehicle or mobile structure to be used as the mobile establishment, photographs of the interior and exterior, and the vehicle registration of the mobile establishment.

(h) Any other information which may be needed to approve the issuance of a license.

(3) Upon approval of the application and issuance of the license in the establishment, the establishment may open for business.

(4) Falsification of any information on the application may be grounds for denial, suspension or revocation of the establishment license and subject the applicant to penalties as indicated in s. 454.16, Stats.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (2), Register, May, 1993, No. 449, eff. 6-1-93; am. (1), (2) and (3), Register, May, 1999, No. 521, eff. 6-1-99; CR 02-058: am. (1) Register September 2003 No. 573, eff. 10-1-03; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register February 2013 No. 686; CR 15-035: am. (2) Register December 2015 No. 720, eff. 1-1-16; CR 24-088: r. and recr. (2) Register September 2025 No. 837, eff. 10-1-25; correction in (2) (a) made under s. 35.17, Stats., Register September 2025 No. 837.

Cos 3.05 Inspections. (1) Inspections by field representatives or agents of the board may be conducted to assure compliance with ch. 454, Stats., and chs. Cos 1 to 10.

(2) Upon notification of violation, licensees shall respond within 5 days either by notifying the board of correction of the violation or presenting a proposed plan of correction for board approval.

(3) Failure to respond to a notice of violation, or to comply with a plan of correction approved by the board, is unprofessional conduct.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; r. (1), renum. (2) to (4) to be (1) to (3), Register, May, 1993, No. 449, eff. 6-1-93; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register February 2013 No. 686; CR 15-035: am. (1) Register December 2015 No. 720, eff. 1-1-16; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register July 2021 No. 787.

Cos 3.06 Change of ownership or location. (1) Change of ownership of any establishment constitutes the creation of a new establishment and requires submission of an application for a new establishment license.

(2) Change of location of any establishment constitutes the creation of a new establishment and requires submission of an application for a new establishment license. A change to the parking location or mailing address of a mobile establishment or the relocation of a leased chair or booth which is licensed as an establishment and housed within a lessor establishment requires only written notification to the department identifying the change of parking location, mailing address, chair, or booth.

History: Cr. Register, May, 1999, No. 521, eff. 6-1-99; CR 02-058: am. (2) Register September 2003 No. 573, eff. 10-1-03; CR 05-118: am. (2) Register November 2006 No. 611, eff. 12-1-06; CR 24-088: am. (2) Register September 2025 No. 837, eff. 10-1-25.

Chapter Cos 4

SANITATION AND SAFETY

Cos 4.01	Equipment and sanitation.
Cos 4.02	Disinfection.
Cos 4.03	Sterilization.
Cos 4.04	Supplies.
Cos 4.045	Prohibited materials.
Cos 4.05	Procedure for exposure to blood.

Cos 4.06	Precautionary procedures.
Cos 4.07	Ear piercing.
Cos 4.08	Waxing.
Cos 4.09	Electrolysis.
Cos 4.10	Manicuring.
Cos 4.11	Mobile Establishments.

Note: Chapter BC 4 was renumbered ch. Cos 4 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 4.01 Equipment and sanitation. (1) All areas of an establishment, or the area of practice outside of an establishment in accordance with the applicable standards, and the equipment, tools, and implements used by licensees, shall be maintained in a clean, sanitary, and safe condition.

(2) Licensees shall wash their hands thoroughly with soap and running water prior to serving each patron and following removal of gloves. Waterless hand washing agents with alcohol as an active ingredient with a concentration of at least 60% are an acceptable substitute for washing hands that are not visibly soiled with soap and running water.

(3) All tools, implements and items that come in direct contact with a client shall be cleaned and disinfected or disposed of after use on each client.

(3g) All non-disposable, disinfectable manicure tools and implements shall be cleaned and disinfected with a disinfectant as defined in s. Cos 1.01 (6), after use on each client.

(3r) All items designed to be disposed of after a single use including orangewood sticks, cotton, gauze, neck strips, nail wipes, tissues, sponges, paper towels, wooden applicators and spatulas, emery boards, buffer blocks, sanding bands or sleeves, and disposable nail bits shall be disposed of after each use.

(4) All liquids, creams, powders and semi-solid substances shall be dispensed from a container in a manner which will prevent contamination of the unused portion of the substance.

(5) Shampoo bowls and basins shall be drained after each use and kept in a sanitary and safe condition.

(6) Clean towels shall be used for each patron. A neckstrip or towel shall be placed around the neck of the patron to prevent contact with the cape. The head rest of any operating chair shall be covered with fresh linen or paper for each patron.

(7) All other equipment and instruments shall be clean to sight and touch.

(8) Licensees using lancets for the lateral piercing of raised whiteheads shall utilize only pre-sterilized, single use, disposable lancets.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; cr. (2), Register, May, 1999, No. 521, eff. 6-1-99; CR 02-058: am. (2), cr. (3) to (7) Register September 2003 No. 573, eff. 10-1-03; CR 05-118: am. (2), cr. (8) Register November 2006 No. 611, eff. 12-1-06; CR 15-035: am. (2), r. (3), cr. (3), (3g), (3r) Register December 2015 No. 720, eff. 1-1-16; CR 20-025: am. (1), (3r) Register July 2021 No. 787, eff. 8-1-21.

Cos 4.02 Disinfection. (1) Unless sterilized, disinfection is required prior to reuse on another patron of any personal care instruments, including scissors, razors, clipper blades and tweezers, excluding tweezers used in electrolysis.

(2) Disinfection for scissors, razors, clipper blades and tweezers shall be accomplished by use of a dry heat or steam sterilizer cleared for marketing by the food and drug administration, used according to manufacturer's instructions. If steam sterilization, moist heat, is utilized, heat exposure shall be at a minimum of 121° C., 250° F., for at least 30 minutes. If dry heat sterilization is utilized, heat exposure shall be at a minimum of 171° C., 340° F., for at least 60 minutes.

ers shall consist of cleaning with soap and water to remove all organic material, wiping with or soaking in a disinfectant as defined in s. Cos 1.01, and air-drying.

(3) Disinfection for combs, lifts, brushes, rollers and any other contact equipment shall consist of cleaning with soap and water to remove all organic material, treating with a disinfectant as defined in s. Cos 1.01, and air-drying.

(4) Clean and disinfected contact equipment shall be placed in one or more covered containers. One or more separate containers shall be provided for the immediate storage of soiled contact equipment until cleaned and disinfected.

(5) Disinfectant used for decontamination shall be changed daily and shall be kept in a covered container.

(6) Laundry shall be disinfected by washing with a solution containing a germicidal compound.

Note: Chlorine Bleach and Lysol® (brown bottle) are germicidal compounds.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (1) and (2), Register, May, 1993, No. 449, eff. 6-1-93; am. (2), Register, March, 1994, No. 459, eff. 4-1-94; am. (3) and (4), cr. (3) (a) (b) and (3a), Register, May, 1999, No. 521, eff. 6-1-99; CR 02-058: r. and recr. Register September 2003 No. 573, eff. 10-1-03; CR 05-118: am. (1) Register November 2006 No. 611, eff. 12-1-06; corrections in (2), (3) made under s. 13.92 (4) (b) 7., Stats., Register February 2013 No. 686; CR 15-035: am. (3) Register December 2015 No. 720, eff. 1-1-16.

Cos 4.03 Sterilization. (1) Sterilization in ss. Cos 4.07, 4.09 and 4.10 shall be accomplished by use of a dry heat or steam sterilizer cleared for marketing by the food and drug administration, used according to manufacturer's instructions. If steam sterilization, moist heat, is utilized, heat exposure shall be at a minimum of 121° C., 250° F., for at least 30 minutes. If dry heat sterilization is utilized, heat exposure shall be at a minimum of 171° C., 340° F., for at least 60 minutes.

(2) Sterilizers shall be maintained in working order. Equipment shall be checked in compliance with manufacturer's recommendations at least monthly to ensure that it is reaching required temperatures.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (1), Register, May, 1993, No. 449, eff. 6-1-93; am. Register, May, 1999, No. 521, eff. 6-1-99; CR 02-058: am. Register September 2003 No. 573, eff. 10-1-03; CR 05-118: am. (2) Register November 2006 No. 611, eff. 12-1-06; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register February 2013 No. 686.

Cos 4.04 Supplies. (1) All establishments shall supply each licensee with at least one of the antiseptics listed in s. Cos 4.05.

(2) All licensees working in a licensed establishment shall be supplied with bandages and disposable gloves.

(3) Licensees providing services outside of an establishment shall have available with them at least one of the antiseptics listed in s. Cos 4.05 and have a reasonable supply of bandages and disposable gloves.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (1), Register, May, 1999, No. 521, eff. 6-1-99; CR 02-058: am. (1) Register September 2003 No. 573, eff. 10-1-03; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register February 2013 No. 686; CR 15-035: am. (1) Register December 2015 No. 720, eff. 1-1-16.

16; correction in (1) made under s. 35.17, Stats., Register December 2015 No. 720; CR 20-025: cr. (3) Register July 2021 No. 787, eff. 8-1-21.

Cos 4.045 Prohibited materials. Cosmetologists, aestheticians, electrologists, or manicurists may not use pumice stones or credo razors when providing services.

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

Cos 4.05 Procedure for exposure to blood. (1) In the case of any patron injury, such as a scissors cut, razor cut, needle stick, laceration or other exposure to blood, broken skin, or a mucous membrane, the licensee shall do all of the following:

- (a) Stop service.
- (b) Put gloves on hands.
- (c) Assist the client with rinsing the exposed area using soap and water. Pat dry with a towel.
- (d) Provide the patron with disinfectant such as iodine, 70% isopropyl alcohol, or 6% stabilized hydrogen peroxide or equivalent.
- (e) Provide the patron with an adhesive bandage if appropriate.

(f) Dispose of single-use items in the trash container and clean and disinfect all implements.

(g) Clean and disinfect the workstation.

(h) Remove gloves and wash hands before resuming service.

(2) In the case of any licensee injury that may expose a patron to blood, broken skin, or a mucous membrane, the licensee shall do all of the following:

- (a) Stop service.
- (b) Explain the situation to the patron.
- (c) Rinse the area with soap and water.
- (d) Apply disinfectant such as iodine, 70% isopropyl alcohol, or 6% stabilized hydrogen peroxide or equivalent.
- (e) Apply an adhesive bandage.
- (f) Dispose of single-use items in the trash container.
- (g) Put gloves on hands.
- (h) Clean and disinfect all implements and clean and disinfect the workstation.

(i) Replace gloves and return to service.

(3) A licensed establishment shall post a written protocol describing the procedure for unintentional occupational exposure to bodily fluids described in subs. (1) and (2). The protocol shall be posted in a place conspicuous to licensees.

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

Cos 4.06 Precautionary procedures. (1) A licensee shall cover any abrasions, oozing or open lesions or wounds on his or her hands or forearms prior to patron contact. If a licensee has oozing or open lesions or weeping dermatitis on his or her hands or forearms that cannot be effectively covered, the licensee shall refrain from direct patron contact until the condition has been resolved.

(2) A licensee shall use disposable protective gloves when dealing with patrons with oozing or open lesions or weeping dermatitis. These gloves shall be changed between patrons and disposed of after use. Gloves shall be removed upon completion of patron services, and hands washed after glove removal.

Note: It is recommended that licensees use protective gloves in handling caustic chemicals such as permanent waving solution and neutralizer or hair straightening preparations. The handling of these substances without protection can cause skin damage which may provide a route for infection to be transmitted to the licensee.

(3) Licensees shall carefully bag and dispose of paper products contaminated with blood and thoroughly cleanse and disinfect linens contaminated with blood in accordance with s. Cos 4.02 (6).

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Note: Paper products contaminated with blood may be disposed of in the regular trash unless saturated with blood. See s. NR 526.05 (Department of Natural Resources).

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (2), Register, May, 1999, No. 521, eff. 6-1-99; CR 05-118: am. (3) Register November 2006 No. 611, eff. 12-1-06; correction in (3) made under s. 13.92 (4) (b) 7., Stats., Register February 2013 No. 686.

Cos 4.07 Ear piercing. Ear piercing may be performed by non-licensees, but licensees performing ear piercing shall do all of the following:

(1) Wear disposable protective gloves. These gloves shall be changed between patrons and disposed of after each use. Hands shall be washed after removal of gloves.

(2) Thoroughly wash the skin area to be pierced with soap and water or a waterless washing agent with alcohol as an active ingredient.

(3) Apply an antiseptic to the skin surface of the area to be pierced and allow the antiseptic to air dry.

Note: Iodine and Betadyne® are acceptable antiseptics.

(4) Sterilize earrings, needles, or any other piercing instruments prior to insertion. Pre-sterilized earrings may be utilized.

(5) Prior to each use all other surfaces that come into contact with the skin of the patron shall be disinfected.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (intro.), (1), (3), (4) and (5), Register, May, 1999, No. 521, eff. 6-1-99; CR 02-058: am. (3) to (5) Register September 2003 No. 573, eff. 10-1-03; CR 05-118: am. (intro.) and (2) Register November 2006 No. 611, eff. 12-1-06.

Cos 4.08 Waxing. (1) Electrologists performing waxing shall have completed training in depilation by waxing in a school of electrolysis or a school of cosmetology consisting of not less than 8 training hours in all of the following areas:

- (a) Hygiene and sterilization.
- (b) Treatments with hard hot wax.
- (c) Treatments with liquid strip wax.
- (d) Hair removal from legs and arms, bikini and underarm hair.
- (e) Removal of facial hair.
- (f) Eyebrow shaping.
- (g) Post depilation treatments.

(2) Manicurists performing waxing shall have completed training in depilation by waxing in a school of cosmetology or a school of manicuring consisting of not less than 8 training hours in all of the following areas:

- (a) Hygiene and sterilization.
- (b) Treatments with hard hot wax.
- (c) Treatments with liquid strip wax.
- (d) Hair removal from the foot, lower leg, hand and forearm.
- (e) Post depilation treatments.

(3) Licensees performing depilation by waxing shall do all of the following:

- (a) Apply a topical antiseptic to the skin surface of the area to be waxed and allow the antiseptic to air dry.
- (b) Dispose of spatulas after each use.
- (c) Dispose of wax and strips after each use.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (intro.), (1) and (2), Register, May, 1999, No. 521, eff. 6-1-99; CR 02-058: am. (1) Register September 2003 No. 573, eff. 10-1-03; CR 05-118: renum. (intro.) to (3) to be (3) and am. (3) (a), cr. (1) and (2) Register November 2006 No. 611, eff. 12-1-06; corrections in (1) (intro.), (2) (intro.) made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686.

Cos 4.09 Electrolysis. Licensees performing electrolysis shall:

(1) Use sterilized needles, lancets and tweezers for each patron, in accordance with s. Cos 4.03.

(2) Wear disposable protective gloves when working on a patron. These gloves shall be changed between patrons and disposed of following use. Hands shall be washed after removal of gloves.

(3) Thoroughly wash the skin area to be treated with soap and water. Apply an antiseptic to the skin surface of the patron and allow the antiseptic to air dry prior to commencing electrolysis.

(4) Dispose of needles and lancets in a puncture resistant container specifically designed for disposal. Full sharps containers shall be disposed of appropriately.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. (2), (3) and (4), Register, May, 1999, No. 521, eff. 6-1-99; CR 02-058: am. (1), (3) and (4), cr. (3m) Register September 2003 No. 573, eff. 10-1-03; CR 05-118: r. (3m) Register November 2006 No. 611, eff. 12-1-06; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register February 2013 No. 686.

Cos 4.10 Manicuring. (1) Prior to use, all reusable manicure instruments shall be disinfected.

(2) Disinfectant used for decontamination shall be changed daily and shall be kept in a covered container.

(3) Sterilization shall be accomplished in accordance with s. Cos 4.03.

(4) Manicure instruments that cannot be cleaned and disinfected or sterilized shall be disposed of following each use.

(5) Massaging by manicurists is limited to the hand, including the forearm and elbow, and the foot, including the lower leg and knee.

History: Cr. Register, May, 1993, No. 449, eff. 6-1-93; am. (1) (a) and (b), Register, May, 1999, No. 521, eff. 6-1-99; CR 02-058: r. (1) (intro.), renum. (1) (a) to (c) and (2) to be (1) to (4) and am. (1), cr. (5) Register September 2003 No. 573, eff. 10-1-03; correction in (3) made under s. 13.92 (4) (b) 7., Stats., Register February 2013 No. 686.

Cos 4.11 Mobile Establishments. In addition to the requirements of this chapter, a mobile establishment shall comply with the following requirements:

(1) Services shall not be provided unless a mobile establishment is parked, with the engine off, stable, and level.

(2) All services shall be provided inside the interior of the vehicle or structure.

(3) Carpeting is permitted only within driving or cab areas.

(4) All hazardous substances in a mobile establishment shall be stored upright in secured cabinets when the mobile establishment is moving. Regulations in s. Cos 3.01 (6) also apply to a mobile establishment.

(5) All moving parts, including slide outs and steps, shall be in good working order.

History: CR 24-088: cr. Register September 2025 No. 837, eff. 10-1-25.

Cosmetology Examining Board
Rule Projects(updated 12/30/25)

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause/ Summary	Current Stage	Next Step
Not Assigned Yet	101-24	4/14/2027	Cos 1, 2, 4, 5, 6	Education and Approved Formal Training. The Board would like to consider reviewing and updating the education requirements in the Cosmetology code, and consider updating the requirements for approved formal training in chapter Cos 4.	EIA Comment Period and Clearinghouse Review	Public Hearing Anticipated for 4/21/26 Meeting
Not Assigned Yet	063-25	03/28/2028	Cos 1 to 4	Definitions and Establishment Requirements: The Board would like to review definitions and requirements for the establishment license relating to safety and client protection.	Drafting Rule	Board Review of Preliminary Rule Draft