

Minnesota Attorney General: Administrative Rules Proceedings

Copyright Notice:

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit www.mnhs.org/copyright.

Version 3
August 20, 2018

Our File No. 825

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 6-29-82
DATE FOR REVIEW
DATE DUE 7-7-82

Adopted w/a hearing
Adopted w/o hearing
Temporary rule ✓

Approved 7-6-82 Disapproved Returned to Agency 7-7-82

Resubmitted Due
Approved Disapproved Returned to Agency

Date filed w/Secretary of State 7-7-82 Revisor approved 6/29/82 disapproved

---

✓ Rule as Adopted

✓ Rule as Proposed see SR

✓ Order Adopting 6.21.82 Date

Notice of Intent to Solicit Outside Opinion

✓ Order for rulemaking
N/A date of Hearing

N/A Certificate of Board's Authorizing Resolution

Notice of rulemaking
Sufficiency

Affidavit of Mailing Notice or rulemaking
At least 30 days prior to hearing/adoption

✓ Mailing list Certificate

✓ Publication in State Register
5.17.82 At least ~~30~~/20 days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

Chief Hearing Examiner's Report(s)
Approving H.E.'s Report
Approving agency action

Agency's Findings of Fact

LCRAR Report or agency Affidavit

Certificate of Board's Resolution Adopting Rules

Order Approving Incorporation by Reference

Statement of Need and Reasonableness

Petition for Adoption of a Rule

✓ Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

N/A Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO KRISTA SANDA
Director of Consumer Services

DATE: 7/6/82

ATTN: RODNEY A. WILSON, Spec. Ass't. Atty. Gen.

FROM : LARRY D. STARNS
Special Assistant
Attorney General

PHONE: 297-3493

SUBJECT: In the Matter of the Proposed Adoption of Temporary Rules of the State Office of Consumer Services Governing Sanitation in Cosmetology Schools, School License Renewals, Instructor License Renewals, Sanitation in Cosmetology Salons, Cosmetology Salon License Renewals, and Professional Liability Insurance

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register. This must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

If you have any questions in this regard, please contact me.

LDS:drw
Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

ADMIN 1000 (Rev. 1/78)
SF-00006-01

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT Office of Consumer Services

TO : Rule Review Division
Office of Attorney General
G-25 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155

DATE: 6-21-82

FROM : Paula Stenlund
Cosmetology Unit

PHONE: 296-4518

SUBJECT: Proposed Temporary Rules

We are submitting the attached Proposed Temporary Rules of the State Office of Consumer Services Governing Sanitation in Cosmetology Schools, Cosmetology School License Renewals, Instructor License Renewals, Sanitation in Cosmetology Salons, Cosmetology Salon License Renewals, and Professional Liability Insurance, and supporting documents, for your review. The proposed rules were published in the State Register on May 25, 1982. No comment was received.

Thank you.

PRINTED ON RECYCLED PAPER

AG copy

Department of Commerce

Office of Consumer Services

Adopted Temporary Rules Governing Sanitation in Cosmetology Schools, Cosmetology School License Renewals, Instructor License Renewals, Sanitation in Cosmetology Salons, Cosmetology Salon License Renewals, and Professional Liability Insurance

Temporary Rules as Adopted

4 MCAR S 10.002 [Temporary] Sanitation. In the conduct and operation of a hairdressing and beauty culture school A.-S. shall be complied with.

A. [Unchanged.]

B. After use on each person, hair brushes, combs, and all other implements shall be:

1. washed in hot water and soap or detergent;

2. rinsed thoroughly in hot water;

3. immersed in a disinfectant solution for at least ten minutes or in water of a temperature of at least 170 degrees Fahrenheit for at least two minutes; and

4. stored in a clean, closed container, drawer, or cabinet.

Dirty implements and disinfected implements shall not be stored in the same container.

C. [Unchanged.]

D. Each school shall have at least one covered, wet sanitizer of a size to completely immerse implements being disinfected and at least one clean, closed container, drawer, or cabinet in which to store disinfected implements until used.

E.-S. [Unchanged.]

4 MCAR S 10.009 [Temporary] School license, renewals. All cosmetology school registrations expiring June 30, 1982 shall be renewed for a period of one year, at a fee of $250. After the renewal period provided in this rule, cosmetology school license applications and renewals shall be governed by Minn. Stat. ch.

155A.

4 MCAR S 10.010 [Temporary] Instructor licenses, renewals. One-third of all current junior and senior instructor licenses shall be renewed for one year, one-third for two years, and one-third for three years. Assignment of a renewal period shall be made alphabetically. The renewal fee shall be $10 for one year, $20 for two years, and $30 for three years. After the renewal period provided for in this rule, instructor license applications and renewals shall be governed by Minn. Stat. ch. 155A.

4 MCAR S 10.042 [Temporary] Sanitation.

A. and B. [Unchanged.]

C. All implements shall be properly disinfected after use on each person. Proper disinfection requires that the implement be:

1. washed in hot water and soap or detergent;

2. rinsed thoroughly in hot water;

3. immersed in a disinfectant solution for at least ten minutes or in water of a temperature of at least 170 degrees Fahrenheit for at least two minutes; and

4. stored in a clean, closed container, drawer, or cabinet.

Dirty implements and disinfected implements shall not be stored in the same container.

D.-R. [Unchanged.]

4 MCAR S 10.043 [Temporary] Cosmetology salon licenses, renewals. One-third of all current cosmetology salon licenses shall be renewed for one year, one-third for two years, and one-third for three years. Assignment of a renewal period shall be made alphabetically. The renewal fee shall be $15 for one year, $30 for two years, and $45 for three years. After the renewal period provided for in this rule, cosmetology salon license applications and renewals shall be governed by Minn. Stat. ch. 155A.

4 MCAR S 10.066 [Temporary] Professional liability insurance.

Every cosmetology salon, manicurist salon, and booth licensee shall obtain and maintain professional liability insurance coverage of at least $25,000 per claim and $50,000 total coverage per policy year.

APPROVED AS TO LEGALITY

July 6, 19 82

WARREN SPANNAUS, ATTORNEY GENERAL

BY Jerry D. Thomas

SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 7 1982
Joan Anderson Growe
Secretary of State
2:37 PM

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE
OFFICE OF CONSUMER SERVICES

In the Matter of the Proposed Adoption of Temporary Rules of the State Office of Consumer Services Governing Sanitation in Cosmetology Schools, School License Renewals, Instructor License Renewals, Sanitation in Cosmetology Salons, Cosmetology Salon License Renewals, and Professional Liability Insurance.

ORDER ADOPTING TEMPORARY RULES

The above-entitled matter was published in the State Register on May 25, 1982, as a proposed temporary rule pursuant to Minnesota Statutes section 15.0412, subdivision 5. After affording interested and affected persons an opportunity to submit written data and views within 20 days of the publication date, reviewing and considering the data and views, and determining that the above-captioned rules are needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that these rules identified as Temporary Rules of the State Office of Consumer Services Governing Cosmetology Schools, Licensing and License Fees are adopted this 21st day of June, 1982, pursuant to authority vested in me (Director, Office of Consumer Services) by Minnesota Statutes section 155A.05.

STATE OF MINNESOTA

Krista L. Sanda

KRISTA SANDA, DIRECTOR
OFFICE OF CONSUMER SERVICES

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE
OFFICE OF CONSUMER SERVICES

In the Matter of the Proposed Adoption of Temporary Rules of the State Office of Consumer Services Governing Sanitation in Cosmetology Schools, Cosmetology School License Renewals, Instructor License Renewals, Sanitation in Cosmetology Salons, Cosmetology Salon License Renewals, and Professional Liability Insurance.

ORDER FOR PUBLICATION OF TEMPORARY RULES

IT IS ORDERED THIS 25th day of May, 1982 that the proposed rules in the above-entitled matter be published in the State Register.

STATE OF MINNESOTA

Krista Sanda

KRISTA SANDA, DIRECTOR
OFFICE OF CONSUMER SERVICES

A copy of the proposed rule amendment is attached to this notice. Only one sentence has been added to rule 3 MCAR § 2.005. (Underlined)

J. G. Flint, D.V.M.
Secretary and Executive Officer

Rule as Proposed

3 MCAR § 2.005 Importation of swine into Minnesota.

A.-C. [Unchanged.]

D. Breeding swine six months of age and over shall be:

1. Negative to the brucellosis buffered antigen test conducted at a state or federal laboratory within 30 days prior to importation, or originate from a validated brucellosis-free swine herd~~.~~, or originate directly from a nonquarantined herd in a validated brucellosis free state; and

2. Negative to an official test for pseudorabies within 30 days prior to importation or originate from a qualified pseudorabies negative swine herd.

E. [Unchanged.]

Department of Commerce
Office of Consumer Services

Proposed Temporary Rules Governing Sanitation in Cosmetology Schools, Cosmetology School License Renewals, Instructor License Renewals, Sanitation in Cosmetology Salons, Cosmetology Salon License Renewals, and Professional Liability Insurance

Request for Public Comment

Notice is hereby given that the Office of Consumer Services is proposing to adopt temporary rules to govern sanitation in cosmetology schools, cosmetology school license renewals, instructor license renewals, sanitation in cosmetology salons, cosmetology salon license renewals, and professional liability insurance, as authorized by Minn. Stat. § 155A.05 (1981), temporarily amending 4 MCAR §§ 10.002 and 10.042 and temporarily issuing 4 MCAR §§ 10.009, 10.010, 10.043 and 10.066. The temporary rules, as proposed, appear following this notice. For 20 days following the date of publication, any person may submit data and views on the agency's proposed actions by writing to the Office of Consumer Services, Attention: Ms. Paula Stenlund, 128 Metro Square Building, Seventh and Robert Sts., St. Paul, Minnesota 55101. The proposed temporary rules may be modified if the modifications are supported by the data and views submitted to the agency. After the 20-day comment period, the proposed temporary rules, with any modifications, will be sent to the Office of the Attorney General for review. If approved by the Attorney General, the adopted temporary rules will remain in effect for 180 days or until permanent rules are adopted, whichever comes first. In accordance with Minn. Stat. § 155A.05 (1981), if permanent rules are not adopted at the end of 180 days, the temporary rules may be reissued until December 31, 1982, or until permanent rules are adopted.

April 28, 1982

Krista L. Sanda, Director
Office of Consumer Services

Temporary Rules as Proposed

4 MCAR § 10.002 [Temporary] Sanitation. In the conduct and operation of a hairdressing and beauty culture school ~~the following rules~~ A.-S. shall be complied with~~:~~.

A. [Unchanged.]

B. After use on each person, hair brushes, combs, and ~~any and~~ all ~~instruments used must be cleaned and sterilized after using on each person, and kept in a sterilized closed container~~ other implements shall be:

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

1. washed in hot water and soap or detergent;

2. rinsed thoroughly in hot water;

3. immersed in a disinfectant solution for at least ten minutes or in water of a temperature of at least 170 degrees Fahrenheit for at least two minutes; and

4. stored in a clean, closed container, drawer, or cabinet.

Dirty implements and disinfected implements shall not be stored in the same container.

C. [Unchanged.]

D. Each school ~~must~~ shall have at least one covered, wet ~~sterilizer~~ sanitizer of a size to completely immerse ~~objects~~ implements being ~~sterilized,~~ disinfected and at least one ~~dry sterilizer to store sterilized equipment~~ clean, closed container, drawer, or cabinet in which to store disinfected implements until used.

E.-S. [Unchanged.]

4 MCAR § 10.009 [Temporary] School license, renewals. All cosmetology school registrations expiring June 30, 1982 shall be renewed for a period of one year, at a fee of $250. After the renewal period provided in this rule, cosmetology school license applications and renewals shall be governed by Minn. Stat. ch. 155A.

4 MCAR § 10.010 [Temporary] Instructor licenses, renewals. One-third of all current junior and senior instructor licenses shall be renewed for one year, one-third for two years, and one-third for three years. Assignment of a renewal period shall be made alphabetically. The renewal fee shall be $10 for one year, $20 for two years, and $30 for three years. After the renewal period provided for in this rule, instructor license applications and renewals shall be governed by Minn. Stat. ch. 155A.

4 MCAR § 10.042 [Temporary] Sanitation.

A. and B. [Unchanged.]

C. ~~Each beauty shop must include in its equipment a method of sterilization to completely sterilize all combs, brushes, rollers, tools and equipment used in the beauty shop and keep them in a dry sterilizer to insure sterilization~~ All implements shall be properly disinfected after use on each person. Proper disinfection requires that the implement be:

1. washed in hot water and soap or detergent;

2. rinsed thoroughly in hot water;

3. immersed in a disinfectant solution for at least ten minutes or in water of a temperature of at least 170 degrees Fahrenheit for at least two minutes; and

4. stored in a clean, closed container, drawer, or cabinet.

Dirty implements and disinfected implements shall not be stored in the same container.

D.-R. [Unchanged.]

4 MCAR § 10.043 [Temporary] Cosmetology salon licenses, renewals. One-third of all current cosmetology salon licenses shall be renewed for one year, one-third for two years, and one-third for three years. Assignment of a renewal period shall be made alphabetically. The renewal fee shall be $15 for one year, $30 for two years, and $45 for three years. After the renewal period provided for in this rule, cosmetology salon license applications and renewals shall be governed by Minn. Stat. ch. 155A.

4 MCAR § 10.066 [Temporary] Professional liability insurance. Every cosmetology salon, manicurist salon, and booth licensee shall obtain and maintain professional liability insurance coverage of at least $25,000 per claim and $50,000 total coverage per policy year.

In the Matter of the Proposed Adoption of Temporary Rules of the State Office of Consumer Services Governing Sanitation in Cosmetology Schools, School License Renewals, Instructor License Renewals, Sanitation in Cosmetology Salons, Cosmetology Salon License Renewals, and Professional Liability Insurance

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, Rodney Wilson, Special Assistant Attorney General, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Rodney A. Wilson

Rodney Wilson
Special Assistant
Attorney General

Dated: June 25, 1982