

## Cosmetology, Barbering & Esthetics Services and Tanning Facilities

### 313-A:1 Definitions. -

#### "Barbering" means:

1. Shaving or trimming the beard or cutting the hair;
2. Giving facial or scalp massages or treatment with oils, creams, lotions, or other preparations, either by hand or mechanical appliances; or
3. Shampooing, arranging, dressing, or styling the hair.

"**Barbershop**" means any establishment or place of business wherein the practice of barbering is engaged in or carried on.

"**Cosmetology**" means arranging, dressing, curling, waving, cleansing, cutting, bleaching, coloring, or similarly treating the hair of any person, and performing other work customarily performed by a cosmetologist such as giving facials, manicures, pedicures, and artificial nail enhancements, applying makeup or eyelashes to any person, and removing superfluous hair.

#### "Esthetics" means:

1. Giving facials, applying makeup, giving therapeutic skin care treatments, removing superfluous hair, or applying eyelashes to any person;
2. Beautifying the face, neck, arms, and shoulders, by use of cosmetic preparations, antiseptics, tonics, lotions, or creams;
3. Massaging, cleansing, or stimulating the face, neck, arms, and shoulders, by means of the hands, devices, apparatus, or appliances, with the use of cosmetic preparations, antiseptics, tonics, lotions, or creams; or
4. Providing pedicure and manicure services, including therapeutic skin and nail care treatments for the feet and hands, beautifying the feet and hands, and massaging, cleansing, or stimulating the feet and hands by means of the hands, devices, apparatus, or appliances, with the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, trimming or filing the nails, and polishing the nails

"**Manicuring**" or "**pedicuring**" means cutting, trimming, polishing, applying artificial enhancements such as tips or acrylic to the natural nails, or coloring or cleansing the nails of any person.

"**Salon**" means a beauty salon or other place kept open for the business of cosmetology, manicuring, or esthetics.

"**School**" means a school or other institution conducted for the purpose of teaching cosmetology, manicuring, barbering, or esthetics.

"**Tanning device**" includes any equipment, including a sunlamp, tanning booth, and tanning bed, that emits electromagnetic radiation with wavelengths in the air between 200

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and 400 nanometers and is used for the tanning of human skin. The term also includes any accompanying equipment, including protective eyewear, timers, and handrails.

**"Tanning facility"** means any location, place, area, structure or business which provides access to a tanning device for a fee, membership dues or any other compensation.

#### **Safeguarding Guidance:**

The Governor's Economic Re-Opening Task Force recommends protocols for safeguarding all New Hampshire businesses during the coronavirus disease 2019 (COVID-19) pandemic. This industry-specific guidance is based on what is currently known about COVID-19 and is intended to protect the public's health and allow New Hampshire to begin to open for business.

The intent of these recommendations is to reduce transmission of COVID-19 among practitioners and clients; support healthy business operations; and maintain a healthy work environment.

In addition to strict adherence to U.S. Centers for Disease Control and Prevention (CDC), Equal Employment Opportunity Commission (EEOC) and Occupational Safety and Health Administration (OSHA) guidance, and US Food and Drug Administration (FDA) the State of New Hampshire recommends policies and procedures to protect consumers and employees, including:

#### **General Guidance to Protect Employees and Consumers:**

1. Follow the Universal Guidelines for All New Hampshire Employers and Employees.
2. Review and follow CDC guidance for businesses and employers.
3. Review and follow CDC guidance for cleaning and disinfection.
4. All clients **MUST** wear, at a minimum, a cloth face covering over the nose and mouth when within the establishment in accordance with these guidelines, except while receiving services on areas covered by the mask. If the client does not have a cloth face covering, the establishment will provide a mask to the client. Cloth face masks/coverings must be worn and managed according to CDC guidance about use of cloth face coverings. Clients with a documented medical condition precluding them from wearing a mask or individuals under age 2 are exempt from the requirement to wear a mask.
5. All staff **MUST** wear, at a minimum, a cloth face covering over the nose and mouth at all times when within the establishment, even when alone in client service areas (e.g. cleaning and disinfecting after services). Staff with a documented medical condition precluding them from wearing a mask are exempt from the requirement to wear a mask.
  - a. Cloth face masks/coverings must be worn and managed according to CDC guidance about use of cloth face coverings.
  - b. Review also the NH DHHS information about using cloth face coverings.

6. Staff and clients wearing face coverings must not touch their eyes, nose, mouth, or face, or adjust their face mask without first sanitizing hands. After touching face or adjusting mask, hands must be sanitized.
7. Alcohol-based hand sanitizer must be made readily available at the reception area and client service areas for frequent use by both staff and clients.
8. Staff must be provided education and training around safe practices as it relates to hygiene, cloth face covering use, social distancing, sanitation (cleaning and disinfection policies), and illness policies outlined in the Universal Guidelines and in this document.
9. Clients must be informed of these new policies and procedures and provided instructions on hand hygiene, cloth face covering use, social distancing, sanitation (cleaning and disinfection policies), and illness policies.
10. Require all staff to report any symptoms of COVID-19 or close contact to a person with COVID-19 to a supervisor. Staff and members should not be present in the facility if they feel sick.
11. Staff and clients should be screened before each shift (for staff), and before the appointment (for clients) by asking if the individual:
  - a. Has any symptoms of COVID-19 (see Universal Guidelines for list of potential symptoms) or fever of 100.4 degrees F or higher.
  - b. Has had any close contact with someone who is suspected or confirmed to have COVID-19 in the past 14 days.
  - c. Traveled in the past 14 days either:
  - d. Internationally (outside the U.S.),
  - e. By cruise ship, or
  - f. Domestically (within the U.S.) outside of NH, VT, or ME on public transportation (e.g., bus, train, plane, etc.).
12. Person(s) with any COVID-19 symptoms, those who report close contact with someone suspected or confirmed with COVID-19, or those reporting travel risk factors should not be allowed into the facility:
  - a. Symptomatic persons should be instructed to contact their health care provider to be tested for COVID-19 and self-isolate at home following the instructions below.
  - b. Asymptomatic persons reporting close contact with someone suspected or confirmed with COVID-19, or who report one of the traveled-related risk factors should self-quarantine for 14 days from their last exposure or return from travel.
13. Person(s) with suspect or confirmed COVID-19 must stay home until symptom-based criteria are met for discontinuation of isolation:
  - a. At least 10 days have passed since symptoms first appeared; AND
  - b. At least 3 days (72 hours) have passed since recovery (recovery is defined as resolution of fever off any fever reducing medications plus improvement in other symptoms).
14. Staff and clients must maintain a distance of at least 6 feet from others in the salon, barbershop, school, or tanning facility at all times except for when staff are providing cosmetology, barbering, or esthetics services or staff and clients are separated by a physical barrier such as Plexiglass. -

15. Facilities should evaluate their building ventilation system and engineering controls to increase room and overall building ventilation, increase the number of air exchanges, increase outdoor air ventilation, limit internal air circulation, improve central air filtration to the highest compatible with the filter rack and seal edges of the filter to limit bypass, and routinely replace filters and perform other necessary maintenance.

**Business Process Adaptations:**

*Reception, Scheduling, Capacity, and Work Stations*

1. Reception areas should be utilized only for the purpose of accepting payment from clients for services rendered. Waiting areas should be closed to avoid congregating, and clients must be brought directly to the work area.
2. Clients must be scheduled by appointment only either online or by phone. No walk-in appointments are permitted.
3. A maximum of no more than seven (7) operating stations per 1000 square feet is allowed at the facility at any time (possibly fewer depending on the size of the salon and ability to maintain 6 feet of distance between clients at all times), ~~PLUS the number of clients should not exceed the number of staff. For example, in a small facility with one staff member, the maximum number of people allowed in the salon at any one time is two (one staff and one client).~~
4. Each service provider may only manage one client at a time.
5. Businesses must ensure work stations are at least 6 feet apart ~~or separated by barriers or partitions such as Plexiglass; more distance is preferable. Ideally work stations should be in separate rooms or separated by barriers or partitions.~~
6. Clients must receive pre-visit remote consultations within 24 hours prior to their appointment to screen for symptoms of COVID-19, recent travel, or close contact to any person with suspected or confirmed COVID-19 in the prior 14 days. Standard screening questions are outlined above and in the Universal Guidelines.
7. Businesses must stagger appointments so only person is arriving at a time and clients do not interact.
8. Clients must wait in their car until the business alerts them to enter. There should not be any waiting lines given scheduled and staggered appointments. Waiting areas should be closed to avoid congregating, and clients must be brought directly to the work area.
9. There must be sufficient time between clients in order to complete cleaning and disinfection procedures.
10. Services should preferably be paid for electronically before arrival at the establishment. If electronic or card payment is unable to be submitted, clients must come with exact cash payment or check.
11. Businesses must remove unnecessary clutter or items.
12. Businesses must cover any cloth or fabric items with non-permeable barriers that may come into client contact and would therefore need to be cleaned and disinfected.
13. Businesses must remove all product testers and samples.

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14. Staff should change into work clothing at the start of each shift, and change out of work clothing after scheduled shift and before leaving establishment. Worn work clothing should be transported in a plastic bag and laundered normally.
15. Businesses should avoid offering marketing materials and business cards for clients to take as needed, but instead refer clients to websites or other digital material.
16. No physical contact is allowed with clients that is not necessary to provide services (e.g. no shaking hands or hugging).
17. Businesses must create and post signage informing clients about policies and procedures. Signage must be posted on the front door or in the business lobby, at a minimum.
18. Clients are not permitted to eat, drink, smoke, or vape while in the establishment.
19. Staff must frequently perform hand hygiene by either washing hands with soap and water for at least 20 seconds, or using an alcohol based hand sanitizer that contains at least 60% alcohol if soap and water are not available. This includes (but is not limited to) hand hygiene before and after eating, before and after smoking and using the restroom, before and after providing services to a client, before donning and after doffing gloves.
20. Businesses must provide hand sanitizer for client use.
21. Staff must wear aprons or similar barrier while providing services, which shall be changed between each client.
22. Staff are permitted to use blow dryers or hooded dryers in addition to heat rings.
23. Businesses are permitted to use air conditioning units and fans.
- ~~24. Businesses should consider providing physical barriers to protect clients and staff such as partitions or Plexiglass barriers.~~
- ~~25.~~24. For contract tracing purposes, businesses must maintain a record of clients receiving services, the date and time of those services, and the identities of staff who had direct interaction with clients receiving services.

*Restroom Area*

1. Staff must regularly clean and disinfect all surfaces in the restroom.
2. Businesses should consider upgrading to touchless faucets, soap and paper towel dispensers in the restroom.
3. Businesses must place trash container near the door in the restroom.
4. Businesses must remove any products that do not belong in the restroom.
5. Businesses must ensure soap dispensers in the restroom are regularly filled.
6. Restrooms should be single use (one-at-a-time) facilities, where feasible.

*Laundry Services*

1. Staff must place all dirty linens in a covered, non-porous container.
2. Staff must wash all laundry using hot water and detergent. Staff must dry all laundered linen until "hot to the touch," ensuring no moisture or dampness remains in any linen.
3. Staff must launder (porous) or disinfect (non-porous) caps and capes.
4. Staff must store all linens in a closed cabinet or covered shelving until used.

*Cleaning and Disinfecting*

1. Clean and disinfect all surfaces, tables, chairs, medical safety glasses/goggles, other used equipment, workstations, and common areas between each client. Cleaning and disinfection should follow CDC guidance for cleaning and disinfecting your facility, including the following:
  - a. Use disposable gloves to clean and disinfect. Cleaning reduces the number of germs, dirt and impurities on a surface. Disinfecting kills germs on surfaces.
  - b. Use an EPA-approved disinfectant to disinfect anything the client came in contact with, including treatment table, face cradle, stool, bolsters, door knobs, side tables, chairs, etc. and follow manufacturer's instructions for cleaning and disinfecting. Observe the complete contact time for disinfectant on manufacturers label.
2. Staff must make fresh disinfectant for immersion daily and replace throughout the day if the disinfectant becomes contaminated.
3. Staff must remove immersed items at the end of the contact time, rinse the immersed items, and dry items with a paper towel or clean, freshly laundered towel.
4. Hard (Non-Porous) Surfaces: If surfaces are dirty, they should be cleaned using a detergent or soap and water prior to disinfection. For disinfection, use EPA-approved disinfectants for use against the virus that causes COVID-19.
5. Linens, Clothing, towels, and Other Items That Go in the Laundry: Clean and dirty linens will be stored in separate closed containers. Do not shake dirty laundry. Remove all linens, blankets, and table setups. Launder items using the warmest appropriate water setting for the items and dry items completely.
6. Businesses must develop and implement a safety and cleaning/disinfection protocol per CDC guidelines, to be performed daily and in between clients.
7. Clean and disinfect point-of-sale (POS) terminals after each use.
8. Clean and disinfect reception counter, door handles, cabinets, and display cases at the beginning of the day and after every use.
9. Routinely and frequently clean and disinfect work stations, especially between client use.
10. Clean and disinfect all non-porous implements used in the services, as required by all states before and after each use on a client.
11. Clean and disinfect all regularly used surfaces, such as countertops, pens, tablets, bathrooms, and door handles between clients.
12. Clean and disinfect tables, chairs, and headrests before and after each client.
13. Clean and disinfect all work stations, rolling carts, drawers, and any containers used for storage before and after each use.
14. Clean and disinfect all electrical implements before and after each use on a client.
15. After each use, staff must clean implements with a wipe or spray and remove any debris such as hair.
16. Use an EPA-registered bactericidal, virucidal and fungicidal spray, foam, or wipe to disinfect implements for the complete contact time listed on the manufacturer's label.
17. When the contact time is complete, staff must dry implements with a paper towel or clean, freshly laundered towel.
18. Store properly disinfected implements in closed, containers that have also been disinfected

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19. Clean and disinfect all bowls, handles, hoses, spray nozzles and shampoo chairs before and after each client use.
20. Clean and disinfect floors daily.

### **Authorized Services and Additional Service Specific Information**

#### *Cosmetology and Barbering Services:*

1. Cosmetologists and barbers may provide all services within their scope of practice, ~~as long as a client is capable of wearing a cloth face covering at all times, except while receiving cosmetology or barbering services on areas covered by the mask. Cloth face masks/coverings must be worn and managed according to CDC guidance and use of cloth face coverings.~~

#### *Manicuring and Pedicuring Services:*

1. Manicurists and pedicurists services may offer all manicuring and pedicuring services ~~as long as a client is capable of wearing a cloth face covering at all times within their scope of practice.~~
2. Staff must wear disposable gloves when servicing clients and change gloves between each client. Staff must wash hands with soap and water or use an alcohol based hand sanitizer before putting on gloves, and again after taking gloves off.
3. For dip nails, staff must not “double dip.” Staff must either dispose of the entire product or place extra product into another vessel or dish other than the vessel or dish used on the client. The product used on the client must be discarded at the end of service.
4. Practitioners must wear a cloth face covering, face shield or medical safety glasses/goggles, and gloves while providing all body art services. All face shields and medical safety glasses/goggles must be disinfected after each client.

#### *Esthetics Services:*

1. Estheticians may offer all esthetics services ~~as long as a client is capable of wearing a cloth face covering at all times, except while receiving esthetics services on areas covered by the mask within their scope of practice.~~
2. Estheticians must wear a cloth face covering, face shield or medical safety
3. glasses/goggles, and gloves while providing all esthetics services. All face shields and medical safety glasses/goggles must be disinfected after each client.

#### *Tanning Facilities:*

1. Tanning facilities may offer all tanning services within their scope of practice.
2. ~~Unless otherwise exempt in accordance with these guidelines, c~~lients must wear cloth face coverings at all times except for when alone in a tanning booth, but client must place face covering back on immediately after tanning session is finished and before emerging from tanning booth.
3. Tanning bed or booth must be thoroughly cleaned and disinfected after every client.

### **Electrology**

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1. "Electrologist" means any person who engages in electrology for compensation, except the following persons:
  - a. A physician licensed to practice medicine in this state who performs electrology in such practice.
  - b. A person who engages on behalf of a manufacturer or distributor solely in demonstrating the use of any machine or other article for the purpose of sale, without charge to the person who is the subject of such demonstration.
2. "Electrology" or "electrolysis" means the process by which hair is removed from the normal skin by the application of an electronic current to the hair root by means of a needle or needles, whether the process employs direct electric current or shortwave alternating electric current.

#### Authorized Services and Additional Service Specific Information

##### Electrology:

1. All clients MUST wear, at a minimum, a cloth face mask covering nose and mouth when within the facility, except while receiving electrolysis on areas covered by the mask. Cloth face masks/coverings must be worn and managed according to CDC guidance about use of cloth face coverings. Clients with a documented medical condition precluding them from wearing a mask are exempt from the requirement to wear a mask.
2. Electrologists may provide all services within their scope of practice.
3. All staff must wear protective goggles with a side shield or a face shield, in addition to a cloth face mask, while protecting electrology services to clients. Staff with a documented medical condition precluding them from wearing a mask are exempt from the requirement to wear a mask.
4. ~~Electrologists must manage one client at a time per electrologist, except that minors shall be permitted to be accompanied by one parent or guardian while receiving services.~~

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