



# Farmington Valley Health District

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## Salon Regulations

### Section 1: Scope and Purpose

- A. The purpose of this regulation is to protect the health and safety of patrons at Farmington Valley Health District Salons and to prevent the spread of disease including, but not limited to, viral, bacterial, and fungal infections.
- B. This regulation is enacted pursuant to the powers and duties set forth in the Connecticut General Statutes (CGS) 7-148, 19a-92g, 19a-206, 19a-207, 19a-231, 19a-232, 19a-243a, 20-266s and Public Act 2019-117.

### Section 2: Definitions

For the purposes of this code:

- A. **Authorized Agent:** Farmington Valley Health District employee or independent contractor designated by the Director of Health to enforce provisions of the Farmington Valley Health District Salon Regulations.
- B. **Barbering:** (CGS Sec. 20-234) includes the following described practices, when performed by a barber licensed in the State of Connecticut, upon the head, face, and neck for cosmetic purposes only and done for the public, with or without compensation:
  - a. Shaving or trimming the beard.
  - b. Cutting hair.
  - c. Styling or cutting hair pieces and wigs.
  - d. Singeing, shampooing, or dyeing the hair or applying hair tonic.
  - e. The application of cosmetic preparations, antiseptics, powders, oils, clays, or lotions.
  - f. Giving facial and scalp massage or the application of oils, creams, lotions, or other preparations, either by hand or mechanical appliances.
- C. **Body Piercing:** (CGS Sec 19a-92g) Piercing or creating a channel through any part of the body other than the ear lobe (i.e., lower portion of the auricle having no cartilage) for the purpose of inserting a decorative object.
- D. **CGS:** Connecticut General Statutes
- E. **Director of Health:** The Director of Farmington Valley Health District.
- F. **Disinfectant:** Type of antimicrobial that kills or irreversibly inactivates all bacteria, fungi, and viruses on hard surfaces.

**G. Esthetician:** Means a person who, for compensation, performs esthetics.

**H. Eyelash Technician:** Means a person, who for compensation performs individual eyelash extensions, eyelash lifts or perms and eyelash color tints.

**I. Esthetics:** Means services related to skin care treatments, (A) including by not limited to, cleansing, toning, stimulating, exfoliating or performing any similar procedure on the human body while using cosmetic preparations, hands, devices, apparatus or appliances to enhance or improve the appearance of the skin; makeup application; beautifying lashes and brows; or removing unwanted hair using manual and mechanical means, and (B) excluding the use of a prescriptive laser device; the performance of a cosmetic medical procedure, as defined in section 19a-903c of the general statutes; any practice, activity of treatment that constitutes the practice of medicine; makeup application at a rented kiosk located in a shopping center or the practice of hairdressing and cosmetology by a hairdresser and cosmetician licensed pursuant to chapter 387 of the general statutes that is within such licensee's scope of practice.

**J. Fee schedule:** The fees specified in the Annual Fiscal Year Budget as adopted by the Farmington Valley Health District Board of Health.

**K. FVHD:** Farmington Valley Health District.

**L. Hairdressing and Cosmetology:** (CGS Sec. 20-250(4)) The art of dressing, arranging, curling, waving, weaving, cutting, singeing, bleaching and coloring the hair and treating the scalp of any person, and massaging, cleansing, stimulation, manipulating, exercising or beautifying with the use of the hands, appliances, cosmetic preparations, antiseptics, tonics, lotions, creams, powders, oils or clays and doing similar work on the face, neck and arms, removing hair from the face or neck using manual or mechanical means, excluding esthetics, as defined in section 20-265a or any other of the actions listed in this subdivision performed on the nails of the hands or feet, provided nothing in this subdivision shall prohibit an unlicensed person from performing shampooing or braiding hair.

**M. Independent Contractor:** An individual that possesses the skills, ability and knowledge needed to perform salon inspections by contract with FVHD.

**N. Nail Technician:** A person, who for compensation, cuts, shapes, colors, cleanses, trims, polishes, or enhances the appearance of the nails of the hands or feet, excluding any practice, activity or treatment that constitutes the practice of medicine.

**O. Potable Water:** A public water supply or well water that is deemed safe for human consumption as evidenced by a yearly bacteriological laboratory analysis.

**P. Salon:** Any shop, store, day spa or other commercial establishment at which the practice of barbering, hairdressing, esthetics, eyelash extension, cosmetology, nail technician services, tanning, tattooing, body piercing or any combination thereof, is offered and provided.

**Q. Sanitizer:** Type of antimicrobial that reduces levels of microorganisms.

**R. Tanning:** Use of ultraviolet radiation emitting equipment in an indoor setting for the purpose of producing a suntan, such as a sunlamp, tanning booth or tanning bed.

**S. Tattooing:** (CGS Sec 19a-92a) Marking or coloring, in an indelible manner, the skin of any person by

pricking in coloring matter or by producing scars including microblading.

**T. Tattoo Technician:** (CGS Sec. 20-266n (4)) A person practicing tattooing on another person.

**U. Threading:** A method of hair removal in which unwanted hairs are plucked out by using a twisted cotton thread.

**V. Student tattoo technician:** A person studying tattooing under personal supervision of a Tattoo Technician who is registered with the Connecticut Department of Public Health pursuant to CGS Section 20-266o(g).

**W. Unsanitary conditions:** Salon conditions which cause or risk the spread of viral, bacterial or fungal infections, or any other communicable disease.

**X. Waxing:** The process of removing unwanted hairs from a part of the body by applying wax and peeling off the wax and hairs together.

### **Section 3: Application & Permit Process**

- A. No entity shall operate a salon within the FVHD without having applied to FVHD on forms furnished by the FVHD and paying an annual permit and inspection fee as determined in the current FVHD fee schedule.
- B. All Permits shall be renewed annually. Salons desiring renewal of such permit shall file an application with the FVHD prior to the expiration date with the appropriate fees. Documentation required in Section 3: G of these regulations must also be submitted at that time, if applicable.
- C. In the case that a Salon permit renewal application, fees and supporting documentation are submitted after 30 days from the previous permit expiration date, a late fee, as determined in the current FVHD fee schedule, shall be assessed.
- D. New Salons applying for a permit within the permitted year will be charged a pro-rated permit fee.
- E. Permits are valid for one year unless revoked by the Director of Health. Permits shall not be transferable
- F. All Salons must post their FVHD salon permit in a conspicuous location clearly visible to the public.
- G. Salons that have well water must provide a yearly bacteriological water analysis with permit application.
- H. Whenever a salon changes ownership, is constructed or an existing salon is altered for use as a salon properly prepared plans and specifications for such construction or alteration shall be submitted to FVHD for review and approval before construction or alteration is begun. Plans and specifications shall include the floor plan and construction of all areas within the salon along with the type and model of all proposed equipment.

### **Section 4: Revocation of a Permit/Closure of a Salon**

- A. In the event that the Director of Health or authorized agent finds unsanitary conditions in the operation of the Salon or violations of this regulation or an unpermitted salon, the Director of Health may immediately issue a written notice to the permittee or person in charge citing such conditions, specifying corrective action to be taken and time frame within which action shall be taken. If correction is not made in the allotted time, the salon permit may be revoked and/or ORDERS to close the establishment will be issued

by the Director of Health.

The Director of Health may order closure without warning, prior notice, or hearing, to operate a salon:

- a) If the operation constitutes an imminent public health hazard; or,
- b) If the owner or person in charge has interfered with the performance of the Director of Health's or authorized agent's duties; or,
- c) No current FVHD Salon Permit.

**B.** An imminent health hazard may include, but is not limited to, any one of the following:

- 1) An ongoing outbreak of an infectious, pathogenic, or toxic agent capable of being transmitted to consumers; or
- 2) The absence of potable water, in a quantity which, in the opinion of the Director of Health or authorized agent, is capable of meeting the needs of the facility.
- 3) A sewage backup into the facility, onto the surface of the ground or into a watercourse.
- 4) An unlicensed individual performing procedures requiring licensing by the Connecticut Public Health Code.

**D.** When serious violations of any of the requirements of these regulations and/or the Regulations of Connecticut State Agencies, are observed which may be considered to pose an imminent health risk to patrons of the establishment, or for interference with the Director of Health or authorized agent in the performance of their duties, the permit may be revoked and ORDERS to close the establishment will be issued by the Director of Health. The permit holder or person in charge shall immediately cease all salon operations, and such operations shall not be resumed without written approval of the Director of Health.

**E.** Any Permit holder who has had their permit revoked shall have an opportunity for a Hearing.

**F.** A revoked permit will be reissued **only** after a satisfactory re-inspection of the facility and payment of the annual inspection and permit fee.

**G.** Hearings for permit revocation shall be held if a written Appeal is filed with the Director of Health within three business days of service of the ORDER to close. Hearings shall be held within five (5) business days of the receipt of the Appeal which must contain detailed itemization of the corrective measures taken to address deficiencies cited in the ORDER. The establishment shall remain closed in accordance with the ORDER until a decision is made at the Hearing.

**H.** Upon the decision of the Director of Health to revoke the permit to operate, an ORDER to immediately cease all Salon operations shall be issued. The owner of a salon who is aggrieved by such ORDER of the Director of Health may, within three business days, appeal to the Commissioner of Public Health who shall thereupon immediately notify the authority from whose order the appeal was taken and examine into the merits of such case and may vacate, modify, or affirm such action. Copies of any such appeals must be filed with the Director of Health.

### **Section 5: Inspections**

**A.** At least once a year, the Director of Health or authorized agent shall inspect each establishment at which the practice of barbering, hairdressing and cosmetology or the services of a nail technician, or any combination thereof, is offered and provided in order to enforce this regulation, the CGS and the Regulations of Connecticut State Agencies, including, but not limited to, the Public Health Code.

- B. The Director of Health or authorized agent shall be allowed to enter, during normal business hours, any portion of any Salon for the purposes of making inspections to determine compliance with these regulations.

### **Section 6: Owner/Employees**

- A. No employee shall knowingly serve any patron who is afflicted with an infectious disease including, but not limited to, impetigo, folliculitis, lice, nits, ringworm, or nail fungus.
- B. No employee shall serve a patron with an open wound in the area(s) to be serviced, i.e., hands, feet, head, etc.
- C. No employee having a communicable disease in the infectious stage shall serve any patron.
- D. The Salon owner shall report to the Director of Health any case of disease or serious injury that results from service in the salon.
- E. No employee shall remove or attempt to remove a wart, mole, skin tag or treat any disease of a patron.
- F. All employees requiring a State of Connecticut license shall have a copy of the current license available on site.
- G. Employees must wash hands prior to serving patrons.

### **Section 7: Physical plant**

- A. Every Salon shall have an adequate supply of potable hot and cold running water. Hot water shall not exceed 115 °F.
- B. Salon wastewater shall discharge into municipal sewers or on-site subsurface sewage disposal systems.
- C. Adequate toilet facilities and hand wash sinks shall be provided for customers and employees. They must be maintained in good repair and in a clean condition. Sufficient hot and cold water, soap and individual hand towels or hand air dryers must be provided.
- D. Lighting shall be sufficient to provide adequate illumination in work areas.
- E. The Salon shall be free from excessive odors and not cause nuisance odors to indoor air quality of adjacent premises. Ventilation shall comply with applicable building codes.
- F. Adequate equipment shall be provided to perform necessary cleaning and proper storage of supplies.
- G. The Salon must be in compliance with all applicable Federal, State and Local codes.
- H. One hand sink must be provided and accessible to clients and employees.
- I. Separate sink shall be provided for instrument cleaning only.

### **Section 8: Sanitation/Disinfection**

- A. Each Salon shall be maintained to provide a safe and sanitary environment. Everything shall be kept clean and in good repair.
- B. Reusable equipment including, but not limited to, combs, brushes, finger bowls, foot spas, straight edge razors, tanning beds and waxing sticks must be properly cleaned and disinfected using an EPA approved method **after serving each customer**.
- C. Disposable and single use items shall be disposed of immediately after use.  
  
**Note:** Manicure items may be kept for the original customer if stored in a covered container labeled with the customer's name.
- D. Customers must wear water-resistant coverings when chemical treatments are used.

### **Section 9: Prohibited and required equipment and products**

- A. It is **prohibited** to use the following items in a salon:
  - 1) A lancet or any other device used to break the skin.
  - 2) A razor blade callus shaver; credo blade.
  - 3) Any substance banned by the FDA, such as, liquid methyl methacrylate monomer & methylene chloride.
  - 4) Bar soap and common cloths.
- B. Brush neck and nail dusters, powder puffs, makeup brushes sponges, shaving mugs, brushes and Dremel rotary tools are **prohibited** unless they are single-use disposable instruments or able to be disinfected.
- C. Multi-use of cosmetics is **prohibited** unless single use applicators are provided.
- D. Pedicure fish are **prohibited**.
- E. If **ultraviolet light radiation or UVA emitting LED lights** are used for drying nails, Section 11 A-D requirements must be followed.
- F. All eating and drinking utensils must be disposable single serve use only.

### **Section 10: Tattooing and Body Piercing**

- A. No person shall engage in the practice of **tattooing** unless the person is a licensed Tattoo Technician per Connecticut General Statute Chapter 387a Section 20-266n-s.
- B. No person shall tattoo or perform body piercing (see definition) on an un-emancipated minor under eighteen-years-of-age without the written permission of the minor's parent or legal guardian. Permission forms shall be for one year on site.
- C. All reusable equipment that comes into contact with blood must be properly **sterilized** by thoroughly cleaning with an ultrasonic machine or other approved method and then holding in a steam autoclave at an adequate temperature, time and pressure or another equal process. Verification of achieving sterilization with temperature sensitive indicator tape is required to be included in every batch placed in autoclave. Follow manufacturer instruction regarding spore (*Bacillus stearothermophilus*) testing. documentation by a licensed laboratory, to ensure sterilization capability of the autoclave, must be maintained for 2 years

FVHD must be notified within 24 hours of receipt of a report that non-sterile conditions were identified. Single use, disposable needles and ink tubes are highly recommended.

- D. Connecticut Department of Health and Department of Energy & Environmental Protection requirements must be followed regarding disposal of sharps and biomedical waste.

### **Section 11: Tanning**

- A. It is the responsibility of the tanning salon operator to assure that the applicable Food and Drug Administration (FDA) & Federal Trade Commission (FTC) regulations are adhered to.
- B. Signage with warning/danger statements regarding ultraviolet light exposure, protective eyewear and substances that may increase photosensitivity to ultraviolet radiation must be displayed in front entry way and in each tanning room.
- C. Use of a tanning device in a Salon is prohibited for patrons under the age of 17. Signed parental or legal guardian consent is required for patrons under 18 years of age. Consent forms shall be maintained for 30 days.
- D. Manufacturer's label must be permanently affixed to tanning bed and unit must be operated and maintained according to manufacturer specifications. Owner's manual must be on premise.
- E. Single user protective eyewear must be worn. Disposable protective goggles must be available.
- F. Tanning bed must be cleaned after each use. Cleaning solution must be readily available for patron use.

### **Section 12**

#### **Sanitizers/Disinfectants**

- A. EPA registered hospital grade disinfectant must be used in accordance with the manufacturers' directions for the intended implements or surface.
- B. No method is considered effective without prior thorough cleaning with detergent (e.g. soap, tri-sodium phosphate, Ship Shape, etc.), unless specifically stated in instructions.
- C. Color safe and scented bleach shall not be used.
- D. Non-chemical methods of sanitizing must be approved in writing by the Director of Health. Equipment specifications shall accompany requests for approval.

### **Section 12: Appendices**

Latest revisions of sample forms, protocols, charts, and other miscellaneous information are created by and available at FVHD.

### **Section 13: Penalties**

Applicable penalties are found in sections 19a-36, 19a-220, and 19a-230 of the Connecticut General Statutes, and sections 19-13-B1 & 2 of the Regulations of Connecticut State Statues.

**Section 14: Severability**

Should any section, paragraph, sentence, clause, or phrase of this regulation be declared by a court of competent jurisdiction, to be unconstitutional or invalid for any reason, the remainder of the regulation shall not be affected thereby.

**Section 15: Date of Effect**

This regulation shall initially be in full force and effect from: March 1, 2012

With Amendments by the Board: 02/05/2013; 03/04/2014; 02/02/2016; 03/03/2020; 12/7/2021

 1/31/23

Brandon Robertson, Chairperson, Board of Health