

Safety Guidelines: (Continued)

The consumer shall be able to observe the provider performing these duties between client services. Your technician may meet these requirements by providing a kit for each client and/or disposing of single-use items after each client.

Are there items that are prohibited or limited from use?

Yes. Some items can be used only once per client and other items can not be used at all in performing services.

- The use of chamois buffers, pumice stones, credo blades and styptic pencils and bar soap is prohibited.
- The use of non-disposable powder puffs, sponges or neck dusters, which cannot be immersed in an EPA-approved hospital grade disinfectant is prohibited.
- Other items that can be used for only one application and disposed of include emery boards, nail white pencils (unless sharpened after each use), shaving mugs without the use of sanitary paper or plastic liners and razors for more than one application.
- Finger bowls, pedicure bowls and footbaths shall be cleaned, rinsed and disinfected after each use.
- All sharp or pointed items shall be stored when not in use.
- All fluids, creams and powders shall be dispensed with shakers, dispenser pumps, spatulas or sprays to prevent contamination.

Are certain products or procedures potentially dangerous or prohibited?

Yes. Some products may pose health and safety risks. Others are specifically prohibited by law.

- The permanent dyeing of eyelash or eyebrow hair is prohibited.
- All appearance enhancement licensees are prohibited from providing injections of any substance, such as Botox, Restalyne or other fillers, and from providing laser services for purposes other than the removal of hair. Such services are the practice of medicine and should only be provided by a licensed medical professional.

- Licensees may provide laser hair removal services, however, use caution as these services are not regulated by New York State.
- The use of monomeric methyl methacrylate (MMA) is prohibited. MMA is an adhesive sometimes used in the application of artificial nails, which the FDA has identified as a hazardous and injurious substance. It can cause nose and throat irritation, headaches and adverse skin reactions, and damage to the natural nail.
- Beware of certain hair smoothing products such as Brazilian-Blowout that may contain formaldehyde (even if they are labeled formaldehyde-free). Formaldehyde is a colorless gas that may cause irritation, allergic reactions and respiratory problems. It is also a known cancer hazard.
- All appearance enhancement licensees are prohibited from providing massage services, unless the practitioner also holds a valid massage therapy license from the New York State Education Department.

Client safety: Negative reactions

In the event that you have a negative reaction to a chemical service performed, tell the technician. If the sensation is extreme, or if you think you may be having an allergic reaction, ask the technician for a Material Safety Data Sheet (MSDS) and seek medical attention.

Complaints

Anyone who believes he or she is a victim of an untrustworthy or incompetent licensee of the Department of State, or who is aware of unlicensed conduct, should contact the Department of State at (518) 474-4429 or access the Department's website at www.dos.ny.gov to download and complete a Preliminary Statement of Complaint form.

Submit complaint forms to:
Department of State
Division of Licensing Services
123 William Street, 19th Floor
New York, NY 10038-3804



Department
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Andrew M. Cuomo
Governor

Rossana Rosado
Secretary of State



Department
of State

Consumer Guide to Beauty Salons & Spas

*How to be sure your salon or spa
follows safe practices*



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Although many consumers don't always stop to think about health and safety issues when getting a beauty or spa treatment, they should. That's because most beauty treatments involve actions that can be dangerous if they aren't performed by properly trained and licensed professionals. Negative reactions from improperly performed treatments can include bacterial infections, transmission of diseases, adverse reactions, and even physical injury.

Selecting a Salon or Spa

All beauty treatment specialists as well as all spas and salons must be licensed to legally operate within New York State (NYS). The consumer should look for:

- A business license on display at the entrance or reception area in the spa or salon where the licensed activities are performed
- A license with a photograph for each operator within a spa or salon

In New York State, there are five different designations for beauty specialists:

- Cosmetologist
- Esthetician
- Nail Specialist
- Natural Hair Styling Specialist
- Waxing Specialist

What if I cannot locate a license?

If you do not see either a current business license or a current NYS issued cosmetology, nail, esthetic, waxing or natural hair styling license on display, ask the service provider to show it to you.

What should I do if they cannot show me a license?

If a license is not available for your viewing, you may want to verify the provider's licensure by contacting the NYS Department of State, Division of Licensing Services. You may access the Licensing Services' online database at www.dos.ny.gov.

What other information should be posted at the spa/salon?

In addition to licenses, an itemized list of all services performed and prices charged for those services should be displayed near the entrance or reception area.

Can any operator perform any service I need?

A provider should be licensed in the services that they are performing. All personal services offered in New York State require that the individual offering these services have the proper training and be licensed to offer that particular service to the consumer. The General Business Law in New York State covers services that include:

- hair and chemical services
- nail services
- waxing and hair removal services
- face and body treatments

It is important to note that not all practitioners are licensed to perform all services. NYS licensed cosmetologists can legally perform hair services, nail services, skin services and waxing. Estheticians can perform all services except hair and nail services. Nail, waxing and natural hair styling specialists can only perform those specific services for which they are licensed. Nail specialists cannot perform waxing services in New York State.

Safety Guidelines:

It is important to note a number of safety guidelines that all practitioners shall follow:

- The facility where any service is being offered shall be clean, in good repair and free from dangerous conditions or hazards.
- Sufficient space with good lighting shall be provided to ensure the safety and health of the consumer.
- Hot and cold running water, toilet facilities, and covered containers for paper and waste shall be provided.
- State regulations require that a provider follow infection control procedures that protect the provider and client. Hand washing is required of all nail care clients and providers prior to a nail service being performed.
- Tables and beds used for personal services shall be sanitized/cleaned between each client.
- All implements that may abrade or clip superficial skin shall be immersed in an EPA- approved disinfectant for at least 10 minutes and disinfected after each use.
- Porous manicuring and waxing implements such as emery boards, block buffers and waxing sticks and other implements that cannot be disinfected shall not be used for more than one person.
- Gloves shall be worn by operators performing waxing or extractions.
- Disposable supplies such as cotton, sponge applicators and paper products shall never be used for more than one person.
- Disposable towels and paper table coverings shall only be used as a single-use item.
- Other tools used to provide services shall be cleaned, then disinfected after each client, using an EPA-approved disinfectant. These tools include but are not limited to scissors, razors, clippers, combs, brushes, capes and bowls.

