

## SECTION .0400 - INFECTION CONTROL PROCEDURES AND PRACTICES

### 21 NCAC 14H .0401 LICENSEES AND STUDENTS

- (a) For purposes of this Section, sanitation, as described in G.S. 88B, is defined as "infection control."
- (b) Notwithstanding Rule .0201 in this Subchapter, this Rule applies to licensees and students in practice in cosmetic art schools and shops.
- (c) Each licensee and student shall wash his or her hands with soap and water immediately after using the restroom. Each licensee and student shall wash his or her hands with soap and water or use of a 62 percent to 70 percent alcohol-based hand sanitizer immediately before and after serving each client.
- (d) Each licensee and student shall wear clean garments and shoes while serving patrons.
- (e) Licensees or students shall not use or possess in a cosmetic art school or shop any of the following:
- (1) Methyl Methacrylate Liquid Monomer, a.k.a. MMA;
  - (2) razor-type callus shavers or blades designed and intended to cut skin and skin growths of skin including skin tags, corns, and calluses;
  - (3) FDA rated Class III devices;
  - (4) carbolic acid (phenol) over two percent strength;
  - (5) animals including insects, fish, amphibians, reptiles, birds, or non-human mammals to perform any service; or
  - (6) a variable speed electrical nail file unless it has been designed for use on a natural nail.
- (f) A licensee or student shall not:
- (1) use any product, implement, or piece of equipment in any manner other than the product's, implement's, or equipment's intended use as described or detailed by the manufacturer;
  - (2) treat any medical condition unless referred by a physician;
  - (3) provide any service unless it falls within the license definition listed in G.S. 88B-2 and unless trained prior to performing the service;
  - (4) perform services on a client if the licensee has reason to believe the client has any of the following:
    - (A) fungus, lice, or nits;
    - (B) an inflamed, infected, broken, raised, or swollen skin or nail tissue in the area to be worked on; or
    - (C) an open wound or sore in the area to be worked on;
  - (5) alter or duplicate a license issued by the Board;
  - (6) advertise or solicit clients in any form of communication in a manner that is false or misleading;
  - (7) use any FDA rated Class II device without the documented supervision of a licensed physician;
  - (8) use any product that will penetrate the dermis;
  - (9) make any statement to a member of the public, either verbally or in writing, stating or implying any action is required or forbidden by Board rules when such action is not required or forbidden by Board rules. A violation of this prohibition is considered practicing or attempting to practice by fraudulent misrepresentation is set forth in 21 NCAC 14P .0108;
  - (10) use or possess any product banned by the FDA. A list of banned products is available at [www.fda.gov](http://www.fda.gov); or
  - (11) use or possess any machine for a cosmetic art service that is not classified by the FDA.
- (g) In using a disinfectant, the user shall wear any personal protective equipment, such as gloves, recommended by the manufacturer in the Safety Data Sheet.
- (h) Licensees may only perform services specifically designated within their licensure field as defined by G.S. 88B-2.

*History Note: Authority G.S. 88B-2; 88B-4; 88B-14; 88B-24;  
Eff. April 1, 2012;  
Amended Eff. August 1, 2014; March 1, 2013;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 13, 2015;  
Amended Eff. September 1, 2020; October 1, 2019; March 1, 2019; March 1, 2018.*

## 21 NCAC 14H .0403 DISINFECTION PROCEDURES

- (a) Disinfectant, as applicable in this Subchapter, is defined as a disinfectant that is EPA registered as effective against:
- (1) bacteria including *Staphylococcus aureus*, MRSA and *Pseudomonas aeruginosa*;
  - (2) viruses including HIV, Hepatitis B and C;
  - (3) fungi including *Trichophyton mentagrophytes*; and
  - (4) human coronavirus.
- (b) Disinfectants that meet the requirements of Subparagraph (a)(1), (2), and (3) of this Rule may be used if they are listed on EPA list N as effective against pathogen SARS-CoV-2.
- (c) Infection Control rules that apply to towels and cloths are as follows:
- (1) clean protective capes, drapes, linens, and towels shall be used for each patron;
  - (2) after a protective cape has been in contact with a patron's neck it shall be placed in a clean, closed container until laundered with soap and hot water and dried in a heated dryer. Capes that cannot be laundered and dried in a heater dryer may be disinfected in accordance with the manufacturer directions; and
  - (3) after a drape, linen, or towel has been in contact with a patron's skin it shall be placed in a clean, covered container until laundered with soap and hot water and dried in a heated dryer. A covered container may have an opening so soiled items may be dropped into the container.
- (d) Any paper or nonwoven protective drape or covering shall be discarded after one use.
- (e) There shall be a supply of clean protective drapes, linens and towels at all times. Wet towels used in services must be prepared fresh each day. Unused, prepared wet towels must be laundered daily.
- (f) Clean drapes, capes, linens, towels and all other supplies shall be stored in a clean area.
- (g) Bathroom facilities must be kept clean.
- (h) All implements shall be cleaned and disinfected after each use in the following manner:
- (1) They shall be washed with warm water and a cleaning solution and scrubbed to remove debris and dried.
  - (2) They shall be disinfected with either:
    - (A) disinfectant that is mixed and used according to the manufacturer's directions. They shall be rinsed with hot tap water and dried with a clean towel before their next use. They shall be stored in a clean, closed cabinet or container until they are needed; or
    - (B) by UV-C, ultraviolet germicidal irradiation used in accordance with the manufacturer's directions.
  - (3) If the implement is shears, a razor, not immersible, or is not disinfected by UV-C irradiation, it shall be cleaned by wiping it with a clean cloth moistened or sprayed with a disinfectant used in accordance with the manufacturer's directions.
- (i) All disinfected non-electrical implements shall be stored in a clean, closed cabinet or clean, closed container.
- (j) All disinfected electrical implements shall be stored in a clean area separate from other clean implements.
- (k) Disposable and porous implements and supplies must be discarded after use or upon completion of the service.
- (l) Product that comes into contact with the patron must be discarded upon completion of the service.
- (m) Containers with open faces may be covered or closed with plastic wrapping. Disinfected implements must not be stored with any implement or item that has not been disinfected.
- (n) Lancets, disposable razors, and other sharp objects shall be disposed in puncture-resistant containers.
- (o) All creams, lotions, wax, cosmetics, and other products dispensed to come in contact with patron's skin must be kept in clean, closed containers, and must conform in all respects to the requirements of the Federal Food, Drug, and Cosmetic Act as set forth in PL 75-717.52 accessible at [www.fda.gov](http://www.fda.gov). Any product apportioned for use and removed from original containers must be distributed in a sanitary manner that prevents contamination of product or container. Any product dispensed in portions into another container must be dispensed into a clean container and applied to patrons by means of a disinfected or disposable implement or other clean methods. Any product dispensed in portions not dispensed into another container must be used immediately and applied to patrons by means of a disinfected or disposable implement or other clean methods. No product dispensed in portions may be returned to the original container.
- (p) As used in this Rule whirlpool or footspa means any basin using circulating water.
- (q) After use by each patron each whirlpool or footspa must be cleaned and disinfected as follows:
- (1) all water must be drained and all debris removed from the basin;

- (2) the basin must be disinfected by filling the basin with water and circulating a surfactant or enzymatic soap with a disinfectant used according to manufacturer's instructions through the unit for 10 minutes;
  - (3) the basin must be drained and rinsed with clean water; and
  - (4) the basin must be wiped dry with a clean towel.
- (r) At the end of the day each whirlpool or footspa must be cleaned and disinfected as follows:
- (1) the screen must be removed and all debris trapped behind the screen removed;
  - (2) the screen and the inlet must be washed with surfactant or enzymatic soap or detergent and rinsed with clean water;
  - (3) before replacing the screen it must be totally immersed in disinfectant in accordance to the manufacturer's instructions;
  - (4) the inlet and area behind the screen must be cleaned with a brush and surfactant soap and water to remove all visible debris and residue; and
  - (5) the spa system must be flushed with low sudsing surfactant or enzymatic soap and warm water for at least 10 minutes and then rinsed and drained.
- (s) A record must be made of the date and time of each cleaning and disinfecting as required by this Rule including the date, time, reason, and name of the staff member who performed the cleaning. This record must be made for each whirlpool or footspa and must be kept and made available for at least 90 days upon request by either a patron or inspector.
- (t) The water in a vaporizer machine must be emptied daily and the unit disinfected daily after emptying.
- (u) The area where services are performed that come in contact with the patron's skin including treatment chairs, treatment tables, and beds shall be disinfected between patrons.
- (v) A manufacturer's label for all products, cleaners, and disinfectant concentrate must be available at all times. If a concentrate bottle is emptied, it must remain available until a new bottle is available.
- (w) When mixed disinfectant concentrate is placed in a secondary container such as a spray bottle, tub or jar, that container must be labeled to indicate what chemical is in the container. SDS sheets must be available for all disinfectants in use at all times.
- (x) Disinfectants must be stored and disposed of in accordance with all local, State, and federal requirements.
- (y) The cabinet and supplies of a towel warmer machine must be emptied daily and the unit dried daily after emptying.

*History Note: Authority G.S. 88B-2; 88B-4; 88B-14;  
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