



WISCONSIN REGULATORY DIGEST

A Publication of the
**BARBERING AND COSMETOLOGY
EXAMINING BOARD**

No. 1

February, 2003

DRL Welcomes New Secretary

Governor Jim Doyle has appointed **Donsia Strong Hill** as Secretary of the Department of Regulation and Licensing. Strong Hill is an attorney concentrating in municipal bond finance at Strong Hill Associates, Ltd. in the Green Bay area. She is a former Brown County assistant district attorney. Before relocating to Wisconsin, she worked in Washington, D.C. as staff counsel to U.S. Representative John Bryant-Dallas, a senior policy analyst for President Bill Clinton, and a senior advisor in the U.S. Department of Energy. A 1983 graduate of Illinois State University, she received her paralegal certification from Roosevelt University in Chicago in 1985 and a law degree from John Marshall Law School in Chicago in 1989. Strong Hill and her husband, Rick Hill, live in Oneida and have three sons.

THE WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

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- Mary Forseth, Bureau Director
- Christopher Klein, Executive Assistant
- Donsia Strong Hill, Secretary

Continuing Education for Barbering and Cosmetology

The members of the Barber Cosmetology Board have often discussed continuing education requirements. As part of these discussions they have reviewed other state's requirements and considered the cost of administration, impact on licensees, and potential public health and safety benefits.

At this time, the Board members feel that the cost and difficulty of administering a continuing education program and the additional demands that would be placed on practitioners outweigh the potential benefits.

Although the Board is not currently pursuing mandatory continuing education, they would like to encourage license holders to take advantage of continuing education opportunities to further develop their professional skills and to stay current in the profession.

Formal courses and seminars are available at colleges, universities, training centers, on the Internet, and often short courses are offered at association conferences and meetings.

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Lease Booths and Chairs

A new Administrative Rule will require a booth renter or lessee practicing Barber and Cosmetology to hold both a manager and an establishment license. Although the rule will become effective in 2003, lessees and renters will have until October 1, 2004 to comply with the new rule. This will allow time to obtain the additional credentials if the licensee doesn't qualify at the time the rule goes into effect.

Buyer's Beware!

It's your responsibility to ensure that the equipment and appliances you use in your practice meet Wisconsin codes and standards. Even if a manufacturer representative claims that their product conforms to code, you should always verify by referring to your Wisconsin Standards and Administrative Code book.

Foundation for Safety in Cosmetology Code of Professional Ethics

This Code of Ethics for Cosmetology was developed by the Foundation for Safety in Cosmetology. Although the list was not compiled directly from Wisconsin Administrative Code, and are therefore not enforceable as such, the Board considers these standards to summarize the general principles of acceptable, ethical, and professional behavior.

All persons licensed under any category of Cosmetology (hereafter 'practitioner') shall be dedicated to providing the highest standards of competence in the practice of their profession as well as compliance with this code of professional ethics.

All practitioners:

- Shall comply with the statutes, rules and regulations of the State in which they practice.
- Shall display certificates of training and/or license as appropriate to the practice.
- Shall deal with colleagues and clients with honesty and integrity.

- Shall maintain their person as a professional by appearance and decorum.
- Shall maintain the salon premises in a sanitary and hygienic manner.
- Shall follow the recommendations of sanitation and disinfection set by the Board in the state in which they practice.
- Shall not disparage a colleague, but shall report incompetence, malpractice, or malfeasance, in writing, to the State Board of regulation if the state requires licensing.
- Shall not perform any service that is outside the scope of practice for the license that he/she holds.
- Shall not misrepresent professional qualifications or credentials.
- Shall not aid or abet, directly or indirectly, the practice of any person who is not duly licensed, if the State in which they practice requires licensure.
- Demonstrate professional excellence through regular self-assessment of strengths, limitations, and effectiveness by advanced education and training.
- Shall strive to obtain personal advancement education on a regular basis, even if this is not required by the state.
- Conduct all business and professional activities within their scope of practice, the law of the land, and project a professional image.
- Accept responsibility to do no harm to the physical, mental and emotional well being of self, clients, and associates.
- Perform all services within the expected standard of care for each aspect of cosmetology, based on information contained in textbooks, advanced and continuing education courses, trade publications, and on the job training.

Regarding the patron/client, the practitioner:

- Shall maintain an accurate client records for each patron/client.
- Shall not engage in gossip, rumor, or disparage any client or customer.
- Shall not offer guarantee or warranty beyond the skill of competence.
- Shall not advertise claims that are misleading, untrue and insupportable by fact.
- Shall disclose professional fees, as well as policies regarding cancellation of appointments and arrangements for payment, prior to the initial appointment.
- Demonstrate commitment to provide the highest quality services to those who seek their professional service.
- Use professional products specifically designed or manufactured for use in their licensed profession according to manufacturer's instructions.
- Acknowledge the inherent worth and individuality of each person.
- Shall not discriminate or behave in any prejudicial manner with clients and/or colleagues.
- Acknowledge the confidential nature of the professional relationship with clients and respect each client's right to privacy.
- Refrain from engaging in any sexual conduct or sexual activities involving their clients.

Nail Board Storage

Never before have hands and feet looked so beautiful! With geometrically precise nail shapes glazed with exquisite colors and shined to dazzle, the manicured hand portrays elegance and well being. From a basic manicure to nail add-ons, every well-groomed woman (and man!) recognizes the necessity of regular nail services. The number of nail establishments and volume of clients patronizing them give testimony to the fact nail services are a booming industry.

The growth in popularity of nail services over the last 15 years has provided the Barber and

Cosmetology professions with a new source of revenue as nail care has become commonplace in the American culture. Along with the increase in salon revenue comes the added cost of supplies and instruments that support these services.

As every good businessperson knows, profits depend on increased sales and minimized expenditures.

Informed providers of nail services know Wis. Admin. Code BC 4.10 (2) requires that "manicure instruments that cannot be cleaned and disinfected or sterilized shall be disposed of following each use." To minimize the cost of supplies used in nail services, a practice has developed in the nail industry of retaining emery boards and other disposable instruments used during a nail service for reuse only with that individual client. Most often, the instruments are stored in the client's personalized drawer, box, or bag. This practice of storing individual client's tools is similar to the days when barbers stored individual's shaving mugs to accommodate the disinfection rule.

However, new information suggests that used supplies that are stored, especially in sealed plastic bags, are breeding grounds for bacteria and fungi. While minimizing expenses is an important aspect of running a successful business, this may be one area where the risk to your clients' health and safety, and your potential for loss, outweigh intended savings. The bottom line is that disposal of these instruments may be the best practice.

Digest Distribution Options

The Department of Regulation and Licensing is looking at various ways to improve service and at the same time reduce costs relating to our publications. One way to achieve this is by offering licensees the option of receiving the digests via e-mail. This will not only help DRL reduce costs, but will also allow licensees to receive the digests even before the hard copy is printed. Starting in March, the Department's website www.drl.state.wi.us will contain a place for licensees to register to receive digests via e-mail. The Department thanks you in advance for your participation in this new distribution system.

Disciplinary Actions

The following disciplinary summaries are taken from orders that can be reviewed on the Department of Regulation and Licensing Web site: www.drl.state.wi.us. Click on "Publications" and then "Reports of Decisions" to view the order. Decisions reported below may have an appeal pending and the discipline may be stayed. The current status of the discipline may be viewed on the Department's Web site under "License Lookup". The progress of cases in court may be viewed at: www.courts.state.wi.us.

**TYRONE A HARRISON, MANAGER
MILWAUKEE, WI FORFEITURE**
Stopped working as manager of an establishment and failed to notify the department. Alleges he quit as manager in the summer of 2000. An inspection of the establishment was conducted in November, 2000, when the owners indicated he was still manager. \$300.00 forfeiture. Dated 6-3-2002. Sec. 454.15(2)(c), Wis. Stats. Case #LS0206034BAC

**HOA T BUI, OWNER
d/b/a MODEL NAILS
EAU CLAIRE, WI REPRIMAND/FORFEITURE**
Model Nails was not changing its disinfectant on a daily basis; new/clean manicuring implements were stored together with used manicuring tools; nail buffers were not promptly discarded after use on each customer. \$200.00 forfeiture. Dated 6-3-2002. Sec. 454.15(2)(i), Wis. Stats. BC 3.01(1), 4.01(1), 4.10(1), Wis. Admin. Code Case #LS0206032BAC

**LONG B DAM
MILWAUKEE, WI FORFEITURE**
During a follow-up inspection was observed providing manicuring services and did not wash her hands in between servicing customers. \$100.00 forfeiture. Dated 6-3-2002. Sec. BC 4.02(2), Wis. Admin. Code. Case #LS0106131BAC

**SUSIE S TRAM, MANICURIST
BROOKFIELD, WI FORFEITURE**
During a follow-up inspection she was observed providing manicuring services and she did not wash her hands in between servicing customers. \$100.00 forfeiture. Dated 6-3-2002. Sec. BC 4.02(2), Wis. Admin. Code. Case #LS0206038BAC

**REGIS CORPORATION, OWNER
d/b/a MASTERCUTS #4875
RACINE, WI FORFEITURE**
An inspection of the establishment revealed workstations were not maintained in a clean and sanitary condition; disinfectant was not being changed on a daily basis; and cleaned contact equipment was being stored in an open container. \$300.00 forfeiture. Dated 6-3-2002. Secs. BC 4.01(1), 4.02(2), (3a), Wis. Admin. Code Case #LS0206037BAC

**YMELDA O QUINTANILLA, MANAGER
MASTERCUTS #4875
RACINE, WI FORFEITURE**
An inspection of the establishment revealed that workstations were not maintained in a clean and sanitary condition; disinfectant was not being changed on a daily basis; and cleaned contact equipment was being stored in an open container. \$300.00 forfeiture. Dated 6-3-2002. Secs. BC 4.01(1), 4.02(1) and (3)(a), Wis. Admin. Code Case #LS0206036BAC

**DARLENE E BIGELOW, OWNER/MANAGER
PARK AVENUE OF PALM BEACHES
MEQUON, WI FORFEITURE**
Failed to post a list of cost for services or displaying a sign which states "All establishment patrons have the right to be informed of the cost of services before the services are provided." Failed to dispose of disposable manicuring equipment properly following each use. Failed to change disinfectant used for decontamination daily. \$200.00 forfeiture. Dated 6-3-2002. Sec. 454.15(2)(i), Wis. Stats. BC 2.05(2), 4.10(1)(b),(2), Wis. Admin. Code Case #LS0206031BAC

**LUU PHUONG NGUYEN, MANICURIST
BROOKFIELD, WI FORFEITURE**
Owner and manager of "Super Nails" in Brookfield. \$1,000.00 forfeiture. Authorized an employee to provide manicuring services after the employee's license had expired. Dated 8-5-2002. Wis. Stat. 454.04(1)(d); Wis. Admin. Code BC 2.06(1), 2.04(1). Case #LS0208051BAC

**BACH PHAN & THU PHUONG CAO,
OWNERS d/b/a NAIL ARTS
RACINE, WI REPRIMAND/FORFEITURE**
An inspection of the establishment revealed nail adhesive containing methyl methacrylate [MMA]

was in use at the facility; manicuring instruments were not maintained in a clean and sanitary condition; implements stored in dirty disinfectant, nail dust at workstations, used nail files and nail clippings were found at workstations; and disinfectant for manicuring instruments was not changed daily. \$1200.00 forfeiture. Dated 6-3-2002. Sec. 454.15(2)(i), Wis. Stats. Secs. BC 2.03(5), 4.01(1), 4.10(1)(a),(b),(2), Wis. Admin. Code Case #LS0206035BAC

**TAM NGUYEN, MANICURIST/OWNER
K-NAILS**

SUN PRAIRIE WI FORFEITURE
Did not post written protocol describing procedure for unintentional occupational exposure to bodily fluids. Did not provide containers for soiled linen. Did not store poisonous substances in locked cabinet. Authorized unlicensed employee to provide manicurist services to clients. \$1,100.00 forfeiture. Dated 8-5-2002. Secs. 454.04(1)(d), 454.15(2)(i), Wis. Stats. BC 3.01(6),(7), 2.04(1), 2.06(1), 4.05(2), Wis. Admin. Code Case #LS0208052BAC

**PEGGY J HANSEN, OWNER
d/b/a SHEAR PRECISION**

EAGLE RIVER WI FORFEITURE
Ordered to pay a forfeiture of \$1000.00. Salon license expired in 1995 and failed to renew it until February, 2002. Dated 6-5-2002. Wis. Stat. 454.08(1)(b); Wis. Admin. Code BC 2.04(1), BC 3.01(1). Case #LS0206033BAC

**JOSE ADRIAN SANCHEZ, OWNER
d/b/a SUPREME CLIENTELE HAIR STUDIO
MILWAUKEE WI FORFEITURE**

Ordered to pay a forfeiture of \$2000.00. The establishment provided barbering and cosmetology services to the public without an establishment license or a licensed manager. Dated 8-5-2002. Wis. Stat. 454.04(1)(a), 454.08(1)(b); Wis. Admin. Code BC 2.04(1), 2.045(1), 2.06(5), 3.02(1). Case #LS0208053BAC

**KAREN L ZAUFT, MANAGER/OWNER
STUDIO Z**

MADISON WI FORFEITURE
Ordered to pay a \$200.00 forfeiture because of sanitation code violations in the salon. Dated 10-07-2002. Wis. Admin. Code BC 3.01(6), and (10). Case #LS0210074BAC

HEAD GAMES SALON

**TARA R SHEEHY & DALE E. NELSON,
OWNERS
MADISON WI FORFEITURE**

Managers responsible for the daily operations of Head Games Salon. Provided barbering and cosmetology services after the establishment license expired. The condition of the salon did not meet sanitation requirements. Dated 10-07-2002. Wis. Stat. 454.08(1)(b), 454.15(2)(i); Wis. Admin. Code BC 2.06, 4.10(1)(b), 2.05(2), 3.01(6). Case #LS0210072BAC

**BONNIE J SLAGG, OWNER/MANAGER
d/b/a BONNIE'S BEAUTY SHOP**

EDGERTON WI FORFEITURE
Ordered to pay a \$300.00 forfeiture because of sanitation violations in the salon. Dated 10-07-2002. Wis. Stat. 454.15(2)(i); Wis. Admin. Code BC 3.01(4), (6), 4.01(1). Case #LS0210073BAC

**SUSAN A STRAUBHAAR,
MANAGER/OWNER
STYLES WITH SMILES**

MOUNT HOREB WI FORFEITURE
The establishment license and the manager's license expired on 7/1/01 and barbering and cosmetology were performed during that period. Renewed licenses on 11/8/2001. Forfeiture of \$1,100.00. Dated 4/8/2002 Sec. 454.04(1), Wis. Stat.

**AMY M. VEITH, MANAGER
STOUGHTON WI SURRENDER/FORFEITURE**
Falsified a document that she submitted to the board for a manager's license. \$500.00 forfeiture. Dated 4-8-2002. Sec. Wis. s. 454.15(2)(a). Case #LS0204083BAC

Department of
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| To renew or reinstate a permanent license: | press 1 - 4 |
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| To obtain proof of licensure to another state: | press 3 - 1 |
| To find out if a person is licensed: | press 3 - 2 |
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VERIFICATIONS

Verifications are now available online at www.drl.state.wi.us. On the Department Web site, please click on "License Lookup". If you do not use the online system, all requests for verification of licenses/credentials must be submitted in writing. There is no charge for this service. Requests should be sent to the Department address or may be faxed to (608) 261-7083 - ATTENTION: VERIFICATIONS. Requests for endorsements to other states must be made in writing – please include \$10 payable to the Department.

DID YOU KNOW THAT YOU CAN ACCESS MOST INFORMATION ON THE DEPARTMENT OF REGULATION & LICENSING WEB SITE?

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CHANGE OF NAME OR ADDRESS?

Please photocopy the mailing label of this digest, make changes in name or address, and return it to the Department. Confirmation of changes is not automatically provided. **WIS. STATS. S. 440.11** **ALLOWS FOR A \$50 PENALTY TO BE IMPOSED WHEN CHANGES ARE NOT REPORTED WITHIN 30 DAYS.**

WISCONSIN STATUTES AND CODE

Copies of the Wisconsin Statutes and Administrative Code relating to Barbering and Cosmetology can be ordered through the Department. Include your name, address, county and a check payable to the Department of Regulation and Licensing in the amount of \$5.28.