



*Arizona Administrative Register*  
**Notices of Proposed Rulemaking**

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R4-10-108	New Section
R4-10-109	New Section
R4-10-110	New Section
R4-10-111	New Section
R4-10-112	Renumber
R4-10-112	Amend
Article 2	Amend
R4-10-201	New Section
R4-10-202	New Section
R4-10-203	New Section
R4-10-204	New Section
R4-10-205	New Section
R4-10-206	New Section
R4-10-207	New Section
R4-10-208	New Section
R4-10-209	New Section
Article 3	New Article
R4-10-301	New Section
R4-10-302	New Section
R4-10-303	New Section
R4-10-304	New Section
R4-10-305	New Section
R4-10-306	New Section
Article 4	New Article
R4-10-401	New Section
R4-10-402	New Section
R4-10-403	New Section
R4-10-404	New Section

**2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statute: A.R.S. § 32-504(A)(1)

Implementing statutes: A.R.S. §§ 32-504(A)(9) and (10), 32-506, 32-507, 32-507(A)(54) and (B), 32-510, 32-511, 32-512, 32-514, 32-515, 32-516, 32-517, 32-518, 32-531, 32-533, 32-534, 32-535, 32-537, 32-541 32-541(A)(3), 32-542, 32-543, 32-544, 32-545, 32-551, 32-552, 32-553, 32-554, 32-555, 32-557, 32-561, 32-563, 32-564, 32-571, 32-572, 32-573, and 32-574.

**3. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Sue Sansom, Executive Director  
Address: Board of Cosmetology  
1645 West Jefferson, First Floor  
Phoenix, Arizona 85007  
Telephone: (602) 542-5301  
Fax: (602) 542-6787

**4. An explanation of the rule, including the agency's reasons for initiating the rule:**

Over the past several years, the cosmetology industry has grown dramatically. There are thousands of licensees in Arizona who perform many services for the general public. These services include the use of sharp tools and implements, as well as chemicals. The proposed rules are a way to clarify proper operating standards. They also set forth licensing, regulation, and sanitation procedures and standards in a clear and concise manner, without significant bookkeeping, reporting, or administrative time and expense.

Pursuant to the authority and mandates of A.R.S. § 32-501 *et seq.*, these rules establish definitions of terms used throughout the proposed rules; fees for licensure services; general examination requirements for aestheticians, cosmetologists, nail technicians, and instructors; general licensing procedures for individuals and establishments; sanitation and safety standards; inspection and disciplinary procedures; and requirements for individual and establishment licensees. The adoption of these proposed rules will benefit the public and licensees' health and safety.

**5. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable.

**6. The preliminary summary of the economic, small business, and consumer impact:**

The principal impact of these proposed rules will be on cosmetology salons and schools. The increases in fees are low compared to other professional and occupational licensing fees. The changes in examination and licensing requirements primarily formalize and standardize current requirements to better inform and prepare applicants and assist in the efficient administration of examinations and licensing procedures. The changes regarding recordkeeping and reporting are clarified to protect students and other members of the

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public. They create either no burden or only a minimum burden on salons and schools, depending on how those licensees currently handle their operations.

After thoroughly researching the operation of existing schools, the Board is proposing clear, minimum requirements for equipment, facilities, instruction materials, curriculum, and exposure to techniques and products. The requirements were created to protect students and the public, while attempting to allow flexibility in the manner of operating a school. Schools lacking such minimum requirements cannot provide adequate student training and historically have gone out of business, leaving students or taxpayers with the financial consequences.

The proposed rules create a positive impact by clearly outlining procedures for reactivating an inactive license and for handling the closing of a school or salon. As an aside, regarding a salon closing, the Board responded to the salon business industry's concern about protecting names of salons that close, by allowing a salon name to be reserved for up to one year from closing. This allows a salon to reopen within a year under the same business name.

Perhaps the most positive impact is the codification in rules of the current industry standards regarding the handling of sanitation and infection control. The proposed rules set standards for safety and sanitation that are consistent with the standards in the cosmetology industry on a national level. Any expense to licensees in complying with these rules should be negligible because they should already be operating in the manner set out in the rules.

The proposed rules also better communicate to licensees the regulatory expectations and disciplinary consequences on noncompliance. Overall, the changes to the proposed rules bring Arizona cosmetology training, licensure, practice, and regulation up to date with current standards.

**7. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:**

Name: Sue Sansom, Executive Director  
Address: Board of Cosmetology  
1645 West Jefferson, First Floor  
Phoenix, Arizona 85007  
Telephone: (602) 542-5301  
Fax: (602) 542-6787

**8. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rules or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rules:**

Date: September 15, 1995  
Time: 10 a.m.  
Location: 1645 West Jefferson, First Floor  
Phoenix, Arizona 85007  
Nature: Board of Cosmetology meeting

An oral proceeding on the proposed rules is as follows:

Date: September 11, 1995  
Time: 1 p.m.  
Location: 1645 West Jefferson, First Floor  
Phoenix, Arizona 85007

A person may request information about the oral proceeding or the proceeding at which the Board will adopt, amend, and repeal proposed rules by contacting the person listed above.

**9. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

Not applicable.

**10. Incorporation by reference and their location in the rules:**

None.

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11. The full text of the rules follows:

**TITLE 4. PROFESSIONS AND OCCUPATIONS**

**CHAPTER 10. BOARD OF COSMETOLOGY**

**ARTICLE 1. COSMETOLOGY SCHOOLS**

- R4-10-01. Procedure for school license
- R4-10-02. Equipment
- R4-10-03. Name of school
- R4-10-04. School advertising
- R4-10-05. Library
- R4-10-06. Instructing staff
- R4-10-07. Records
- R4-10-08. Teaching requirements
- R4-10-09. Students of cosmetology and manicuring
- R4-10-10. Curriculum of schools
- R4-10-11. Hours required
- R4-10-12. Classification of students
- R4-10-13. School sanitation
- R4-10-14. Demonstrators
- R4-10-15. Student instructor's course
- R4-10-16. Examinations
- R4-10-17. Issuance of first licenses
- R4-10-18. Renewals
- R4-10-19. Copying charges for public documents

**ARTICLE 2. COSMETOLOGY SALONS AND MANICURING SALONS**

- R4-10-28. Requirements for licensing
- R4-10-29. Display of licenses, pictures, and signs
- R4-10-30. Prohibited actions
- R4-10-31. Sanitation requirements
- R4-10-32. Responsibility of licensed cosmetologist or manicurist in charge of a salon
- R4-10-34. Fees

**ARTICLE 1. GENERAL PROVISIONS**

Section

- R4-10-101. Definitions
- R4-10-102. Fees
- R4-10-103. Payment of Fees
- R4-10-104. Licensing Examinations
- R4-10-27105. Instructor's Examinations
- R4-10-106. License Application and Renewal
- R4-10-107. Reactivating an Inactive License
- R4-10-108. Display of Licenses and Signs
- R4-10-109. Infection Control and Safety Standards
- R4-10-110. Establishment Management
- R4-10-111. Disciplinary Action
- R4-10-33112. Rehearing or Review of Decision

**ARTICLE 2. SCHOOLS**

- R4-10-201. School Licensing Procedures
- R4-10-202. School Closure
- R4-10-203. General School Requirements
- R4-10-204. School Records
- R4-10-205. Aesthetic School Requirements
- R4-10-206. Cosmetology School Requirements
- R4-10-207. Nail Technology School Requirements
- R4-10-208. Combined School Requirements
- R4-10-209. Demonstrators, Exclusions

**ARTICLE 3. STUDENTS**

- R4-10-301. Instruction, Licensed Individuals
- R4-10-302. Instructor Curriculum Required Hours
- R4-10-303. Aesthetic Curriculum Required Hours
- R4-10-304. Cosmetology Curriculum Required Hours
- R4-10-305. Nail Technology Curriculum Required Hours
- R4-10-306. Curriculum Hours

**ARTICLE 4. SALONS**

- R4-10-401. Salon License Application, Modifications, Transfers
- R4-10-402. Salon Requirements and Minimum Equipment Requirements
- R4-10-403. Mobile Services
- R4-10-404. Shampoo Assistants

**ARTICLE 1. COSMETOLOGY SCHOOLS**

**R4-10-01. Procedure for school license**

- A. Have building inspected and approved before lease or rental to insure meeting qualifications of:
    - 1. Minimum of 3,000 square feet.
    - 2. Not less than two rest rooms.
    - 3. Sanitary covering on floors.
    - 4. Proper lighting and adequate ventilation.
  - B. Make application for a license to operate the school using the form furnished by the State Board of Cosmetology.
  - C. Application shall be accompanied by the following:
    - 1. \$5,000.00 bond which has been approved by the Attorney General and filed with the Secretary of State.
    - 2. The appropriate fee pursuant to A.R.S. § 32-530.
    - 3. A floor plan of the school (a new floor plan must be submitted whenever any changes are made in the structure of the school).
  - D. If, upon examination of such documents and evidence, such provisions prove to be satisfactory, a second inspection shall be made by not less than two members of the Board. At this time equipment should be installed and the facilities completed.
  - E. When the above has been approved, a license to conduct a school of cosmetology shall be issued and such license shall be retained and renewed only as long as the school continues to meet the requirements of the Arizona cosmetology law and the Arizona State Board rules and regulations. Such license is not transferable from person to person or from place to place.
  - F. The Board shall have 20 days to process any application and its attending documents in order to carry out an investigation for verification of any or all facts stated in the application.
  - G. Any person, firm, corporation, or establishment which accepts, directly or indirectly, compensation for teaching persons any branch of cosmetology shall be classified as a school and will be required to comply with all the provisions of the Arizona Cosmetology Law and rules and regulations of this Board.
- R4-10-02. Equipment**
- A. Each school shall be required to furnish students or require students to provide sufficient instruments for learning of cosmetology, and each school shall be required to comply with all sanitation rules adopted by this Board and shall

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instruct the students in the importance of complying with all sanitary rules and regulations of this Board. Said rules and regulations are to be posted in the schools.

**B.** Each school must provide the following minimum equipment:

1. A classroom with capacity for 20 chairs and instructor's desk.
2. An entrance sign designating the name of the school.
3. A display sign noting all work done by students under supervision of instructor.
4. Filing cabinets for school and student records.
5. Chalkboards.
6. Adequate dry sterilizers.
7. Adequate wet sterilizers.
8. Six shampoo basins.
9. Two facial chairs.
10. Four manicure tables.
11. Ten hair dryers.
12. Minimum of 20 practical training stations. The practical station must be composed of:
  - a. A mirror
  - b. A table top minimum of 24" wide and 12" deep
  - c. A chair for patron
  - d. A dust proof closed container which could act as a dry sanitizer holding sanitized combs, brushes, and instruments necessary to perform cosmetology services
  - e. A receptacle for soiled instruments.
13. At least one mannequin, with sufficient hair, for each beginning student. The type or texture of hair on the mannequins shall be representative of all components of the population to the extent possible.
14. Closed towel cabinets or other sanitary enclosures for towels.
15. Locker space for each student to hold personal unsanitary objects.
16. High frequency handle and applicators.
17. Chemical hair straighteners (including, but not limited to, the following ingredients):
  - a. Thioglycolate (bottle or package) \_\_\_\_\_ 1
  - b. Sodium hydroxide (bottle or package) \_\_\_\_\_ 1
18. High frequency handle. Thermal hair straighteners:
  - a. Electric and non electric pressing combs \_\_\_\_\_ 1 each
  - b. Electric heater \_\_\_\_\_ 1
  - c. Curling iron \_\_\_\_\_ 1 electric  
\_\_\_\_\_ 2 non electric

**C.** All of the above equipment must be standard beauty equipment and maintained in good working condition at all times.

**D.** When and if a school's enrollment increases beyond the capacity of properly caring for the original 20 students as to classroom lockers, equipment and floor space, the school shall, for the purpose of good student training, public protection and safety, enlarge such school to meet the need of the number of students enrolled.

**E.** Each junior and senior student shall have his/her own practical training station on the clinic floor.

**R4-10-03. Name of school**

**A.** A school of cosmetology shall be designated by an appropriate name which shall be displayed in letters at least 8 inches in height at the entrance.

**B.** A change of name only of a cosmetology school requires the following to be sent to the Board:

1. Appropriate fee pursuant to A.R.S. § 32-530.
2. Letter requesting change of name.

3. License with previous name.

**R4-10-04. School advertising**

**A.** No person, individual, partnership, corporation, shop, or school shall advertise by means of knowingly false or deceptive statements. Use of the terms "accredited", "approved", or terms of similar import shall be used in conjunction with the name of the organization which issues such accreditation.

**B.** No compensation shall be paid by any school of cosmetology to its students. Compensation shall consist of anything of value, including services of money, paid or extended to the student, but shall not prevent a cosmetology school from offering reduced tuition, grants, or the like, based upon merit or other similar reasonable criteria.

**R4-10-05. Library**

The following library is required by the Board:

1. Standard dictionary.
2. Dictionary of medical terms.
3. Standard textbooks.
4. Anatomy charts on bones, muscles, nerves, hands, and arms, nails, veins, arteries, circulatory system, hair and skin.
5. Current publications on the art and science of cosmetology.

**R4-10-06. Instructing staff**

**A.** All instructors of cosmetology shall be licensed as such by the State Board of Cosmetology.

**B.** An instructor of cosmetology shall be in the classroom during all class and examination periods.

**C.** All practice work by students shall be supervised by a cosmetology instructor.

**D.** Students shall not be permitted to instruct or teach fellow students.

**E.** The school shall never be left without licensed instructors at any time during the business hours.

**R4-10-07. Records**

**A.** Each school shall keep:

1. Student ID cards furnished by the Board as a result of complying with A.R.S. § 32-527(A)(2) to be returned to the Board with correct information when students complete course.
2. A record of the time devoted by each student to the various practices or branches of cosmetology.
3. A report of student attendance which shall be submitted to the Board no later than the 10th of each month on forms supplied by the Board showing the total hours obtained for the previous month and the total accumulative hours to date.
  - a. These monthly reports shall include a list of all employed instructors. The list shall show full names of designated instructor in charge, all full time instructors and all part time instructors. The signature of the instructor preparing the report must be notarized.
  - b. Upon the student's completion of 1800 hours, the accumulative total shall conform with the curriculum.
  - c. Only the hours recorded shall be submitted each month and such reports shall not be amended without satisfactory proof of error.

**B.** The Board shall have the authority to inspect the school student records.

**C.** When, and if, a student discontinues his or her course of training or wishes to transfer to another cosmetology school, the school which the student has been attending shall submit

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to the Board within ten days the hours earned since the last monthly report and the total hours earned by the student.

- D. A person who has registered for the State Board examination and wishes to stay in school until the examination shall be credited upon completion of the hours.
- E. Any cosmetology school, owner, manager or teacher, who wilfully and fraudulently represents facts to the Board concerning any information regarding his or her school or any student enrolled therein, or in any way violates regulations adopted by this Board, will be served notice to show cause before this Board why the school's establishment license or instructor's license should not be revoked.

**R4-10-08. Teaching requirements**

- A. Each school is required to teach cosmetology theory to all students a minimum of five hours per week (which shall consist of not more than one and one-half hours in any one given day).
- B. Students may not be called from any theory classroom during such hour of instruction to perform practical services of cosmetology on the public.
- C. Each school is required to establish grades in all phases of cosmetology.
- D. Students shall not be permitted to leave the classroom during the written or practical examination for the purpose of rendering any cosmetology services.
- E. Safety and sanitary measures relating to each cosmetology subject must be taught in conjunction with all subjects.
- F. Schools may teach any of the various systems of cosmetology since a student should be familiar with different methods of practice as well as the various products and equipment used in the usual cosmetology shop practice.

**R4-10-09. Students of cosmetology and manicuring**

- A. Student enrollment requirements:
  - 1. Two identical wallet size pictures signed by applicant (2 1/2 by 3 1/2) and of passport quality.
  - 2. Satisfactory proof of education consisting of a minimum of two years of high school credits or its equivalency in accordance with the procedures established by the State Department of Education.
  - 3. File and application with the State Board, accompanied by the above requirements.
- B. Transfer from out of state:
  - 1. Students transferring:
    - a. Same requirements as Student Enrollment R4-10-09(A)(1) through (3).
    - b. Submit certified proof of hours completed from the State Board of the out of state institution, showing total number of hours earned to the date of leaving such school, the entry date and completion date.
    - c. The total 1800 hours required in Arizona must be completed within a 15 month period from original date of entry in school.
    - d. A student enrolled in a cosmetology program conducted by a public high school may complete the required 1800 hours for graduation in two school years or 22 months.
    - e. The Board may for good cause in hardship cases waive the designated completion periods.
  - 2. Licensed operators or graduate students completing hours:
    - a. Same requirements as Student Enrollment R4-10-09(A)(1) through (3).
    - b. Submit certified proof of hours completed from State Board with which applicant is registered. Additionally, graduate students shall submit

certification from cosmetology or beauty school, verifying graduation.

- C. Regulations — students:
  - 1. Students are not permitted to attend school more than eight hours in any one working day.
  - 2. No student will be permitted to operate any equipment in which there is an operating defect or perform cosmetology services upon the public or fellow students unless there is a licensed instructor supervising such operations.
  - 3. Any student in a school of cosmetology may file a complaint with the Board concerning the school in which he, or she, is enrolled, provided that the information of such complaint is clearly and concisely given in writing, and such complaint is signed by the student or students making such complaint.
  - 4. Any student desiring to transfer to another school of cosmetology shall submit to the Board a transfer affidavit from the school to be attended.
  - 5. No hours shall be allowed a student in any place other than in a licensed school.
  - 6. A licensed cosmetologist who wishes to take a brush up course and work on the public must submit to the Board a student application, the appropriate pictures and a letter stating the reason for the brush up course.
  - 7. Monitor work shall not include menial work of a nature ordinarily performed by a maid, porter or janitor.
  - 8. Upon enrolling in beauty school, the student shall be given a copy of the state laws and rules and regulations of the Board and a copy of the contract between the student and the school.
  - 9. Each school shall assure that each student shall wear an identification device which contains the full name of the student and the student status.
- D. Waiver of 15 month completion period:
  - 1. Any student requiring an extension of time must write to the Board of Cosmetology explaining the "hardship" necessitating the extension and present substantiating documents.
  - 2. The Board will act upon each case individually and determine acceptance or denial.
  - 3. Time limit of the extension will be determined by the Board.

**R4-10-10. Curriculum of schools**

Each school shall be required to have available at all times a complete and current file on all curriculum suggestions and requirements which have been issued by the Board. All curriculum requirements set up by the Board shall be strictly complied with until rescinded or revised. It is expected that each school will supplement and enrich the minimum requirements specified by the Board.

**R4-10-11. Hours required**

- A. Cosmetology course concerning all hair types:
  - 1. Theory of cosmetology (including Arizona law and rules governing cosmetology) 210
  - 2. Practical cosmetology and practical theory:
    - a. Monitor duties, salesmanship, ethics and shop management 35
    - b. Electricity and lights 20
    - c. Permanent waving including chemical hair relaxing 350
    - d. Shampoos 120
    - e. Hair styling, pressing, thermal curling and waving 305
    - f. Rinses 10

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g. Manicuring, hand and arm massage and related services	100
h. Hair cutting	150
i. Scalp treatment and brushing	75
j. Hair tinting and bleaching	250
k. Facials and make-up including physical and chemical depilatories	100
l. Lash and brow tinting	10
m. Miscellaneous	65
	1800 hours

- B. Manicuring course and related services and subjects:**
1. Theory—sanitation; laws and rules and regulations; anatomy of shoulders, arms, and hands; nails, nail disorders, and diseases; massage; salon management and first aid—65
  2. Practical manicuring including practical theory:
    - a. Nail repair—5
    - b. Nail application functions—20
    - c. Palian and oil manicures and related services—200
    - d. Hand and arm massage—10
- 300 hours

**C.** A manicurist will be credited with 100 hours toward a cosmetology course upon completion of the required 300 hours.

**D.** A cosmetologist will be credited with 10% of the acquired hours of the 300 hours required for a manicurist course.

**R4-10-12. Classification of students**

No student shall be permitted to render clinical services on patrons except manicuring and shampooing until the student has received a minimum of 300 hours of training, provided that when a student has completed 150 hours of training, the student may be permitted to render hair cutting services on patrons on the clinic floor.

**R4-10-13. School sanitation**

- A.** Each student shall be equipped with a minimum of 12 combs and 6 brushes.
- B.** All combs and brushes used on patrons or students must have been completely wet-sanitized and removed from the dry sanitizer immediately before use.
- C.** Shampoo bowls shall be sanitized before and after each use.
- D.** Each student shall wash his or her hands before and after serving any patron or other student.
- E.** Students are permitted to use only clean, sanitary towels on patrons.
- F.** All towels must be kept in closed cabinets.
- G.** Stock bottles containing disinfectants and antiseptics shall be marked "poison" in a manner prescribed by law.
- H.** Rest rooms shall be kept in a clean and sanitary condition.
- I.** All sanitizing solutions shall be made fresh daily.

**R4-10-14. Demonstrators**

- A.** A demonstrator who does not hold an Arizona Cosmetology Instructor's license may not teach in a cosmetology school, but such demonstrator may demonstrate to the students in a duly licensed school any process, products and appliances, if and only when it is done in the presence of and under the supervision of duly authorized cosmetology instructors.
- B.** A demonstrator who is not an Arizona licensed cosmetologist may demonstrate his materials and products or hair styling and hair cutting in conjunction to and with any unit of the National Hairdressers and Cosmetologists Association and any statewide beauty and trade show.
- C.** Such demonstrators shall confine all demonstrations to explanation of their hair products, procedures, hair styling, hair cutting, and appliances while demonstrating on a model. Such demonstrators shall not teach or give any personal

assistance to the individual or group who is attending such demonstration.

**D.** Notwithstanding the foregoing provisions, seminars, classes, and demonstrations of materials, products, hair styling, hair cutting and all phases of cosmetology which are given by, or sponsored by, the National Association of Cosmetology Schools and any statewide beauty and trade shows shall not be deemed unlawful.

**E.** All persons demonstrating all nail application functions must adhere to all above rules.

**R4-10-15. Student instructor's course**

**A.** Upon entering a licensed school of cosmetology for student instructor's training, the applicant must:

1. Hold a cosmetology license issued by the state of Arizona.
2. Present notarized proof of one year's work experience. The work experience must average a minimum of three days per week for the year.
3. Present proof of graduation from high school or its equivalency in accordance with the procedures established by the State Department of Education.
4. File an application with the Board with the above credentials.

**B.** The Student Instructor's ID card issued by the Board and picture (2 1/2 by 3 1/2) shall be posted at the student's work station at all times during student's school attendance.

**C.** The applicant shall pursue the following course of study:

1. Clinic floor work (no more than 20% of the student teacher's training shall be spent checking public clinical work)—100 hours
2. Orientation—16 hours
3. Theory of teaching—200 hours
4. Practical demonstrations—100 hours
5. Conducting theory classes—40 hours
6. Arizona Cosmetology Law—10 hours
7. Record preparation—10 hours
8. Evaluation and unassigned 24 hours—500 hours

**D.** On the 500 total hours each subject may be adjusted to not more than 10% change, deductible from one subject to another as needed by the applicant.

**E.** All instructing by the student instructors must be under the direct supervision of a licensed instructor.

**R4-10-16. Examinations**

**A.** All practical cosmetologist and manicurist examinations will be held in the State Board examination center. The only equipment provided by the Board is equipment for Thermal Pressing and Thermal Curling.

**B.** Applicants must register two weeks prior to the examination date.

1. Student applicants shall submit for registration:
  - a. Examination application.
  - b. Appropriate fee.
  - c. The school shall submit a notarized statement for verification of graduation and completed hours.
2. Other applicants shall submit:
  - a. Two identical wallet size pictures signed by the applicant (2 1/2 by 3 1/2) and of passport quality.
  - b. Satisfactory proof of education consisting of a minimum of two years of high school credits or its equivalency.
  - c. Notarized proof of three year's work experience as a licensed cosmetologist which work experience must average a minimum of three days per week for the year and certification of licenses from the State Board to cover his work.

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Submit, from the State Board with which applicant is registered, certification of at least 1800 hours of training in a school of cosmetology. In addition (if not licensed), a copy of certification of graduation from a cosmetology school.

d. Appropriate fee.

- C. Applicants shall supply all necessary equipment, supplies, and model for complete practical examination. The only equipment provided by the Board is equipment for Thermal Pressing and Thermal Curling.
- D. In the event that an applicant does not take an examination for which he or she has registered, the fee will be held one year from date of registration, at which time fee will be forfeited.
- E. Examinations are written and oral for all subjects of cosmetology and shall further consist of practical demonstrations on a living model in all branches of cosmetology.
- F. The Board shall give all examinations in the English language and the applicant shall submit the answer, both written and oral, in the English language.
- G. No student in cosmetology school nor any cosmetologist shall be allowed to model for an applicant.
- H. The passing grade for the practical portion is 75%. The passing grade for the theory portion is 75%. Any point or fraction thereof below 75% on either practical or theory is a failure. The failed portion of the examination must be re-taken within a period of a year unless the applicant is serving in the Armed Services of the United States. If applicant fails to appear within the one year period, he shall be required to repeat the examination in its entirety.
- I. The Board has the right to determine the method of examination.
- J. Notebooks or notes are not allowed in either the written or practical examination and any applicant found copying or asking any information from other applicants shall be dismissed from the examination and shall forfeit the fee which has been paid.
- K. Applicants will be notified of the assigned day of their examination.
- L. One day is allotted by the Board for each applicant taking the practical and the theory examination.
- M. Examination papers are State Board records and shall not be returned.
- N. Applicants will be notified of passing or failing and grades received.
- O. The Board may revoke licenses of anyone found guilty of fraud in passing examinations or for unprofessional or dishonest conduct.
- P. The questions contained in the examinations conducted by the Board of Cosmetology shall not be made available for public inspection and copying except that the questions shall be made available to examinees for purposes of taking the examination at the time and place designated by the Board and reviewing failure grades by the applicants who have made definite appointments for such review.

**R4-10-17. Issuance of first licenses**

By reciprocity:

1. Two identical wallet size pictures signed by applicant (2 1/2 by 3 1/2) and of passport quality.
2. Satisfactory proof of education consisting of a minimum of two years high school credits or its equivalency.
3. Application notarized in Arizona showing applicant is resident of Arizona.

4. Licenses or certification of licenses from State Board to cover years of working experience which work experience must average a minimum of three days per week for the year, and to include the current license.
5. Notarized proof of five years work out of the seven years immediately preceding the date of application, giving exact dates of working experience.
6. First license fee of \$40.00.

**R4-10-18. Renewals**

Renewal licenses are issued with the appropriate fee after May 1 and before midnight June 30.

**R4-10-19. Copying charges for public documents**

The Board shall charge the following copying charges for public documents:

1. Copies for private use 15¢ per page
2. Copies for commercial use 25¢ per name and address

All requests for copies should be accompanied by verified statement, which statements will be available at the State Board office.

**ARTICLE 2. COSMETOLOGY SALONS AND  
MANICURING SALONS**

**R4-10-28. Requirements for licensing**

- A. Any person desiring to operate a cosmetology salon shall make a written application for an establishment license using the form furnished by the Board of Cosmetology. This shall be presented to the Board seven days prior to the opening of the salon. The application shall be accompanied by the following:
1. The appropriate fee pursuant to A.R.S. § 32-530.
  2. A floor plan of the salon (not less than 8 1/2 x 11" nor more than 8 1/2 x 14" in size). Whenever any changes are made in the structure of the salon, a new floor plan must be submitted.
- B. A salon in a private home must comply with these requirements for salon licensing plus keep closed, during business hours, any door, entrance or passage between living area and salon.
- C. Combination salons and other business (not separated by a solid wall) must comply with all requirements for salon licensing plus these structural requirements:
1. There must be a partition between the business which is:
    - a. Solid, floor to ceiling or
    - b. Solid, not less than five feet six inches in height with
      - i. Louvered paneling from the top of the partition to the ceiling or
      - ii. Decorator screen or lattice work with openings not to exceed three inches.
  2. There also must be a door in this partition which is:
    - a. Minimum of five feet in height
    - b. Solid or louvered or solid swinging
    - c. Kept closed during business hours.
- D. Businesses limited to manicuring and nail application functions must adhere to all requirements for full salon licensing, plus:
1. The partition separating the work area from the surrounding area shall be a minimum of five feet, the upper two foot portion of which may be transparent or decorative screen or latticework with openings not to exceed three inches.
  2. The opening or entrance of the work area shall not exceed 4'6" in width.

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3. A licensed cosmetologist or manicurist must be present and in charge during the business hours.
- ~~E. A change of name only of a salon requires the following to be sent to the Board:~~
- ~~1. The appropriate fee pursuant to A.R.S. § 32-530.~~
  - ~~2. A letter requesting a new name.~~
  - ~~3. The license with the previous name.~~
- ~~F. Any change of location or ownership of a salon requires a new license. (See subsection (A) above.)~~
- ~~G. Cosmetology and manicuring salon owners who are not licensed in this state must designate on the written application the name of the designated Arizona licensed person who will be in charge and who shall be responsible to the public and the Board for all cosmetology services rendered therein. The Board shall be notified in writing of any change of licensed cosmetologist in charge of a cosmetology salon or licensed manicurist in charge of a manicuring salon.~~

**R4-10-29. Display of licenses, pictures, and signs**

- ~~A. The establishment license shall be posted where visible to the public, near entrance in shop.~~
- ~~B. All cosmetology salons, manicuring salons, and schools shall display a sign indicating that it is a cosmetology salon, manicuring salon or school of cosmetology and the said sign shall be clearly visible at the main entrance of said place.~~
- ~~C. Each cosmetologist, manicurist, or instructor working in a licensed establishment shall at all times have his or her identification picture (embossed with the State Board of Cosmetology seal) posted with his or her license at the work station.~~
- ~~D. A sign, consisting of a card showing rules and regulations issued by the Board governing sanitary conditions within the cosmetology salon, manicuring salon and school must be posted in a conspicuous place.~~

**R4-10-30. Prohibited actions**

- ~~A. No registered cosmetologist or manicurist shall practice his or her trade in an unlicensed establishment. **NO ESTABLISHMENT LICENSEE SHALL EMPLOY AN UNLICENSED COSMETOLOGIST OR MANICURIST.**~~
- ~~B. It is unlawful for maids or other unlicensed person or persons employed in a cosmetology salon or manicuring salon to assist any cosmetologist or manicurist in any way in performing the functions of a cosmetologist or manicurist.~~
- ~~C. No dogs, cats or pets of any kind are permitted to be shampooed, cut, or curled or manicured in cosmetology salons, manicuring salons and schools.~~
- ~~D. An entrance directly into living quarters will not be permitted.~~
- ~~E. A cosmetology salon and manicuring salon is a place of business and it shall not be used for sleeping, cooking or residential purpose.~~

**R4-10-31. Sanitation requirements**

- ~~A. All cosmetology salons, manicuring salons, and schools of cosmetology together with equipment, tools, utensils, floors, walls, and ceilings shall, at all times, be kept in a clean and sanitary condition, well lighted and ventilated.~~
- ~~B. All persons and firms licensed by this Chapter shall display fruit and food products in accordance with the Health Department regulations.~~
- ~~C. All linens shall be kept in closed or covered or sealed storage.~~
- ~~D. Manicuring instruments shall be kept in a disinfectant solution during the process of manicuring.~~
- ~~E. At least two receptacles must be provided in each cosmetology salon, manicuring salon and school. Used papers must be disposed in one and used towels in the other.~~

- ~~F. Every cosmetologist, manicurist, and student shall wash his or her hands with soap and water immediately before and after serving each person.~~
- ~~G. Only fresh laundered towels shall be used on each person.~~
- ~~H. Neck of all shampoo bowls must be sanitized before and after each use.~~
- ~~I. A towel or neckband must be placed around the patron's neck so that the cape does not come in contact with the neck.~~
- ~~J. Paper or cotton pads for ear coverings must be used only once and discarded. The re-use of cold wave end papers is prohibited.~~
- ~~K. The use of powder puffs, sponges, styptic pencils and lump alum is prohibited.~~
- ~~L. Scissors, tweezers, combs, rubber discs, and parts of electrical appliances, manicuring equipment, and all other utensils, appliances or anything that comes in contact with the head, face, neck, shoulders, hands, or arms must be immersed according to manufacturers instructions and placed in an approved sanitary compartment until used again. Only such methods of sanitation as are bacteriologically effective will be permitted in making it necessary for a wet and dry sanitizer. All nets must be kept clean and in a dry sanitizer.~~
- ~~M. Each cosmetologist shall have at least 12 combs and 12 brushes, each of which shall be cleaned and sanitized after each service.~~
- ~~N. A standard type of wet and dry sanitizer shall be in operation at all times, using proper form of formalin for dry sanitizer.~~
- ~~O. Wet sanitizers must be large enough to completely immerse combs and brushes used by all operators in the shop.~~
- ~~P. Creams and semi-solid substances must be kept in closed containers and removed for use with a clean spatula which does not come in contact with the skin of the patron.~~
- ~~Q. An emery board must be discarded after use on a patron and never re-used.~~
- ~~R. Only clean, washable coverings shall be used on work tables or shelves and the dispensary room shall be kept in a clean and orderly condition.~~
- ~~S. Continuous hot and cold running water must be provided in each establishment.~~
- ~~T. A rest room must be provided for public use only and is required to have a toilet and wash basin and must be kept in a clean and sanitary condition at all times.~~
- ~~U. The use of brush rollers is prohibited in both shops and schools.~~
- ~~V. All beverages must be dispensed in individual, new clean containers, which will be disposed of after any use thereof.~~
- ~~W. Animals (except for seeing eye dogs) and birds shall not be permitted in a beauty salon or cosmetology school.~~

**R4-10-32. Responsibility of licensed cosmetologist or manicurist in charge of a salon**

- ~~A. It shall be the responsibility of the licensed cosmetologist in charge of each cosmetology salon and the responsibility of each licensed manicurist in charge of each manicuring salon to see to it that the above rules and regulations on sanitation are strictly enforced.~~
- ~~B. The license of the person in charge or the salon license or both may be revoked or suspended for permitting an unlicensed person to do cosmetology work in a licensed cosmetology salon or manicuring in a licensed manicuring salon.~~
- ~~C. The licensed person in charge shall be responsible for the posting of each license and picture of the licensee, the salon license and the card of sanitary rules and regulations.~~
- ~~D. Failure to observe all the rules and regulations on sanitation and to maintain at all times precautionary measures for the~~

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public's protection and safety will be sufficient cause for the revocation or suspension of the license of the licensed person in charge.

- ~~E. If a salon received two or more unsatisfactory grades during one fiscal year, the licensed person in charge shall show cause before the State Board of Cosmetology as to why such conditions should exist, at which time the Board shall determine whether or not the license of the establishment and/or the license of the person in charge may be revoked or suspended.~~

**R4-10-33. Rehearing or review of decision**

- ~~A. Except as provided in subsection (G), any party in a contested case before the Board who is aggrieved by a decision rendered in such case may file with the Board, not later than ten days after service of the decision, a written motion for rehearing or review of the decision specifying particular grounds therefor. For purposes of this subsection, a decision shall be deemed to have been served when personally delivered or mailed by certified mail to the party at his last known residence or place of business.~~
- ~~B. A motion of rehearing under this rule may be amended at any time before it is ruled upon by the Board. A response may be filed within ten days after service of such motion or amended by any other party. The Board may require the filing of written briefs upon the issues raised in the motion and may provide for oral argument.~~
- ~~C. A rehearing or review of the decision may be granted for any of the following causes materially affecting the moving party's rights:~~
- ~~1. Irregularity in the administrative proceedings of the agency or its hearing officer or the prevailing party, or any order or abuse of discretion, whereby the moving party was deprived of a fair hearing;~~
  - ~~2. Misconduct of the Board or its hearing officer or prevailing party;~~
  - ~~3. Accident or surprise which could not have been prevented by ordinary prudence;~~
  - ~~4. Newly discovered material evidence which could not with reasonable diligence have been discovered and produced at the original hearing;~~
  - ~~5. Excessive or insufficient penalties;~~
  - ~~6. Error in the admission or rejection of evidence or other errors of law occurring at the administrative hearing;~~
  - ~~7. That the decision is not justified by the evidence or is contrary to law.~~
- ~~D. Not later than ten days of the Board's receipt of a motion for rehearing, the Board may affirm or modify the decision or grant a rehearing to all or any of the parties and on all or part of the issues for any of the reasons set forth in subsection (C). An order granting a rehearing shall specify with particularity the ground or grounds on which rehearing is granted, and the rehearing shall cover only those matters so specified.~~
- ~~E. Not later than ten days after a decision is rendered, the Board may on its own initiative order a rehearing or review of its decision for any reason for which it might have granted a rehearing on motion of a party. After giving the parties or their counsel notice and an opportunity to be heard on the matter, the Board may grant a motion for rehearing for a reason not stated in the motion. In either case the order granting such a rehearing shall specify the grounds therefor.~~
- ~~F. When a motion for rehearing is based upon affidavits, they shall be served with the motion. An opposing party may within ten days after such service serve opposing affidavits, which period may be extended for an additional period not exceeding 20 days by the Board for good cause shown or by~~

written stipulation of the parties. Reply affidavits may be permitted.

- ~~G. If in a particular decision the Board makes specific findings that the immediate effectiveness of such decision is necessary for the immediate preservation of the public peace, health and safety and that a rehearing or review of the decision is impractical, unnecessary or contrary to the public interest, the decision may be issued as a final decision without an opportunity for rehearing, any application for judicial review of the decision shall be made within the time limits permitted for applications for judicial review of the Board's final decisions.~~
- ~~H. For purposes of this Section the terms "contested case" and "party" shall be defined as provided in A.R.S. § 41-1001.~~
- ~~I. To the extent that the provisions of this rule are in conflict with the provisions of the statute providing for rehearing of decisions of the Board, such statutory provisions shall govern.~~

**R4-10-34. Fees**

- ~~A. The Board shall charge the following fees concerning cosmetologist examination and licensing:~~
- ~~1. Application for cosmetologist examination, \$25.~~
  - ~~2. Issuance of cosmetologist's first license, by examination, \$18.~~
  - ~~3. Issuance of cosmetologist's first license by reciprocity, \$65.~~
  - ~~4. Renewal of cosmetologist's license, \$12.~~
  - ~~5. Restoration of cosmetologist's expired license, \$25.~~
  - ~~6. Re-issuance of cosmetologist's license to replace a lost license, \$8.~~
- ~~B. The Board shall charge the following fees concerning manicurist examination and licensing:~~
- ~~1. Application for manicurist examination, \$20.~~
  - ~~2. Issuance of manicurist's first license, \$15.~~
  - ~~3. Renewal of manicurist's license, \$8.~~
  - ~~4. Restoration of manicurist's expired license, \$15.~~
  - ~~5. Re-issuance of manicurist's license to replace lost license, \$8.~~
- ~~C. The Board shall charge the following fees concerning instructor examination and licensing:~~
- ~~1. Application for instructor examination, \$35.~~
  - ~~2. Issuance of instructor's first license, \$20.~~
  - ~~3. Renewal of instructor's license, \$16.~~
  - ~~4. Restoration of instructor's expired license, \$32.~~
  - ~~5. Re-issuance of instructor's license to replace a lost license, \$8.~~
- ~~D. The Board shall charge the following fees concerning cosmetology school licensing:~~
- ~~1. Application for and issuance of school's first license, \$350.~~
  - ~~2. Renewal of a school's license, \$300.~~
  - ~~3. Restoration of an expired school's license, \$400.~~
  - ~~4. Re-issuance of a school's license to replace a lost license, \$8.~~
- ~~E. The Board shall charge the following fees concerning cosmetology shop establishment licenses:~~
- ~~1. Issuance of cosmetology shop's first license, \$70.~~
  - ~~2. Renewal of cosmetology shop's license, \$20.~~
  - ~~3. Restoration of an expired cosmetology shop license, \$50.~~
  - ~~4. Re-issuance of a cosmetology shop's license to replace a lost license, \$8.~~
- ~~F. The Board shall charge the following fees concerning manicuring shop establishment licensing:~~
- ~~1. Issuance of manicuring shop's first license, \$50.~~

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2. Renewal of manicuring shop's license, \$20.
3. Restoration of an expired manicuring shop's license, \$40.
4. Re-issuance of a manicuring shop's license to replace a lost license, \$8.

G. Except for a change in a trade name only, changes in ownership or location of a cosmetology school, cosmetology shop or a manicuring shop, shall require a new application filed with the Board and a fee charge in the same amount as a first license. In cases of a change in the trade name only of a cosmetology school, cosmetology shop or a manicuring shop, the fee for changing the trade name only is \$10.

**ARTICLE 1. GENERAL PROVISIONS**

**R4-10-101. Definitions**

A. "Certification of hours" means:

1. A written statement of the hours, record of license history, or credits a student received, signed by the administrator of the agency authorized to issue cosmetology, nail technician, or aesthetics licenses in the jurisdiction in which the applicant received a license or received certified or accredited vocational or academic training, affixed with the agency's official seal;
2. A written and notarized statement of the hours or credits a student received, on school letterhead, signed by the administrator of the school where the applicant received certified or accredited training; or
3. A notarized transfer application that reflects the hours or credits a student received, signed by the administrator of the school where the applicant received certified or accredited training, when a student transfers from one Arizona cosmetology, nail technology, or aesthetics school to another pursuant to A.R.S. § 32-560.

B. "Course" means the whole program of school instruction in one of the following categories:

1. Aesthetics or aesthetics instructor,
2. Cosmetology or cosmetology instructor, or
3. Nail technology or nail technology instructor.

C. "Delinquent" regarding a license renewal application means one that is not completed and filed with the Board or postmarked before the license renewal date required by A.R.S. § 32-501 et seq.

D. "Double bracing" means using a stable base of support and two points of contact for the hand performing the procedure.

E. "Establishment" means a business which operates as a school or a salon in a structure that has a physical street address and functions as a salon or school at least an average of 20 hours a week for the majority of the year.

F. "Graduation" or "graduated from a cosmetology school" means the completion of the criteria established by the cosmetology, aesthetics, or nail technology school for the course in which the applicant was enrolled, including the completion of the curriculum hours specified in R4-10-302, R4-10-303, R4-10-304, or R4-10-305.

G. "High school equivalency" means:

1. A high school diploma from a school recognized by the basic education authority or the Department of Education in the jurisdiction in which the school is located.
2. A total score of 45 points on a high school equivalency general educational development test or its equivalent as required by the Arizona Department of Education,

3. An associate degree or 15 academic credits from a junior college recognized by the basic education authority in the jurisdiction in which the college is located, or
4. Any degree from a college or university recognized by the basic education authority in the jurisdiction in which the college or university is located.

H. "Hour" means one clock hour.

I. "One-year work experience" means an average of 30 hours of work each week for 50 weeks, during a consecutive 12-month period.

J. "Primary category of practice performed in the salon", as stated in A.R.S. § 32-574(A)(2), means:

1. The practice, either aesthetics, cosmetology, or nail technology, for which the majority of the salon's employees or independent contractors hold licenses; or
2. The practice for which the salon owner holds a license.

K. "Reciprocity" means the manner in which the Board may grant a license based on an applicant's license or qualifications received in another jurisdiction.

L. "Sanitation", as used in A.R.S. § 32-501 et seq., means infection control.

M. "Sanitize" means to disinfect.

N. "Tenth grade equivalency" means ten high school credits, including two in English, from any school recognized by the basic education authority or the Department of Education in the jurisdiction in which the credits were obtained, or proof that the prospective student is 23 years old. Satisfactory proof of the prospective student's age is shown by a government-issued driver's license or identification card, a birth certificate, or a passport.

O. "Transfer application", as used in A.R.S. § 32-560, means an application that documents the transfer of a student from one Arizona cosmetology, nail technology, or aesthetics school to another and contains the student's name, address, identification number, phone number, and number of hours of instruction received.

**R4-10-102. Fees**

A. Aesthetician fees are as follows:

1. Examination	\$35.00
2. Re-examination	35.00
3. License	35.00
4. License by reciprocity	60.00
5. Processing a license by reciprocity	15.00
6. License renewal	25.00
7. Delinquent license renewal penalty	30.00
8. Request for inactive status license	20.00
9. Duplicate license	25.00

B. Cosmetologist fees are as follows:

1. Examination	\$40.00
2. Re-examination	40.00
3. License	35.00
4. License by reciprocity	80.00
5. Processing a license by reciprocity	15.00
6. License renewal	30.00
7. Delinquent license renewal penalty	40.00
8. Request for inactive status license	20.00
9. Duplicate license	25.00

C. Nail Technician fees are as follows:

1. Examination	\$35.00
2. Re-examination	35.00
3. License	30.00
4. License by reciprocity	60.00
5. Processing a license by reciprocity	15.00
6. License renewal	25.00
7. Delinquent license renewal penalty	30.00

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8. Request for inactive status license	20.00
9. Duplicate license	25.00
<b>D. Instructor fees are as follows:</b>	
1. Examination	\$50.00
2. Re-examination	50.00
3. License	35.00
4. License by reciprocity	90.00
5. Processing a license by reciprocity	20.00
6. License renewal	30.00
7. Delinquent license renewal penalty	50.00
8. Duplicate license	25.00
<b>E. Aesthetics salon fees are as follows:</b>	
1. License	\$90.00
2. License renewal	40.00
3. Delinquent license renewal penalty	50.00
4. Transfer of ownership	90.00
5. Name change	20.00
6. Duplicate license	25.00
7. Location change	90.00
<b>F. Cosmetology salon fees are as follows:</b>	
1. License	\$90.00
2. License renewal	40.00
3. Delinquent license renewal penalty	50.00
4. Transfer of ownership	90.00
5. Name change	20.00
6. Duplicate license	25.00
7. Location change	90.00
<b>G. Nail technology salon fees are as follows:</b>	
1. License	\$70.00
2. License renewal	40.00
3. Delinquent license renewal penalty	60.00
4. Transfer of ownership	70.00
5. Name change	20.00
6. Duplicate license	25.00
7. Location change	70.00
<b>H. School fees are as follows:</b>	
1. License	\$450.00
2. License renewal	400.00
3. Delinquent license renewal penalty	500.00
4. Transfer of ownership	450.00
5. Change of trade name	20.00
6. Duplicate license	25.00

- I. The fee for a certification is \$15.00
- J. The fee for copying public documents is \$.15 a page for non-commercial use and \$.25 a page for commercial use. The fee for providing a list of licensees' names and addresses is \$.25 for each licensee. All requests for copies shall be accompanied by a written statement indicating the purpose of the request.

**R4-10-103. Payment of Fees**

- A. A fee shall not be considered paid until the amount tendered is received by the Board. The Board shall not provide services, administer examinations, or issue certifications or licenses until it has received the required fee.
- B. Personal checks shall be accepted by the Board only for license renewals. If a check for a license renewal is returned because of insufficient funds, the renewal application is incomplete and any license renewal which has been issued is void effective upon the date that the Board mails written notice to the licensee that the license is void.
- C. A person who has paid the Board by an insufficient-funds check shall not be entitled to further services, examinations, certifications, or licenses until the fee for which the check was tendered, applicable delinquent penalty fees, and the \$10.00

penalty for an insufficient-funds check, provided by A.R.S. § 32-507(A)(54), have been paid.

D. Fees are nonrefundable.

**R4-10-104. Licensing Examinations**

- A. An examination application shall not be accepted until the applicant has graduated from a cosmetology, nail technology, or aesthetics school.
- B. All examinations shall be held in the Board's examination center at the Board's office unless another location is designated by the Board in its written notice to the applicant.
- C. The Board shall notify applicants in writing at least ten days before the examination of the time and place assigned for the examination.
- D. Applicants shall verify their identification upon entering the examination center with a passport, driver's license, bank identification card, military identification, or government-issued identification card containing a photograph of the applicant.
- E. Examinations shall consist of both written and practical sections and shall include live demonstrations of aesthetics, cosmetology, or nail technology, whichever is applicable to the examination being taken.
- F. Applicants shall comply with all infection control and safety standards required by R4-10-109 during the examination.
- G. Applicants who cannot appear for an examination shall notify the Board at least 48 hours before the scheduled examination in order to reschedule without paying another examination fee. Applicants who arrive to an examination after the examination has begun shall not be examined. These applicants, and applicants who fail to appear for the scheduled examination without notifying the Board at least 48 hours before the examination, may reschedule only after paying another examination fee.
- H. Applicants shall supply equipment, supplies, tools, or implements, and a person on whom to perform demonstrations for the practical section of the examination.
- I. An applicant may provide a person to read, verbatim, the examination to them as long as that person has never been a student or instructor in an aesthetics, cosmetology, or nail technology school. No translations or interpretations shall be allowed.
- J. Current or former students or student instructors in aesthetics, cosmetology, or nail technology schools shall not be used as models in the live demonstration of aesthetics, cosmetology, or nail technology examinations.
- K. Examination materials shall not be made available to applicants for inspection or copying before, during, or after an examination for the purpose of instructing or preparing applicants for examinations.
- L. Notebooks, notes, tape recorders, and dictionaries shall not be allowed in either the written or practical sections of the examination for aestheticians, cosmetologists, or nail technicians. The examination administrator may exclude other items from the written or practical sections of the examination. An applicant who copies or asks information from another applicant shall be dismissed from the examination and shall forfeit the examination fee.
- M. If an applicant has passed the examination but does not apply for an original license within one year after the date of the examination, the examination scores shall be voided.
- N. A written request to review a failed examination shall be made within 30 days of the postmarked date of the examination scores. A written review by a representative of

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the Board shall be mailed to the applicant within ten days after the request for review has been received by the Board.

**O.** The Board may accept a score on a written or practical examination from another jurisdiction if the examination was the same national examination administered in Arizona and the score is at least the same as the passing score that was required by the Board at the time the applicant took the examination in that jurisdiction. The applicant shall provide the Board with documentation to verify the previous passing score and that this score was received within one year of the date that the Board received the applicant's application.

**P.** The Board shall conduct all examinations in English and applicants shall submit answers in English.

**R4-10-27105. Instructors Instructor Examinations**

**A.** ~~The examination for aesthetician, cosmetologist, and manicurist instructors' licenses shall be written and practical covering the subjects prescribed in subsection (B).~~

**B.** ~~The subjects for the written and practical parts of the aesthetician, cosmetologist, and manicurist instructors' examination are as follows:~~

**A.** In addition to the requirements set forth in R4-10-104, examinations for instructor's licenses in aesthetics, cosmetology, or nail technology shall contain both written and practical sections.

1. Aesthetician:

**a.B.** The written aesthetician examination shall may include questions relating to the Arizona Cosmetology statutes (A.R.S. § 32-501 *et seq.*), Arizona Cosmetology rules as they relate to Aesthetics (R4-10-01) (R4-10-101 *et seq.*) and shall include subjects questions from the following subjects:

- i.1. Skin treatments;
2. Facial machines;
3. Cosmetics;
4. Skin Product applications (including makeup) to skin;
5. Depilatories;
6. Artificial eyelashes;
7. Lash and brow tinting;
8. Salon management;
9. Professional ethics;
10. Consultation and analysis;

ii.11. Theory, principles, and methods of teaching;

12. Dermatology (all skin types);

13. Massage;

14. sanitation Infection control;

15. Bacteriology;

16. First aid;

17. Hygiene;

18. Chemistry;

19. Histology;

20. Anatomy;

21. Physiology;

22. Aromatherapy;

23. Chromatology;

24. Light therapy and electricity, as these subjects are related to salon services and the practice of aesthetics.

**b.C.** The practical aesthetician examination shall may consist of a presentation of a theory class and a practical demonstration ~~in the presence of before two at least one representatives representative~~ of the Board. Subjects shall be assigned at the time examinees applicants are notified of their eligibility to take the examination pursuant to A.R.S. § 32-531(B).

i.1. The Theory theory class (presentation) shall may include any of the following subjects from some or all of the following:

- a. Skin treatments;
- b. Cosmetics;
- c. skin Product applications to skin;
- d. Depilatories;
- e. Artificial eyelashes;
- f. Lash and brow tinting;
- g. Salon management;
- h. Professional ethics;
- i. Facial machines;
- j. Consultation and analysis.—Some or all of the following subjects, as they relate to salon services and the practice of aesthetics, will be included:
- k. Dermatology (all skin types);
- l. Massage;
- m. sanitation Infection control;
- n. Bacteriology;
- o. First aid;
- p. Hygiene;
- q. Chemistry;
- r. Histology;
- s. Anatomy;
- t. Physiology;
- u. Aromatherapy;
- v. Chromatology;
- w. Light therapy and electricity, as these subjects relate to salon services and the practice of aesthetics.

ii.2. The practical demonstration shall may include any of the following subjects from the following:

- a. Massage,
- b. Skin treatments,
- c. Facial machines,
- d. skin Product applications (including makeup) to skin.
- e. Depilatories,
- f. Artificial eyelash application,
- g. Lash and brow tinting,
- h. Consultation and analysis,
- i. High frequency application, and
- j. Light therapy.

2. Cosmetologist:

**a.D.** The written cosmetologist examination shall may include questions relating to the Arizona Cosmetology statutes (A.R.S. § 32-501 *et seq.*), Arizona Cosmetology rules relating to cosmetology (A.C.R.R. R4-10-01 *et seq.*) (R4-10-101 *et seq.*) and shall include subjects questions from the following subjects:

- i.1. Chemical hair restructuring;
  2. Hair coloring, manicuring, pedicuring;
  3. Nail technology;
  4. Aesthetics and makeup;
  5. Scalp and hair treatments;
  6. Salon management;
  7. Professional ethics;
  8. Shampooing and rinsing;
  9. Hair shaping;
  10. Hairstyling;
  11. Depilatories; and
  12. Consultation and analysis;
- ii.13. Theory, principles, and methods of teaching;
14. Massage;
  15. sanitation Infection control;
  16. Bacteriology;
  17. First aid;
  18. Hygiene;

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19. Chemistry;
20. Dermatology;
21. Trichology (all hair types);
22. nails Onychology;
23. Histology;
24. Anatomy;
25. Physiology; and
26. Electricity as these subjects are related to salon services and the practice of cosmetology.

b.E. The practical cosmetologist examination shall may consist of a presentation of a theory class and a practical demonstration ~~in the presence of before two at least one~~ representative of the Board. Subjects shall be assigned at the time ~~examinees applicants~~ are notified of their eligibility to take the examination pursuant to A.R.S. § 32-531(B).

i.1. The theory class (presentation) subjects shall may include any of the following subjects from the following:

- a. Chemical hair restructuring,
- b. Hair coloring, ~~manicuring, pedicuring;~~
- c. Nail technology.
- d. Aesthetics and makeup,
- e. Scalp and hair treatments,
- f. Salon management,
- g. Professional ethics,
- h. Shampooing and rinsing,
- i. Hair shaping,
- j. Hairstyling,
- k. Depilatories, and
- l. Consultation and analysis. ~~Some or all of the following subjects, as they relate to salon services and the practice of cosmetology, will be included;~~
- m. Massage,
- n. ~~sanitation Infection control.~~
- o. Trichology (all hair types),
- p. Bacteriology,
- q. First aid,
- r. Hygiene,
- s. Chemistry,
- t. Dermatology,
- u. nails Onychology.
- v. Histology,
- w. Anatomy,
- x. Physiology, and
- y. Electricity as they relate to salon services and the practice of cosmetology.
- z. Salon management

ii.2. The practical demonstration shall may include any of the following subjects from the following:

- a. Chemical hair restructuring,
- b. Hair coloring, ~~manicuring, pedicuring;~~
- c. Nail technology.
- d. Aesthetics and makeup,
- e. Scalp and hair treatments,
- f. Shampooing and rinsing,
- g. Hair shaping,
- h. Hairstyling,
- i. Depilatories,
- j. Massage, and
- k. High frequency application.

3. Manicurist

a.F. The written nail technician examination shall may include questions relating to the Arizona Cosmetology statutes (A.R.S. § 32-501 et seq.), Arizona Cosmetology rules relating to nail technology (R4-10-01 et seq.) (R4-10-101 et

seq.) and shall include subjects questions from the following subjects:

- i.1. Manicuring;
2. Pedicuring;
3. Salon management;
4. Professional ethics;
5. Artificial nail application;
6. Nail wraps;
- ~~ii.7. Theory, principles, and methods of teaching massage;~~
8. ~~sanitation Infection control;~~
9. Bacteriology;
10. First aid;
11. Hygiene;
12. Chemistry;
13. Dermatology;
14. nails Onychology;
15. Histology;
16. Anatomy; and
17. Physiology as these subjects are related to salon services and the practice of manicuring nail technology.

b.G. The practical nail technician examination shall may consist of a presentation of a theory class and a practical demonstration ~~in the presence of before two at least one~~ representative of the Board. Subjects shall be assigned at the time ~~examinees applicants~~ are notified of their eligibility to take the examination pursuant to A.R.S. § 32-531(B).

ii.1. The theory class (presentation) shall may include any of the following subjects from the following:

- a. Manicuring,
- b. Pedicuring,
- c. Salon management,
- d. Professional ethics,
- e. Consultation and analysis,
- f. Artificial nail applications, and
- g. Nail wraps. ~~Some or all of the following subjects, as they relate to salon services and the practice of manicuring will be included:~~
- h. Massage,
- i. ~~sanitation Infection control.~~
- j. Bacteriology,
- k. First aid,
- l. Hygiene,
- m. Chemistry,
- n. Dermatology,
- o. nails Onychology.
- p. Histology,
- q. Anatomy, and
- r. Physiology as these subjects relate to salon services and the practice of nail technology.

ii.2. The practical demonstration shall may include any of the following subjects from the following:

- a. Manicuring,
- b. Pedicuring,
- c. Artificial nail applications, and
- d. Nail wraps.

H. Each theory class presentation and each demonstration shall last approximately 30 minutes.

I. At the start of each instructor examination, the applicant shall identify, to the examination administrator, textbooks, visual aids, and other materials and submit to the examination administrator three copies of the lesson plan and clinic sheet to be used for the practical section of the examination. Lesson plans and clinic sheets shall include ten questions correlating to the subjects assigned.

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**R4-10-106. License Application and Renewal**

A. Aesthetician, cosmetology, nail technician, and instructor licenses expire on the birthday of the person to whom they were issued. Upon request by the person to whom the Board has approved licensure or reactivation of a license and receipt of proper fees, the Board may issue or reactivate the license after the person's next birthday. The person may not practice until the license is issued.

1. An aesthetician, cosmetology, nail technician, or instructor license renewal application and the fee specified by R4-10-102 shall be completed and filed with the Board or postmarked on or before the individual's birthday. If that date is a Saturday, Sunday, or legal holiday, the renewal application and fee shall be filed on the next ensuing business day.
2. Licensees shall notify the Board, in writing, within ten days of address changes.

B. A salon which has a permanent location where cosmetology services are performed shall apply for licensure pursuant to A.R.S. § 32-541.

C. A school which has a permanent location shall apply for licensure pursuant to A.R.S. § 32-551 and provide documentation to the Board reflecting the school's financial stability.

D. An establishment license expires on June 30 of every year.

1. An establishment license renewal application and the fee specified by R4-10-102 shall be filed with the Board or postmarked on or before June 30 to be timely. If that date is a Saturday, Sunday, or legal holiday, the application and fee shall be filed on the next ensuing business day.
2. An establishment license which has been delinquent for more than one year shall not be renewed.

E. If a renewal application is complete and filed with the Board or postmarked before the expiration of the license, along with the correct fee, the licensee may continue to practice pending issuance of the renewal license. If that date is a Saturday, Sunday, or legal holiday, the application shall be filed on the next ensuing business day.

F. A delinquent renewal application shall be accompanied by the delinquent license renewal penalty specified in R4-10-102.

**R4-10-107. Reactivating an Aesthetician, Cosmetologist, Nail Technician, or Instructor Inactive License**

A. A cosmetology, nail technology, aesthetician, or instructor license that has been inactive for more than one year, but less than two years, may be reactivated by the licensee paying the delinquent renewal penalty and completing one of the following requirements.

1. Attending an Infection Control class and a Law Review class, to be paid by the licensee;
2. Passing the written and practical portions of the state license examination; or
3. Submitting documentation to the Board that the licensee has satisfied the educational requirements stated in subsection (D) below.

B. A license that has been inactive for more than two years, but less than ten years, may be reactivated by the licensee paying the delinquent renewal penalty and completing one of the following requirements.

1. Passing the written and practical portions of the state license examination, or

2. Submitting documentation to the Board that the licensee has satisfied the educational requirements stated in subsection (D) below.

C. If a license has been inactive for more than ten years, the licensee shall complete all original licensing requirements.

D. To satisfy the educational requirements in A.R.S. § 32-518(D)(2) to reactivate a license, the licensee shall submit documentation to the Board that the licensee received the number of hours of training stated below, while the license was inactive, in a school licensed to provide such training.

1. Aestheticians shall receive 120 hours of training.
2. Cosmetologists shall receive 250 hours of training.
3. Nail Technicians shall receive 80 hours of training.

E. To satisfy the educational requirements in A.R.S. § 32-518(D)(2) to reactivate an instructor's license, the licensee shall pay the delinquent renewal penalty and submit documentation to the Board that the instructor has completed one of the following requirements.

1. Received 200 hours of instructor's training, including methods of teaching, while the instructor's license was inactive, in a licensed aesthetics, cosmetology, or nail technology school; or
2. Passed the written and practical portions of the state license examination.

F. The first 120 hours of aesthetics instructor training may be applied to reactivate an aesthetician license.

G. The first 250 hours of cosmetology instructor training may be applied to reactivate a cosmetology license.

H. The first 80 hours of nail technology instructor training may be applied to reactivate a nail technician license.

**R4-10-108. Display of Licenses and Signs**

A. The name on an establishment's exterior sign, advertising, or publication shall be the same as the name on the establishment license issued by the Board. The establishment's exterior sign shall contain lettering at least 2 1/2 inches in height and identify the establishment as a school or a salon.

B. Schools shall prominently post a daily class schedule that lists the names of instructors and students required to be in each class. The establishment and instructor licenses shall be displayed near the establishment entrance where visible to the public.

C. A licensee who is performing mobile services shall prominently display a duplicate of the establishment license from the salon where the licensee was dispatched and the licensee's license in the area where mobile services are being provided. The licensee's original license shall be prominently displayed in the salon from where the licensee was dispatched.

D. A copy of R4-10-109 shall be prominently posted in both the establishment and the mobile service area.

E. All salon services that are performed by a person who is not licensed by the Board shall be clearly designated as being performed by a person who is not licensed on both the salon's floor plan submitted to the Board and to the Board inspector during the initial salon inspection. Notice that services are performed by a person who is not licensed shall also be prominently posted in the salon as specified by R4-10-401.

**R4-10-109. Infection Control and Safety Standards**

A. Establishments, including all areas of employment, passageways, storerooms, and service rooms, shall be well lighted and ventilated. These areas and dispensary fixtures

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shall be kept in an orderly, clean, and sanitary condition. There shall be a direct entrance into the licensed establishment. The entrance shall not be through living quarters. If connected to a residence, all doors and passageways between living quarters and the licensed establishment shall be closed. A licensed establishment shall not be used for living purposes or other residential use.

- B.** All supplies, equipment, tools, or implements used in performing cosmetology services that contact a person's skin, except wax used for other than depilatory purposes, shall be either discarded or cleaned and disinfected as provided in subsections (D), (E), and (F), after each contact. The disinfectant used shall be an Environmental Protection Agency-registered hospital grade, bactericidal, virucidal, and fungicidal that is mixed and used according to the manufacturer's directions. A chlorine bleach disinfectant shall be permitted to clean and disinfect counters and linens.
- C.** All supplies, equipment, tools, and implements shall be kept clean, disinfected, free from defects, and in good repair. Cutting equipment shall be kept sharp.
- D.** Each establishment shall have the following set up at all times during business hours:
1. A covered, wet disinfectant container made of glass, stainless steel, or the type recommended by the manufacturer of the product it contains. The disinfectant shall be the type specified in R4-10-109(B). The solution shall be mixed and used according to manufacturer's instructions for dilution and immersion time. The container shall be large enough to completely immerse all combs, brushes, and other tools or implements used by licensees and shall contain the appropriate amount of solution for the number of items to be disinfected. The disinfectant shall be changed whenever necessary as determined by manufacturer's instructions or when visibly cloudy or contaminated. A separate covered container with wet disinfectant shall be maintained for each nail technician and aesthetician during nail technology and aesthetic procedures, large enough to completely immerse the contact areas of all nail technology and aesthetic tools or implements. The disinfectant shall be changed between clients;
  2. Covered containers that are disinfected and dry to store disinfected tools and implements;
  3. Written emergency procedures and a first-aid kit readily accessible to all people working in the establishment. The first-aid kit shall contain small bandages, gauze, and antiseptic;
  4. Hot and cold running water for work and sanitary purposes. Drinking water shall also be supplied for clients and employees that complies with state and local health department requirements;
  5. Garbage containers, which shall be emptied, cleaned and disinfected daily. These containers shall not leak and shall contain a tight-fitting cover;
  6. Soiled linen containers that are ventilated and closed. Clean towels, robes, or gowns shall be provided for each client and shall be laundered after every use. Laundered towels, robes, or gowns shall be stored in cabinets with tight-fitting doors, kept closed to protect linens from dust and dirt. All linens shall be disinfected during the wash cycle using detergent and bleach;
  7. Ventilation and air filtration system capable of four to ten air changes per hour. Ventilation shall be designed to provide free flow of air to each room, in proportion to the size, use, and capacity of the room, to prevent the

build-up of emissions and particulates, to keep odors and diffusions from chemicals and solutions at a safe level, and to provide sufficient air circulation and oxygen. Ventilation may be by natural or mechanical means.

- E.** Plastic, rubber, natural bristles, nail files, clipper attachments, aesthetic sponges, wood, and pedicure bins shall be thoroughly cleaned, disinfected, and dried between each client, as follows:
1. Pre-clean with soap and water to remove hair, filings, or other debris;
  2. Rinse thoroughly and pat dry with a clean towel;
  3. Disinfect according to R4-10-109(D)(1);
  4. Rinse and dry thoroughly; and
  5. Keep clean according to R4-10-109(D)(2).
- F.** All tools or implements shall be disinfected by complete immersion after each use. Tools or implements shall be removed from the disinfectant using tongs, baskets, or any manner that does not contaminate the disinfectant solution, and placed on a clean dry towel for air drying. Tools or implements that contact skin, but cannot be immersed into disinfectant because they are electrical, shall be wiped or sprayed with a type of disinfectant listed in R4-10-109(A) after each use.
- G.** Separate containers shall be used for soiled linens and for garbage. All clean linens shall be kept in a clean, closed cabinet or container. Only clean linens or new disposable linens shall be used on each client. Clients shall be protected from direct contact with shampoo bowls or items used to protect clients' clothing by the use of clean towels or protective neck strips.
- H.** Counters and work areas shall be disinfected after each client. Hair and nail clippings shall be discarded immediately after each client.
- I.** Each establishment shall have at least one rest room for employees' and clients' use. All rest rooms shall be kept clean and sanitary at all times and shall have a wash basin, hot and cold running water, and an adequate supply of toilet paper, liquid soap, and disposable towels. Rest rooms shall not be used for storing materials other than rest room supplies.
- J.** Students, licensees, and employees shall thoroughly wash their hands and the exposed portions of their arms with soap and warm water, or use a wet disinfectant approved for use on the skin, before providing services to each client, after smoking, drinking, or using the rest room. Services shall not be performed by a licensee who has a contagious disease of a nature that may be transmitted by performing the service unless the licensee takes medically-approved measures to prevent transmission of the disease. Services shall not be performed to an individual who has a contagious disease of a nature that may be transmitted by the performing of the services.
1. In the event of a wound, licensees and employees shall stop service and clean the wound with an antiseptic solution, cover the wound with a sterile bandage, and wear a clean, fluid-proof protective glove or finger cover if the wound is on the licensee or wear gloves on both hands if the wound is on the client before returning to service.
  2. Licensees and employees shall wear clean, fluid-proof protective gloves while performing any service if any bodily discharge is present or if any discharge is likely to occur because of services being performed.

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3. Blood-stained tissue, cotton, or other contaminated material shall be placed in a sealed plastic bag and that plastic bag shall be placed into another plastic bag, which is labeled with a red or orange biohazard warning and discarded.
4. All equipment, tools, and implements that have come in contact with blood or body fluids shall be disinfected before continued service by complete immersion in an Environmental Protection Agency-registered, hospital grade, and tuberculocidal disinfectant that is mixed and used according to the manufacturer's directions.
- K. All products that are used on more than one client shall be stored in a labeled, clean, closed container and dispensed using a disinfected spatula or in another manner that does not contaminate the remaining contents of the product. Once dispensed, a product may not be returned to the original container or used on another client.
- L. All trays, floors, walls, chairs, headrests, footrests, tools, and other implements shall have a cleanable surface and shall be free from dust, dirt, and other foreign material. Headrests and footrests shall be covered with a clean towel or new disposable towel for each client. Shampoo bowls shall be kept clean and disinfected and drains shall be kept free running.
- M. Product containers, including water, shall be labeled to identify contents. All chemicals shall be labeled and stored in compliance with state and local laws and manufacturer's instructions to ensure identification and protection against fires, fumes, contamination, or corrosion of containers. Corroded containers shall be immediately discarded.
- N. Services shall be performed safely to protect the licensee and clients. Double bracing shall be used around the eyes, ears, lips, fingers, and toes. Clips or other implements shall not be placed in mouths or pockets.
- O. Birds and animals, except for fish aquariums and seeing eye or hearing ear dogs, shall be prohibited in establishments.
- P. Powder puffs, styptic pencils, lump alum, and the reuse of end papers and depilatory wax are prohibited. Dermaplane procedures, blades, knives, lancets, and any tool that invades the skin shall not be used in a salon or school. Nippers may be used only to remove loose cuticles. Only chemical peels containing a maximum of 2% phenol and 37 to 40% neutralized glycolic acid may be used.
- Q. All establishments shall comply with federal and state occupational safety and health requirements.
- R. A client's personal cosmetology implements or tools are subject to these rules.
- S. All clients' hair shall be shampooed before service.
- T. Leather storage pouches shall not be used to store disinfected tools or implements.
- U. Nail technology licensees and clients shall wash their hands with soap and warm water or wipe with alcohol, or waterless hand cleanser approved for use on skin, prior to service. Prior to a pedicure, the client's feet shall be cleansed with soap and warm water or wiped with a disinfectant approved for use on skin.
- V. Prior to aesthetics services, licensees shall wash their hands with soap and warm water or wipe with a disinfectant or waterless hand cleanser approved for use on skin.
- W. Instructors in a school shall wash their hands with soap and warm water or wipe with a disinfectant approved for use on skin prior to checking student services on clients.
- X. Sharp cosmetology tools and implements shall be sealed in a rigid, puncture-proof container and disposed of in a manner to keep licensees and clients safe.

**R4-10-110. Establishment Management**

- A. The manager of each establishment shall ensure that:
1. Licenses, notices, and the Board's most recent inspection sheet are prominently displayed;
  2. The establishment and all licensees in a salon school, or a mobile service area have current licenses;
  3. Infection control and safety standards are maintained.
- B. The salon and school owner and salon and school manager or director shall be responsible for all violations enumerated in subsection (A), occurring within the salon, school, and mobile service areas.
- C. If a salon owner rents or leases space within the salon to a person who obtains a separate salon license, that second licensee and the licensee's salon manager shall be responsible for all violations enumerated in subsection (A) occurring within the second licensee's licensed portion of the salon and both licensees' common areas.

**R4-10-111. Disciplinary Action**

- A. If Board inspections reveal two or more violations within a consecutive 12-month period, both the owner and manager may be subject to disciplinary action by the Board pursuant to A.R.S. § 32-501 et seq.
- B. Licensees shall permit an inspector or Board representative to inspect the premises of any salon or school, or other location identified by a complaint, alleging the location is operating a salon or school, as specified by A.R.S. § 32-501 et seq.
- C. Board action is required to dismiss a complaint.
- D. Telephone complaints to the Board office shall not be investigated or opened as a case until a written complaint is received by the Board within two weeks of the initial telephone complaint.

**R4-10-33112. Rehearing or Review of Decisions**

- A. Except as provided in § subsection (G), any party in a contested case before the Board who is aggrieved by a decision rendered in such case may file with the Board, not later than ten (10) days after service of the decision, a written motion for rehearing or review of the decision specifying particular grounds therefor. For purposes of this § subsection, a decision shall be deemed to have been served when personally delivered or mailed by certified mail to the party at his party's last known residence or place of business.
- B. A motion of for rehearing or review under this Rule may be amended at any time before it is ruled upon by the Board. A response may be filed within ten (10) days after service of such motion or amended motion by any other party. The Board may require the filing of written briefs upon the issues raised in the motion and may provide for oral argument.
- C. A rehearing or review of the decision may be granted for any of the following causes materially affecting the moving party's rights:
1. No change.
  2. No change.
  3. No change.
  4. No change.
  5. No change.
  6. Error in the admission or rejection of evidence or other errors of law occurring at the administrative hearing; or
  7. That the A decision which is not justified by the evidence or is contrary to law.
- D. Not later than ten (10) days of after the Board's receipt of a motion for rehearing or review, the Board may affirm or modify the decision or grant a rehearing or review to all or any of the parties and on all or part of the issues for any of the reasons set forth in § subsection (C). An order granting a

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- rehearing or review shall specify with particularity the ground or grounds on which the rehearing or review is granted, and the rehearing or review shall cover only those matters so specified.
- E. Not later than ten (10) days after a decision is rendered, the Board may on its own initiative order a rehearing or review of its decision for any reason for which it might have granted a rehearing or review on motion of a party. After giving the parties or their counsel notice and an opportunity to be heard on the matter, the Board may grant a motion for rehearing or review for a reason not stated in the motion. In either case the order granting such a rehearing or review shall specify the grounds therefor.
- F. When a motion for rehearing or review is based upon affidavits, they shall be served with the motion. An opposing party may, within ten (10) days after such service, serve opposing affidavits, which period may be extended for an additional period not exceeding 20 days by the Board for good cause shown or by written stipulation of the parties. Reply affidavits may be permitted.
- G. If in a particular decision the Board makes specific findings that the immediate effectiveness of such the decision is necessary for the immediate preservation of the public peace, health, and safety and that a rehearing or review of the decision is impractical, unnecessary, or contrary to the public interest, the decision may be issued as a final decision without an opportunity for rehearing or review. Any application for judicial review of the decision shall be made within the time limits permitted for applications for judicial review of the Board's final decisions.
- H. For purposes of this Section, the terms "contested case" and "party" shall be defined as provided in A.R.S. § 41-1001.
- I. ~~To the extent that the provisions of the Rule are in conflict with the provisions of the statute providing for rehearing of decisions of the Board, such statutory provisions shall govern.~~

**ARTICLE 2. SCHOOLS**

**R4-10-201. School License Procedure**

- A. An application for a school license shall be submitted at least 20 days before the planned date of opening. In addition to the requirements of A.R.S. § 32-551, the application packet shall include:
1. A floor plan of the school which is between 8 1/2" x 11" and 14" x 14".
  2. A copy of all contract forms to be used for enrollment of students.
  3. The fee specified by R4-10-102.
  4. A schedule of operations specifying the days of the week and hours of the day the school shall be open for instruction and the proposed class schedule, and
  5. The name and license number of the manager of the school.
- B. The school owner or manager shall submit the following, as applicable:
1. An updated floor plan not exceeding 14" x 14" for all structural improvements.
  2. The most recent school catalog showing any modifications or new additions and an index reflecting where the information required by A.R.S. § 32-559 is located in the catalog.
  3. A subject description of new courses and their schedules.
  4. A new operating schedule if changes occur.
  5. The name or address of any new statutory agent.

6. A letter requesting approval of the new school name with the fee specified in R4-10-102, or
  7. The name and license number of a new manager.
- C. Whenever the terms "accredited" or "approved", or similar terms, are used in school catalogs or advertising, the name of the accrediting or approving organization shall also be shown.
- D. A school license renewal application submitted to the Board office shall be postmarked by June 20 of every year.

**R4-10-202. School Closure**

- A. For purposes of A.R.S. § 32-563, the Board may consider a school to be closed if it fails for five consecutive school days to provide instruction in accordance with its schedule of operations on file with the Board.
1. All enrolled students and employees shall be notified by the school in writing of a pending closure at least five days prior to closure of the school, unless the time of such closure could not have been anticipated. A copy of the notice shall be sent to the Board at the time it is delivered to the students and employees. The student's and employee's personal belongings, including equipment, tools, and implements, shall be released to each student or employee.
  2. Student records as specified by A.R.S. § 32-563 shall be sent to the Board within ten days after the school closure, including:
    - a. Copies of hour sheets documenting all student hours and the current time cards or time records received by the student after the last monthly report before the school closure as specified by R4-10-204;
    - b. A copy of the file of each student who was enrolled the last school day prior to closure as specified by R4-10-204. If a teachout was arranged with another school which agreed to complete the training, the student's file shall be transferred to that school; and
    - c. A written statement signed by each enrolled student verifying the school's compliance with subsection (A)(1).

- B. Failure to comply with subsection (A) may be grounds for refusal to issue a school license to any individual associated with the school at the time of the school closure.
- C. If the Board obtains evidence that a school may close, it may immediately inspect the school and seize original student records listed in subsection (A)(2) and in R4-10-204, leaving copies for the school to use to close its business.

**R4-10-203. General School Requirements**

- A. Aesthetic, cosmetology, and nail technology schools shall comply with R4-10-109 and have the following minimum facilities, equipment, supplies, and materials:
1. The floor space as specified by R4-10-205, R4-10-206, R4-10-207, or R4-10-208;
  2. One area of instruction for every 20 students;
  3. A licensed instructor as manager or director;
  4. A desk, table, and chair, or other instructional fixtures and facilities for each student during theory instruction;
  5. Filing cabinets to hold all school and student records;
  6. An instruction board in each room used for instruction;
  7. At least ten cubic feet of individual locked area with a different locking device for each enrolled student and each instructor to store personal objects and training kits;
  8. A sink area for each 20 students in attendance for the preparation, mixing, and dispensing of supplies and

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- chemicals, and for the disinfection of small tools or implements;
9. At least one rest room meeting the requirements of R4-10-109;
10. Separate receptacles for garbage and soiled linens.
- B. The school shall furnish the appropriate amount of equipment, tools, implements, materials, and supplies needed to perform assignments and for instructional purposes, except that the school may require each student to furnish small tools or implements. All equipment, tools, and materials shall be salon quality and maintained in good repair at all times.
- C. The school shall have a library for student use which contains at least the following materials relating to the course or courses offered by the school:
1. Standard dictionary;
  2. Medical dictionary;
  3. Anatomy chart on bones, muscles, nerves, hands, arms, nails, veins, arteries, circulatory system, hair, and skin;
  4. Three current periodicals on the art and science of cosmetology;
  5. Current cosmetology instruction manuals or textbooks;
  6. Current Arizona Cosmetology laws and rules governing the practice of aesthetics, cosmetology, and nail technology; and
  7. A cosmetology dictionary.
- D. Each school shall maintain a complete file on all current curriculum requirements and suggestions issued by the Board.
- E. Schools may award reduced tuition, scholarships, and grants to students based on merit. Schools shall not pay salaries to enrolled students other than student instructors.
- F. Licensed schools may offer postgraduate or advanced continuing education cosmetology courses without a licensed instructor present; however, credit hours toward graduation or licensure shall not be granted.
- G. Individuals licensed pursuant to A.R.S. § 32-501 et seq. may re-enroll in a licensed school for a refresher course. Credit hours for training received during regular school hours shall be submitted to the Board.
- H. Schools shall establish a periodic grading schedule and keep student transcripts current.
- I. Schools shall schedule a minimum of four hours of theory classes each week for each full-time student and a minimum of two hours of theory classes each week for each part-time student.
- J. Safety and infection control measures relating to each subject shall be taught in conjunction with that subject.
- K. Schools shall not solicit students for enrollment on the site of other schools.
- L. While in school, instructors shall wear a tag indicating their name and courses they teach.
- M. Schools shall ensure compliance with the following:
1. Students shall attend school no more than 40 hours in any one week.
  2. Students shall operate only safe equipment in good repair.
  3. Students of aesthetics, cosmetology, and nail technology shall perform services within the course in which they are enrolled, upon the public or fellow students, only in the presence of a licensed instructor and, except for shampooing, only after completing the basic training specified in R4-10-303, R4-10-304, and R4-10-305 prescribing their curriculum.
  4. Students shall not be prevented or discouraged from making a complaint to the Board.
  5. Students may receive a maximum of ten hours credit for field trips if the trip has been approved by the Board. One licensed instructor shall accompany no more than 20 students.
  6. Students shall not be dismissed from a scheduled theory instruction or written or practical examination to perform clinical services to the public.
  7. While in school, each student shall wear a tag indicating their name and the course in which they are enrolled.

**R4-10-204. School Records**

- A. Student records shall be kept at the school where the student is enrolled and are subject to inspection by the Board at all times.
- B. When a student transfers from one school to another, the school from which the student is transferring shall keep a copy of the student's transcript and shall forward one copy to the student and another copy to the Board.
- C. Each school shall keep:
1. A record of the time devoted by each student to the enrolled course of study;
  2. Records which show the basis for certification of the student hours. Schools shall certify only those hours of training received by the student in that school; and
  3. An individual student file for each student enrolled containing:
    - a. Contract and enrollment agreement;
    - b. Financial aid transcript;
    - c. Current academic transcript;
    - d. Attendance and hour records or time cards;
    - e. Proof of tenth grade equivalency for a student enrolled in an aesthetics, cosmetology, or nail technology course, and proof of high school equivalency for a student enrolled as an instructor as specified by R4-10-101;
    - f. Identification numbers;
    - g. Proof of one year of licensed work experience for a student instructor in aesthetics, cosmetology, or nail technology as applicable to the enrolled course as specified by R4-10-101; and
    - h. A signed statement indicating receipt of contracted supplies, materials, instruction manual, or textbook, Arizona Cosmetology laws, and rules.
    - d. A monthly report submitted to the Board shall be postmarked no later than the tenth day of each month. The monthly report shall include:
      - i. The name, student identification number, enrollment date, address, telephone number, and birth date of each student enrolled in the school since the prior monthly report;
      - ii. The enrollment category of each student, as nail technology, cosmetology, aesthetics, or student instructor;
      - iii. The type of education documentation received by the school to prove that each student is qualified to enroll in cosmetology school;
      - iv. The name, license number, and work schedule of the instructor in charge of the school, and name of the custodian of records;
      - v. The name, license number, and dates of employment of each instructor employed by the school;

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- vi. The notarized signature of the instructor who prepares and certifies the report as being true and correct;
- vii. The name of student instructors and current aesthetician, cosmetologist, or nail technician license number from any state or country as applicable to the enrolled course;
- viii. For each demonstration given, the name of the demonstrator, the name of the observing instructor, the name of the process or product demonstrated, the number of students in attendance, and the name of the course in which the demonstration was given;
- ix. Documentation at the time of the first reporting period after enrollment certifying a student's credit hours from a prior enrollment in any school, or crossover hours as specified by R4-10-306;
- x. Total hours received by each student during the month of the report. This total shall not be amended without satisfactory proof of error;
- xi. Signature of each student verifying approval of the certified hours;
- xii. Certification of those students who have met the graduation requirements of the school, including the day, month, and year of graduation; and
- xiii. The notation "transferred", "withdrawn", or "leave of absence" for students who discontinue training, and the day, month, and year training was discontinued. Documentation to certify the hours earned by the student prior to discontinuing shall be provided to the student.

**D.** A person who has registered for the Board examination and has completed the required hours for graduation, but stays in school until the date of the examination, shall be credited for the additional hours earned after graduation.

**R4-10-205. Aesthetic School Requirements**

- A.** Schools which provide aesthetics 600-hour training for students, 500-hour training for instructors, or both, shall provide the following minimum facilities, equipment, supplies, and materials in addition to that required by R4-10-203 and R4-10-204:
- 1. Approximately 100 square feet of floor space for each enrolled student up to 50 students, plus 65 square feet for each additional enrolled student;
  - 2. A work station for each student to perform aesthetics services to the public, each having:
    - a. A facial chair or table;
    - b. A table top which is 32" by 16" or larger;
    - c. A mirror that is at least 4" by 4" when performing services on a client;
    - d. A dry, disinfected, covered container to store disinfected tools and implements as specified by R4-10-109;
    - e. A receptacle for contaminated tools or implements; and
    - f. A covered garbage receptacle;
  - 3. One steamer, vaporizer, or pulverizer machine for every five students in attendance;
  - 4. One galvanic current machine for every five students in attendance;
  - 5. One suction or vacuum machine with a comedone extractor and a sebum extractor for every five students in attendance;

- 6. One high frequency Tesla or violet ray unit and a facial electrode for every five students in attendance;
  - 7. One magnifying lamp for every five students in attendance;
  - 8. One therapeutic lamp for every five students in attendance;
  - 9. Cleansing cream;
  - 10. Massage cream;
  - 11. Astringent, toner, and mist;
  - 12. Mask or pack;
  - 13. Chemical and physical depilatories;
  - 14. Artificial eyelashes; and
  - 15. Cosmetics
- B.** Each student shall have a student-training kit for each aesthetics student enrolled containing the following:
- 1. One standard textbook for professional aestheticians, and Arizona cosmetology laws and rules governing aesthetics;
  - 2. Three sets of four facial brushes without defects;
  - 3. One professional tweezer;
  - 4. One disinfected, covered container to store disinfected tools and implements as specified by R4-10-109;
  - 5. One wet disinfectant as specified by R4-10-109; and
  - 6. A container for contaminated tools or implements.

**R4-10-206. Cosmetology School Requirements**

- A.** Schools which provide cosmetology 1600-hour training for students, 650-hour training for instructors, or both, shall provide the following minimum facilities, equipment, supplies, and materials in addition to that specified by R4-10-203 and R4-10-204:
- 1. At least 100 square feet of floor space for each enrolled student up to 50 students, plus 65 square feet for each additional enrolled student.
  - 2. One work station for each student enrolled to perform cosmetology services for the public, each having:
    - a. A mirror that is at least 18" by 30" when performing services on a client;
    - b. A table top or counter;
    - c. A client chair;
    - d. A disinfected, covered receptacle to store disinfected tools and implements, as specified by R4-10-110;
    - e. A container for contaminated tools or implements; and
    - f. A covered garbage container.
  - 3. Mannequins with each type of hair texture for the students to practice cosmetology;
  - 4. One shampoo basin for each five students in attendance during practical instruction;
  - 5. One hand-held hair dryer for each student in attendance during practical instruction;
  - 6. One hooded dryer for each seven students in attendance during practical instruction;
  - 7. One high frequency Tesla or violet ray unit for each 20 students in attendance during practical instruction, including a facial and scalp electrode;
  - 8. One electric clipper for each five students in attendance during practical instruction;
  - 9. Chemical and physical depilatories;
  - 10. Chemical hair straighteners including:
    - a. Thioglycolate,
    - b. Sodium hydroxide,
    - c. Calcium hydroxide,
    - d. Ammonium bisulfate, and
    - e. Quantanide;

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11. One nail technology table with a 32" x 16" or larger top for each ten students in attendance during practical instruction;
12. A facial work station, as specified by R4-10-205, for each ten cosmetology students in attendance during practical instruction;
13. An electrical receptacle large enough to completely immerse both feet, for each 20 cosmetology students in attendance during practical instruction;
14. One ultraviolet light in each school;
15. One motorized nail drill for filing and buffing;
16. Nail products for acrylics, gels, tips, and wraps.

**B. Each enrolled student shall have a nonreturnable student training kit containing:**

1. One instruction manual or textbook, and Arizona Cosmetology laws and rules;
2. One mannequin with sufficient hair on which to practice cosmetology;
3. Combs and brushes without defects;
4. One electric curling iron with a Marcel-type handle;
5. One razor;
6. One cutting shear;
7. One disinfected, covered container to store disinfected tools and implements as specified by R4-10-109; and
8. One container for wet disinfectant when performing aesthetics and nail technology as specified by R4-10-109.

**R4-10-207. Nail Technology School Requirements**

**A. Schools which provide nail technology 300-hour training for students, 350-hour training for instructors, or both, shall provide the following minimum facilities, equipment, supplies and materials, in addition to that required by R4-10-203 and R4-10-204:**

1. At least 100 square feet of floor space for each enrolled student up to 50 students, plus 65 square feet for each additional enrolled student;
2. A work station to perform of nail technology services for the public for each student enrolled, containing:
  - a. A nail technology table with a top 32" x 16" or larger;
  - b. A client chair;
  - c. A nail technology chair or stool;
  - d. A disinfected, covered container to store disinfected tools and implements as specified by R4-10-109;
  - e. A receptacle with wet disinfectant as specified by R4-10-109;
  - f. A container for disinfected tools or implements;
  - g. A garbage receptacle; and
  - h. A light;
3. One electric nail drill for filing and buffing;
4. One electrical container large enough to completely immerse both feet, for every five students in attendance during practical training;
5. Nail products for acrylics, gels, tips, wraps and polishing; and
6. An ultraviolet light for every ten students in attendance during practical training.

**B. Each enrolled nail technology student shall have a training kit containing:**

1. One simulated hand for practice training;
2. Disinfected tools, including pusher, nipper, file, or emery boards, tweezer, nail brush, finger bowl, buffers,

artificial nail products kit, wrap kit, two dappen dishes, polish kit, nail forms, and one brush product applicator to enable the student to perform nail technology;

3. One wet disinfectant as specified by R4-10-109;
4. One covered container to store disinfected tools and implements as specified by R4-10-109;
5. A container for contaminated tools or implements; and
6. One instruction manual or textbook, and Arizona Cosmetology laws and rules.

**R4-10-208. Combined School Requirements**

**A. The following hours are required to graduate:**

1. Aesthetics course - 600 hours,
2. Aesthetic instructor course - 500 hours,
3. Cosmetology course- 1600 hours,
4. Cosmetology instructor course - 600 hours,
5. Nail technology course- 300 hours, and
6. Nail technology instructor course - 350 hours.

**B. Schools that provide training in two or more of the above courses shall have a minimum of 100 square feet of floor space for every enrolled student up to 50 students, plus 65 square feet for each additional enrolled student.**

**C. Schools that provide training in all of the above courses shall have the minimum records, facilities, equipment, supplies, and materials required by:**

1. R4-10-203,
2. R4-10-204,
3. R4-10-205(A)(2) through (15) except (2) is one work station per each two aesthetics students enrolled,
4. R4-10-206, and
5. R4-10-207(A)(2) through (7) except (2) is one work station per each two nail technology students enrolled.

**D. Schools that provide the curriculum specified in subsections (A)(3), (4), (5), and (6) shall have the minimum records, facilities, equipment, supplies, and materials required by:**

1. R4-10-203,
2. R4-10-204,
3. R4-10-206, and
4. R4-10-207(A)(2) through (7) except (2) is one work station per each two nail technology students enrolled.

**E. Schools that provide the curriculum as specified in subsections (A)(1), (2), (3), and (4) shall have the minimum records, facilities, equipment, supplies, and materials required by:**

1. R4-10-203,
2. R4-10-204,
3. R4-10-205(A)(2) through (15) except (2) is one work station per each two aesthetic students enrolled, and
4. R4-10-206;

**F. Schools that provide the curriculum as specified in subsections (A)(1), (2), (5) and (6) shall have the minimum records, facilities, equipment, supplies, and material required by:**

1. R4-10-203,
2. R4-10-204,
3. R4-10-205, and
4. R4-10-207.

**R4-10-209. Demonstrators; Exclusions**

**A. A person who does not hold an instructor license shall not teach in a school but may demonstrate to enrolled students any process, product, or appliance when an instructor is present and observing the demonstration.**

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B. When demonstrating on a model, the demonstrations shall be confined to an explanation of the products, procedures, and appliances being promoted.

they are part of the approved course training, provided by or in the presence of a licensed instructor in a licensed school.

**ARTICLE 3. STUDENTS**

**R4-10-301. Instruction; Licensed Individuals**

No hours toward licensing shall be granted for instruction unless

**R4-10-302. Instructor Curriculum Required Hours**

A. The following number of hours shall be completed by each student in an instructor course of aesthetics, cosmetology or nail technology:

Subject	Aesthetics	Cosmetology	Nail Technology
1. Orientation	16	16	16
2. Theory, principles or methods of teaching	200	250	125
3. Practical demonstrations	100	150	80
4. Conducting theory classes	40	60	30
5. Clinic floor work	100	130	65
6. Arizona cosmetology laws and rules	10	10	5
7. Record preparation	10	10	5
8. Evaluation and unassigned	24	24	24
9. Total required hours	500	650	350

B. No more than 20% of the total training hours shall be spent checking clinical floor work.

C. A maximum of 10% of the hours required for any subject in a course may be spent on another subject in that course. The actual hours spent on each subject in a course shall not be less than 90% of the number of hours required in subsection (A). This does not apply to evaluation and unassigned.

D. Curriculum hours for theory, principles, or methods of teaching may be satisfied by credits obtained from an accredited college or university.

E. All instruction given by a student instructor shall be under the direct supervision and observation of a licensed instructor.

F. Student instructors shall be counted as students for purposes of determining the maximum allowed ratio of 20 students for each teacher in the school.

G. No student instructor shall instruct students or check student services performed on the public until the student instructor has received at least 120 hours of basic instructor training.

1. Theory of cosmetology, Arizona cosmetology laws, and rules, 200 hours;

2. Practical cosmetology and practical theory, involving all hair and skin types:

a. Monitor duties, salesmanship, ethics, and salon management, 35 hours;

b. Chemical hair restructuring, including permanent waving and chemical hair relaxing, 230 hours;

c. Hair coloring, including tinting and bleaching, 230 hours;

d. Haircutting, 230 hours;

e. Hair styling, pressing, thermal curling, and waving, 230 hours;

f. Facials and makeup, including massage and physical and chemical depilatories, 100 hours;

g. Massage, 100 hours;

h. Manicuring, pedicuring, sculpture nails, extensions, wraps, overlays, and related services, 75 hours;

i. Shampooing, conditioning, re-conditioning, rinse application, and chemical removal, 50 hours;

j. Scalp treatment and brushing, 20 hours;

k. Electricity and light therapy as related to the practice of cosmetology, 10 hours;

l. Creative preference, 40 hours; and

m. Disinfection procedures, 50 hours.

3. The total number of hours received shall be at least 1600.

B. No cosmetology school shall receive remuneration for students performing any clinical services, except shampooing, to the public until the student has received at least 300 hours of basic training.

**R4-10-303. Aesthetic Curriculum Required Hours**

A. The following number of hours shall be completed by each student in an aesthetics course:

1. Theory of aesthetics, Arizona aesthetician laws, and rules, 75 hours;

2. Practical aesthetics and practical theory involving all skin types:

a. Consultation and analysis, 25 hours;

b. Preparation and cleansing, 25 hours;

c. Massage, 75 hours;

d. Manual facial, 75 hours;

e. Electrical facial, 100 hours;

f. Packs and masks, 30 hours;

g. Light therapy, 10 hours;

h. Cosmetics application, 75 hours;

i. Physical and chemical depilatories, 30 hours;

j. Artificial eyelash application, 20 hours;

k. Creative preference, 25 hours; and

l. Disinfection procedures, 35 hours.

3. The total received shall be at least 600 hours.

B. No aesthetics school shall receive remuneration for students performing clinical services to the public until the student has received 120 hours of basic training.

**R4-10-304. Cosmetology Curriculum Required Hours**

A. The following number of hours shall be completed by each student in a cosmetology course:

**R4-10-305. Nail Technology Curriculum Required Hours**

A. The following number of hours shall be completed by each student in a nail technology course:

1. Theory of manicuring, Arizona nail technology laws, and rules, 50 hours.

2. Practical manicuring and practical theory:

a. Extensions, wraps, and overlays, 50 hours;

b. Nail sculpturing, 80 hours;

c. Manicuring, 35 hours;

d. Pedicuring, 30 hours;

e. Massage on hands, arms, legs, and feet, 10 hours;

f. Monitor duties, 10 hours;

g. Creative preference, 10 hours; and

h. Disinfection procedures, 25 hours.

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3. The total hours received shall be at least 300.
- B. No nail technology school shall receive remuneration for students performing clinical services to the public until the student has received at least 80 hours of basic training.

**R4-10-306. Curriculum Hours**

- A. Hours of training received in an aesthetic, cosmetology, or nail technology course shall not apply toward receiving an instructor's license.
- B. Hours of training received in an instructor course shall not apply toward receiving an aesthetician, cosmetologist, or nail technician license but shall apply toward reactivation of an aesthetics, cosmetology, or nail technology license if the instructor hours are received after inactive status occurs.
- C. The following hours shall be applied toward licensing:
1. 25% of the hours of training received in a nail technology course toward a cosmetologist license;
  2. 30% of the hours of training received in an aesthetics course toward a cosmetologist license;
  3. 7% of the hours of training received in a cosmetology course toward a nail technician license;
  4. 15% of the hours of training received in a cosmetology course toward an aesthetician license;
  5. 50% of the hours of training received in a barber course toward a cosmetologist license;
  6. 100% of the hours of training received by a licensed cosmetologist in a nail technology instructor course toward an aesthetics instructor license; however, the remaining required hours shall be received in an aesthetics or cosmetology school;
  7. 100% of the hours of training received by a licensed cosmetologist in a nail technology instructor course toward a cosmetology instructor license; however, the remaining required hours shall be received in a cosmetology school;
  8. 100% of the hours of training received by a licensed cosmetologist in an aesthetics instructor course toward a cosmetology instructor license; however, the remaining required hours shall be received in a cosmetology school; and
  9. 100% of the barber instructor hours of training received in a barber instructor course toward a cosmetology instructor license; however, the remaining required hours shall be received in a cosmetology school. One year of licensed barber experience is the same as one year of licensed cosmetology experience for the purpose of qualifying for the cosmetology instructor examination as specified by A.R.S. § 32-531.
- D. Hours transferred to another course shall only be used once.
- E. At the completion of a course, the cumulative hours for students for that course, at a minimum, conform with R4-10-301, R4-10-302, R4-10-303, R4-10-304, R4-10-305, and R4-10-306, as applicable.

**ARTICLE 4. SALONS**

**R4-10-401. Salon License Application; Modifications; Transfers**

- A. An application shall be filed with the Board to license a new salon, for a salon location change, if a salon has a new owner, if there is a change in the controlling interest of a corporate entity, or if the salon name changes. Applicants shall submit a complete application for a salon license to the Board at least ten days prior to the planned date of opening. The application shall include a floor plan at least 8 1/2" x 11". An incomplete application shall be returned to the applicant.

- B. A complete application, for applicants who will open after an inspection, shall be submitted at least 45 days prior to the planned date of opening.
- C. The salon shall have and designate on the floor plan specified in subsection (A) the location of the following:
1. Wet disinfectant as specified by R4-10-109;
  2. Dry, closed, disinfected container to store disinfected tools and implements as specified by R4-10-109;
  3. Dispensary sink with hot and cold running water;
  4. Stations;
  5. Rest rooms;
  6. Shampoo bowls for cosmetology salons;
  7. Sink with hot and cold running water, excluding rest room and dispensary, if an aesthetics or nail technology salon;
  8. Electrical outlets;
  9. Activities performed by people that are not licensed by the Board, which are related to cosmetology, but not regulated by A.R.S. Chapter 5, Article 32.
- D. The application shall include:
1. The fee specified by R4-10-102;
  2. The name and license number of the manager as specified by A.R.S. § 32-572(A)(9) and A.A.C. R4-10-101(G) and R4-10-135;
  3. A schedule of operations specifying the days and hours the salon is open for business;
  4. The request for mobile services if applicable as specified by R4-10-403;
  5. The salon requirements and minimum equipment as specified by R4-10-402; and
  6. The partnership agreement or corporation documents showing ownership of the entity that owns the salon.
- E. The salon shall notify the Board within ten days after any change in the information specified in subsections (A), (B), or (C) by submitting the following:
1. For transfers of ownership, including individual, partnership, or corporation reorganization that changes the controlling interest, the official date of transfer and the new owner's name and the salon's application shall be submitted to the Board. This notice relinquishes a license to the new owner. The new owner shall file a new application and pay the prescribed fee for a new license;
  2. For location changes, a new application shall be submitted as specified in subsection (A) with the license of the former location being forwarded to the Board after the new location license has been received;
  3. For name changes, a request in writing with the fee specified by R4-10-102 shall be submitted; and
  4. The name and address of any new statutory agent.
- F. Within ten days of closing, the salon shall submit written notice and forward its license to the Board. The Board may reserve the use of the salon's name for one year from the date of last closing.

**R4-10-402. Salon Requirements and Minimum Equipment**

- A. A salon shall perform services to the public according to the type of license issued as defined by A.R.S. §§ 32-501 and 32-502.
- B. Salons shall have enough equipment, materials, supplies, tools, and implements to ensure infection control and safety for the public and employees.
- C. Each salon shall have as specified by R4-10-109:
1. A work station for each employee or person using space within the salon;
  2. A dispensary for storing and mixing supplies, including a sink with hot and cold running water;

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3. Electrical outlets:
  4. If the salon is cosmetology salon, a minimum of one shampoo bowl and one hair dryer which may be a blow dryer, and, if the salon is aesthetics or nail technology, a minimum of one sink excluding the dispensary and rest room; and
  5. Linens kept in a closed container.
- D. Every licensee shall have the minimum tools or implements specified in R4-10-109.
1. Aestheticians shall have disinfected tools and implements for each client.
  2. Cosmetologists shall have:
    - a. 18 combs;
    - b. 12 vent or styling brushes;
    - c. Two client protection robes or capes;
    - d. One comb-out cape; and
    - e. If neck brushes are used, each licensee shall have at least three;
  3. Nail technicians shall have enough equipment, materials, supplies, tools and implements to ensure infection control and disinfection between clients.

**R4-10-403. Mobile Services**

- A. A mobile service shall operate as an extension of a permanent licensed salon and under the same name and ownership. The permanent licensed salon owner and manager are responsible for compliance by the mobile service with statutes and rules.
- B. A licensee providing mobile cosmetology, nail technology, or aesthetic services shall apply for duplicate salon and personal

- licenses and post them pursuant to R4-10-108 at the mobile service location.
- C. Appointments shall be made through the licensed salon where a book shall be kept of all appointments and locations where services are performed.
  - D. A mobile service is subject to inspection by the Board at any time.
  - E. A retrofitted mobile unit used to conduct mobile services shall have the same equipment as specified by R4-10-402 and shall comply with safety and infection control requirements as specified by R4-10-109.
  - F. Mobile services which are conducted outside the designated licensed area as shown on the floor plan or during inspection specified by R4-10-401 shall have equipment for mobile service which is disinfected before use and stored as specified in R4-10-109.
  - G. Duplicate salon and personal licenses and signs for mobile services shall be displayed to be visible to clients.

**R4-10-404. Shampoo Assistants**

- A. People who are not licensed by the Board may be hired as shampoo assistants to shampoo and apply cream rinse to an individual's hair, comb the hair to remove tangles, and remove rollers and clippies.
- B. Shampoo assistants shall not apply conditioners, reconstructors, hair color, permanent wave solution, or neutralizer, or remove rods, tint, relaxers, or other solutions from the hair.

**NOTICE OF PROPOSED RULEMAKING**

**TITLE 4. PROFESSIONS AND OCCUPATIONS**

**CHAPTER 23. BOARD OF PHARMACY**

**PREAMBLE**

**1. Sections Affected**

R4-23-110  
R4-23-606  
R4-23-612  
R4-23-651  
R4-23-671  
R4-23-672

**Rulemaking Action**

Amend  
Amend  
Amend  
Amend  
New Section  
New Section

**2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statutes: A.R.S. § 32-1904(A)(1) and (2), and (B)(3), (4), and (6).  
Implementing statutes: A.R.S. §§ 32-1929, 32-1930(A)(2), (B), and (C), and 32-1931.

**3. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Dean Wright, Compliance Officer  
Address: Board of Pharmacy  
5060 North 19th Avenue, Suite 101  
Phoenix, Arizona 85015  
Telephone: (602) 255-5125, ext. 131  
Fax: (602) 255-5740

**4. An explanation of the rule, including the agency's reasons for initiating the rule:**

The practice of pharmacy is changing rapidly and a big part of this change is specialization. Pharmacies can no longer be viewed as just community or hospital. To protect the citizens of Arizona, the Board proposes to change the rules to better define and control today's pharmacy practice. R4-23-110 is amended to define a Class (A) and Class (B) Limited-service pharmacy and a Correctional facility. The heading of R4-23-606 is amended to include limited-service pharmacy. R4-23-612 is amended to update the requirement of a professional reference library. Instead of two current references from a limited list, each pharmacy would need a minimum of one

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current reference addressing four pharmacy topics. R4-23-671 is a new Section providing rules governing pharmacies in correctional facilities. Previously, correctional pharmacies were classified as community pharmacies. The practice of a pharmacy in a correctional facility more closely resembles a hospital than a community pharmacy. These rules use the limited-service pharmacy permit to address the scope of pharmacy practice inside the closed and very tightly controlled system of a correctional facility. The new class of pharmacy will give the Board satisfactory guidelines to monitor the practice of correctional pharmacy and protect the health and welfare of the correctional facility population. The rule is specific for the type of practice and utilizes a Board-approved policy and procedure manual which personalizes the rules to better regulate a particular pharmacy. R4-23-672 is a new Section providing rules governing mail-order pharmacies. Mail-order pharmacies have always been classified as community pharmacies. These rules use the limited-service pharmacy permit to address the scope of practice in this rapidly growing area of pharmacy. Mail-order pharmacies are ahead of most pharmacies in their innovative use of technology and personnel. The rule establishes a new class of pharmacy with rules specific for the type of practice and utilizes a Board-approved policy and procedure manual which personalizes the rules to better regulate a particular pharmacy.

The Board believes that adoption of these rules will benefit the public health and safety by establishing clear standards governing pharmacy practice in specialized settings. The Board further believes that specific regulation and enforcement are necessary to regulate and control the rapidly evolving role of pharmacists in a dynamic healthcare system.

5. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable.

6. **The preliminary summary of the economic, small business, and consumer impact:**

The principal impact of the rule will be on pharmacies and pharmacists. For pharmacists, the rule will place additional responsibility on them for writing and reviewing a policy and procedure manual. The upside for the pharmacist will be better control of all aspects of the pharmacy practice through established written policy and procedure.

For pharmacies, the rule will establish concise and specific regulation and control over individual areas of limited pharmacy service. These specialized pharmacies will be able to practice within a set of rules which provide protection of public health and safety and allow service by a unique method or to a particular population. Since the fees for a pharmacy are the same for community, hospital, and limited service, the rule will have minimal economic impact for most pharmacies. The rule requires mail-order pharmacies to provide toll-free telephone service for a minimum of 40 hours per week. However, this will have little real impact, since all mail-order pharmacies in Arizona to date already provide toll-free telephone service. Since all pharmacies are presently required to have two current references, the proposed rule will have little or no economic effect.

There is no expected economic impact on consumers or small business by these rules.

7. **The name and address of agency personnel with whom person may communicate regarding the accuracy of the economic, small business, and consumer impact statements.**

Name: Dean Wright, Compliance Officer  
Address: Board of Pharmacy  
5060 North 19th Avenue, Suite 101  
Phoenix, Arizona 85015  
Telephone: (602) 255-5125, ext. 131  
Fax: (602) 255-5740

8. **The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:**

No oral proceeding has been scheduled. Requests for an oral proceeding should be made to:

Name: L.A. Lloyd, Executive Director  
Address: Board of Pharmacy  
5060 North 19th Avenue, Suite 101  
Phoenix, Arizona 85015  
Time: 8 a.m. to 5 p.m., Monday through Friday

9. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

Not applicable.

10. **Incorporations by reference and their location in the rules:**

None.

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11. The full text of the rules follows:

**TITLE 4. PROFESSIONS AND OCCUPATIONS**

**CHAPTER 23. BOARD OF PHARMACY**

**ARTICLE 1. ADMINISTRATION**

Section  
R4-23-110. Definitions

**ARTICLE 6. PERMITS AND DISTRIBUTION OF  
DRUGS**

Section  
R4-23-606. Pharmacy Permit, Community, and Hospital, and Limited Service  
R4-23-612. Equipment  
R4-23-651. Definitions  
R4-23-671. Class (A) Limited-service Pharmacy or Correctional Pharmacy  
R4-23-672. Class (B) Limited-service Pharmacy or Mail-Order Pharmacy

**ARTICLE 1. ADMINISTRATION**

**R4-23-110. Definitions**

- A. No change.
- B. No change.
- C. No change.
- D. No change.
- E. No change.
- F. No change.
- G. "Class (A) limited-service pharmacy" or "correctional pharmacy" means a limited-service pharmacy as defined in A.R.S. § 32-1901(34) and permitted by the Board of Pharmacy pursuant to A.R.S. § 32-1931(D) which is located in a correctional facility and engages in the compounding, production, dispensing, and distribution of drugs.
- H. "Class (B) limited-service pharmacy" or "mail-order pharmacy" means a limited-service pharmacy as defined in A.R.S. § 32-1901(34) and permitted by the Board of Pharmacy pursuant to A.R.S. § 32-1931(D) which dispenses a majority of its prescription medication or prescription-only devices by mailing or delivering the prescription medication or prescription-only device to an individual by the United States mail, a common or contract carrier, or a delivery service.
- GI. No change.
- I. "Correctional facility" means any Arizona state, county, or private institution intended to incarcerate individuals pursuant to A.R.S. §§ 41-1602 through 41-1604.01, 41-2801 through 41-2805, and 48-4001 through 48-4003.

H.K. No change.  
H.L. No change.  
J.M. No change.  
K.N. No change.  
L.O. No change.  
M.P. No change.  
N.Q. No change.  
O.R. No change.  
P.S. No change.  
Q.T. No change.  
R.U. No change.  
S.V. No change.  
T.W. No change.

U.X. No change.  
V.Y. No change.  
W.Z. No change.  
X.AA. No change.  
Y.BB. No change.  
Z.CC. No change.  
AA.DD. No change.  
BB.EE. No change.  
CC.FF. No change.  
DD.GG. No change.  
EE.HH. No change.  
FF.II. No change.

**ARTICLE 6. PERMITS AND DISTRIBUTION OF  
DRUGS**

**R4-23-606. Pharmacy Permit, Community, and Hospital, and Limited Service**

- A. No change.
- B. No change.
- C. No change.
- D. No change.
- E. No change.
- F. No change.
- G. No change.
- H. No change.
- I. No change.
- J. No change.
- K. No change.
- L. No change.
  - 1. No change.
    - a. No change.
    - b. No change.
    - c. No change.
    - d. No change.
    - e. No change.
  - 2. No change.
  - 3. No change.
  - 4. No change.
  - 5. No change.
    - a. No change.
    - b. No change.
    - c. No change.
    - d. No change.
    - e. No change.
  - 6. No change.

**R4-23-612. Equipment**

Each pharmacy shall contain the following:

- 1. No change.
- 2. No change.
- 3. No change.
- 4. No change.
- 5. No change.
- 6. No change.
- 7. No change.
- 8. No change.
- 9. No change.
- 10. No change.
- 11. No change.

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12. Any two of the following references, which shall be kept current:
  - a. United States Pharmacopeia and National Formulary.
  - b. United States Pharmacopeia Dispensing Information.
  - c. American Hospital Formulary Service.
  - d. Facts and Comparisons.
  - e. O. T. C. Handbook.
  - f. Remington's Pharmaceutical Sciences.
12. A professional reference library consisting of a minimum of one current reference or text addressing the following subject areas:
  - a. Pharmacology or toxicology.
  - b. Therapeutics.
  - c. Drug compatibility, and
  - d. Drug product equivalency.
13. No change.
14. No change.
15. No change.
16. No change.

**R4-23-651. Definitions**

For the purposes of these rules, the following definitions apply to R4-23-651 through R4-23-659:

1. No change.
2. No change.
3. No change.
4. No change.
5. No change.
6. No change.
7. No change.
8. "Hospital pharmacy" means that portion of a hospital which is engaged in the manufacture, production, sale, and distribution of drugs used in the diagnosis and treatment of injury, illness, and disease and which is permitted by the Board of Pharmacy pursuant to A.R.S. and as defined A.R.S. § 32-1901 a pharmacy as defined in A.R.S. § 32-1901(50) and permitted by the Board of Pharmacy pursuant to A.R.S. § 32-1931(D) which is in a hospital as defined in A.R.S. § 32-1901(30).
9. No change.
10. No change.
11. No change.
12. No change.
13. No change.
14. No change.
15. No change.
16. No change.
17. No change.
18. No change.

**R4-23-671. Class (A) Limited-service Pharmacy or Correctional Pharmacy**

- A. Prior to opening a Class (A) limited-service pharmacy, a person or persons shall obtain a permit in compliance with A.R.S. §§ 32-1929, 32-1930, and 32-1931, and A.A.C. R4-23-606.
- B. All Class (A) limited-service pharmacies shall comply with the area, personnel, security, sanitation, equipment, drug distribution, control, administration, source, quality assurance, investigational, and inspection standards of R4-23-608, R4-23-609(A) through (D) and (F) through (H), R4-23-610(A), R4-23-611, R4-23-612, R4-23-653(D), except subsection (D)(2)(e), R4-23-658(B) through (H), and R4-23-660 through R4-23-664.

1. Variations from the minimum area requirement may be granted by the Board pursuant to A.R.S. § 32-1904(B)(6) and A.A.C. R4-23-101(B) and (C). Any request for variance shall be submitted in writing to the Board and include documentation to support the request.
  2. The Board may require more than the minimum area in instances where equipment, inventory, personnel, or other factors cause crowding to such a degree as to interfere with safe pharmacy practice.
- C. Personnel permitted in pharmacy area of a Class (A) limited-service pharmacy include pharmacists, interns, drug inspectors, peace officers, and correctional officers when acting in their official capacity, supportive personnel, and other designated personnel.
  - D. Procedure in the absence of a pharmacist. During times that a pharmacist is not on duty in the correctional facility, arrangements shall be made in advance by the pharmacist-in-charge for provision of drugs to the medical staff and other authorized personnel of the correctional facility by use of remote drug storage areas and in emergency circumstances, by access to the pharmacy. A pharmacist shall be "on call" during all absences.
    1. Remote drug storage areas. If remote drug storage areas are used when the pharmacist is not on duty in the correctional facility, the locked cabinets or other enclosures shall be constructed and located outside the pharmacy area, accessed only by specifically authorized personnel and securely locked to deny access to unauthorized persons by force or otherwise. The pharmacist-in-charge shall, in conjunction with the appropriate committee of the correctional facility, develop an inventory listing of those drugs to be included in such remote drug storage areas and shall insure that:
      - a. Such drugs available therein are properly labeled;
      - b. Only drugs packaged in amounts sufficient for immediate therapeutic requirements are available therein;
      - c. Whenever access to such remote drug storage areas shall have been gained written physician's orders and a record of withdrawal are provided;
      - d. All drugs therein are inventoried no less than once per week; and
      - e. A complete audit of all activity concerning such remote drug storage areas is conducted no less than once per month.
    2. Access to pharmacy. Whenever any drug is not available from remote drug storage areas and such drug is required to treat the immediate needs of a patient whose health may otherwise be compromised, such drug may be obtained from the pharmacy in accordance with the requirements of this subsection. One supervisory nurse in any given shift is responsible for removing drugs therefrom. The responsible nurse may, in times of emergency, delegate this duty to another nurse. The responsible nurse shall be designated by position in writing by the appropriate committee of the correctional facility and shall, prior to being permitted to obtain access to the pharmacy, receive thorough education and training in proper methods of access, removal of drugs, and records and procedures required. Such education and training shall be given by the pharmacist-in-charge.

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3. Record of drug removal. Removal of any drug from the pharmacy by a responsible nurse shall be recorded on a form showing:
    - a. Patient's name;
    - b. Name of the drug, strength, and dosage forms;
    - c. Dose prescribed;
    - d. Amount removed;
    - e. Time and date of removal;
    - f. Signature of the responsible nurse removing the drug;
    - g. The original or a direct copy of the medication order;
    - h. The record of drug removal shall be placed conspicuously in the pharmacy;
    - i. The record shall be verified pursuant to R4-23-402(A)(2) through (4) within four hours of the pharmacist returning to duty in the correctional facility;
    - j. The maximum number of consecutive hours a correctional pharmacy may be without a pharmacist on duty shall be 72 hours; and
    - k. Written policies and procedures shall be established to implement the requirements of this subsection.
  - E. Personnel security standards. No one shall be permitted in the pharmacy unless the pharmacist is present except as provided in this subsection and subsection (D)(2).
    1. If the pharmacist must leave the pharmacy for an emergency or patient care duties, pharmacy technicians may remain to perform duties as outlined in R4-23-653(D)(2), except subsection (D)(2)(e), provided all controlled substances are secured in such a manner as to prohibit access by other than a pharmacist, and the pharmacist shall remain available in the correctional facility.
    2. All Class (A) limited-service pharmacy areas shall be capable of being locked by key or programmable lock, so as to prevent access by unauthorized personnel;
    3. The pharmacist-in-charge shall designate in writing, by title and specific area, those persons who shall have access to particular pharmacy areas;
    4. Each pharmacist on duty shall be responsible for the security of the Class (A) limited-service pharmacy, including provisions for adequate safeguards against theft or diversion of drugs including controlled substances and the records thereof; and
    5. Pharmacists, pharmacy interns, support personnel, and other designated personnel working in the pharmacy shall wear identification badges whenever on duty.
  - F. Prior to dispensing from a Class (A) limited-service pharmacy, the pharmacist-in-charge, in cooperation with the medical and security staff of the correctional facility, shall prepare written policies and procedures for drug distribution within the correctional facility.
    1. The pharmacist-in-charge shall submit a copy of these written policies and procedures to the Board office with the original permit application.
    2. The pharmacist-in-charge, in cooperation with the medical staff of the correctional facility, shall conduct a biennial review and revision of these policies and procedures. A copy of any revision of these policies and procedures shall be submitted to the Board office.
    3. These policies and procedures shall be available in the pharmacy for inspection by the Board or its designee.
  - G. The written policies and procedures shall include, but not be limited to, the following:
    1. Physicians orders and/or prescription orders;
    2. Authorized abbreviations;
    3. Formulary system;
    4. Clinical services and drug utilization management.
      - a. Participation in drug selection,
      - b. Drug utilization reviews,
      - c. Inventory audits,
      - d. Patient outcome monitoring,
      - e. Committee participation,
      - f. Drug information,
      - g. In-service training of pharmacy and other health professionals;
    5. Duties and qualifications of professional and support staff;
    6. Products of abuse and contraband medications;
    7. Controlled substances;
    8. Drug administration;
    9. Drug product procurement;
    10. Drug compounding, dispensing, and storage;
    11. Story orders;
    12. Pass/Discharge medications;
    13. Investigational drugs and their protocols;
    14. Patient profiles;
    15. Quality management procedures which shall include, but not be limited to, the following:
      - a. Adverse drug reaction reports;
      - b. Drug recall procedures;
      - c. Outdated drugs;
      - d. Medication error and dispensing error monitoring;
      - e. Storage and beyond-use date as defined in R4-23-110;
      - f. Educational procedures for professional staff, support staff, and patient;
    16. Recordkeeping;
    17. Sanitation;
    18. Security;
    19. After-hours access:
      - a. Remote drug storage areas,
      - b. Access by designated nursing staff.
- R4-23-672. Class (B) Limited-service Pharmacy or Mail-order Pharmacy**
- A. Prior to opening a Class (B) limited-service pharmacy, a person or persons shall obtain a permit pursuant to A.R.S. §§ 32-1929, 32-1930, and 32-1931, and A.A.C. R4-23-606.
  - B. The area of a Class (B) limited-service pharmacy shall be comprised of:
    1. A dispensing area, devoted to the stocking, compounding, and dispensing of prescription medication and a physically separate non-dispensing area, devoted to non-dispensing pharmacy services.
      - a. The dispensing area shall not be less than 300 square feet when a maximum of three pharmacy personnel are practicing or working simultaneously.
      - b. For each additional pharmacist or intern or support personnel who may practice or work simultaneously, an additional 60 square feet of floor area shall be provided. All of the allotted square footage area, including adequate shelving, shall lend itself to efficient pharmaceutical practice and permit free

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- movement and visual surveillance of personnel by the pharmacist.
- c. The non-dispensing area shall be not less than 30 square feet per pharmacy personnel. The area shall permit free movement and visual surveillance of personnel by the pharmacist.
- d. There shall be no more than four supportive personnel per pharmacist in the dispensing or non-dispensing areas; or
2. The area of a Class (B) limited-service pharmacy shall be comprised of one contiguous area where all functions are performed.
- a. The pharmacy area shall not be less than 300 square feet when a maximum of three pharmacy personnel are practicing or working simultaneously.
- b. For each additional pharmacist or intern or supportive personnel who may practice or work simultaneously, an additional 60 square feet of floor area shall be provided. All of the allotted square footage area, including adequate shelving, shall lend itself to efficient pharmaceutical practice and permit free movement and visual surveillance of personnel by the pharmacist.
- c. There shall be no more than four supportive personnel per pharmacist in the pharmacy area.
3. Variations from the minimum area requirement may be granted by the Board pursuant to A.R.S. § 32-1904(B)(6) and A.A.C. R4-23-101(B) and (C). Any request for variance shall be submitted in writing to the Board and include documentation to support the request.
- C. All Class (B) limited-service pharmacies shall comply with the area, personnel, security, sanitation, and equipment standards of R4-23-608, R4-23-609(B) through (H), R4-23-610(A) and (C) through (F), R4-23-611(A) through (I), and R4-23-612.
- D. Personnel permitted in pharmacy area of a Class (B) limited-service pharmacy include pharmacists, interns, drug inspectors, peace officers when acting in their official capacity, supportive personnel, and other designated personnel.
1. Interns, supportive personnel, and other designated personnel shall be permitted in the pharmacy area only when a pharmacist is on duty, except in an extreme emergency.
2. The pharmacist-in-charge shall designate in writing, by title and specific area, those persons who shall have access to particular pharmacy areas.
- E. Prescription medication to be left in pharmacy area or delivered: Prescription medication shall either be delivered to the patient or be kept locked in the prescription area when the pharmacist is not present.
- F. In addition to the delivery requirements of R4-23-402(C), each Class (B) limited-service pharmacy shall, during its regular hours of operation, but not less than six days per week, and for a minimum of 40 hours per week, provide a toll-free telephone service to facilitate communication between patients and a pharmacist with access to the patient's records. This toll-free number shall be disclosed on a label affixed to each container of drugs dispensed.
- G. Prior to dispensing from a Class (B) limited-service pharmacy, the pharmacist-in-charge shall prepare written policies and procedures for pharmacy operations.
1. The pharmacist-in-charge shall submit a copy of these policies and procedures to the Board with the original permit application.
2. The pharmacist-in-charge shall conduct a biennial review and revision of these policies and procedures. A copy of any revision of these policies and procedures shall be submitted to the Board office.
3. These policies and procedures shall be available in the pharmacy for inspection by the Board or its designee.
- H. The written policies and procedures shall include, but not be limited to, the following:
1. Prescription orders;
2. Clinical services and drug utilization management:
- a. Drug utilization reviews,
- b. Inventory audits,
- c. Patient outcome monitoring,
- d. Drug information,
- e. In-service training of pharmacy and other health professionals.
3. Duties and qualifications of professional and support staff;
4. Controlled substances;
5. Drug product procurement;
6. Drug compounding, dispensing, and storage;
7. Patient profiles;
8. Quality management procedures which shall include, but not be limited to, the following:
- a. Adverse drug reaction reports,
- b. Drug recall procedures,
- c. Outdated drugs,
- d. Medication error and dispensing error monitoring, and
- e. Educational procedures for professional and support staff;
9. Recordkeeping;
10. Sanitation;
11. Security;
12. Drug delivery:
- a. Transportation,
- b. Security,
- c. Temperature/Environmental controls, and
- d. Emergency provisions;
13. Patient education.