

2105.0010 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of this chapter, the terms defined in this part have the meanings given them, unless their context clearly requires otherwise.

Subp. 1a. **Active license.** "Active license" means a current license that has not expired and is not retired.

Subp. 1b. **Advanced exfoliation.** "Advanced exfoliation" means a cosmetic procedure removing epidermal skin cells through manual, mechanical, or chemical means.

Subp. 1c. **Advanced extraction.** "Advanced extraction" means an extraction performed using lancets or needles.

Subp. 2. **Advertising.** "Advertising" means any written or graphic representation designed to elicit enrollment or the sale of goods or services and includes signs, displays, circulars, business cards, brochures, and recruitment materials in print, on air, or online.

Subp. 2a. **Autoclave.** "Autoclave" means a device registered and listed with the Food and Drug Administration used to sterilize tools, equipment, and supplies by subjecting them to high pressure saturated steam.

Subp. 2b. **Basic exfoliation.** "Basic exfoliation" means the removal of dead skin cells in the stratum corneum layer of the epidermis through manual or chemical means.

Subp. 2c. **Basic extraction.** "Basic extraction" means extractions performed using gloved fingers, cotton swabs, or comedone extractors.

Subp. 3. **Board.** "Board" means the Board of Cosmetologist Examiners.

Subp. 3a. **Chemical peel.** "Chemical peel" means a chemical exfoliation achieved by applying nonprescription chemical solutions or products.

Subp. 4. **Clean.** "Clean" means free from all soil, dirt, and debris, and washed with soap and water, or a cleaning agent, and rinsed.

Subp. 4a. **Compensation.** "Compensation" means a monetary or nonmonetary remuneration for services.

Subp. 4b. **Disinfect.** "Disinfect" means the use of an antimicrobial pesticide that eliminates harmful bacteria, fungi, and viruses on nonporous surfaces.

Subp. 4c. **Disinfectant.** "Disinfectant" means an antimicrobial pesticide that is registered with the Environmental Protection Agency for use in a hospital setting and is a bactericide, virucide, and fungicide.

Subp. 5. [Repealed, 41 SR 305]

Subp. 6. [Renumbered subp 4a]

Subp. 7. [Repealed, 44 SR 941]

Subp. 8. [Repealed, 41 SR 305]

Subp. 8a. **Electrical energy treatments.** "Electrical energy treatments" means advanced practice esthetic services for the cosmetic care of the skin that use electrical energy as applied by skin care equipment used on the epidermal layer. Electrical energy treatments use light, direct current, indirect current, or sound energy, but do not include laser as identified in Minnesota Statutes, section 147.081, subdivision 3, as the practice of medicine.

Subp. 9. [Repealed, 41 SR 305]

Subp. 9a. **Extraction.** "Extraction" means the cosmetic technique of removing impactions and comedones from follicles.

Subp. 10. **Good repair.** "Good repair" means that an item is clean, with no holes, frayed wires, or tears in coverings, and fully operational for the purpose intended.

Subp. 10a. [Repealed, 44 SR 941]

Subp. 10b. [Repealed, 44 SR 941]

Subp. 10c. [Renumbered subp 10a]

Subp. 10c. [Repealed, 44 SR 941]

Subp. 10d. **Hazardous.** "Hazardous" means a hazardous substance or harmful physical agent as defined under part 5206.1500, subpart 6, or any substance defined as hazardous in Code of Federal Regulations, title 29, part 1910.1200.

Subp. 10e. **Homebound.** "Homebound" means an individual lacks the physical or intellectual capacity for independent transportation and is unable to travel independently to a licensed salon.

Subp. 11. **Licensed services.** "Licensed services" means those services defined as the practice of cosmetology under Minnesota Statutes, section 155A.23, subdivision 3.

Subp. 11a. **Lymphatic drainage.** "Lymphatic drainage" means a procedure using a light rhythmic pressure applied by manual or other means to the skin using specific lymphatic manipulations to promote drainage of the lymphatic fluid through the tissue.

Subp. 11b. **Microdermabrasion.** "Microdermabrasion" means a cosmetic procedure using mechanical or manual means of light abrasion on the epidermal layer of the skin.

Subp. 11c. **Mobile structure.** "Mobile structure" means a trailer or other enclosed space towed by a vehicle. A mobile structure does not include a manufactured home as defined in Minnesota Statutes, section 327.31, subdivision 6.

Subp. 11d. **Nursing home.** "Nursing home" means a facility that is licensed under Minnesota Statutes, chapter 144A, and does not include any attached or adjacent facilities that are not licensed as a nursing home under Minnesota Statutes, chapter 144A.

Subp. 11e. **Operator.** "Operator" means a standard license for a practitioner and not a manager license.

Subp. 11f. **Physical location.** "Physical location" means the contiguous space representing each salon that can be accessed by customers without exiting the salon.

Subp. 11g. **Porous material.** "Porous material" means a material that absorbs liquid or allows liquid to penetrate.

Subp. 11h. **Sharps.** "Sharps" means any object, sterile or contaminated, that may purposefully or accidentally cut or penetrate the skin or mucosa including presterilized single-use lancets, dermal blades, and razor blades.

Subp. 11i. **Sharps container.** "Sharps container" means a closed, puncture-resistant, leak-proof container, labeled with the international biohazard symbol, that is used for handling, storage, transportation, and disposal of sharps.

Subp. 11j. **Simple braiding devices.** "Simple braiding devices" include clips, combs, curlers, curling irons, hairpins, rollers, scissors, needles, and thread.

Subp. 11k. **Special event.** "Special event" means an event held for any purpose other than the provision of licensed services, where a participant in the event may receive the limited cosmetology services described in part 2105.0410, subpart 2, at a location not in a licensed salon.

Subp. 11l. **Sterilization.** "Sterilization" means the destruction of all microbial life and spores through the use of heat, steam, or chemical sterilants.

Subp. 12. [Repealed, 41 SR 305]

Subp. 12a. **Suite-style salon.** "Suite-style salon" means a business under part 2105.0397 specializing in leasing or renting individual rooms or suites to licensees, where the salon license may be carried by the business or where each suite has its own salon license.

Subp. 13. **Unregulated service.** "Unregulated service" means those services not defined as the practice of cosmetology under Minnesota Statutes, section 155A.23, subdivision 3, and that are exempt from regulation by the board. Unregulated services are ear piercing; body art; body painting; henna tattoos and permanent tattoos; eyebrow embroidery; eyebrow microblading; permanent hair removal; permanent makeup; tanning by UV radiation and spray tanning units; injectables; services for theatrical, television, film, fashion, photography, or media productions or media appearances; mortuary services; massage; body wraps and lymphatic drainage when performed by a massage therapist; the practice of medicine as defined in Minnesota Statutes, section 147.081, subdivision 3; hair braiding; and threading as defined in Minnesota Statutes, section 155A.23, subdivision 13.

Subp. 14. **Work area.** "Work area" means a space where regulated services are provided. A separate work area is created when the service area is partitioned from other salon spaces or work areas by walls at least six feet high and doorways of less than five feet in width.

Statutory Authority: *MS s 14.389; 45.023; 154.22; 154.24; 154.45; 154.47; 154.48; 155A.05; 155A.08; 155A.09; 155A.23; 155A.26; 155A.27; 155A.29; 155A.30; L 2014 c 169 s 4; L 2015 c 77 art 2 s 81; L 2017 1Sp4 art 2 s 64*

History: *L 1983 c 289 s 114 subd 1; L 1984 c 655 art 1 s 92; 10 SR 474; 11 SR 389; 13 SR 1056; 22 SR 594; L 2005 c 27 s 9; 30 SR 1248; L 2009 c 78 art 6 s 26; 39 SR 393; 41 SR 305; 41 SR 1087; 42 SR 589; 43 SR 347; 44 SR 941*

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