

2105.0400 SPECIFIC TYPES OF SALON LICENSES.

Subpart 1. **Additional requirements.** In addition to the requirements of parts 2105.0360 to 2105.0390, the requirements contained in subparts 2 to 6 shall be met.

Subp. 2. **Beauty salon and barber shop.** A beauty salon and a barber shop may be operated in the same establishment, if the beauty salon is clearly identified as a beauty salon by a conspicuously displayed sign that states, "Beauty Salon" in letters at least two inches in height.

Subp. 3. **Esthetician and nail services.** Esthetician services shall not be offered in a nail salon. Nail services shall not be offered in a licensed esthetician salon.

Subp. 4. **Licensed health care facilities.** Licensed health care facilities:

A. It is not necessary for a licensed health care facility to have a licensed salon in order for nursing and patient care personnel or volunteers to wash, set, or trim residents' hair.

B. Licensed operators with certificates of identification may provide cosmetology services to residents.

C. If the licensed health care facility chooses to have a licensed salon on the premises, all the requirements for a salon shall be met.

Subp. 5. **Salons in private residences.** Salons may be established in private residences, if the following conditions are met:

A. The salon shall not be used for any residential purposes at any time.

B. The salon shall be completely separated from the residential areas. There shall be a permanent, solid partition, from floor to ceiling, between the salon and the residential areas. Any door in this partition shall be kept closed at all times.

C. All cosmetology services offered by the salon shall be available within the salon.

D. Laundry tubs shall not be used as shampoo bowls.

E. If the primary residential toilet facilities are used for salon clients, they must comply with the standards in part 2105.0360, subpart 6.

Subp. 6. **Independent contractor.** A cosmetologist, esthetician, or nail technician, licensed by the state of Minnesota may lease work space from a licensed salon for use as an independent business if the following conditions are met:

A. the lessee shall have a current Minnesota manager's license;

B. the leased work space shall be at least 50 square feet for a cosmetologist or esthetician and 35 square feet for a nail technician;

C. the lessee shall have professional liability insurance in the amount required for salon licenses. It is acceptable for the salon owner's professional liability policy to provide coverage to the lessee;

D. the lessee shall comply with all requirements of this chapter regarding the operation of the leased space as if the space were a salon; and

E. the owner and/or manager of the salon from whom the space is leased must confirm that the lessee is in compliance with the requirements of this subpart prior to entering into the lease and at all times during its term.

Statutory Authority: *MS s 14.388; 45.023; 154.45; 155A.05; 155A.26; 155A.29; 155A.30*

History: *10 SR 474; 11 SR 389; 13 SR 1056; L 2005 c 27 s 9; L 2009 c 78 art 6 s 26; L 2013 c 85 art 5 s 49; 38 SR 778*

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