

CosInfo

2015

Annual News for South Dakota Cosmetologists,
Estheticians, and Nail Technicians

Website: cosmetology.sd.gov

South Dakota Cosmetology Commission
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LICENSE RENEWAL...On-Line Option

The Cosmetology Commission is close to completing implementation of our new database. One of the features of the new database is that licensees will be able to renew your personal license and salon or booth licenses on-line through the use of a credit or debit card. You will also be able to apply for a new salon or booth license on-line as well. Visit our website in the near future.

Website: <http://cosmetology.sd.gov> • Phone: 605/773-6193

PERSONAL LICENSE – \$20 Renewal Fee

Renews annually on or before your birth date.

SALON OR BOOTH LICENSE – \$35 Renewal Fee

Renews annually on or before anniversary of opening date.

PENALTY FOR LATE RENEWAL – \$20 Penalty Fee

The \$20 penalty fee is assessed for each year a license is not renewed by the expiration date shown on the license. There is no grace period if the expiration date is missed. **To avoid the \$20 penalty fee, remember to have your renewal postmarked on or before the expiration date.**

You may still renew any license in January or wait until the expiration date on your license(s).

You may renew your personal license and salon or booth license at the same time. In order to avoid the \$20 penalty, be sure you renew before the expiration date of whichever license expires first each year.

PLEASE CHECK THE MAILING ADDRESS SHOWN ON YOUR PERSONAL LICENSE RENEWAL FORM. THIS IS THE ADDRESS WHERE YOUR PERSONAL, SALON AND BOOTH LICENSES WILL BE MAILED.

IMPORTANT: You must send in your own license renewal. We will no longer accept renewal checks from anyone except the licensee, unless the licensee includes a signed, notarized statement requesting that we accept payment from another individual. This is being done to protect your license from being fraudulently obtained by another individual.

SALONS & BOOTH RENTAL INFORMATION

1. You need to apply for a booth license if you rent space in a salon. (This means that you own your own business and are not an employee of the salon.)

2. **By law, booth and salon licenses are NOT transferable. If you move your booth to a new salon, or if the salon moves, you must apply for a new salon or booth license. Your new salon or booth license must be posted in the new salon when you begin working at that location. We recommend that you send in your application and \$60 permit fee 2-3 weeks before starting work in the new location.**

3. The application fee for a new salon or booth permit is \$60. You will be issued a temporary permit and an inspector will inspect your salon or booth within the first 90 days of opening. After your salon or booth passes inspection, you will be issued a license that you must renew each year on the anniversary of your salon or booth opening. Renewal fee is \$35.

4. A salon will fail its annual inspection if all licenses (including booth rental licenses) are not current. A re-inspection fee of \$50 will be imposed if your salon or booth requires a follow-up inspection.

5. If you close your salon or booth, you are required to contact the Cosmetology Commission office to let us know.

For further information, contact the Cosmetology Commission at 605/773-6193.

SAFETY & INFECTIOUS CONTROL SEMINARS

The Cosmetology Commission had planned to sponsor Safety and Infection Control seminars in Sioux Falls and Rapid City in June 2015.

Unfortunately we have had to cancel the seminars due to an unavoidable conflict for the seminar keynote speaker. We plan to hold the seminars in 2016.

Moving to Another State?

Don't forget to request a certification of your South Dakota cosmetology license...send our office a written request that includes the following information:

- Your Name, Address, Phone
- South Dakota license # or social security number
- State where the certification should be sent
- \$20.00 certification fee
- If you would like to receive notification when your certification has been processed and sent to the other state, please provide your email address.

Salon & Booth Inspection Failures

If you fail your salon or booth inspection, a \$50 re-inspection fee will be imposed.

Commission Meetings

January 5, 2015 - Pierre
March 16, 2015 - Pierre
July 14, 2015 - Pierre
October 1, 2015 - Rapid City

Meeting schedule subject to change.

COSMETOLOGY COMMISSION

Tammy Ugofsky, President
Yankton
Lori Berreth, Vice President
Artas
Laurie Brandner, Sec-Treasurer
Pierre
Crystal Carlson
Beresford
Lori Little
Spearfish

STAFF

Kate Boyd, Executive Director
Pierre
Beth Marnell, Secretary
Pierre
Karen Dossett, Inspector
Central & Northeastern Area
Mary Rasmussen, Inspector
Southeastern Area
Georgia Linn
Western/Rapid City Area

SCOPE OF PRACTICE

COSMETOLOGY includes hair (including non-permanent hair removal, waxing), nails (manicures, pedicures, and artificial nails), and esthetics services (facials, body wraps).

NAIL TECHNOLOGY includes manicures, pedicures, and artificial nails. **Nail technicians CANNOT perform hair removal (waxing).**

ESTHETICS includes any type of skin services for beautification – and includes the whole body, not just the face. Body scrubs and body wraps are allowed.

All details on our website.

EDUCATION REQUIRED

Electric Files - 8 Hours
Microdermabrasion - 16 Hours
For more information read your Cosmetology Laws & Rules book.
A list of pre-approved providers is available from the Commission's website.

SPECIAL EVENTS EXEMPTION

South Dakota cosmetology law 36-15-54 was amended during the 2014 Legislative Session to allow certain limited cosmetology-related services including styling hair, applying make-up and painting fingernails and toenails to be performed by licensees (within the scope of their license) outside a licensed salon for weddings, professional photography sessions, school dances and other Commission-approved special events. The services must be documented through a licensed salon or booth.

The new law went into effect July 1, 2014. In addition to the specific special events noted above, the Commission has approved the following other special events: (1) Bridal Shows, (2) Plays, Musicals and Dance Recitals, (3) Community Festivals and Fairs, (4) Beauty Pageants, (5) Television and Movie Filming, (6) Sturgis Motorcycle Rally, and (7) Community events to educate the public to perform their own personal cosmetic care. **The special event exemption does NOT allow cosmetology services to be performed in a home for the convenience of the client or at group parties.** Any other proposed special events not listed above will need to be approved by the Cosmetology Commission prior to being conducted outside a licensed salon.

DISCIPLINARY ACTIONS

The following disciplinary actions have become effective since the last newsletter. (A consent agreement is an agreement between licensee and the Cosmetology Commission settling a case without proceeding to a formal hearing. Consent agreements may include suspension, safety course, additional inspections, and probation, as well as reimbursement of costs.)

ROSE NAILS, Mitchell - Nghia Vo, Owner. Violation - allowing an unlicensed individual, Nhan Vo, to perform nail technology services in salon. Consent Agreement - Salon license suspended for 7 days; Nghia Vo license suspended for 7 days; owner successfully pass State Laws/Safety & Infection Control Course and exam; additional inspections for one year.

#1 NAILS, Sioux Falls - Ngoc Lan Thi Nguyen, Owner. Violation - offering a monetary bribe to a Commission inspector on two occasions. Order of Commission - Permanent revocation of #1 Nails salon license and Ngoc Lan Thi Nguyen's nail technician license.

BLACK & BLOW ON THE GO - Sioux Falls - Landon Blow and Amanda Black. Violation - working without a salon license, performing cosmetology services outside a licensed salon. Consent Agreement - Landon Blow cosmetologist license suspended for 7 days; Landon Blow booth license suspended for 7 days; Amanda Black cosmetologist license suspended for 7 days; Blow and Black to successfully pass State Laws/Safety & Infection Control Course and exam; Blow and Black to attend private meeting with Commission staff and two members of the Commission and Department of Revenue representative.

LA NAILS - Sioux Falls - Ngoc Ann Nguyen, Owner and Cuong Bui, Nail Technician. Violation - Cuong Bui injured a client through the use of a callus shaver, an illegal implement and improperly dealing with the injury. Consent Agreement - Cuong Bui license suspended for 30 days; LA Nails salon license suspended for 7 days; Cuong Bui and Ngoc Ann Nguyen to successfully pass State Laws/Safety & Infection Control Course and exam; additional inspections for one year.

OSCAR NAILS SPA SALON - Brookings, Jimmy Nguyen, Owner. Violation - allowing an unlicensed individual, Vi Chi Luu, to perform nail technology services in salon. Consent Agreement - Salon license suspended for 7 days; Jimmy Nguyen license suspended for 7 days; owner successfully pass State Laws/Safety & Infection Control Course and exam; additional inspections for one year.

#1 NAILS, Sioux Falls - Binh Nguyen, Owner. Violation - operating a salon without a salon license. Consent Agreement - Salon license suspended for one month; owner successfully pass State Laws/Safety & Infection Control Course and exam; additional inspections for one year.

COLLEY CUTZ, Sioux Falls - Michael Colley, Owner. Violation - operating a salon without a salon license and with an expired Cosmetologist license. Consent Agreement - Upon issuance, salon license suspended for 14 days; owner successfully pass State Laws/Safety & Infection Control Course and exam.

Disinfectant Required At All Work Stations... LYSOL IS NOT A DISINFECTANT. Remember, you must have disinfectant at all work stations within the salon. If you have questions, please read your Administrative Rules book or call the Commission office at 605/773-6193. Plan to attend one of the Commission-sponsored Safety & Infection Control seminars. See article on front page.