

## Safety Guidelines: (Continued)

The consumer shall be able to observe the provider performing these duties between client services. Your technician may meet safety and infection control requirements by providing a kit for each client and/or disposing of single-use items after each client.

### Are there items that are prohibited or limited from use?

Yes. Some items can be used only once per client and other items cannot be used at all in performing services.

- The use of chamois buffers, pumice stones, credo blades, styptic pencils, and bar soap is prohibited.
- The use of non-disposable powder puffs, sponges, or neck dusters, which cannot be immersed in an EPA-approved hospital grade disinfectant is prohibited.
- Other items that can be used for only one application and disposed of include emery boards, nail white pencils (unless sharpened after each use), shaving mugs without the use of sanitary paper or plastic liners, and razors for more than one application.
- Finger bowls, pedicure bowls, and footbaths shall be cleaned, rinsed, and disinfected after each use.
- All sharp or pointed items shall be stored when not in use.
- All fluids, creams, and powders shall be dispensed with shakers, dispenser pumps, spatulas, or sprays to prevent contamination.

### Are certain products or procedures potentially dangerous or prohibited?

Yes. Some products may pose health and safety risks. Others are specifically prohibited by law.

- The permanent dyeing of eyelash or eyebrow hair is prohibited.
- All appearance enhancement licensees are prohibited from providing injections of any substance, such as Botox, Restylane or other fillers, and from providing laser services for purposes other than the removal of hair. Such services are the practice of medicine and should only be provided by a licensed medical professional.
- Licensed cosmetologists and estheticians may provide laser hair removal services, however, use caution as these services are not regulated by New York State.
- The use of monomeric methyl methacrylate (MMA) is prohibited by the Food & Drug Administration (FDA)

for use in nail services. MMA is a hazardous chemical sometimes found in acrylic liquid products, which the FDA has identified as a hazardous and injurious substance. It can cause nose and throat irritation, headaches, adverse skin reactions, and damage to the natural nail.

- Beware of certain hair smoothing products that may contain formaldehyde (even if they are labeled formaldehyde-free). Formaldehyde is a colorless gas that may cause irritation, allergic reactions, and respiratory problems. It is also a known cancer hazard.
- Department of State licensees are prohibited from offering or providing massage services unless the practitioner also holds a valid Massage Therapy license from the New York State Education Department. A separate license is required for any service that includes a separate fee, or for any massage that is not merely incidental to a beauty application. Examples of massages which require a separate license include, but are not limited to: reflexology, deep tissue massages, back massages, shoulder massages, and foot massages.

### Client safety: Negative reactions

If you have a negative reaction to a chemical service performed, tell your service provider. If the sensation is extreme or if you think you may be having an allergic reaction, ask your service provider for a Safety Data Sheet (SDS) and seek medical attention.

### Complaints

Anyone who believes they are a victim of an untrustworthy or incompetent licensee of the Department of State or who is aware of unlicensed conduct, should contact the Department of State at (518) 474-4429 or access the Department's website at <https://dos.ny.gov> to download and complete a Preliminary Statement of Complaint form.

Submit complaint forms to:  
Department of State  
Division of Licensing Services  
Attn: Complaint Review Office  
PO Box 22001  
Albany, NY 12201-2001



**Kathy Hochul**  
Governor

**Robert J. Rodriguez**  
Secretary of State

10/22



**Department  
of State**

# Consumer Guide to Beauty Salons & Spas

*How to be sure your salon or spa  
follows safe practices*



**Kathy Hochul**  
Governor

**Robert J. Rodriguez**  
Secretary of State

**Although many consumers don't always stop to think about health and safety issues when getting a beauty or spa treatment, they should. That's because most beauty treatments involve actions that can be dangerous if they aren't performed by properly trained and licensed professionals. Negative reactions from improperly performed treatments can include bacterial infections, transmission of diseases, adverse reactions, and even physical injury.**



### **What if I cannot locate a license?**

If you do not see both a current business license and a current NYS-issued cosmetology, nail specialty, esthetics, waxing, or natural hair styling license on display, ask the service provider to show them to you. Both licenses are required to legally perform appearance enhancement services.

### **What should I do if I cannot locate the proper licenses?**

If a New York State appearance enhancement business and operator license are not available for your viewing, you may want to verify the provider's licensure by contacting the NYS Department of State, Division of Licensing Services. You may access the Licensing Services' online database at <https://dos.ny.gov>.

### **What other information should be posted at the spa/salon?**

In addition to licenses, an itemized list of all services performed and prices charged for those services must be conspicuously displayed.

### **Are there limitations to the services that an appearance enhancement licensed professional may perform?**

A provider must be licensed in the services that they are performing. All personal services offered in New York State require that the individual offering these services have the proper training and be licensed to offer that particular service to the consumer. The General Business Law in New York State covers services that include:

- hair and chemical services
- nail services
- waxing and hair removal services
- face and body treatments

It is important to note that not all practitioners are licensed to perform all services. NYS-licensed cosmetologists can legally perform hair services, nail services, skin services, and waxing. Estheticians can perform all services except hair and nail services. Nail, waxing, and natural hair styling specialists can only perform those specific services for which they are licensed.

**Note:** Nail specialists who do not have a waxing license cannot perform waxing services in New York State.

### **Safety Guidelines:**

It is important to note some of the safety guidelines that all practitioners are required to follow:

- The facility where any service is being offered shall be clean, in good repair, and free from dangerous conditions or hazards.
- Sufficient space with good lighting shall be provided to ensure the safety and health of the consumer.
- Hot and cold running water, toilet facilities, and covered containers for paper and waste shall be provided.
- State regulations require that a provider follow infection control procedures that protect the provider and client. Hand washing is required of all nail care clients and providers prior to a nail service being performed.
- Tables and beds used for personal services shall be sanitized/ cleaned between each client.
- All implements that may abrade or clip superficial skin shall be immersed in an EPA-approved hospital grade disinfectant for at least 10 minutes and disinfected after each use.
- Porous manicuring and waxing implements such as emery boards, block buffers, and waxing sticks and other implements that cannot be disinfected shall not be used for more than one person.
- Gloves shall be worn by operators performing waxing or extractions.
- Disposable supplies such as cotton, sponge applicators, and paper products shall never be used for more than one person.
- Disposable towels and paper table coverings shall only be used as a single-use item.
- Other tools used to provide services shall be cleaned, then disinfected after each client, using an EPA-approved hospital grade disinfectant. These tools include but are not limited to scissors, razors, clippers, combs, brushes, capes, and bowls.



### **Selecting a Salon or Spa**

All appearance enhancement service professionals as well as all spas and salons must be licensed to legally operate within New York State (NYS). The consumer should look for:

- A business license on display at the entrance or reception area in the spa or salon where the licensed activities are performed
- An appearance enhancement license with a photograph for each operator within a spa or salon

In New York State, there are five areas of licensure for appearance enhancement providers:

- Cosmetology
- Esthetics
- Nail Specialty
- Natural Hair Styling
- Waxing

