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**Rules of**  
**Department of Economic**  
**Development**  
**Division 90—State Board of Cosmetology**  
**Chapter 4—Beauty Shops**

<b>Title</b>	<b>Page</b>
<b>4 CSR 90-4.010</b> Shops .....	3
<b>4 CSR 90-4.020</b> Practice Outside of or Away from Beauty Shops.....	5

**Title 4—DEPARTMENT OF  
ECONOMIC DEVELOPMENT  
Division 90—State Board of  
Cosmetology  
Chapter 4—Beauty Shops**

**4 CSR 90-4.010 Shops**

*PURPOSE: This rule explains the licensing procedure and requirements for beauty shops.*

(1) New Shops.

(A) Any person desiring to open a beauty shop in Missouri shall submit an application to the board at least thirty (30) days prior to the anticipated opening of the shop. The application shall be submitted on a form approved by the board, be accompanied by the biennial shop fee and, in addition, state the following information:

1. The name and address of the owner(s) or lessor(s) and lessee(s) where appropriate;
2. The shop's name and complete mailing address;
3. A copy of the proposed/existing facility's floor plan, including the approximate dimensions and square footage; and
4. Other information as the board shall deem necessary, relevant and reasonable.

(B) Upon receipt of a properly completed application, the board, within a reasonable time, will make a decision to approve or deny the application. In the event the board shall deny an application, the applicant shall be notified, in writing, of the specific reasons for denial.

(C) No beauty shop shall be opened in Missouri until an application on a form supplied by the board and the biennial shop fee have been received by the board and the shop facility has been inspected and approved by the board.

(2) Any licensed cosmetologist practicing the profession of cosmetology in a barber shop or in a licensed cosmetology shop other than as a shop employee must possess a current shop license as well as an operator license and shall make application in accordance with the provisions and requirements defined in sections (1), (3) and (4).

(3) License.

(A) Original Licensure. Each certificate of registration (license) for a shop issued by the board shall be valid only for the premises located at the address provided in the initial application for the shop. If at any time during the license period the physical plant or operation of the shop is moved to a new address, if ownership is transferred or a co-owner(s)

added, the license for the shop shall become void.

1. Change of location. No shop shall be opened at a new location in Missouri until a new application is received by the board accompanied by the biennial fee and the facility has been inspected and approved by the board.

2. Change of ownership. For ownership to be transferred or a co-owner(s) added, a license shall not be issued by the board until a new application has been received by the board, accompanied by the biennial fee and the shop facility has been inspected and approved by the board.

3. Deleting a co-owner. If a co-owner(s) ceases ownership of a shop, it shall be the responsibility of the shop's co-owner(s) to notify the board of this change in writing. The written notice shall serve as documentation of the change and a new application shall not be required.

(B) Delinquent Fee. A delinquent fee shall be assessed in addition to the biennial fee if a shop is opened prior to inspection and licensing by the board.

(C) Additional Operators. The minimum biennial fee for a shop shall license the shop for up to three (3) operators, including apprentices, students with temporary permits, or both. An additional fee is required for each additional operator working in the shop. If at any time during the license period the number of operators working in the shop exceeds the number of operators for which the shop is licensed, it is the responsibility of the holder(s) of the shop license to submit written notification to the board along with the fee for each additional operator.

(D) Duplicate License. If a shop license has been destroyed, lost, mutilated beyond practical usage or was never received, the holder(s) of the shop license may obtain a duplicate without a fee upon the submission of an affidavit to the board on a form provided by the board. If a shop has a name change or the owner has a name change during the license period and a revised license is desired, the holder(s) shall submit a request in writing to the board, along with the shop license currently in his/her possession and the duplicate license fee.

(E) Display of License. Shop licenses shall be posted in plain view within the shop or establishment at all times. Operator licenses, apprentice licenses or student temporary permits shall either be posted at each respective assigned work station or all posted together in one (1) conspicuous, readily accessible, central location within the shop area that will allow easy identification of the persons working in the shop by clients, board representa-

tives or the general public. Photographs taken within the last five (5) years shall be attached to operator licenses. Photographs taken within the last two (2) years shall be attached to apprentice licenses and student temporary permits.

(F) Renewal of License. All existing shops in Missouri currently possessing a shop license, on or before the renewal date, shall submit an application to the board for renewal of the license accompanied by the biennial renewal fee and in addition, provide the information required by paragraphs (1)(A)1., 2. and 4. of this rule. Renewal notices are sent out by the board as a courtesy. It is the responsibility of the holder(s) of the shop license to renew the license by the expiration date. Failure to receive a renewal notice does not relieve the holder(s) of this responsibility.

(G) Reinstatement of License. The holder(s) of a shop license which has not been renewed by the renewal date shall be required to submit a late fee in addition to the biennial renewal fee in order to reinstate the license. The holder(s) of the license for a shop which continues to operate although the license has not been renewed shall be subject to disciplinary action if the license is not reinstated within ten (10) working days following the mailing of a notice to the holder(s) or sixty (60) days from the renewal deadline, whichever is later, for operating a shop without a license.

(4) Shop Inspections. It shall be the responsibility of the holder(s) of the license for a shop to make that shop available for inspection by the board or its representative. Shops that do not have regular business hours must keep the board apprised of those times during which the shop is open and may be inspected. Failure to respond to a request by the board for a list of times during which the shop is open and available for inspection constitutes grounds for disciplinary action against the holder(s) of the salon license pursuant to section 329.140, RSMo.

(5) Apprentice Shops.

(A) Any person desiring to initiate a program of apprenticeship training in a shop shall provide to the board the following information at the same time as the necessary application for the apprentice supervisor listed in subsection (6)(A):

1. The name and address of the apprentice shop;
2. The floor plan of the apprentice shop;
3. The contract, if any, between the apprentice supervisor and the apprentice;
4. Two (2) letters of character reference for the apprentice supervisor;

5. Two (2) additional letters of reference from licensed cosmetologists affirming the apprentice supervisor's competence as a cosmetologist; and

6. An affidavit attesting that the apprentice supervisor shall personally supervise the apprentice during the apprenticeship.

(B) It shall be required for the apprentice shop to be duly inspected and approved by the board or its authorized representative prior to commencement of apprentice training.

(C) Any shop advertising the services of an apprentice, in addition, shall provide notice, in print one-half (1/2) the size of the shop name, that the apprentice is a student of cosmetology and/or manicuring.

(D) The apprentice shop shall not hold itself out as a school and shall not train/supervise more than one (1) apprentice at a time. The apprentice shop shall not accept any fee from the apprentice or any representative of the apprentice.

(E) Subjects of apprenticeship study shall conform to Columns B, C and D in 4 CSR 90-2.010(5)(A).

(F) The apprentice license shall be conspicuously posted at the appropriate station at all times and shall have a photograph attached which has been taken within the last two (2) years. The apprentice license is not transferable.

(6) Apprentice Supervisors.

(A) Any person desiring to practice as an apprentice supervisor shall have been licensed as a cosmetologist and/or manicurist for not less than two (2) years immediately prior to application as an apprentice supervisor. Said person shall provide to the board—

1. The name and address of the apprentice to be supervised;

2. Apprentice supervisor application properly completed on a form supplied by the board;

3. Two (2) letters of character reference for the apprentice supervisor;

4. Two (2) additional letters of reference from licensed cosmetologists affirming the applicant's competence as a cosmetologist and/or manicurist;

5. Proof of successful completion of a twelfth grade education (diploma or General Educational Development (GED) certificate);

6. Two (2) bust photographs measuring two inches square (2" × 2") taken within the last two (2) years;

7. An affidavit attesting that the apprentice supervisor shall be physically present at all times that his/her apprentice is receiving credited hours toward the required minimum for testing. For emergency purposes one (1) secondary licensed cosmetologist/manicurist

from the apprentice shop shall be named as acting apprentice supervisor. The acting supervisor shall not be responsible for more than a total of five percent (5%) or one hundred fifty (150) hours of supervision for a cosmetology apprentice. The acting supervisor shall not be responsible for more than a total of five percent (5%) or thirty-five (35) hours of supervision for a manicuring apprentice. The designation of an acting supervisor is limited to cases of sickness, vacation, or emergencies of the apprentice supervisor and any misuse of this privilege shall result in said supervisor's certificate revocation. The acting apprentice supervisor shall hold a current license consistent with the training of the apprentice and must be named and approved;

8. Application for a board-approved training session emphasizing teaching methodology. The session shall be eight (8) hours in length. Those apprentice supervisor applicants who currently are licensed instructors in the state of Missouri may forego the training session for becoming a supervisor; and

9. The training session fee.

A. Upon the receipt by the board of all items required by subsection (6)(A), the board shall schedule the applicant for seminar training as an apprentice supervisor.

B. Upon the successful completion of the seminar, the board shall issue the applicant a certificate as an apprentice supervisor. The apprentice supervisor certificate shall expire upon the apprentice's completion of training hours. The apprentice supervisor certificate is nontransferable and nonrenewable, unless an extension of the certificate is necessary for the apprentice to complete his/her hours. The apprentice supervisor certificate shall be conspicuously displayed within the apprentice shop with a photograph taken within the last two (2) years.

C. The apprentice supervisor shall not hold him/herself out as a school and shall not train/supervise more than one (1) apprentice at a time. The apprentice supervisor shall not accept any fee from the apprentice or any representative of the apprentice for instruction, rent, supplies, equipment or any other necessary tools for instruction.

D. The apprentice supervisor must provide the following equipment: dresserette, mannequin, manicure table and supplies, current textbook on theory, facial equipment, thermal iron, hairdressing supplies and other equipment as deemed necessary and reasonable by the board.

E. The apprentice supervisor shall submit monthly reports by the tenth day of the following month for the apprentice in

training on forms supplied by the board. Upon termination of training by the apprentice, submit to the board within two (2) weeks a properly completed termination form supplied by the board. The form shall list the total number of training hours completed by the apprentice, allocated by subject area, the date the apprentice terminated training, and shall be accompanied by the apprentice's license and any unused materials supplied by the board.

F. All previously approved apprentice supervisors applying to supervise an apprentice after September 1, 1995, shall comply with all regulations for apprentice supervisors as set forth in 4 CSR 90-4.010.

G. The apprentice supervisor has thirty (30) days to begin training of apprentice subsequent to attending the board-approved training session as referenced in 4 CSR 90-4.015.

H. The board shall grant a waiver of the training session fee and completion of a board-approved training session provided—

(I) Within the first six (6) months of the date of issuance of the apprentice supervisor certificate either party terminates the training; and

(II) The apprentice supervisor reapplies to supervise a new apprentice within the same six (6) months.

*AUTHORITY: sections 329.010 and 329.050, RSMo Supp. 1999 and 329.230, RSMo 1994.\* This version of rule filed June 26, 1975, effective July 6, 1975. Amended: Filed Dec. 19, 1975, effective Dec. 29, 1975. Amended: Filed Dec. 10, 1981, effective March 11, 1982. Amended: Filed Oct. 14, 1986, effective Jan. 30, 1987. Amended: Filed June 16, 1987, effective Aug. 27, 1987. Amended: Filed April 19, 1989, effective July 1, 1989. Amended: Filed Aug. 2, 1990, effective Dec. 31, 1990. Amended: Filed June 24, 1993, effective Dec. 9, 1993. Amended: Filed Nov. 30, 1994, effective May 28, 1995. Amended: Filed Dec. 14, 1995, effective June 30, 1996. Amended: Filed July 11, 2000, effective Jan. 30, 2001.*

*\*Original authority: 329.010, RSMo 1939, amended 1979, 1995; 329.050, RSMo 1939, amended 1945, 1949, 1961, 1981, 1989, 1995, 1996; 329.230, RSMo 1945, amended 1981.*

**Op. Atty. Gen. No. 31, Brown (4-19-78).** Barbers and cosmetologists may work in the same physical area if the area is licensed as a cosmetology shop and is subject to inspection by both the State Board of Cosmetology and the State Board of Barber Examiners.

**Op. Atty. Gen. No. 412, Grant (9-16-70).** Department store sales personnel who receive compensation either from the store or from the customer for combing, brushing and arranging individuals' hair in the process of selling or servicing wigs are practicing the occupation of hairdresser and must obtain a certificate of registration from the State Board of Cosmetology. The department store in which the occupation of hairdresser is practiced must also obtain a certificate of registration from the State Board of Cosmetology.

**Op. Atty. Gen. No. 58, McBrayer (5-15-64).** The board has not been authorized by statute to require a shop owner who teaches an apprentice to be a licensed instructor.

**Op. Atty. Gen. No. 58, McBrayer (10-5-59).** A person who trains an apprentice in any of the classified occupations governed by the cosmetology laws of this state is not required to obtain an instructor's license to teach the classified occupations. To train an apprentice, one need only be a registered operator.

**Op. Atty. Gen. No. 19, McBrayer (7-13-55).** Board of Cosmetology may not prohibit the employment of both black and white operators in the same establishment nor prohibit both white and black persons from patronizing such establishments.

**Op. Atty. Gen. No. 58, McBrayer (11-13-53).** Missouri law relating to the registration of shops in which the occupation of hairdressers, cosmetologists and manicurists is practiced is not applicable to shops at Camp Crowder nor at Fort Leonard Wood in Missouri.

#### 4 CSR 90-4.020 Practice Outside of or Away from Beauty Shops

**PURPOSE:** This rule explains the licensing procedure and requirements for the practice of a licensee practicing one of the classified occupations of cosmetologist, hairdresser or manicurist outside or away from his/her principal office, place of business or employment as authorized in section 329.110.2, RSMo.

(1) As used in this rule, the following terms shall mean:

(A) Licensed shop means a bona fide principal office, place of business or employment, licensed by the board, which is regularly operated for the purpose of engaging in the practice of cosmetology;

(B) Principal shop means the shop where the licensee is employed the majority of the

time (no less than fifty-one percent (51%) of the total hours per week employed.

(2) Certificate of Identification.

(A) Requirement. Each and every time a licensee provides cosmetology services to any person outside a licensed salon, the licensee must deliver a completed certificate of identification to person receiving the cosmetology services. The licensee shall deliver the completed certificate of identification prior to performing any cosmetology services.

1. Every certificate of identification shall include the following information:

- A. The licensee's name;
- B. The licensee's signature;
- C. The licensee's operator license number;
- D. The expiration date of licensee's operator license;
- E. The post office address of the person receiving the cosmetology services; and
- F. The date the licensee delivered the certificate of identification to the person receiving the cosmetology services.

2. Any licensee may obtain a form certificate of identification from the board free of charge. A licensee may obtain this form certificate of identification upon written request to the board office. Licensees may reproduce the form certificate of identification as needed.

(B) Use. Licensees may use certificates of identification to provide only those cosmetology services that the licensee is licensed and trained to perform. All licensees performing services outside a licensed salon with a certificate of identification must comply with all relevant sanitation regulations governing the practice of cosmetology.

(3) Portable Kit Requirements.

(A) All supplies and implements shall be transported in an airtight container containing an active fumigant, and all implements, towels and instruments shall be sterilized and wrapped or stored in individual plastic containers.

(B) Sterilized implements, towels and instruments shall be kept completely separate and apart from used materials.

(4) The board prohibits persons licensed in accordance with section 329.020, RSMo, from contracting with, being employed by or being provided space or leasing space from a nursing home, hospital or similar health care facility for the purpose of establishing a bona fide place of business for the purpose of practicing cosmetology without a shop license.

**AUTHORITY:** sections 329.110.2, RSMo Supp. 1999 and 329.230, RSMo 1994.\*

*Original rule filed Dec. 7, 1983, effective March 13, 1984. Amended: Filed Aug. 2, 1990, effective Dec. 31, 1990. Rescinded and readopted: Filed March 15, 2000, effective Sept. 30, 2000.*

*\*Original authority: 329.110.2, RSMo 1939, amended 1945, 1981, 1995 and 329.230, RSMo 1945, amended 1981.*