



# NEW JERSEY DIVISION OF **CONSUMER AFFAIRS**

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## **Personal Care Services by Cosmetology Board Licensees**

### **Frequently Asked Questions (FAQs)**

**September 1, 2020**

Practitioners are encouraged to check their licensing board [website](#) for additional information.

The State of New Jersey COVID-19 Information Hub is [here](#).

Coronavirus disease 2019 (“COVID-19”) is the disease caused by a new coronavirus first detected in humans in December 2019. The State of New Jersey has implemented extraordinary measures to combat the spread of the disease, including actions taken to establish health and safety standards to protect consumers.

The rules applicable to personal care facilities, including cosmetology shops, barber shops, beauty salons, hair braiding shops, and nail salons (collectively, “shops”) have changed over time during the pandemic, based on available data about the threat posed by the virus. This document answers some of the frequently asked questions about the requirements in effect as of September 1, 2020, which are set forth in [DCA Administrative Order 2020-11 \(DCA AO 2020-11\)](#). Specifically, DCA AO 2020-11 establishes requirements for shops regarding screening protocols for clients and staff; standards for the wearing and use of Personal Protective Equipment (PPE), including standards applicable to services that require removal of a client’s face covering; standards for disinfection and cleaning practices; and a continuing duty that licensees stay informed about new developments and obligations.

Licensees should become familiar with DCA AO 2020-11, because those who fail to comply with the health and safety standards established in DCA AO 2020-11 not only jeopardize the health and safety of all individuals in a shop, but also could be subject to disciplinary action.

**Q: Which Board of Cosmetology licensees are responsible for complying with the requirements of the Administrative Order?**

A: All Shop license holders and Experienced Practicing Licensees (EPLs) are responsible for complying with all of the requirements of DCA AO 2020-11 and for ensuring that the shop is in compliance with all of the requirements of the Administrative Order as well. Other licensees who are working at a shop but who are not owners or EPLs of that shop must comply with all of the requirements of the Administrative Order that apply to employees, such as the requirement to wear a face covering when present in the shop.

**Q: As a licensee of the Board of Cosmetology, can I provide services in a licensed shop?**

Yes. All Board-licensed shops are permitted to operate so long as they comply with all Board regulations and the requirements of DCA AO 2020-11, as amended or superseded. Shops must also comply with any applicable requirements that may be imposed in any Executive Order issued by the Governor, and any other applicable administrative orders. These include any and all requirements limiting the number of persons that may be in an indoor facility such as a shop, requirements relating to face coverings, and requirements for social distancing indoors.

**Q: Can licensees provide services in any settings other than a licensed shop?**

Yes. In addition to licensed shops, licensees are authorized to provide services at health facilities providing medically necessary or therapeutic services, such as medical facilities where burn

victims receive care. Services may also be provided to people confined to their homes who are unable to travel due to a disability. Services performed in these settings must be provided in a manner consistent with all of the health and safety standards that would be applicable in a shop setting.

**Q: Do clients need to be screened before they enter the shop?**

Yes. Services may only be provided to a client who has a pre-scheduled appointment, and each client must be screened twice, once not more than 24 hours prior to the scheduled appointment, and a second time when the client arrives at the shop premises. The initial screen may be done by telephone or on-line; the second screening must be done when the client arrives at the shop for the scheduled appointment.

**Q: What questions should clients be asked as part of the screenings?**

The client must be asked the following questions at both screenings:

- 1) Within the past 72 hours, have you had: fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headaches, new loss of taste or smell, sore throat, congestion or runny nose and/or nausea or vomiting; and
- 2) Within the past 14 days, have you had a known exposure to any individual suspected or confirmed to have COVID-19? Healthcare workers whose only exposure to individuals suspected or confirmed to have COVID-19 was in a healthcare setting where the healthcare worker was wearing appropriate PPE may answer “no” to question 2.

Clients are not required to specify their symptoms, but anyone who answers yes to either question 1 or 2, whether at the time of the initial pre-screening or when arriving at the shop, must be advised that their appointment is cancelled.

**Q: Do licensees need to conduct temperature checks on clients?**

Yes. In addition to the mandatory screening questions, all individuals coming to the shop premises must submit to a no-contact forehead temperature check. Any person with a temperature exceeding 100.4 degrees must be denied entry to the shop.

**Q: Do shop staff need to be screened?**

Yes. All staff must be screened in a manner similar to clients prior to the start of each working shift. Specifically, each staff member must be asked:

- 1) Within the past 72 hours, have you had: fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headaches, new loss of taste or smell, sore throat, congestion or runny nose and/or nausea or vomiting; and
- 2) Within the past 14 days, have you had a known exposure to any individual suspected or confirmed to have COVID-19? Healthcare workers whose only exposure to individuals suspected or confirmed to have COVID-19 was in a healthcare setting where the healthcare worker was wearing appropriate PPE may answer “no” to question 2.

Staff are not required to specify their symptoms, but any staff member who answers “yes” to either question 1 or 2 must be advised that they are not permitted to enter the shop.

In addition to the mandatory screening questions, all staff members must submit to a no-contact forehead temperature check. Any staff member with a temperature exceeding 100.4 degrees must be denied entry to the shop. During the course of a work day, any staff member who develops a temperature above 100.4 degrees or shows symptoms of COVID-19 must be required to leave the premises.

Staff members who are sent home for any of the above reasons are not permitted to return to work until at least 72 hours after they are symptom free without having taken any fever-reducing medication, and until at least 14 days after the last exposure to a suspected or confirmed COVID-19 positive individual. Licensees are required to monitor and follow CDC guidelines regarding when it is permissible for someone to return to work.

**Q: What personal protective equipment needs to be worn in the shop?**

At a minimum, everyone in the shop – including owners, managers, staff, clients and anyone accompanying a client – must wear a face covering at all times, except when doing so would inhibit an individual’s health or when the individual is under two years of age. Cloth face coverings, surgical masks, and respirators are all appropriate forms of face coverings.

A client may remove his or her face covering to receive services that can only be provided without a face covering. Examples of those services include facial waxing, facials and shaving services. When providing a service that requires the removal of the client’s face covering, staff must wear a face covering *and* a face shield.

When providing manicuring services, manicurists may choose to use a table shield instead of a face shield.

All staff must wear gloves when handling dirty linens and laundry.

**Q: Are there any special cleaning and disinfection requirements?**

Yes. AO 2020-11 sets forth twelve specific requirements for enhanced disinfection and cleaning practices. These include requirements that all shops must:

- adhere to the CDC's infection control guidelines (available at <https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control.html>);
- implement additional infection control measures to ensure that all surfaces and equipment are disinfected between clients;
- first clean, and then disinfect, surfaces between clients, and allot sufficient time between appointments for appropriate disinfection;
- improve ventilation by increasing the circulation of outdoor air as much as possible;
- use disinfectants that are EPA-registered and labeled as bactericidal, virucidal, and fungicidal;
- launder and/or disinfect reusable items;
- prohibit product-sharing between and among staff; and
- perform enhanced cleaning and disinfection in the event individuals suspected or confirmed to have COVID-19 have been on the premises.

**Q: Are there protocols for services performed at nursing homes, hospitals, or other licensed health care facilities?**

If you perform services outside of a licensed shop, you should follow all of the sanitization and sterilization requirements of DCA AO 2020-11 that are applicable to the practice setting, as well as any other health and safety standards and requirements that apply in that setting. Please be advised that services still cannot be provided outside of facilities licensed as shops by the Board or health facilities providing medically necessary or therapeutic services, with the limited exception of the provision of services to persons who are confined to their home and unable to travel due to a disability, unless and until such services are explicitly allowed by an order of the State Director of Emergency Management.

**Q: Are there any services that cannot be provided?**

No. Licensees can now provide any service within their scope of practice, including those that require the removal of a client's face covering, subject to additional face-covering requirements described above. Licensees must also advise clients that removal of face coverings increases the risk of transmission of COVID-19 and confirm with clients that they consent to such services.

**Q: Can I use a hair dryer for blow-outs?**

Yes. There is no prohibition on the use of hair dryers in shops.

**Q: When do physical barriers have to be installed in the shop, and where do they have to be installed?**

If feasible, barriers must be installed in the reception area of a shop to separate clients and staff. Installation may occur specifically at the reception desk, where clients are greeted and face-to-face transactions occur. Manicure shops may choose to install table shields. For further protection, a shop may also install barriers in other areas, such as in-between shampoo bowls or styling stations, but is only *required* to do so if staff-client pairs are unable to maintain 6 feet of separation from other staff-client pairs at all times.

**Q: Can exterior doors be left open to increase air flow? If exterior doors are left open, how can I prevent walk-in clients from entering?**

Yes. Exterior doors may be left open to increase air flow. It is every shop's responsibility to control the flow of clientele. To achieve this, communication is key. Each shop must communicate the importance of required social distancing and adhere to mandated protocols, including the prohibition on walk-ins and the requirement that clients contact the shop remotely to set an appointment. Shops may also consider placing physical signs or barriers, such as a plant or rope, in front of open doorways to indicate that walk-ins are not permitted while still providing for adequate air flow.

**Q: Can I charge a cancellation fee if a client appointment is cancelled?**

If an appointment is cancelled as a result of a client answering "yes" to any screening question, or because the client reports having COVID-19 symptoms or exposure, the client cannot be charged a cancellation fee.

**Q: I need to submit an application for licensure or renewal. Can I come to the office of the Division of Consumer Affairs to submit the documents?**

The Division of Consumer Affairs has temporarily suspended in-person office visits due to the risk of COVID-19. To submit an application, or if you have previously mailed an application to the Board and are uncertain of its status, please email the Board at [malangaj@dca.njoag.gov](mailto:malangaj@dca.njoag.gov). You may also contact the Board by phone or by hard copy mail (rather than by email), but this may result in a delayed response to your inquiry.