



TANNING NEWS

Kansas Board of Cosmetology Quarterly Newsletter

January 2016

New Year - New Look

Newsletters

This year, the newsletter has a new look. The Board will also publish a quarterly newsletter for each of the professions it regulates. Cosmetology and Body Art newsletters will be available on the Board's website.

If you have suggestions for articles, questions or information you would like to submit for publication, please contact the Board at kboc@kboc.ks.gov.

2016 Legislative Session

The 2016 Legislative Session began on January 11, 2015.

This year, the Board voted to seek the following legislative changes:

- Changing the name of the Board to the "Kansas Board of Beauty and Body Professions" to better reflect the professions it regulates; and
- Removing the requirement that tanning devices not exceed 100° Fahrenheit in temperature.

For the past several years, state legislators have sought to restrict the use of tanning devices by minors even with parental consent. The FDA has now proposed a new rule that would restrict minors' access to tanning devices. More information about the proposed rule can be found on page 3 of this Newsletter.

If state legislation or a federal rule is passed which restricts minors' access to tanning devices, the Board will notify all facilities.

2016 Board Meeting Schedule

- January 11 - Board Office
- February 8 - Teleconference
- March 14 - Board Office
- April 11 - Teleconference
- May 9 - Board Office
- June 13 - Teleconference
- July 11 - Board Office
- August 8 - Teleconference
- September 12 - Board Office
- October 10 - Teleconference
- November 14 - Board Office
- December 12 - Teleconference

Members of the Kansas Board of Cosmetology

David Yocum - Chair
School Representative - Manhattan

Tina Burgardt
Cosmetologist - Garden City

Glenda Chappell
Public Member - Topeka

Kimberley Holm
Public Member - Kansas City

Roger Holmes - Vice Chair
Tanning Representative - Stillwell

Kathryn Skepek
Cosmetologist - Lawrence

Janey McCarthy
Cosmetologist - Topeka

Matthew Goss
Tattoo Artist - Manhattan

Mission Statement

To protect the health and safety of the consuming public by licensing qualified individuals and enforcing high standards of practice.

In This Issue

- Legislative Agenda
- Inspections
- Warning Signs
- Eyewear
- Staff & Board News
- FDA Proposed Rules

Inspections

You may find it useful to keep a folder or notebook with a log of all trained tanning device operators, your notice to consumers and bulb compatibility sheets for easy viewing by the inspector and to minimize interruptions to staff during an inspection.

- **Log of Trained Tanning Device Operators**

You can download a [log](#) from our website

- **Written Notice to Consumers**

This is a notice that must be given to each consumer before use of a tanning device. The notice must state the following:

(a) Failure to use the eye protection provided to the customer by the tanning facility may result in damage to the eyes;

(b) overexposure to ultraviolet radiation causes burns;

(c) repeated exposure to ultraviolet radiation may result in premature aging of the skin and skin cancer;

(d) abnormal skin sensitivity or burning may be caused by reactions of ultraviolet radiation to certain: Foods; cosmetics; or medications, including: Tranquilizers; diuretics; antibiotics; high blood pressure medicines; or birth control pills; and

(e) any person taking a prescription or over-the-counter drug should consult a physician before using a tanning device.

- **Bulb Compatibility Sheets**

If you are not sure that you have a bulb compatibility sheet for each type of device in your facility, you can contact your distributor and they will send you a copy.

Warning Signs

Facilities are required to having a warning sign posted in the lobby of the facility and in each room. These signs differ in wording. The correct sign must be posted.

If you need new signs, you can request copies from your inspector or download the [signs](#) from our website.

If you print your own signs, they must be on an 8 ½ x 11 sheet of paper. The signs don't have to be printed on a certain color of paper.

Eyewear

Reusable eyewear may only be disinfected by a tanning device operator.

Some facilities have a container in each room filled with disinfectant and eyewear. Clients are removing the eyewear from the disinfectant, drying it with a paper towel and then using the eyewear. After use, clients are placing the eyewear back in the disinfectant container. Disinfectants are powerful pesticides and this practice is dangerous.

Follow proper disinfecting steps:

- Clean with soap and water;
- Rinse and dry;
- Place in disinfectant for full contact time;
- Rinse and dry.

New Board Members

Matthew Goss

Tattoo Artist

I apprenticed under Robert at Stray Cat Tattoo and spent 5 years working under Robert before opening Syndicate Tattoo in Manhattan.

I love our industry and will do what I can to preserve the history and heritage of tattooing and work as I can with legislators to educate them on our industry.



Janey McCarthy

Cosmetologist

I have been a licensed cosmetologist for the past 31 years, and am the owner of Blondie's Hair Designs in Topeka for the past 26 years. Recently, the salon has expanded to a new location with eight stylists.

I am very excited for the opportunity to serve on the Board of Cosmetology and to give back to a profession that has been very good to me.



Staff Changes

Wendy Flowers was promoted to Facility Inspector for Region 2.

Ms. Gloeckner was promoted to Director of Administration.

LeAnna Hickman was promoted to Director of Licensing.

Michaela Ewing joined the Board's Licensing Department in December. She will handle body art licensure, out-of-state licensure for the cosmetology professions and continuing education for trainers and instructors. Michaela will also serve as the Board's records custodian for Kansas Open Records requests.

Aubrie Pryer joined the Board's Enforcement Department in December. She will handle felony applications, late apprentice applications, remedial actions, fines and complaints. Aubrie will also serve as Secretary to the Board.

FDA Proposes Two Rule Changes

The FDA is taking comments on two proposed rule changes that will effect facility operators, consumers and manufacturers. You can make comments online by visiting the links below for each proposed rule.

Rule 1 - Restricted Sale, Distribution, and Use of Sunlamp Products

This proposed rule would effect users, tanning facility operators, and manufacturers and distributors of sunlamp products. Any final rule would take effect 90 days after its date of publication in the Federal Register.

- It restricts use of a tanning device to persons age 18 and older. The rule does not make a provision for a parent or a physician to give consent to the use of a tanning device by a minor.
- It requires all tanning facility operators to provide a copy of the tanning device user manual (or the name and address of the manufacturer or distributor that can provide a copy of the manual) to any user or prospective user that requests one.
- It requires users of a tanning device to sign a risk acknowledgment certification and to re-sign the certification every six months. The certification would have to be retained by the facility for one year. The proposed certification states:

RISKS OF INDOOR UV TANNING

Food and Drug Administration (FDA) regulations require all users to certify that they have read the information below regarding both the dangers of exposure to ultraviolet (UV) radiation from indoor tanning devices and the proper use of these devices.

- UV radiation from indoor tanning devices can cause:
 - Skin cancer, including melanoma, the type of skin cancer responsible for the most deaths.
 - Eye burns which can cause intense pain and negatively affect vision
 - Sunburn (discomfort, pain, tenderness on the skin)
 - Early skin aging, such as wrinkles and age spots
- You must not use this device if you are under 18 years of age.
- Do not use if you have skin that easily sunburns or does not tan, as you are unlikely to tan with these devices and you are a higher risk for developing skin cancer.
- Do not use if you have any rashes or open wounds.
- Do not use beyond the manufacturer’s recommended exposure schedule to avoid burns and over exposure. The manufacturer’s recommended exposure schedule can be found on the device.
- Please consult your doctor or pharmacist about any medicines that you are taking before using indoor UV tanning devices. Certain medicines (for example, tetracycline) or skin products (for example, some cosmetics) can increase your sensitivity to UV radiation.
- Use appropriate protective eyewear. Failure to do so may result in short-term and long-term injury to the eyes such as severe burns, cataracts, or eye cancer. Unprotected exposure to the intense visible light from some indoor tanning devices can cause damage to your vision, which may be permanent.
- Consult your doctor if you or someone in your family has a history of skin cancer because UV tanning (whether indoors or outdoors) carries a higher risk for you.
- If you use indoor UV tanning devices and/or tan regularly outdoors, get regular skin cancer checkups from your doctor because you are more likely to develop skin cancer.
- Even if you follow these safety instructions, you are still at risk for skin cancer if you use indoor UV tanning devices.
- Report any injury, including burns, from the use of indoor UV tanning devices to FDA. You should make this report as soon as possible after the injury. Instructions for reporting are available at <https://www.accessdata.fda.gov/scripts/medwatch/> or call 1-800-FDA-1088.

I, _____, am at least 18 years of age and have read, understood, and acknowledged the risks and proper use information stated above.

Signature and Date: _____

Comment

To view the proposed rule and make comments visit: <http://www.regulations.gov/#/documentDetail:D=FDA-2015-N-1765-0001>. The comment period ends on March 21, 2016.

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Rule 2 - Amendment to the Performance Standard for Sunlamp Products

This proposed rule would effect manufacturers of sunlamp products, UV lamps and protective eyewear. Any final rule would take effect one (1) year after its date of publication in the Federal Register. It contains the following:

- Requires that UV lamp manufacturers follow the same reporting requirements as sunlamp product manufacturers;
- Requires that protective eyewear manufacturers maintain distribution records and test records relating to the UV and visible transmittance of the eyewear as well as requiring the submission of annual reports, supplemental reports, and product reports to FDA;
- Changes the content, format, and location of the required warning statement to make it more effective at communicating the risks of indoor tanning to consumers;
- Replaces the current limit on the ratio of UVC to UVB irradiance with an absolute limit on UVC irradiance;
- Limits the maximum timer interval to one that would not exceed a maximum dose of 500 J/m², weighted with the CIE Reference Action Spectrum for Erythema (1999);
- Adopts the IEC "equivalency code" system for labeling and measuring the strength of replacement lamps to prevent original lamps being replaced with more powerful lamps, which can lead to sunburn;
- Changes the current subjective requirement regarding the visible transmittance of protective eyewear to an objective, quantitative requirement, adopted from the IEC standard;
- Adds a cap on the amount of visible transmittance allowed through the protective eyewear, to protect the users' retina from intense visible light;
- Updates the guidelines for the required manufacturer-recommended exposure schedule, by requiring conformity to the IEC standard, which is based on current science;
- Requires that a reproduction of the warning label be provided in all catalogs, specification sheets, brochures, and consumer-directed Web pages on which sunlamp products are offered for sale; and
- Requires that persons involved in significant modification of sunlamp products re-certify the product just as the manufacturer of a new product would. This requirement currently exists in the FDA Laser Standard (21 CFR 1040.10(i)).

Comment

To view the proposed rule and make comments visit:
<http://www.regulations.gov/#/documentDetail:D=FDA-1998-N-0880-0004>.

The comment period ends on March 21, 2016.

Contact Us

714 S.W. Jackson, Ste 100 Email:
 Topeka, Kansas 66603 kboc@kboc.ks.gov

Phone: (785) 296-3155 Website
 Fax: (785) 296-3002 www.kansas.gov/kboc

Kansas Board of Cosmetology Staff Contacts

Visit our website for a complete list of staff email and phone numbers.

Chiquita C. Coggs	Executive Director
ADMINISTRATION	
Ms. Gloeckner Director of Administration	Personnel Services, Budget, IT, Website
Mary Ann Robison	Accounts Receivable/ Payable
Mary Lou Cheray	File Management
LICENSING	
LeAnna Hickman Director of Licensing	Initial Practitioner Licensure Examinations, Temporary Permits
Michaela Ewing	Body Art Licensure, Facility Paper Renewals, Continuing Education, Out-of-State Licensure, Schools, Open Records Requests
Vickie Rodriguez	Facility Licensure, All Online Renewals, Practitioner Renewals, Duplicate Licenses
Darla Ray	Name/Address Changes Facility/Owner Changes Board Verifications
ENFORCEMENT	
Laurel Lowrie Director of Enforcement	Inspection Program Disciplinary Actions
Aubrie Pryer	Felony and Apprentice Applications, Remedial Actions, Complaints, Board Meetings
Ava Fiene	Inspector - Region 1
Wendy Flowers	Inspector - Region 2
Diane Pottberg	Inspector - Region 3
Jessica Laughlin	Inspector - Region 4
Brian Tice	Inspector - Region 5