

10-144 DEPARTMENT OF HUMAN SERVICES

BUREAU OF HEALTH

Chapter 212: RULES FOR THE PRACTICE OF ELECTROLOGY

1. GENERAL PROVISIONS

A. Administration

1. Powers and Duties. The department shall register or refuse to register persons under these rules, investigate, inspect, examine and review as necessary to properly administer these rules, and make any appropriate complaint to the Administrative Court.

B. Registration.

1. Fee. Registration fee shall be fifty dollars (\$50), valid for one year from the date of registration.
2. The department shall register any person who:
 - a. Is at least 17 years of age,
 - b. Has a high school diploma or equivalent,
 - c. Has satisfactorily completed a course of instruction of 600 hours in a school of electrology and provides the department with a notarized copy of a certificate of completion from that school of electrology, and
 - d. Passes an inspection.
3. Exemption. A person who has a valid electrology license from the department as of January 1, 1995 is exempt from the requirements of section B.2.c.
4. Reciprocity. Except as provided in section C and notwithstanding the requirements of subsection 1, the department shall register any applicant who provides the department with evidence that the applicant has 3 years experience as an electrologist. That proof

must consist of notarized copies of the license or registration issued by the state where the applicant last practiced electrology.

- C. Grounds for refusal, suspension or revocation. The following shall be grounds for the department's refusal to register any person or for the Administrative Court's suspension or revocation of the registration of any person:
 - 1. Non compliance with the rules adopted by the department.
 - 2. Conviction of any crime directly related to that person's practice of electrology.
 - 3. Attempting to register or registering by means of fraud or under false pretenses.
- D. Registration required. No person may practice electrology in this state unless that person is registered with the department.
- E. Penalty. Any person who practices electrology in violation of subsection D is guilty of a Class E Crime.
- F. Records. All records of clients of electrology shall be kept for a period of two years.
- G. Maine Administrative Procedure Act. Anyone acting under these rules is subject to the Maine Administrative Procedure Act.
- H. Rules. The department has adopted these rules pursuant to 32 MRSA section 1221, et seq. to govern the practice of electrology relating to training, health, safety, sanitation, equipment, electrolysis procedures and record keeping.
- I. Variance. Equipment and facilities which were installed prior to the effective date of these rules, and which does not meet fully all of the requirements of these rules, may be deemed acceptable if it is in good repair, and capable of being maintained in a sanitary condition.
- J. Severability Clause. The provisions of the rules are severable. If any provision of the rules is invalid, or if the application to any person or circumstances is invalid, such invalidity shall not affect other provisions or

applications which can be given effect without the invalid provision of application.

- K. Registration Posted. Registration shall be posted in the establishment where electrology is performed, conspicuous to the public.
- L. Summary. These rules shall be liberally construed and applied to promote their underlying purpose of protecting the public health.
- M. Definitions.
 - 1. Commissioner shall mean the Commissioner of Human Services.
 - 2. Department shall mean the Department of Human Services.
 - 3. Electrology shall mean the practice of removing hair permanently by applying electricity to the hair follicle to cause growth inactivity to the hair root by the use of an electric needle only.
 - 4. Electrologist means a person who practices electrology.
 - 5. Epilators are equipment used in the removal of hair from the human body.
 - 6. Person shall mean an individual, firm, partnership, corporation or other association or organization.
 - 7. Shall, a term used to indicate that which is required, the only acceptable method under these rules.
 - 8. Should, a term used to reflect the more preferable procedure, yet providing for the use of an effective alternative.
 - 9. Sterilize means to free from living microorganisms, as by subjecting to great heat or chemical action.
 - 10. Electrolysis means the process by which electrology is done.

2. FACILITIES

- A. Water Supply.

1. The water supply shall be adequate, of a safe sanitary quality, and from a source approved by the department
 2. All private water supplies shall be subject to inspection at all times and no water from such source shall be used or supplied to the public unless samples therefrom have been tested and approved by the department within the preceding twelve (12) month period.
 3. A copy of the water analysis shall be available on premises.
- B. Wastewater Disposal. Water-carried sewage: all water-carried sewage shall be disposed of by means of:
1. A public sewerage system.
 2. An approved private wastewater disposal system which is constructed and operated in conformance with applicable state and local laws, ordinance and regulations.
- C. Space requirements.
1. Minimum floor space. The room in which electrology is performed shall have an area a minimum of fifty (50) square feet, one hundred (100) square feet preferred.
- D. Floors, Walls and Ceilings.
1. All floors shall be kept clean and in good repair.
 2. All walls and ceilings, including doors, windows, skylights, and similar closures shall be kept clean and in good repairs.
 3. Light fixtures, decorative material, and similar equipment and material attached to walls or ceilings, shall be kept clean.
 4. Studs, joists and rafters shall not be left exposed in waiting rooms, toilet rooms or rooms where electrology is performed.
- E. Illumination. At least 10 foot-candles of light intensity shall be provided at a distance of thirty inches (30") above the floor throughout the electrology room and at least thirty (30) foot-candles of light shall be maintained at the

place and on surfaces, materials and equipment where electrology is performed.

F. Toilet Facilities.

1. A toilet and lavatory shall be located in or adjacent to rooms where electrology is performed and shall be accessible to the operator at all times.
2. A lavatory with hot and cold running water, preferably from a combination supply fixture shall be located in rooms where electrology is performed.
3. A hand cleanser and single service sanitary towels shall be provided.
4. The use of common towels and cups shall be prohibited.
5. The toilet room shall be vented to outside air.

G. Waste Disposal.

1. Covered waste receptacle shall be provided in rooms where electrology is performed.
2. Waste materials shall be disposed of in a sanitary manner.
3. Waste receptacles shall be kept clean.

H. Premises. The entire premise and all facilities used in connection therewith shall be maintained in a clean, sanitary, vermin free condition and in good repair.

3. PRACTICE OF ELECTROLOGY

A. Procedures for Electrology.

1. The electrologists shall wash their hands thoroughly with soap and warm water before and after the practice of electrology.
2. The hands shall be dried with single use towels.

3. Electrology shall not be performed directly on a skin surface that has a rash, pimples, boils, infections or manifests any evidence of unhealthy conditions.
 4. The use of styptic pencils or lump alum to arrest bleeding is prohibited.
- B. Service tables or Chairs. All service tables and chairs shall be constructed of easily cleanable material, with a smooth washable surface.
- C. Preparation of skin for removal of hair.
1. The area where hair is to be removed shall be cleaned with an approved antiseptic solution.
 2. A single use sterile cotton or gauze pad shall be used.
 3. When Electrology is completed the area shall be cleansed with an antiseptic solution
 4. Sterile cotton or gauze pads shall be kept in covered containers or the original package.
4. CARE OF INSTRUMENTS
- A. Needles.
1. The needles shall be cleansed to remove debris after each use, and before being sterilized.
 2. The needles shall be sterilized after each use.
 3. The sterilized needles shall be stored in a covered container containing 70% alcohol or other antiseptic solution.
 4. The screw cap shall be sanitized in 70% alcohol or other antiseptic solution and stored in a clean covered container.
 5. The needle holder shall be wiped with antiseptic solution after each use.

6. New reusable needles must be cleansed and sterilized before their first use.
7. Single use needles shall not be reused.

B. Forceps.

1. The forceps shall be washed in warm water to remove debris. Alternative methods may be used to clean debris from forceps if approved by the department.
2. The forceps shall be sterilized after each use.
3. The sterilized forceps shall be stored in a clean dry covered container.

C. Epilators. Epilators shall comply with all federal, state, and local laws, rules or ordinances.

D. Sterilization. Cleaned instruments shall be sterilized by one of the following methods: (1) dry heat or (2) steam under pressure (autoclave).

1. Dry heat ovens and autoclaves should be approved by the FDA and shall be cleaned, used, and maintained according to the manufacturer's instructions.
2. Sterilizers should have visible physical indicators such as thermometers and timers.

5. CONSTRUCTION CODES

A. Compliance with Construction Codes. The following codes shall be complied with in new construction and extensive renovation of facilities used in the practice of electrology:

1. Electrical Distribution System. The electrical system or electrical equipment shall comply with applicable state standards and regulations. (Title 32, Chapter 17 M.R.S.A.)

2. Plumbing. New construction or extensive renovation shall comply with the State of Maine Plumbing Code 10-144A CMR 238 and the State of Maine Subsurface Wastewater Disposal Rules 10-144A CMR 241.

STATUTORY AUTHORITY: 32 MRSA sections 1221 to 1243.

EFFECTIVE DATE: February 13, 1980

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April 19, 1995

EFFECTIVE DATE (ELECTRONIC CONVERSION): May 5, 1996

NON-DISCRIMINATION NOTICE

In accordance with Title VI of the Civil Rights Act of 1964, as amended by the Civil Rights Restoration Act of 1991 (42 U.S.C. 1981, 2000e et seq.) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 et seq.), Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and Title IX of the Education Amendments of 1972, the Maine Department of Human Services does not discriminate on the basis of sex, race, color, national origin, disability or age in admission or access to or treatment or employment in its programs and activities.