

**2105.0410 LICENSED SERVICES NOT OFFERED IN A LICENSED SALON.**

Subpart 1. **Nursing homes licensed under Minnesota Statutes, chapter 144A.** This part does not provide any exemption for assisted living residences, senior apartments, or any part of a senior citizen housing facility that is not licensed as a nursing home under Minnesota Statutes, chapter 144A.

A. A salon in a nursing home is required to be licensed if:

- (1) any cosmetology services are offered to nonresidents of the nursing home; or
- (2) any licensee without a homebound service permit is providing services for compensation.

B. A salon in a nursing home is not required to be licensed if:

- (1) licensees with homebound service permits provide services only for residents of the nursing home; and
- (2) staff employed by the nursing home provide services to residents of the nursing home, and services are limited to washing hair, setting hair, trimming hair, filing nails, applying and removing nail polish, and makeup applications and services do not include permanents or hair coloring.

**Subp. 2. Special events permits.**

A. Licensees with an active manager's license may apply online for a special events permit. Applicants must carry professional liability coverage of at least \$25,000 for each claim and \$50,000 total coverage for each policy year, and must pay the fees required by Minnesota Statutes, section 155A.33.

B. The permit holder may only provide the following services:

- (1) cosmetologists may style, reinforce, or extend hair;
- (2) cosmetologists and nail technicians may remove and apply nail polish; and
- (3) cosmetologists, estheticians, and advanced practice estheticians may remove and apply makeup, except eyelash extensions may not be applied or removed.

C. Permits have the restrictions in subitems (1) to (6).

(1) Permits expire on December 31 of the year in which the permit is issued, but are valid only with an active manager's license held by the permit holder.

(2) One permit covers all events registered by the permit holder with the board for the calendar year.

(3) Each event must be registered online with the board at least 48 hours prior to the start of the event.

(4) The permit holder must print the special events permit from the online license record and have the printed permit in the permit holder's possession during each event.

(5) The permit holder must comply with all infection control requirements and safety requirements in parts 2105.0375 and 2105.0377, and must carry a first aid kit that meets the requirements of part 2105.0370, item A.

(6) At each special event, the permit holder must provide a sufficient number of brushes, combs, makeup brushes, and other implements equal to the number of persons receiving cosmetology services at the event, so that only disinfected tools and implements are used on each client.

D. The hours spent working under a special event permit do not count toward the work hours in a licensed salon required to obtain other licenses under this chapter.

E. A special event permit holder must not use the permit to provide regulated services in a mobile vehicle or mobile structure that is owned or operated by the permit holder or a board licensee unless the mobile vehicle or mobile structure is licensed as a mobile salon under this part. A licensed mobile salon does not require a special event permit for services offered in the mobile salon.

Subp. 3. **Homebound permit.** A homebound service permit authorizes a licensee to provide services in a licensed nursing home to residents or in the residence of an individual who is homebound.

A. To obtain a homebound service permit, an applicant must apply and:

(1) hold an active Minnesota practitioner license;

(2) provide a current Certificate of Insurance of professional liability insurance as required under part 2105.0310;

(3) attest that services will be provided only to individuals residing in a licensed nursing home, or in the residence of a homebound individual, and that the licensee will carry the homebound service permit at all times when providing services for homebound individuals; and

(4) pay the fees required by Minnesota Statutes, section 155A.25.

B. Homebound service permits are issued by the board for a three-year cycle.

C. A homebound service permit is not valid unless the permit holder's practitioner license is active. If the practitioner's license has expired, a permit must not be used until the practitioner has renewed the practitioner license.

D. The permit holder must maintain the professional liability insurance as required in item A for the duration of the permit.

E. The licensee must comply with all infection control requirements and safety requirements in parts 2105.0375 and 2105.0377, and must carry a first aid kit meeting the requirements in part 2105.0370, item A, when not in a licensed nursing home.

F. The hours spent working under a homebound service permit do not count toward the work hours in a licensed salon required to obtain other licenses under this chapter.

**Statutory Authority:** *MS s 14.389; 155A.23; 155A.26; 155A.27; 155A.29; 155A.30; L 2015 c 77 art 2 s 81; L 2017 1Sp4 art 2 s 64*

**History:** *41 SR 305; 42 SR 589; 43 SR 347*

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