

CHAPTER 32-01-02 DEFINITIONS

Section
32-01-02-01 Definitions

32-01-02-01. Definitions.

The terms used throughout this title have the same meaning as in North Dakota Century Code chapter 43-11, except:

1. "Advanced chemical peel" means the application of professionally regulated, commercially available chemical exfoliant intended to cause controlled injury to the epidermis for therapeutic skin rejuvenation. Exfoliant may be used in multiple layers following manufacturer's instructions but must not penetrate past the epidermis layer. Medical supervision may be required as determined in scope of practice and limitations in rule adopted by the board.
2. "Advanced needling" is a form of microneedling and means the use of a microneedling device employing multiple needles or prongs to create skin microchannels exceeding one-half of a millimeter in depth for cosmetic purposes such as improving texture, stimulating collagen, or cellular renewal, and must be performed under the supervision of a licensed medical professional as defined in this chapter.
3. "Chemical peel" means the application of a single, one-time layer of a nonprescription, esthetic-grade, commercially available exfoliating agent intended solely to remove nonliving skin cells from the superficial layers of the epidermis.
4. "Clean" means the removal of visible debris and washing with soap and detergent and water. To clean means to make a nonporous item ready for disinfection.
5. "Combination peel" means an advanced chemical peel involving the use of two or more chemical exfoliating agents, applied either simultaneously or sequentially, to achieve a depth of penetration extending beyond the superficial layers of the epidermis.
6. "Contact time" means the amount of wet contact time required for the disinfectant to be effective against the pathogens on the label.
7. "Cosmetic needling" is a form of microneedling and means the use of an apparatus or device that uses multiple tiny needles or cones that do not penetrate past the epidermis layer to facilitate exfoliation, improve the appearance of the skin and other similar uses. These devices must utilize a single use, nonadjustable needle or cone tip with a fixed length of one-half of a millimeter or less.
8. "Cosmetic preparation" means substances or mixtures for external application to the skin, aimed primarily at cleansing, beautifying, enhancing attractiveness, or altering its appearance or condition, such as makeup and skincare products.
9. "Disinfect" means the process of making a nonporous item safe for use. To disinfect requires the use of a federal environmental protection agency registered chemical or agent intended to kill or denature a pathogen when used following the manufacturer's label instructions. An ultraviolet light is not an acceptable form of disinfection.
10. "Disinfectant" means federal environmental protection agency registered tuberculocidal, bactericidal, virucidal, and fungicidal chemical or agent used to destroy pathogenic microorganisms, as indicated on the label for use in disinfection.

11. "Establishment" includes any salon, business, or premises where the occupation of cosmetology, esthetics, advanced esthetics, manicuring is practiced. A license from the North Dakota state board of cosmetology is required for all establishments except as otherwise provided in chapter 43-11.
12. "Good repair" means that an item is soil-free with no holes, frayed wires, or tears in covering and fully operational for the purpose intended.
13. "Independent licensee" means an individual holding a separate license to operate independently from a licensed establishment, pursuant by a lease agreement, and permitted to render services within the establishment and at various temporary or offsite locations.
14. "Infectious disease" means any disease which can be transmitted, directly or indirectly, from person to person.
15. "Microneedling" means a procedure that involves the creation of controlled microchannels in the skin using a device or apparatus consisting of multiple small needles, cones or similar single use tips. Microneedling, as used herein, encompasses cosmetic needling and advanced needling as defined in this chapter.
16. "Nonporous" means any material that has no pores and does not allow for liquids to be absorbed or passed through, such as metal, glass, silicone, and plastic.
17. "Porous" means any material that allows for liquids to be absorbed or passed through. Porous items are for single use only.
18. "Shampooing" requires a cosmetology license and means the act of washing and cleansing hair and scalp.
19. "Single use" means items that may not be used more than once and are disposed of after use on each client. These items cannot be properly cleaned so all visible residue is removed, or they are contaminated by exposure or damaged by cleaning and disinfecting.

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