



In the Matter of:

Request for Declaratory Ruling Regarding Brow Lamination Procedure
Requested by Nicole Shaffar, (C90704)

DECLARATORY RULING

On November 21, 2019, Nicole Shaffar, licensed by the North Carolina Board of Cosmetic Art Examiners (the “Board”) as a cosmetologist, petitioned the Board to issue a declaratory ruling as to whether the practice of brow lamination falls within the scope of practice for estheticians regulated by the Board pursuant to Chapter 88B of the North Carolina General Statutes (the “Petition”). On January 6, 2020, the Board considered the Petition and voted to grant Ms. Shaffar’s request for a declaratory ruling, and gave notice in open meeting of its decision to issue a declaratory ruling pursuant to N. C. Gen. Stat. §150B-4. Now, pursuant to N. C. Gen. Stat. §150B-4(a1)(3), the Board issues this written declaratory ruling, and, in doing so, finds that:

1. The practice of brow lamination generally consists of setting the shape of the natural eyebrows using a chemical solution by: applying a waving lotion over the brows and allowing the lotion to sit for a specified period of time to break and re-form the cross-linking bonds of the hair structure; removing the waving lotion and applying a neutralizing lotion over the brows and allowing the neutralizing lotion to sit for a specified period of time to re-form the bond; and removing the lotion.

2. N. C. Gen. Stat. §88B-2(8a) defines “cosmetology” as “[t]he act of arranging, dressing, curling, waving, cleansing, cutting, singeing, bleaching, coloring, or similar work upon the hair of a person by any means, including the use of hands, mechanical or electrical apparatus, or appliances or by use of cosmetic or chemical preparations or antiseptics.”

3. Because brow lamination constitutes “arranging,” the “hair of a person by any means,” as described in N. C. Gen. Stat. §88B-2(8a), the Board has considered brow lamination to be within the scope of practice for cosmetologists licensed by the Board.

4. N. C. Gen. Stat. §88B-2(11a) provides that “esthetics” “refers to any of the following practices: giving facials; applying makeup; performing skin care; removing superfluous hair from the body of a person by use of creams, tweezers, or waxing; applying eyelashes to a person, including the application of eyelash extensions, brow or lash color; beautifying the face, neck, arms, or upper part of the human body by use of cosmetic preparations, antiseptics, tonics, lotions, or creams; surface manipulation in relation to skin care; or cleaning or stimulating the face, neck,

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ears, arms, hands, bust, torso, legs, or feet of a person by means of hands, devices, apparatus, or appliances along with the use of cosmetic preparations, antiseptics, tonics, lotions, or creams.”

5. Eyebrows are part of the face and arranging the brows using “cosmetic preparations, antiseptics, tonics, lotions or creams” (including waving and neutralizing lotions used in brow lamination procedures) constitutes “beautifying the face” under N. C. Gen. Stat. §88B-2(11a).

Accordingly, the Board hereby declares that the practice of eyebrow lamination is within the scope of practice for estheticians licensed by the Board, and licensed estheticians may provide eyebrow lamination services.

ISSUED BY ORDER OF THE BOARD
OF January 6, 2020.

Lynda Elliott
Executive Director

Date: January 23, 2020