

State of New Hampshire



BOARD OF BARBERING, COSMETOLOGY,
AND ESTHETICS

2 INDUSTRIAL PARK DRIVE SUITE 2

CONCORD 03301

603-271-3608 OFFICE 603-271-8889 FAX

www.nh.gov/cosmet

CERTIFIED MAIL

December 10, 2012

Regis Corporation
Attn: Jon Alt Licensing Department
7201 Metro Blvd
Minneapolis MN 55439

Dear Regis Corp:

The Board of Barbering, Cosmetology, and Esthetics received a complaint on November 27, 2012 stating Hair Excitement #3026 in Stratham NH is allowing minors to tan. An inspection was conducted on November 28, 2012, which revealed multiple violations. Please find a copy of the inspection report enclosed. The facility was fined for allowing minors to tan and failure to maintain proper records. A fine of \$8,250.00 was imposed. The Board now requires that you cease and desist from offering tanning services until the violations have been corrected.

RSA 313-A:30 VI Operational Requirements states –The tanning facility registrant shall maintain a record for each individual tanning device user which shall include dates exposed, length of exposure and signed consent form. Records shall be maintained for a minimum of 3 years or 3 years past the age of majority of the client.

RSA 313-A:31 Tanning of Minors states – I. No person under the age of 18 shall be allowed to utilize a tanning device at a tanning facility without the written consent of that person's parent or legal guardian and without an operator present. Proof of age shall be satisfied with a driver's license or other government issued identification containing date of birth and a photograph of the individual. This consent requirement shall be satisfied only if the parent or legal guardian is physically present at the time of the initial use of the tanning device, and the responsible adult signs a document declaring that he or she is the parent or legal guardian of the minor and attesting to the age of the minor. The consent of the parent or legal guardian shall be valid for 12 subsequent uses of the tanning device by the minor.

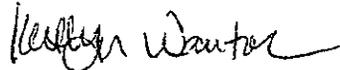
II. No minors under the age of 14 shall be allowed to utilize a tanning device at a tanning facility without a written order from a physician licensed under RSA 329.

Persons using a tanning facility under the provisions of this paragraph shall be accompanied by a parent or legal guardian for every use of the tanning facility.

RSA 313-A:32 Suspension of Operation states – Upon finding a facility in violation of any of the provisions of RSA 313-A:26-34, the board may order the owner of a tanning facility to suspend operation of the facility. Such suspension shall remain in effect until the owner submits proof of compliance with any deficiencies identified by the board. Failure to suspend operation of a tanning facility in accordance with a board order shall be subject to a civil penalty of up to \$500 for each day that the facility remains in operation after issuance of the board order.

Please advise the Board, in writing within 14 days that you have ceased from this practice and/or provide written documentation on the steps taken to correct the violations. A follow up inspection shall be conducted at all Hair Excitement facilities to ensure compliance. I have also enclosed a copy of RSA 313-A. If you have any questions, please do not hesitate to contact me at my direct line 603-271-5247.

Sincerely,



Kathryn Wantuck
Executive Director
Board of Barbering, Cosmetology
and Esthetics

KMW
Enclosures