

2021 Regular Session

HOUSE BILL NO. 327

BY REPRESENTATIVE VILLIO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COSMETOLOGY: Provides relative to advanced esthetics

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AN ACT

To amend and reenact R.S. 37:563(introductory paragraph) and (8), 582(A)(introductory paragraph), (B)(introductory paragraph), and (C)(introductory paragraph), 583(A), (B)(introductory paragraph), (C)(introductory paragraph) and (3), and 595(B)(3) and to enact R.S. 37:563(18) and (19), 582(B)(4), 583(C)(4), 588, and 588.1, relative to the practice of advanced esthetics; to provide definitions; to provide for a certificate of registration for an advanced esthetician; to prohibit engaging in services that cause pinpoint bleeding; to provide for a certificate as a registered teacher of advanced esthetics; to provide for training and technical instruction in advanced esthetics; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:563(introductory paragraph) and (8), 582(A)(introductory paragraph), (B)(introductory paragraph), and (C)(introductory paragraph), 583(A), (B)(introductory paragraph), (C)(introductory paragraph) and (3), and 595(B)(3) are hereby amended and reenacted and R.S. 37:563(18) and (19), 582(B)(4), 583(C)(4), 588, and 588.1 are hereby enacted to read as follows:

§563. Definitions

As used in this Chapter, the following words ~~shall~~ have the meaning herein ascribed to them, ~~unless the content clearly otherwise indicates:~~

* * *

1 (8) "Esthetics" means engaging in any one or a combination of the following
 2 practices: massaging the face or neck of a person, dyeing or trimming eyebrows,
 3 applying natural or artificial enhancements to eyelashes, hair removal by cosmetic
 4 preparations, threading, waxing, or other similar means, stimulating, cleansing, or
 5 beautifying the ~~face, neck, arms, bust, upper body, legs, or feet~~ epidermis or scalp
 6 of a person ~~by any method~~ with the aid of the hands or ~~of any mechanical or~~
 7 electrical apparatus, ~~including micro-dermabrasion, epidermabrasion, or particle~~
 8 ~~exfoliation using equipment and methodology approved by the board or by the use~~
 9 of a cosmetic preparation; ~~however, esthetics~~ Esthetics shall does not include the
 10 diagnosis, treatment, or therapy of any dermatological condition, ~~or the process of~~
 11 removing hair known as "electrolysis", or any service defined as "advanced
 12 esthetics" as provided for in this Section.

* * *

14 (18) "Advanced esthetics" means engaging in the practice of esthetics as
 15 provided for in this Section, lymphatic drainage, chemical enzyme exfoliation,
 16 microdermabrasion, epidermabrasion, particle exfoliation, dermaplaning with a
 17 guarded blade, nano infusions, or nano needling. The term does not include
 18 procedures with laser technology as provided for in R.S. 37:1274.1.

19 (19) "Advanced practice esthetician" means a person who practices advanced
 20 esthetics.

* * *

22 §582. Qualifications for certificate as a registered cosmetologist, esthetician,
 23 advanced practice esthetician, or manicurist; out-of-state licensees

24 A. In order to receive a certificate of registration as a registered
 25 cosmetologist, esthetician, advanced practice esthetician, or manicurist, a person
 26 shall, in addition to the requirements set forth in Subsection B of this Section, meet
 27 all of the following requirements:

* * *

1 B. In addition to the requirements set forth in Subsection A of this Section,
2 a person shall also meet the following requirements in order to obtain his certificate
3 of registration as a registered cosmetologist, esthetician, advanced practice
4 esthetician, or manicurist:

5 * * *

6 (4) To obtain a certificate as a registered advanced practice esthetician, a
7 person shall have completed and passed an advanced esthetics course at a registered
8 or licensed school of cosmetology approved by the board.

9 C. The board shall issue the appropriate certificate of registration to any
10 person who possesses a license or certificate of registration to practice as a
11 cosmetologist, esthetician, advanced practice esthetician, or manicurist from another
12 state or from a foreign country and who also meets the following requirements:

13 * * *

14 §583. Qualifications for certificate as a registered teacher; continuing education

15 A. No person shall teach cosmetology, esthetics, advanced esthetics, or
16 manicuring without a certificate of registration issued by the board.

17 B. In order to receive a certificate of registration as a registered teacher of
18 cosmetology, esthetics, advanced esthetics, or manicuring, a person shall, in addition
19 to the requirements of Subsection C of this Section, meet all of the following
20 requirements:

21 * * *

22 C. In addition to the requirements set forth in Subsection B of this Section,
23 a person shall also meet the following requirements in order to obtain a certificate
24 of registration as a registered teacher of cosmetology, esthetics, advanced esthetics,
25 or manicuring:

26 * * *

27 (3) To obtain a certificate as a registered teacher of advanced esthetics, a
28 person shall possess an esthetics or cosmetology certificate, have been actively
29 engaged in the practice of esthetics for at least twelve months prior to the beginning

1 of the instructor's course, have successfully passed the examination prescribed by the
2 board for the certification as a teacher of esthetics, and possess training in advanced
3 esthetics.

4 (4) To obtain a certificate as a registered teacher of manicuring, a person
5 shall possess a manicuring or cosmetology certificate, have been actively engaged
6 in the practice of manicuring for at least twelve months prior to beginning the
7 instructor's course, and have successfully passed the examination prescribed by the
8 board for certification as a teacher of manicuring.

9 * * *

10 §588. Advanced practice esthetician

11 Beginning on January 1, 2022, a certificate of registration as an advanced
12 practice esthetician shall be issued to any person who can demonstrate training in
13 services within the definition of advanced esthetics and practice in advanced
14 esthetics for at least two years prior to June 30, 2021.

15 §588.1. Prohibition on pinpoint bleeding

16 No esthetician licensed pursuant to this Chapter shall engage in any service
17 that can cause pinpoint bleeding.

18 * * *

19 §595. Requirements for schools

20 * * *

21 B. All registered cosmetology schools may offer one or more of the
22 following courses, and postsecondary schools shall offer one or more of the
23 following courses only as a postsecondary educational program:

24 * * *

25 (3) A ~~period~~ course of continuing study of practical training and technical
26 instruction in advanced esthetics, including a course of not less than six weeks
27 duration and containing not less than two hundred and fifty hours of study.

28 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 327 Engrossed

2021 Regular Session

Villio

Abstract: Creates the practice of advanced esthetics for regulation by the Louisiana State Board of Cosmetology.

Present law defines "esthetics". Proposed law redefines "esthetics" to remove services considered to be "advanced esthetics".

Proposed law defines "advanced esthetics" and "advanced practice esthetician".

Present law provides qualifications a person shall meet in order to receive a certificate of registration as a cosmetologist, esthetician, or manicurist. Proposed law retains present law and adds qualifications for a person to receive a certificate of registration as an advanced practice esthetician.

Present law provides qualifications a person shall meet in order to receive a certificate of registration as a teacher of cosmetology, esthetics, or manicuring. Proposed law retains present law and adds qualifications for a person to receive a certificate of registration as a teacher of advanced esthetics.

In addition to the paths to certification provided for in present law, proposed law also allows a person who can demonstrate training in advanced esthetics and two years of practice in advanced aesthetics to receive a certificate of registration. This provision of proposed law is effective on January 1, 2022.

Proposed law prohibits any licensed esthetician from engaging in services that can cause pinpoint bleeding.

Present law allows a cosmetology school to offer a period of continuing study in esthetics, including a course of not less than six weeks duration and containing not less than 200 hours of study. Proposed law repeals present law and instead allows cosmetology schools to offer a course of continuing study of practical training and technical instruction in advanced esthetics, including a course of not less than six weeks duration and containing not less than 250 hours of study.

(Amends R.S. 37:563(intro. para.) and (8), 582(A)(intro. para.), (B)(intro. para.), and (C)(intro. para.), 583(A), (B)(intro. para.), (C)(intro. para.) and (3), and 595(B)(3); Adds R.S. 37:563(18) and (19), 582(B)(4), 583(C)(4), 588, and 588.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Prohibit an esthetician from engaging in any service that can cause pinpoint bleeding.
2. Make technical changes.