

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

1 AN ACT

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

11 Be it enacted by the Legislature of Louisiana:

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

17 §563. Definitions

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

20 * * *

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 dermaplaning with a guarded blade, nano infusions, or nano needling. The term does
 17 not include procedures with laser technology as provided for in R.S. 37:1274.1.

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

* * *

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

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

* * *

28 B. In addition to the requirements set forth in Subsection A of this Section,
 29 a person shall also meet the following requirements in order to obtain his certificate

1 of registration as a registered cosmetologist, esthetician, advanced practice
2 esthetician, or manicurist:

3 * * *

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

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

11 * * *

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

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

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

19 * * *

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

24 * * *

25 (3) To obtain a certificate as a registered teacher of advanced esthetics, a
26 person shall possess an esthetics or cosmetology certificate, have been actively
27 engaged in the practice of esthetics for at least twelve months prior to the beginning
28 of the instructor's course, have successfully passed the examination prescribed by the

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 Reengrossed

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".

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.

The House Floor Amendments to the engrossed bill:

1. Restore present law to return microdermabrasion, epidermabrasion, and particle exfoliation to the definition of "esthetics".
2. Change the requirement for receiving a certificate as an advanced practice esthetician, in certain circumstances, from demonstrating training to holding an active license.
3. Make technical changes.