

## HOUSE SUMMARY OF SENATE AMENDMENTS

**HB 822**

**2022 Regular Session**

**Davis**

COMMERCE: Provides relative to exemptions for ear piercing

### Synopsis of Senate Amendments

1. Makes technical changes.
2. Prohibits the practice of ear piercing at home for remuneration under certain circumstances.

### Digest of Bill as Finally Passed by Senate

Present law requires persons who practice cosmetology in the state to be licensed by the state board.

Proposed law retains present law, but exempts certain persons engaging in ear piercing from the licensing requirement if certain conditions are met.

The exemption in proposed law would apply to a cosmetologist, esthetician, qualified healthcare professional, or employee of a qualified healthcare professional who does both of the following:

- (1) Uses stainless steel, single-use, hollow needles to pierce the ear.
- (2) Complies with all applicable instructions of any device used in the piercing and with all health and safety standards.

Proposed law prohibits a person from engaging in ear piercing at home for remuneration. Proposed law does not prevent a person from piercing his own ears at home or gratuitously piercing another person's ears at home if the piercer discloses to the person that the piercer is not a licensed or certified cosmetologist, esthetician, or qualified healthcare professional.

Present law regulates persons who provide body modification services in this state, but carves out an exemption for persons who pierce ears using a stud gun, as long as the person complies with all instructions for use and all health and safety standards.

Proposed law expands the exemption to include ear piercing if the piercer is a cosmetologist, esthetician, qualified healthcare professional, or employee of a qualified healthcare professional who does both of the following:

- (1) Uses stainless steel, single-use, hollow needles to pierce the ear.
- (2) Complies with all applicable instructions of any device used in the piercing and with all health and safety standards.

(Amends R.S. 37:563(intro. para.) and (6) and R.S. 40:2831(intro. para.) and (1)(b); Adds R.S. 37:581(B)(6) and (F))