

2016 Regular Session

SENATE BILL NO. 183

BY SENATOR WHITE

COSMETOLOGY. Provides relative to the State Board of Cosmetology. (8/1/16)

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AN ACT

To amend and reenact R.S. 37:563(6), (8), and (10), 589(A), 594(B)(10), and 600(A)(12), and to repeal R.S. 37:588, relative to the Louisiana Cosmetology Act; to provide for definitions; to provide for registration for managers; to provide for application for school certificate of registration; to provide for denial, suspension, summary suspension, revocation or inactivity of certificate of registration; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:563(6), (8), and (10), 589(A), 594(B)(10), and 600(A)(12) are hereby amended and reenacted 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:

* * *

(6) "Esthetics" means engaging in any one or a combination of the following practices: massaging the face or neck of a person, **dying or** trimming eyebrows, ~~dying eyelashes or eyebrows~~ **applying natural or artificial enhancements to**

1 eyelashes, hair removal by cosmetic preparations, threading, waxing, or other similar
 2 means, stimulating, cleansing, or beautifying the face, neck, arms, bust, upper body,
 3 legs, or feet of a person by any method with the aid of the hands or of any
 4 mechanical or electrical apparatus, including micro-dermabrasion, epidermabrasion,
 5 or particle exfoliation using equipment and methodology approved by the board or
 6 by the use of a cosmetic preparation; however, esthetics shall not include the
 7 diagnosis, treatment, or therapy of any dermatological condition, or the process of
 8 removing hair known as "electrolysis".

9 * * *

10 (8) "Manicuring" means trimming, filing, decorating, shaping, sculpting, or
 11 in any way caring for the nails and skin of another person's hands or feet together
 12 with massaging the hands, arms, legs, and feet including pedicuring; however,
 13 manicuring shall not include the use of blades or graters for callous or skin
 14 removal.

15 * * *

16 (10) "Manager" means ~~any a~~ person who responsible for supervising any
 17 facility where one or more person offers cosmetology services or engages
 18 ~~supervises any person engaged~~ in the practice of cosmetology required to be
 19 licensed as ~~in~~ a beauty shop or salon.

20 * * *

21 §589. Certificates of registration for managers

22 A. Any cosmetology salon owner who is not a licensed cosmetologist, any
 23 manicuring salon owner who is not a licensed manicurist, and any esthetics salon
 24 owner who is not a licensed esthetician shall employ ~~a manager~~ one or more
 25 registered managers who is shall be a licensed cosmetologist ~~and who shall not be~~
 26 ~~absent from the salon more than two working days per week~~; however, a registered
 27 manicurist may manage a manicuring salon and a registered esthetician may manage
 28 an esthetics salon. A registered manager shall be present at the salon during all
 29 hours of operation and shall be responsible for ensuring that all persons

1 **practicing cosmetology within the facility are appropriately licensed and follow**
2 **all applicable laws and rules and regulations.**

3 * * *

4 §594. Application for school certificate of registration; change of location; change
5 of ownership

6 * * *

7 B. At least thirty days prior to the board meeting, any person desiring to
8 operate a cosmetology school shall:

9 * * *

10 (10) For all schools which charge tuition, submit proof of financial
11 responsibility to such extent as may be determined by the board or a surety bond
12 executed by a company authorized to do business in Louisiana in the amount of ~~five~~
13 **thirty** thousand dollars in favor of the state of Louisiana. Such bond shall be used
14 for the benefit of any students who cannot complete the curriculum due to the closure
15 of the school, to the extent of the amount of the tuition paid. The board may, at any
16 time during the operation of a registered school, require additional data to be
17 submitted in order to satisfy the board of the school's financial responsibility.

18 * * *

19 §600. Grounds for denial, suspension, summary suspension, or revocation of a
20 certificate of registration

21 A. The board may deny the issuance of, suspend, revoke, or refuse to renew
22 any certificate of registration or place on probation any registrant, after notice and
23 opportunity for hearing pursuant to the Administrative Procedure Act, upon proof of
24 any of the following:

25 * * *

26 (12) Violation of any provision of this Chapter **or any rule promulgated**
27 **pursuant to the provisions of this Chapter.**

28 * * *

29 Section 2. R.S. 37:588 is hereby repealed.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Margaret M. Corley.

DIGEST

SB 183 Original

2016 Regular Session

White

Present law establishes the Louisiana Cosmetology Act and provides for definitions and regulations.

Proposed law provides for clarification of the definition of "esthetics" and "manager".

Proposed law provides that manicuring shall not include the use of blades or graters for callous or skin removal.

Present law provides that any cosmetology salon owner who is not a licensed cosmetologist, any manicuring salon owner who is not a licensed manicurist, and any esthetics salon owner who is not a licensed esthetician shall employ a manager who is a licensed cosmetologist and the manager shall not be absent from the salon more than two working days per week.

Proposed law provides that such owner shall employ one or more registered managers who shall be licensed cosmetologists, and further provides that a registered manager shall be present at the salon during all hours of operation and shall be responsible for ensuring that all persons practicing cosmetology within the facility are appropriately licensed and follow all applicable laws and rules and regulations.

Present law provides for requirements for application for a cosmetology school certificate of registration.

Proposed law retains present law and changes the requirement of a surety bond from \$5,000 to \$30,000 for a school which charges tuition to show proof of financial responsibility.

Proposed law repeals present law regarding inactive certificate of registration and reactivation of certificate.

Effective August 1, 2016.

(Amends R.S. 37:563(6), (8), and (10), 589(A), 594(B)(10), and 600(A)(12); repeals R.S. 37:588)