

ASSEMBLY BILL NO. 202—ASSEMBLYMAN HARDY

FEBRUARY 19, 2009

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes concerning the State Board of Cosmetology. (BDR 54-681)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to cosmetology; revising various definitions; revising provisions relating to the qualifications for examination as an instructor of aestheticians, an instructor in nail technology, a nail technologist or an aesthetician; revising provisions relating to cosmetologists' apprentices; establishing certain continuing education requirements; increasing the required instruction hours for an aesthetician; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Sections 1 and 3** of this bill revise the definitions of "aesthetician" and
2 "cosmetologist" to reference sugaring and threading. (NRS 644.0205, 644.023)
3 **Section 5** of this bill changes the term "manicurist" to "nail technologist," and this
4 bill carries out this change for variations of the term "manicurist" that appear in
5 chapter 644 of NRS. (NRS 644.029)

6 **Section 11** of this bill revises the requirements for admission to examination as
7 an instructor of aestheticians, effective July 1, 2010. (NRS 644.1955) **Section 13** of
8 this bill revises the requirements for admission to examination as an instructor in
9 nail technology, effective July 1, 2010. (NRS 644.197) **Section 15** of this bill
10 revises the requirements for admission to examination for a license as a nail
11 technologist, effective July 1, 2010. (NRS 644.205) **Section 16** of this bill revises
12 the requirements for admission to examination for a license as an aesthetician,
13 effective July 1, 2010. (NRS 644.207)

14 Existing law sets forth various requirements that must be met before the State
15 Board of Cosmetology may issue to a person a certificate of registration as a
16 cosmetologist's apprentice. (NRS 644.217) **Section 17** of this bill: (1) eliminates
17 the requirement that such a person be a resident of a county whose population is
18 less than 50,000; (2) requires the training of the person as a cosmetologist's
19 apprentice to be conducted at a licensed cosmetological establishment that is



20 located 60 miles or more from a licensed school of cosmetology; and (3) authorizes
21 the Board to waive, for good cause shown, various requirements for an applicant
22 for a certificate of registration as a cosmetologist's apprentice.

23 **Section 25** of this bill establishes continuing education requirements for the
24 renewal of a license as a nail technologist, electrologist, aesthetician, hair designer,
25 demonstrator of cosmetics, cosmetologist or instructor, effective January 1, 2011.
26 (NRS 644.325) **Section 29** of this bill increases from 120 to 150 the number of
27 years of instruction a student enrolled as an aesthetician must receive before
28 commencing work on members of the public. (NRS 644.408)

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 644.0205 is hereby amended to read as
2 follows:

3 644.0205 "Aesthetician" means any person who engages in the
4 practices of:

5 1. Beautifying, massaging, cleansing or stimulating the skin of
6 the human body [~~except the scalp,~~] by the use of cosmetic
7 preparations, antiseptics, tonics, lotions or creams, or any device,
8 electrical or otherwise, for the care of the skin;

9 2. Applying cosmetics or eyelashes to any person, tinting
10 eyelashes and eyebrows, and lightening hair on the body ; [~~except~~
11 ~~the scalp;~~] and

12 3. Removing superfluous hair from the body of any person by
13 the use of depilatories, waxing or tweezers,

14 ↪ but does not include *sugaring or threading* or the branches of
15 cosmetology of a cosmetologist, hair designer, electrologist or
16 [~~manicurist,~~] *nail technologist*.

17 **Sec. 2.** NRS 644.0225 is hereby amended to read as follows:

18 644.0225 "Cosmetological establishment" means any
19 premises, mobile unit, building or part of a building where
20 cosmetology is practiced, other than a licensed barbershop in which
21 one or more licensed [~~manicurists~~] *nail technologists* practice.

22 **Sec. 3.** NRS 644.023 is hereby amended to read as follows:

23 644.023 "Cosmetologist" means a person who engages in the
24 practices of:

25 1. Cleansing, stimulating or massaging the scalp or cleansing
26 or beautifying the hair by the use of cosmetic preparations,
27 antiseptics, tonics, lotions or creams.

28 2. Cutting, trimming or shaping the hair.

29 3. Arranging, dressing, curling, waving, cleansing, singeing,
30 bleaching, tinting, coloring or straightening the hair of any person
31 with the hands, mechanical or electrical apparatus or appliances, or
32 by other means, or similar work incident to or necessary for the



1 proper carrying on of the practice or occupation provided by the
2 terms of this chapter.

3 4. Removing superfluous hair from the surface of the body of
4 any person by the use of electrolysis where the growth is a blemish,
5 or by the use of depilatories, waxing, ~~[or]~~ tweezers, *sugaring or*
6 *threading*, except for the permanent removal of hair with needles.

7 5. Manicuring the nails of any person.

8 6. Beautifying, massaging, stimulating or cleansing the skin of
9 the human body by the use of cosmetic preparations, antiseptics,
10 tonics, lotions, creams or any device, electrical or otherwise, for the
11 care of the skin.

12 7. Giving facials or skin care or applying cosmetics or
13 eyelashes to any person.

14 **Sec. 4.** NRS 644.024 is hereby amended to read as follows:

15 644.024 “Cosmetology” includes the occupations of a
16 cosmetologist, aesthetician, electrologist, hair designer,
17 demonstrator of cosmetics and ~~[manicurist,]~~ *nail technologist*.

18 **Sec. 5.** NRS 644.029 is hereby amended to read as follows:

19 644.029 ~~[“Manicurist”]~~ *“Nail technologist”* means any person
20 who, for compensation or by demonstration, engages in the practices
21 of:

- 22 1. Care of another’s fingernails or toenails.
- 23 2. Beautification of another’s nails.
- 24 3. Extension of another’s nails.
- 25 4. Massaging of another’s hands, forearms, feet or lower legs.

26 **Sec. 6.** NRS 644.030 is hereby amended to read as follows:

27 644.030 1. The State Board of Cosmetology consisting of
28 seven members appointed by the Governor is hereby created.

29 2. The Board must consist of four cosmetologists, one
30 ~~[manicurist,]~~ *nail technologist*, one aesthetician and one member
31 representing customers of cosmetology.

32 **Sec. 7.** NRS 644.040 is hereby amended to read as follows:

33 644.040 1. No person is eligible for appointment as a
34 member of the Board:

35 (a) Who is not licensed as a ~~[manicurist,]~~ *nail technologist*,
36 electrologist, aesthetician or cosmetologist under the provisions of
37 this chapter.

38 (b) Who is not, at the time of appointment, actually engaged in
39 the practice of his respective branch of cosmetology.

40 (c) Who is not at least 25 years of age.

41 (d) Who has not been a resident of this State for at least 3 years
42 immediately before his appointment.

43 2. The requirements of paragraphs (a) and (b) of subsection 1
44 do not apply to a person appointed to represent customers of
45 cosmetology.



1 3. Not more than one member of the Board may be connected,
2 directly or indirectly, with any school of cosmetology, or have been
3 so connected while previously serving as a member of the Board.

4 **Sec. 8.** NRS 644.130 is hereby amended to read as follows:

5 644.130 1. The Board shall keep a record containing the
6 name, known place of business, and the date and number of the
7 license of every ~~{manicurist,}~~ *nail technologist*, electrologist,
8 aesthetician, hair designer, demonstrator of cosmetics and
9 cosmetologist, together with the names and addresses of all
10 cosmetological establishments and schools of cosmetology licensed
11 pursuant to this chapter. The record must also contain the facts
12 which the applicants claimed in their applications to justify their
13 licensure.

14 2. The Board may disclose the information contained in the
15 record kept pursuant to subsection 1 to:

16 (a) Any other licensing board or agency that is investigating a
17 licensee.

18 (b) A member of the general public, except information
19 concerning the home and work address and telephone number of a
20 licensee.

21 **Sec. 9.** NRS 644.193 is hereby amended to read as follows:

22 644.193 1. The Board may grant a provisional license as an
23 instructor to a person who:

24 (a) Has successfully completed the 12th grade in school or its
25 equivalent and submits written verification of the completion of his
26 education;

27 (b) Has practiced as a full-time licensed cosmetologist, hair
28 designer, aesthetician or ~~{manicurist}~~ *nail technologist* for 1 year
29 and submits written verification of his experience;

30 (c) Is licensed pursuant to this chapter;

31 (d) Applies for a provisional license on a form supplied by the
32 Board;

33 (e) Submits two current photographs of himself; and

34 (f) Has paid the fee established pursuant to subsection 2.

35 2. The Board shall establish and collect a fee of not less than
36 \$40 and not more than \$75 for the issuance of a provisional license
37 as an instructor.

38 3. A person issued a provisional license pursuant to this section
39 may act as an instructor for compensation while accumulating the
40 number of hours of training required for an instructor's license.

41 4. A provisional license as an instructor expires upon
42 accumulation by the licensee of the number of hours of training
43 required for an instructor's license or 1 year ~~{from}~~ *after* the date of
44 issuance, whichever occurs first. The Board may grant an extension
45 of not more than 45 days to those provisional licensees who have



1 applied to the Board for examination as instructors and are awaiting
2 examination.

3 **Sec. 10.** NRS 644.195 is hereby amended to read as follows:

4 644.195 1. Each instructor must:

5 (a) Be licensed as a cosmetologist pursuant to this chapter.

6 (b) Have successfully completed the 12th grade in school or its
7 equivalent.

8 (c) Have 1 year of experience as a cosmetologist or as a licensed
9 student instructor.

10 (d) Have completed 1,000 hours of training as an instructor or
11 500 hours of training as a *licensed* provisional instructor in a school
12 of cosmetology.

13 (e) Except as otherwise provided in subsection 2, take one or
14 more courses in advanced techniques for teaching or training,
15 approved by the Board, whose combined duration is at least 30
16 hours during each 2-year period.

17 2. The provisions of paragraph (e) of subsection 1 do not apply
18 to an instructor who is initially licensed not more than 6 months
19 before the renewal date of the license. An instructor who is initially
20 licensed more than 6 months but less than 1 year before the renewal
21 date of the license must take one or more courses specified in
22 paragraph (e) whose combined duration is at least 15 hours during
23 each 2-year period.

24 3. Each instructor shall pay an initial fee for a license of not
25 less than \$60 and not more than \$90.

26 **Sec. 11.** NRS 644.1955 is hereby amended to read as follows:

27 644.1955 1. The Board shall admit to examination for a
28 license as an instructor of aestheticians any person who has applied
29 to the Board in proper form, paid the fee and:

30 (a) Is at least 18 years of age;

31 (b) Is of good moral character;

32 (c) Has successfully completed the 12th grade in school or its
33 equivalent;

34 (d) Has received a minimum of ~~800~~ 700 hours of training as an
35 instructor or ~~400~~ 500 hours of training as a *licensed* provisional
36 instructor in a licensed school of cosmetology;

37 (e) Is licensed as an aesthetician pursuant to this chapter; and

38 (f) Has practiced as a full-time licensed aesthetician or as a
39 licensed student instructor for 1 year.

40 2. Except as otherwise provided in subsection 3, an instructor
41 of aestheticians shall complete at least 30 hours of advanced training
42 in a course approved by the Board during each 2-year period of his
43 license.

44 3. The provisions of subsection 2 do not apply to an instructor
45 of aestheticians who is initially licensed not more than 6 months



1 before the renewal date of the license. An instructor of aestheticians
2 who is initially licensed more than 6 months but less than 1 year
3 before the renewal date of the license must take one or more courses
4 specified in subsection 2 whose combined duration is at least 15
5 hours during each 2-year period.

6 **Sec. 12.** NRS 644.197 is hereby amended to read as follows:

7 644.197 1. The Board shall admit to examination for a
8 license as an instructor in ~~{manicuring}~~ *nail technology* any person
9 who has applied to the Board in proper form, paid the fee and:

10 (a) Is at least 18 years of age;

11 (b) Is of good moral character;

12 (c) Has successfully completed the 12th grade in school or its
13 equivalent;

14 (d) Has received a minimum of 500 hours of training as an
15 instructor or 250 hours of training as a provisional instructor in a
16 licensed school of cosmetology;

17 (e) Is licensed as a ~~{manicurist}~~ *nail technologist* pursuant to
18 this chapter; and

19 (f) Has practiced as a full-time licensed ~~{manicurist}~~ *nail*
20 *technologist* or as a licensed student instructor for 1 year.

21 2. Except as otherwise provided in subsection 3, an instructor
22 in ~~{manicuring}~~ *nail technology* shall complete at least 30 hours of
23 advanced training in a course approved by the Board during each
24 2-year period of his license.

25 3. The provisions of subsection 2 do not apply to an instructor
26 in ~~{manicuring}~~ *nail technology* who is initially licensed not more
27 than 6 months before the renewal date of the license. An instructor
28 in ~~{manicuring}~~ *nail technology* who is initially licensed more than
29 6 months but less than 1 year before the renewal date of the license
30 must take one or more courses specified in subsection 2 whose
31 combined duration is at least 15 hours during each 2-year period.

32 **Sec. 13.** NRS 644.197 is hereby amended to read as follows:

33 644.197 1. The Board shall admit to examination for a
34 license as an instructor in nail technology any person who has
35 applied to the Board in proper form, paid the fee and:

36 (a) Is at least 18 years of age;

37 (b) Is of good moral character;

38 (c) Has successfully completed the 12th grade in school or its
39 equivalent;

40 (d) Has received a minimum of 500 hours of training as an
41 instructor or ~~{250 hours of training}~~ as a *licensed* provisional
42 instructor in a licensed school of cosmetology;

43 (e) Is licensed as a nail technologist pursuant to this chapter; and

44 (f) Has practiced as a full-time licensed nail technologist or as a
45 licensed student instructor for 1 year.



1 2. Except as otherwise provided in subsection 3, an instructor
2 in nail technology shall complete at least 30 hours of advanced
3 training in a course approved by the Board during each 2-year
4 period of his license.

5 3. The provisions of subsection 2 do not apply to an instructor
6 in nail technology who is initially licensed not more than 6 months
7 before the renewal date of the license. An instructor in nail
8 technology who is initially licensed more than 6 months but less
9 than 1 year before the renewal date of the license must take one or
10 more courses specified in subsection 2 whose combined duration is
11 at least 15 hours during each 2-year period.

12 **Sec. 14.** NRS 644.205 is hereby amended to read as follows:

13 644.205 The Board shall admit to examination for a license as
14 a ~~manicurist~~ *nail technologist* any person who has made
15 application to the Board in proper form, paid the fee ~~₹~~ and who ,
16 before or on the date of the examination:

17 1. Is not less than 18 years of age.

18 2. Is of good moral character.

19 3. Has successfully completed the 10th grade in school or its
20 equivalent.

21 4. Has had any one of the following:

22 (a) Practical training of at least 500 hours under the immediate
23 supervision of a licensed instructor in a licensed school of
24 cosmetology in which the practice is taught.

25 (b) Practice as a full-time licensed ~~manicurist~~ *nail technologist*
26 for 1 year outside the State of Nevada.

27 **Sec. 15.** NRS 644.205 is hereby amended to read as follows:

28 644.205 The Board shall admit to examination for a license as
29 a nail technologist any person who has made application to the
30 Board in proper form, paid the fee ~~₹~~ and who , before or on the
31 date of the examination:

32 1. Is not less than 18 years of age.

33 2. Is of good moral character.

34 3. Has successfully completed the 10th grade in school or its
35 equivalent.

36 4. Has had any one of the following:

37 (a) Practical training of at least ~~500~~ *600* hours under the
38 immediate supervision of a licensed instructor in a licensed school
39 of cosmetology in which the practice is taught.

40 (b) Practice as a full-time licensed nail technologist for 1 year
41 outside the State of Nevada.

42 **Sec. 16.** NRS 644.207 is hereby amended to read as follows:

43 644.207 The Board shall admit to examination for a license as
44 an aesthetician any person who has made application to the Board in
45 proper form, paid the fee and:



- 1 1. Is at least 18 years of age;
- 2 2. Is of good moral character;
- 3 3. Has successfully completed the 10th grade in school or its
- 4 equivalent; and
- 5 4. Has received a minimum of ~~[600]~~ 900 hours of training,
- 6 which includes theory, modeling and practice, in a licensed school
- 7 of cosmetology or who has practiced as a full-time licensed
- 8 aesthetician for at least 1 year.

9 **Sec. 17.** NRS 644.217 is hereby amended to read as follows:

10 644.217 1. The Board may issue a certificate of registration

11 as a cosmetologist's apprentice to a person if:

12 (a) The person is ~~[a resident of a county whose population is less~~

13 ~~than 50,000;~~

14 ~~—(b) The person is]~~ required to travel more than 60 miles from his

15 place of residence to attend a licensed school of cosmetology; and

16 ~~[(e)]~~ (b) The training of the person as a cosmetologist's

17 apprentice will be conducted at a licensed cosmetological

18 establishment that is located ~~[in such a county.]~~ 60 miles or more

19 *from a licensed school of cosmetology.*

20 2. *The Board may, for good cause shown, waive the*

21 *requirements of subsection 1 for a particular applicant.*

22 3. An applicant for a certificate of registration as a

23 cosmetologist's apprentice must submit an application to the Board

24 on a form prescribed by the Board. The application must be

25 accompanied by a fee of \$100 and must include:

26 (a) A statement signed by the licensed cosmetologist who will

27 be supervising and training the cosmetologist's apprentice which

28 states that the licensed cosmetologist has been licensed by the Board

29 to practice cosmetology in this State for not less than 3 years

30 immediately preceding the date of the application and that his

31 license has been in good standing during that period;

32 (b) A statement signed by the owner of the licensed

33 cosmetological establishment where the applicant will be trained

34 which states that the owner will permit the applicant to be trained as

35 a cosmetologist's apprentice at the cosmetological establishment;

36 and

37 (c) Such other information as the Board may require by

38 regulation.

39 ~~[3-]~~ 4. A certificate of registration as a cosmetologist's

40 apprentice is valid for 2 years after the date on which it is issued and

41 may be renewed by the Board upon good cause shown.

42 **Sec. 18.** NRS 644.220 is hereby amended to read as follows:

43 644.220 1. In addition to the fee for an application, the fees

44 for examination are:



- 1 (a) For examination as a cosmetologist, not less than \$75 and
2 not more than \$200.
- 3 (b) For examination as an electrologist, not less than \$75 and not
4 more than \$200.
- 5 (c) For examination as a hair designer, not less than \$75 and not
6 more than \$200.
- 7 (d) For examination as a ~~manicurist,~~ *nail technologist*, not less
8 than \$75 and not more than \$200.
- 9 (e) For examination as an aesthetician, not less than \$75 and not
10 more than \$200.
- 11 (f) For examination as an instructor of aestheticians, hair
12 designers, cosmetology or ~~manicuring,~~ *nail technology*, not less
13 than \$75 and not more than \$200.
- 14 ➤ The fee for each reexamination is not less than \$75 and not more
15 than \$200.

16 2. In addition to the fee for an application, the fee for
17 examination or reexamination as a demonstrator of cosmetics is \$75.

18 3. Each applicant referred to in subsections 1 and 2 shall, in
19 addition to the fees specified therein, pay the reasonable value of all
20 supplies necessary to be used in the examination.

21 **Sec. 19.** NRS 644.240 is hereby amended to read as follows:

22 644.240 Examinations for licensure as a cosmetologist may
23 include:

24 1. Practical demonstrations in shampooing the hair,
25 hairdressing, styling of hair, finger waving, coloring of hair,
26 ~~manicuring,~~ *nail technology*, cosmetics, thermal curling,
27 marcelling, facial massage, massage of the scalp with the hands, and
28 cutting, trimming or shaping hair;

29 2. Written or oral tests on:

30 (a) Antisepsis, sterilization and sanitation;

31 (b) The use of mechanical apparatus and electricity as applicable
32 to the practice of a cosmetologist; and

33 (c) The laws of Nevada and the regulations of the Board relating
34 to the practice of cosmetology; and

35 3. Such other demonstrations and tests as the Board may
36 require.

37 **Sec. 20.** NRS 644.245 is hereby amended to read as follows:

38 644.245 The examination for a license as a ~~manicurist~~ *nail*
39 *technologist* may include:

40 1. Practical demonstrations in manicuring, pedicuring or the
41 wrapping or extension of nails;

42 2. Written and oral tests on:

43 (a) Antisepsis, sterilization and sanitation;

44 (b) The use of mechanical apparatus and electricity in caring for
45 the nails; and



1 (c) The laws of Nevada and regulations of the Board relating to
2 cosmetology; and

3 3. Such other demonstrations and tests as the Board requires.

4 **Sec. 21.** NRS 644.260 is hereby amended to read as follows:

5 644.260 The Board shall issue a license as a cosmetologist,
6 aesthetician, electrologist, hair designer, ~~manicurist,~~ *nail*
7 *technologist*, demonstrator of cosmetics or instructor to each
8 applicant who:

9 1. Passes a satisfactory examination, conducted by the Board to
10 determine his fitness to practice that occupation of cosmetology; and

11 2. Complies with such other requirements as are prescribed in
12 this chapter for the issuance of the license.

13 **Sec. 22.** NRS 644.300 is hereby amended to read as follows:

14 644.300 Every licensed ~~manicurist,~~ *nail technologist*,
15 electrologist, aesthetician, hair designer, demonstrator of cosmetics
16 or cosmetologist shall, within 30 days after changing his place of
17 business, as designated in the records of the Board, notify the
18 Secretary of the Board of his new place of business. Upon receipt of
19 the notification, the Secretary shall make the necessary change in
20 the records.

21 **Sec. 23.** NRS 644.320 is hereby amended to read as follows:

22 644.320 1. The license of every cosmetologist, aesthetician,
23 electrologist, hair designer, ~~manicurist,~~ *nail technologist*,
24 demonstrator of cosmetics and instructor expires:

25 (a) If the last name of the licensee begins with the letter "A"
26 through the letter "M," on the date of birth of the licensee in the next
27 succeeding odd-numbered year or such other date in that year as
28 specified by the Board.

29 (b) If the last name of the licensee begins with the letter "N"
30 through the letter "Z," on the date of birth of the licensee in the next
31 succeeding even-numbered year or such other date in that year as
32 specified by the Board.

33 2. The Board shall adopt regulations governing the proration of
34 the fee required for initial licenses issued for less than 1 1/2 years.

35 **Sec. 24.** NRS 644.325 is hereby amended to read as follows:

36 644.325 1. An application for renewal of any license issued
37 pursuant to this chapter must be:

38 (a) Made on a form prescribed and furnished by the Board;

39 (b) Made on or before the date for renewal specified by the
40 Board;

41 (c) Accompanied by the fee for renewal; and

42 (d) Accompanied by all information required to complete the
43 renewal.



2. The fees for renewal are:

(a) For ~~manicurists,~~ *nail technologists*, electrologists, aestheticians, hair designers, demonstrators of cosmetics and cosmetologists, not less than \$50 and not more than \$100.

(b) For instructors, not less than \$60 and not more than \$100.

(c) For cosmetological establishments, not less than \$100 and not more than \$200.

(d) For schools of cosmetology, not less than \$500 and not more than \$800.

3. For each month or fraction thereof after the date for renewal specified by the Board in which a license is not renewed, there must be assessed and collected at the time of renewal a penalty of \$50 for a school of cosmetology and \$20 for a cosmetological establishment and all persons licensed pursuant to this chapter.

4. An application for the renewal of a license as a cosmetologist, hair designer, aesthetician, electrologist, ~~manicurist,~~ *nail technologist*, demonstrator of cosmetics or instructor must be accompanied by two current photographs of the applicant which are 1 1/2 by 1 1/2 inches. The name and address of the applicant must be written on the back of each photograph.

Sec. 25. NRS 644.325 is hereby amended to read as follows:

644.325 1. An application for renewal of any license issued pursuant to this chapter must be:

(a) Made on a form prescribed and furnished by the Board;

(b) Made on or before the date for renewal specified by the Board;

(c) Accompanied by the fee for renewal; and

(d) Accompanied by all information required to complete the renewal.

2. The fees for renewal are:

(a) For nail technologists, electrologists, aestheticians, hair designers, demonstrators of cosmetics and cosmetologists, not less than \$50 and not more than \$100.

(b) For instructors, not less than \$60 and not more than \$100.

(c) For cosmetological establishments, not less than \$100 and not more than \$200.

(d) For schools of cosmetology, not less than \$500 and not more than \$800.

3. For each month or fraction thereof after the date for renewal specified by the Board in which a license is not renewed, there must be assessed and collected at the time of renewal a penalty of \$50 for a school of cosmetology and \$20 for a cosmetological establishment and all persons licensed pursuant to this chapter.

4. An application for the renewal of a license as a cosmetologist, hair designer, aesthetician, electrologist, nail



1 technologist, demonstrator of cosmetics or instructor must be
2 accompanied by two current photographs of the applicant which are
3 1 1/2 by 1 1/2 inches. The name and address of the applicant must
4 be written on the back of each photograph.

5 **5. An applicant for the renewal of a license must complete,
6 before the license may be renewed:**

7 **(a) Course work of a duration and type approved by the Board
8 and relating to infection control, sign language, establishment
9 management, or hair, skin or nail care;**

10 **(b) At least 2 credits of course work from a university or
11 community college in general health, biology, chemistry, English,
12 foreign language, cardiopulmonary resuscitation or first-aid; or**

13 **(c) At least 8 hours of continuing education from a
14 professional course or seminar presented by a person or nationally
15 recognized organization approved by the Board.**

16 **Sec. 26.** NRS 644.330 is hereby amended to read as follows:

17 644.330 1. A ~~manicurist,~~ **nail technologist**, electrologist,
18 aesthetician, hair designer, cosmetologist, demonstrator of cosmetics
19 or instructor whose license has expired may have his license
20 renewed only upon payment of all required fees and submission of
21 all information required to complete the renewal.

22 2. Any ~~manicurist,~~ **nail technologist**, electrologist,
23 aesthetician, hair designer, cosmetologist, demonstrator of cosmetics
24 or instructor who retires from practice for more than 1 year may
25 have his license restored only upon payment of all required fees and
26 submission of all information required to complete the restoration.

27 3. No ~~manicurist,~~ **nail technologist**, electrologist,
28 aesthetician, hair designer, cosmetologist, demonstrator of cosmetics
29 or instructor who has retired from practice for more than 4 years
30 may have his license restored without examination and must comply
31 with any additional requirements established in regulations adopted
32 by the Board.

33 **Sec. 27.** NRS 644.360 is hereby amended to read as follows:

34 644.360 1. Every holder of a license issued by the Board to
35 operate a cosmetological establishment shall display the license in
36 plain view of members of the general public in the principal office
37 or place of business of the holder.

38 2. Except as otherwise provided in this section, the operator of
39 a cosmetological establishment may lease space to or employ only
40 licensed ~~manicurists,~~ **nail technologists**, electrologists,
41 aestheticians, hair designers, demonstrators of cosmetics and
42 cosmetologists at his establishment to provide cosmetological
43 services. This subsection does not prohibit an operator of a
44 cosmetological establishment from:



1 (a) Leasing space to or employing a barber. Such a barber
2 remains under the jurisdiction of the State Barbers' Health and
3 Sanitation Board and remains subject to the laws and regulations of
4 this State applicable to his business or profession.

5 (b) Leasing space to any other professional, including, without
6 limitation, a provider of health care pursuant to subsection 3. Each
7 such professional remains under the jurisdiction of the regulatory
8 body which governs his business or profession and remains subject
9 to the laws and regulations of this State applicable to his business or
10 profession.

11 3. The operator of a cosmetological establishment may lease
12 space at his cosmetological establishment to a provider of health
13 care for the purpose of providing health care within the scope of his
14 practice. The provider of health care shall not use the leased space to
15 provide such health care at the same time a cosmetologist uses that
16 space to engage in the practice of cosmetology. A provider of health
17 care who leases space at a cosmetological establishment pursuant to
18 this subsection remains under the jurisdiction of the regulatory body
19 which governs his business or profession and remains subject to the
20 laws and regulations of this State applicable to his business or
21 profession.

22 4. As used in this section:

23 (a) "Provider of health care" means a person who is licensed,
24 certified or otherwise authorized by the law of this State to
25 administer health care in the ordinary course of business or practice
26 of a profession.

27 (b) "Space" includes, without limitation, a separate room in the
28 cosmetological establishment.

29 **Sec. 28.** NRS 644.370 is hereby amended to read as follows:

30 644.370 A cosmetological establishment must, at all times, be
31 under the immediate supervision of a licensed ~~manicurist,~~ *nail*
32 *technologist*, electrologist, aesthetician, hair designer or
33 cosmetologist.

34 **Sec. 29.** NRS 644.408 is hereby amended to read as follows:

35 644.408 A student must receive the following minimum
36 amount of instruction in the classroom before commencing work on
37 members of the public:

38 1. A student enrolled as a cosmetologist must receive at least
39 300 hours.

40 2. A student enrolled as a hair designer must receive at least
41 300 hours.

42 3. A student enrolled as a ~~manicurist~~ *nail technologist* must
43 receive at least 100 hours.

44 4. A student enrolled as an electrologist's apprentice must
45 receive at least 150 hours.



1 5. A student enrolled as an aesthetician must receive at least
2 ~~120~~ 150 hours.

3 **Sec. 30.** NRS 644.430 is hereby amended to read as follows:

4 644.430 1. The following are grounds for disciplinary action
5 by the Board:

6 (a) Failure of an owner of a cosmetological establishment, a
7 licensed aesthetician, cosmetologist, hair designer, electrologist,
8 instructor, ~~manicurist,~~ *nail technologist*, demonstrator of
9 cosmetics or school of cosmetology, or a cosmetologist's apprentice
10 to comply with the requirements of this chapter or the applicable
11 regulations adopted by the Board.

12 (b) Obtaining practice in cosmetology or any branch thereof, for
13 money or any thing of value, by fraudulent misrepresentation.

14 (c) Gross malpractice.

15 (d) Continued practice by a person knowingly having an
16 infectious or contagious disease.

17 (e) Drunkenness or the use or possession, or both, of a
18 controlled substance or dangerous drug without a prescription, while
19 engaged in the practice of cosmetology.

20 (f) Advertisement by means of knowingly false or deceptive
21 statements.

22 (g) Permitting a license to be used where the holder thereof is
23 not personally, actively and continuously engaged in business.

24 (h) Failure to display the license as provided in NRS 644.290,
25 644.360 and 644.410.

26 (i) Entering, by a school of cosmetology, into an unconscionable
27 contract with a student of cosmetology.

28 (j) Continued practice of cosmetology or operation of a
29 cosmetological establishment or school of cosmetology after the
30 license therefor has expired.

31 (k) Any other unfair or unjust practice, method or dealing
32 which, in the judgment of the Board, may justify such action.

33 2. If the Board determines that a violation of this section has
34 occurred, it may:

35 (a) Refuse to issue or renew a license;

36 (b) Revoke or suspend a license;

37 (c) Place the licensee on probation for a specified period;

38 (d) Impose a fine not to exceed \$2,000; or

39 (e) Take any combination of the actions authorized by
40 paragraphs (a) to (d), inclusive.

41 3. An order that imposes discipline and the findings of fact and
42 conclusions of law supporting that order are public records.

43 **Sec. 31.** 1. This section and sections 1 to 9, inclusive, 12, 14,
44 17 to 24, inclusive, and 26 to 30, inclusive, of this act become
45 effective upon passage and approval.



- 1 2. Sections 10, 11, 13, 15 and 16 of this act become effective
- 2 on July 1, 2010.
- 3 3. Section 25 of this act becomes effective on January 1, 2011.

Ⓢ



* A B 2 0 2 *