

**ADOPTED REGULATION OF THE
STATE BOARD OF COSMETOLOGY**

LCB File No. R064-15

Effective December 21, 2015

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

AUTHORITY: §§1-9, 11-13, 18-29, 57, 58, 86, 88, 89, 91, 92 and 95, NRS 644.110; §§10 and 30, NRS 644.110 and 644.315, as amended by section 44 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 603; §§14-17, 75-85 and 87, NRS 644.110 and 644.120, as amended by section 26 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 593; §31, NRS 644.110, 644.195, 644.1955 and 644.197; §32, NRS 644.110 and 644.193; §33, NRS 644.110 and 644.199; §§34 and 41, NRS 644.110 and 644.210, as amended by section 36 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 598; §35, NRS 644.110 and 644.244; §36, NRS 644.110 and 644.245; §37, NRS 644.110 and 644.247; §38, NRS 644.110 and 644.240; §39, NRS 644.110 and 644.235; §§40 and 43, NRS 644.110 and 644.260; §42, NRS 644.110 and 644.330; §44, NRS 644.110, 644.193, 644.320 and 644.325; §45, NRS 644.110 and 644.325; §46, NRS 644.110 and 644.220, as amended by section 40 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 602; §47, NRS 644.110 and 644.380, as amended by section 58 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 610; §§48 and 69, NRS 644.110, 644.120, as amended by section 26 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 593, and 644.380, as amended by section 58 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 610; §§49, 50 and 52-56, NRS 644.110 and 644.400, as amended by section 59 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 611; §51, NRS 644.110, 644.395 and 644.408; §59, NRS 644.110, 644.217, as amended by section 38 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 599, and 644.2175, as amended by section 39 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 599; §§60-62, 65 and 66, NRS 644.110 and 644.2175, as amended by section 39 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 599; §63, NRS 644.110, 644.120, as amended by section 26 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 593, and 644.2175, as amended by section 39 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 599; §64, NRS 644.110, 644.2175, as amended by section 39 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 599, and 644.471; §§67 and 68, NRS 644.110, 644.2175, as amended by section 39 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 599, and 644.430, as amended by section 60 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 612; §70, NRS

644.110, 644.203 and 644.215; §§71 and 72, NRS 644.110 and 644.203; §§73 and 74, NRS 644.110 and 644.360, as amended by section 52 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 608; §90, NRS 644.110, 644.340, as amended by section 49 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 607, and 644.345, as amended by section 50 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 608; §§93 and 94, NRS 644.110 and 644.430, as amended by section 60 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 612, and section 7.3 of Assembly Bill No. 409, chapter 413, Statutes of Nevada 2015, at page 2396.

A REGULATION relating to cosmetology; revising various provisions relating to cosmetologists, hair designers, aestheticians, nail technologists, hair braiders and demonstrators of cosmetics; revising various provisions relating to cosmetological establishments and schools of cosmetology and electrology; establishing provisions relating to makeup artists and shampoo technologists; establishing and revising provisions relating to apprentices; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Board of Cosmetology to adopt reasonable regulations for governing the conduct of schools of cosmetology and cosmetological establishments, for conducting examinations of applicants for licenses and for carrying out the provisions of chapter 644 of NRS relating to cosmetology. (NRS 644.110) Existing law also authorizes the Board to adopt such regulations as it deems necessary governing sanitary conditions. (NRS 644.120)

Sections 2, 7, 9, 11, 18, 27-29 and 31-43 of this regulation revise various provisions relating to the licensure and examination of instructors, provisional instructors, student instructors, cosmetologists, hair designers, hair braiders, aestheticians, nail technologists and demonstrators of cosmetics. **Sections 44-46** of this regulation revise fees for the issuance of, renewal of and examination for certain licenses and certificates of registration.

Sections 2, 6, 12, 13, 20, 23-26 and 47-58 of this regulation revise various provisions relating to the operation of cosmetological establishments and schools of cosmetology and the curriculum offered at such schools.

Sections 10 and 30 of this regulation revise provisions relating to the issuance of limited licenses to practice cosmetology. **Section 10** establishes certain restrictions on the types of services that may be offered and the locations at which such services may be offered under a limited license. **Section 30** revises provisions relating to an application for a limited license.

Sections 59-68 of this regulation revise provisions relating to cosmetologist's apprentices and establish similar provisions for hair designer's apprentices, aesthetician's apprentices and nail technologist's apprentices.

Sections 70 and 71 of this regulation revise provisions relating to electrologist's apprentices.

Sections 3-5, 8, 14-17, 21, 69 and 72-87 of this regulation revise various provisions relating to infection control and prevention.

Section 88 of this regulation revises a provision governing the place in which a licensee may practice cosmetology.

Sections 89-92 of this regulation revise various provisions relating to mobile cosmetological establishments.

Sections 93 and 94 of this regulation revise provisions relating to fines and disciplinary action.

Section 95 of this regulation repeals a provision governing examinations and also repeals provisions rendered superfluous by **sections 34 and 44**.

Section 1. Chapter 644 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 18, inclusive, of this regulation.

Sec. 2. *“Classroom” means any room within a licensed school of cosmetology or electrology in which instruction is provided.*

Sec. 3. *“Cleaning” means washing a surface or object with soap or detergent and warm water and rendering the surface or object free from all soil, dirt and debris.*

Sec. 4. *“Disinfectant” means a chemical agent that is registered with the United States Environmental Protection Agency for use in a hospital setting as a bactericide, fungicide or virucide.*

Sec. 5. *“Disinfection” means the use of a chemical agent that eliminates harmful bacteria, fungi and viruses on non-porous surfaces.*

Sec. 6. *“Dispensary” means a physical location or area in a cosmetological establishment or a school of cosmetology primarily used for the preparation, measuring, mixing, portioning or disposal of cosmetology supplies, products, chemicals or disinfectants or for the cleaning or disinfection of tools or implements.*

Sec. 7. *“Practical” means the actual performance by a student of a partial or complete service on another person or a mannequin.*

Sec. 8. *“Sterilization” means the complete destruction of all microbial life by means of heat and pressure, including, without limitation, the use of an autoclave approved by the United States Food and Drug Administration.*

Sec. 9. *“Theory” means instruction by demonstration, lecture, classroom participation or examination.*

Sec. 10. 1. *Except as otherwise provided in this section, a person who holds a limited license issued pursuant to NRS 644.315, as amended by section 44 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 603, shall not engage in the practice of cosmetology unless the services are performed in a licensed cosmetological establishment.*

2. *A person who holds a limited license issued pursuant to NRS 644.315, as amended by section 44 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 603, may:*

(a) Practice cosmetology only at:

(1) A resort hotel;

(2) A location at which a wedding is being officiated;

(3) A private home;

(4) A convention center;

(5) A fair;

(6) A festival; or

(7) A commercial, public or private building.

(b) Offer only the following services:

(1) Techniques which result in tension on hair strands such as twisting, wrapping, weaving, extending, locking or braiding of the hair by hand and which do not include the application of dyes, reactive chemicals or other preparations to alter the color or to straighten, curl or alter the structure of the hair;

(2) The nonpermanent manipulation of the hair, such as styling, wrapping, arranging, braiding, twisting, weaving, extending, fusing, dressing, curling, setting or straightening;

(3) The application of cosmetic products and hair-arranging services which:

(I) Do not include shampooing, haircutting, hair coloring, permanent waving of the hair, hair relaxing or the removal of hair; and

(II) Are provided using either disposable hair-arranging implements or a wet or dry disinfecting system approved by the United States Environmental Protection Agency;

(4) Application of makeup to the skin;

(5) Application of false eyelashes; or

(6) Removal of existing nail polish from and application of nail polish to the nails.

3. A person who engages in the practice of cosmetology pursuant to subsection 2 shall record the name of the client and the address at which services are performed in an appointment book or system which must remain at the cosmetological establishment or permanent place of business and be made available upon request to any investigator or inspector of the Board.

4. Nothing in this section shall be construed to prohibit a person who holds a limited license issued pursuant to NRS 644.315, as amended by section 44 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 603, from engaging in the practice of

cosmetology within the scope of their valid license to practice cosmetology within a licensed cosmetological establishment.

Sec. 11. 1. *Except as otherwise provided in this subsection, a student in cosmetology who is enrolled at a licensed school of cosmetology in this State who initially commenced instruction at any licensed school of cosmetology before August 1, 2015, is required to complete 1,800 hours of training. The Executive Director may, for good cause shown, reduce this requirement to 1,600 hours of training if a student in cosmetology has not been enrolled at a licensed school of cosmetology for a period of at least 12 months before August 1, 2016.*

2. A student in cosmetology who is enrolled at a licensed school of cosmetology in this State who initially commenced instruction on or after August 1, 2015, and on or before September 30, 2015, may choose to complete a course of instruction which includes 1,800 hours of training or 1,600 hours of training.

3. A student in cosmetology who is enrolled at a licensed school of cosmetology in this State who initially commenced instruction on or after October 1, 2015, is required to complete 1,600 hours of training.

Sec. 12. 1. *The Board may grant a variance from the requirements of NAC 644.080 to 644.145, inclusive, and this section, to a school of cosmetology located within a facility of the Department of Corrections.*

2. An application to operate a school of cosmetology located within a facility of the Department of Corrections must be accompanied by plans, operational processes and variance requests developed jointly with the Department and the Board.

3. An initial license to operate a school of cosmetology within a facility of the Department of Corrections may be granted by the Board only during a public hearing. The renewal of such a license may be approved by the staff of the Board.

Sec. 13. Any staff member of the Board assigned to perform inspections of cosmetological establishments may open, without limitation, any door, drawer or closure of any kind, with or without the permission of the owner, a supervisor or any employee of a cosmetological establishment, to inspect any area within the establishment. The staff member of the Board who performs such an inspection shall use his or her discretion to avoid entering a treatment room where a client requires privacy to receive a cosmetology service allowed by law. The refusal by an owner, supervisor or licensee to open any locked area within the licensed area of a cosmetological establishment is a ground for disciplinary action by the Board.

Sec. 14. A licensee who uses a foot spa for the delivery of cosmetology services must:

1. Before performing foot spa services:

(a) Check the condition of the client's feet and legs and, if open sores or skin wounds are present, including, without limitation, insect bites, scratches, scabbed-over wounds or any condition that weakens the skin barrier, explain to the client why he or she should not use the foot spa; and

(b) Not perform any procedure that risks damage to a client's skin, including, without limitation, pedicures or waxing, before soaking the client's feet in the foot spa basin.

2. After performing foot spa services on a client, including, without limitation, while feet are massaged, toes are painted or any other time after the client's feet are out of the foot spa:

(a) Drain the water from the foot spa basin or bowl and remove any visible debris;

(b) Clean the surfaces of the foot spa with soap or detergent, rinse with clean water and drain;

(c) After cleaning the foot spa, disinfect the surfaces of the foot spa with a disinfectant according to the manufacturer's directions on the label of the disinfectant and ensure that the surfaces remain wet with the disinfectant for at least 10 minutes or the time stated on the label of the disinfectant, whichever is shorter;

(d) For whirlpool foot spas, air-jet basins, "pipe-less" foot spas and other circulating spas, disinfect the foot spa by filling the basin with clean water, adding the appropriate amount of liquid disinfectant and turning the unit on to circulate the disinfectant for the entire contact time; and

(e) After disinfecting the foot spa, drain and rinse the foot spa with clean water.

3. Nightly:

(a) For whirlpool foot spas, air-jet basins, "pipe-less" foot spas and other circulating spas:

(1) Remove the filter screen, inlet jets and all other removable parts from the basin and clean out any debris trapped behind or in the removed parts;

(2) Using a brush, scrub the removed parts with soap or disinfectant following the appropriate cleaning directions for the soap or disinfectant;

(3) Rinse the removed parts with clean water and place the parts back into the basin;

(4) Fill the basin with clean water and add a disinfectant following the directions on the label of the disinfectant;

(5) Turn the unit on and circulate the system with the water and disinfectant for at least 10 minutes or the time stated on the label of the disinfectant, whichever is shorter; and

(6) After disinfection, drain, rinse and air dry the foot spa.

(b) For simple basins with no circulation:

- (1) Drain the basin and remove any visible debris;*
- (2) Using a clean brush, scrub the bowl with soap or disinfectant following the appropriate cleaning directions for the soap or disinfectant;*
- (3) Rinse and drain;*
- (4) Disinfect the basin surfaces with a disinfectant according to the manufacturer's directions on the label of the disinfectant and ensure that the surfaces of the foot spa remain wet with the disinfectant for at least 10 minutes or the time stated on the label, whichever is shorter; and*
- (5) Drain the basin, rinse with clean water and let the foot spa air dry.*

Sec. 15. 1. Wax pots must be kept covered and the exterior cleaned daily.

2. If debris is found in the wax pot or if the wax has been contaminated by contact with skin, unclean applicators or double-dipping, the wax pot must be emptied, the wax must be discarded and the pot must be disinfected.

3. Disposable spatulas and wooden sticks may be dipped into the wax only once and then must be discarded without using the other end.

4. Applicators may be dipped into the wax only once unless the wax is a single-service item and unused wax is discarded after each service.

5. Any surface touched by a used wax stick must be disinfected immediately after the service.

Sec. 16. A cosmetological establishment using hot steamed towels in services must:

- 1. Wash the towels with detergent and bleach and dry the towels on the "hot" setting.*

2. Ensure that any person who prepares towels for the warmers first washes his or her hands or wears gloves.

3. Freshly prepare wet towels used in services each day and remove and launder unused wet towels at the end of each day.

4. Disinfect the towel warmers daily.

Sec. 17. 1. Except for designated retail sales areas for the sale of products to the public, a licensed cosmetological establishment shall not have the following devices within the licensed areas of the cosmetological establishment:

(a) Skin cutting equipment, including razor-type callus shavers, credo blades, rasps or graters and other implements which are used to remove corns or calluses by cutting below the skin surface;

(b) Methyl methacrylate liquid monomers, also known as MMA, and fumigants, formalin tablets or formalin liquids; or

(c) Any device that allows a licensee to perform a service outside of the scope of services of a person licensed, certified or registered pursuant to this chapter or chapter 644 of NRS.

2. If any device described in subsection 1 is found in a cosmetological establishment upon inspection by the staff of the Board, the device must be removed:

(a) Immediately from the premises if the device is not permanently mounted and is small enough to fit within the vehicle of the licensee; or

(b) Within 48 hours from the premises if the device must be uninstalled or is too large to fit in the vehicle of the licensee.

3. If a device described in subsection 1 is found in a cosmetological establishment, the owner of the cosmetological establishment is subject to punishment in accordance with NAC 644.700.

Sec. 18. *A person applying for renewal of a license or certificate of registration pursuant to this chapter and chapter 644 of NRS will not receive credit for a course for the purposes of subsection 5 of NRS 644.325, as amended by section 46 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 605, unless the Board approves the course for that purpose.*

Sec. 19. NAC 644.010 is hereby amended to read as follows:

644.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 644.012 to 644.032, inclusive, *and sections 2 to 9, inclusive, of this regulation* have the meanings ascribed to them in those sections.

Sec. 20. NAC 644.018 is hereby amended to read as follows:

644.018 “Final time record” means a statement of the number of hours of training completed by a student enrolled in a course of training at a school of cosmetology ~~or~~ *electrology*.

Sec. 21. NAC 644.019 is hereby amended to read as follows:

644.019 “Infection control ~~and~~ *and prevention*” means a practice, procedure or technique that is used to resist or prevent the spread of an infectious disease. The term includes, without limitation, antiseptis, *cleaning, disinfection and* sterilization . ~~and sanitation.~~

Sec. 22. NAC 644.021 is hereby amended to read as follows:

644.021 ~~“Make-up”~~ *“Makeup”* means any pigment product which is used to cover, camouflage or decorate ~~facial~~ skin.

Sec. 23. NAC 644.025 is hereby amended to read as follows:

644.025 “School of cosmetology” means a licensed establishment accepting compensation for instruction in cosmetology ~~+~~ *which enrolls students in courses that satisfy the requirements for licensure under this chapter and chapter 644 of NRS.*

Sec. 24. NAC 644.032 is hereby amended to read as follows:

644.032 “Time record” includes a time card, computerized printout or any other record of the times of the day that a student is in attendance in a school of cosmetology or electrology, that is generated by a ~~time clock, computer, computer program or any other~~ device approved by the Board.

Sec. 25. NAC 644.037 is hereby amended to read as follows:

644.037 The Board will interpret NRS 644.370 , *as amended by section 54 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 609*, to mean that in a cosmetological establishment where:

1. More than one branch of cosmetology *or makeup artistry* is practiced, the establishment must at all times be under the immediate supervision of a licensed cosmetologist or a person licensed in each branch of cosmetology practiced in the establishment at the time of service.
2. Only nail technology is practiced, the establishment must be under the immediate supervision of a licensed cosmetologist or licensed nail technologist.
3. Only electrology is practiced, the establishment must be under the immediate supervision of a licensed electrologist.
4. Only aestheticians practice, the establishment must be under the immediate supervision of a licensed cosmetologist or licensed aesthetician.
5. Only hair designing is practiced, the establishment must be under the immediate supervision of a licensed cosmetologist or licensed hair designer.

6. Only makeup artistry is practiced, the establishment must be under the immediate supervision of a licensed cosmetologist or licensed aesthetician.

Sec. 26. NAC 644.038 is hereby amended to read as follows:

644.038 The Board does not construe “cosmetological establishment” to include ~~the~~ :

1. An active television or motion picture set or any other related area as determined by the Board . ~~unless cosmetology is practiced on the premises after the production is completed.~~

2. A physical location that is used in connection with photography services provided by a photographer if the photographer or his or her employee does not advertise cosmetology or makeup artistry services and provides cosmetology or makeup artistry services without charge to the customer.

3. A retail establishment when engaged in the demonstration of cosmetics if the demonstration is without charge to the person to whom the demonstration is given and the retail establishment does not advertise or provide cosmetology or makeup artistry services except for the sale of cosmetics and fragrances.

Sec. 27. NAC 644.042 is hereby amended to read as follows:

644.042 Every written communication to the Board must contain the name , *electronic mail address, telephone number* and *physical mailing* address of the sender.

Sec. 28. NAC 644.046 is hereby amended to read as follows:

644.046 The license *or certificate of registration* of any person who is licensed *or registered* pursuant to chapter 644 of NRS may be used only by the person to whom the license *or certificate* has been issued.

Sec. 29. NAC 644.0463 is hereby amended to read as follows:

644.0463 1. A request for a certification of licensure in this State must be made in writing *or submitted electronically* on a form provided by the Board. Upon the receipt of a completed request for a certification of licensure, the Board will immediately forward the certification of licensure to the requesting jurisdiction.

2. The Board will accept a certification of licensure from another jurisdiction only if the Board receives the certification directly from the agency in the other jurisdiction authorized to provide such certifications. A certification of licensure from another jurisdiction is valid for 6 months after the date on which the Board receives the certification. The Board will not accept altered forms of a certification of licensure.

Sec. 30. NAC 644.0464 is hereby amended to read as follows:

644.0464 In addition to the requirements set forth in NRS 644.315, *as amended by section 44 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 603*, a person applying for a limited license under that section must ~~{present, in person,}~~ *submit* to the Board:

1. *If the person is licensed in another state or territory of the United States or the District of Columbia:*

(a) A *copy of a* valid license to practice cosmetology from another state or territory of the United States or the District of Columbia;

~~{2. The name and address under which the license was issued;~~

~~—3.}~~ (b) *A certification of licensure provided directly from the board which issued the license;*

(c) Valid identification, including, without limitation, a driver's license, passport or identification card *which contains a picture of the applicant and was* issued by another state or territory of the United States or the District of Columbia; ~~{and~~

~~—4.1~~ (d) Proof of temporary hire by a ~~{resort hotel. The proof must consist}~~ *location described in paragraph (a) of subsection 2 of section 10 of this regulation which consists* of a letter or other documentation from the ~~{resort hotel}~~ *location* stating that the person applying for the limited license has been hired or has contracted to ~~{work as a cosmetologist in the hotel}~~ *engage in the practice of cosmetology or makeup artistry at the location* for a designated period ~~{1}~~;

(e) *Two photographs which must:*

- (1) *Be identical;*
- (2) *Have been taken not more than 90 days before the submission of the application;*
- (3) *Be 2 inches by 2 inches in size; and*
- (4) *Show the front view of the full face of the applicant in color against a plain white or off-white background and be otherwise substantially equivalent to a photograph suitable for use in a passport issued by the United States Government; and*

(f) *A fee of \$100.*

2. *If the person is licensed under NRS 644.200, 644.204, 644.205 or 644.207:*

(a) *A form supplied by the Board containing the name, address, electronic mail address, social security number, age, citizenship status and military status of the applicant, the license number of the cosmetologist, hair designer, aesthetician or nail technician, whether the applicant is subject to a court order for the support of a child and any other information required by the Board;*

(b) *The name and address under which the license described in this subsection was issued;*

(c) *Valid identification, including, without limitation, a driver's license, passport or identification card which contains a picture of the applicant and which was issued by another state or territory of the United States or the District of Columbia;*

(d) Two photographs which must:

(1) Be identical;

(2) Have been taken not more than 90 days before the submission of the application;

(3) Be 2 inches by 2 inches in size; and

(4) Show the front view of the full face of the applicant in color against a plain white or off-white background and be otherwise substantially equivalent to a photograph suitable for use in a passport issued by the United States Government; and

(e) A fee of \$100.

Sec. 31. NAC 644.0476 is hereby amended to read as follows:

644.0476 1. An instructor may receive credit for the 30 hours of advanced training *in each 2-year period* required pursuant to NRS 644.195, 644.1955 or 644.197 if:

(a) The instructor has received 15 hours of instruction from professional classes or seminars, or both, on hair, skin and nail care, sponsored by a professionally recognized company or natural person approved by the Board ~~to or~~;

(b) The instructor has received 30 hours of continuing education *in courses approved by the Board* in any of the following areas:

(1) ~~{Biology;}~~ *Science;*

(2) ~~{Business Administration;}~~ *Health;*

(3) ~~{Chemistry;}~~ *Business;*

(4) ~~{Communication studies;}~~ *Technology;*

(5) ~~{Computers;}~~ *Education or teaching methodology;*

(6) ~~{Cardiopulmonary resuscitation or first-aid training;}~~ *Language; or*

(7) ~~{Educational administration;}~~

- ~~——(8) Emergency medical services;~~
- ~~——(9) English;~~
- ~~——(10) Foreign languages;~~
- ~~——(11) General education, with an emphasis on teaching methods;~~
- ~~——(12) Human services, including counseling;~~
- ~~——(13) Management;~~
- ~~——(14) Psychology;~~
- ~~——(15) Sign language;~~
- ~~——(16) Sociology;~~
- ~~——(17) Special education; or~~
- ~~——(18) Teaching methods;~~
- ~~——(b)†~~ *Advanced cosmetology;*

(c) The instructor has received ~~{two credits or}~~ 30 hours of instruction from courses offered at a university or community college in the areas specified in paragraph ~~{(a)};~~

~~——(c)†~~ (b);

(d) The instructor has received 30 hours of instruction from ~~{classes on business, professional or management skills}~~ *courses in the areas specified in paragraph (b)* that are sponsored by an organization or natural person that has been approved by the Board; ~~{or}~~

~~——(d)†~~ (e) The instructor has received 30 hours of instruction in in-service classes ~~{†}~~ *that have been approved by the Board; or*

(f) *The instructor has received a certificate of completion for a cardiopulmonary resuscitation or first-aid course that has been approved by the Board.*

2. A school of cosmetology may conduct in-service classes for the purposes of this section.

~~{The classes must be conducted by a person who holds a current teaching license from the Superintendent of Public Instruction and is authorized to teach in the school district in which the in-service class is being conducted.}~~

3. All hours for credits for continuing education must be properly documented in written format, including, but not limited to, report cards, certificates of completion or letters which verify that the licensee attended the class and the number of hours earned. If the information documenting the hours taken is not clearly indicated on the documents provided to the Board, the documents will not be accepted. All documents submitted as evidence that the licensee has met the requirements for continuing education must be submitted during the period provided by the Board for the renewal of the license, together with the renewal slip and the required pictures and fees. The falsification of any such documents, or any information contained therein, is a ground for disciplinary action against the licensee.

Sec. 32. NAC 644.0479 is hereby amended to read as follows:

644.0479 1. The written verification of the completion of education required by paragraph (a) of subsection 1 of NRS 644.193 must be a copy of the applicant's:

- (a) High school *or college* diploma;
- (b) Transcript of high school grades showing successful completion of the 12th grade;
- (c) Nevada High School Equivalency Certificate; or
- (d) General educational development certificate.

2. The written verification of prior experience required by paragraph (b) of subsection 1 of NRS 644.193 must be in the form of:

(a) ~~{An approved affidavit or}~~ A statement ~~{properly drafted,}~~ signed ~~{and notarized}~~ by the employer or employers for whom the applicant was working at the time the experience was gained; or

(b) Federal tax returns of the applicant, including all applicable forms and schedules, ➡ which clearly show that the applicant has practiced as a full-time licensed cosmetologist, hair designer, aesthetician or nail technologist for not less than 1 year.

3. The photographs required to be submitted pursuant to paragraph (e) of subsection 1 of NRS 644.193 must:

- (a) Be identical;
- (b) Have been taken not more than 90 days before the date of the submission of the application;
- (c) Be ~~{1 1/2}~~ 2 inches by ~~{1 1/2}~~ 2 inches in size; *and*
- (d) Show the front view of the full face of the applicant in color against a plain white or off-white background and be otherwise substantially equivalent to a photograph suitable for use in a passport issued by the United States Government . ~~{; and~~
- ~~—(e) Have the name and address of the applicant written on the back.}~~

4. An applicant for a provisional license as an instructor shall provide the Board with proof that the applicant is enrolled in a licensed school of cosmetology and his or her enrollment form must be submitted to the Board.

5. An applicant for a provisional license as an instructor must hold a license to practice each branch of cosmetology for which the applicant is seeking provisional licensure as an instructor.

Sec. 33. NAC 644.048 is hereby amended to read as follows:

644.048 1. The written verification of the completion of education required by paragraph (a) of subsection 1 of NRS 644.199 must be a copy of the applicant's:

- (a) High school *or college* diploma;
- (b) Transcript of high school grades showing successful completion of the 12th grade;
- (c) Nevada High School Equivalency Certificate; or
- (d) General educational development certificate.

2. The photographs required to be submitted pursuant to paragraph (e) of subsection 1 of NRS 644.199 must:

- (a) Be identical;
- (b) Have been taken not more than 90 days before the date of the submission of the application;
- (c) Be ~~1 1/2~~ *2 inches* by ~~1 1/2~~ *2* inches in size; *and*
- (d) Show the front view of the full face of the applicant in color against a plain white or off-white background and be otherwise substantially equivalent to a photograph suitable for use in a passport issued by the United States Government. ~~;~~ *and*
- ~~—(e) Have the name and address of the applicant written on the back.—~~

3. *An applicant for a license as a student instructor shall provide the Board with proof that the applicant is enrolled in a licensed school of cosmetology and submit his or her enrollment form to the Board*

4. An applicant for a license as a student instructor must hold a license to practice each branch of cosmetology for which the applicant is seeking licensure as a student instructor.

Sec. 34. NAC 644.0502 is hereby amended to read as follows:

644.0502 An applicant for examination for a license as a cosmetologist, hair designer, nail technologist, *demonstrator of cosmetics* or aesthetician pursuant to NRS 644.200, 644.204, 644.205, *644.206* or 644.207, respectively, *or for registration as a shampoo technologist or makeup artist pursuant to NRS 644.110 or 644.210, as amended by section 36 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 598, respectively,* must provide:

1. A ~~notarized affidavit from the applicant establishing the successful completion by the applicant of the 10th grade in school or its equivalent.~~ *completed application on a form furnished by the Board.*

2. Two photographs of the applicant. The photographs must:

(a) Be identical;

(b) Have been taken not more than 90 days before the date of the submission of the application;

(c) Be ~~1 1/2~~ *2 inches* by ~~1 1/2~~ *2* inches in size; *and*

(d) Show the front view of the full face of the applicant in color against a plain white or off-white background and be otherwise substantially equivalent to a photograph suitable for use in a passport issued by the United States Government. ~~;~~ *and*

~~—(e) Have the name and address of the applicant written on the back.~~

3. The applicable fees.

4. One of the following documents as proof of the age of the applicant:

(a) A photocopy of the birth certificate of the applicant;

(b) A copy of a current passport issued to the applicant; or

(c) A copy of a ~~{voter-registration}~~ *current driver's license or identification* card , *including a picture of the applicant*, issued to the applicant ~~{pursuant to the provisions of NRS 293.517.}~~ *by a state agency.*

Sec. 35. NAC 644.0504 is hereby amended to read as follows:

644.0504 An examination for licensure as a hair designer will include, but is not limited to, a test on:

1. Infection control and ~~{safety;}~~ *prevention;*
2. The provisions of this chapter and chapter 644 of NRS;
3. ~~{Chemical treatments;}~~ *Setup and client protection;*
4. *Thermal curling;*
5. Haircutting;
- ~~{5.— Hot work; and}~~
6. ~~{Shampoo;}~~ *Chemical waving;*
7. *Hair color; and*
8. *Hair relaxer.*

Sec. 36. NAC 644.0506 is hereby amended to read as follows:

644.0506 ~~{1.}~~ An examination for licensure as a nail technologist will include, but is not limited to, a test on:

- ~~{(a)}~~ 1. Infection control and ~~{safety;}~~ *prevention;*
- ~~{(b)}~~ 2. The provisions of this chapter and chapter 644 of NRS;
- ~~{(c) The performance of a manicure of one hand, including the massage of the hand and forearm; and}~~

~~—(d) The completion of a sculptured nail on one finger and the application of one tip with a fabric wrap.~~

~~—2. An examination for licensure as a nail technologist may also include, without limitation, a test on the performance of a pedicure on one foot, including a foot massage up to the knee.]~~

3. Client preparation and setup of supplies;

4. Manicures and polish application;

5. Nail tip application and blending;

6. Sculptured nails; and

7. Procedures for exposure to blood.

Sec. 37. NAC 644.0508 is hereby amended to read as follows:

644.0508 An examination for licensure as an aesthetician will include, but is not limited to, a test on:

1. Infection control and ~~[safety;]~~ *prevention;*

2. The provisions of this chapter and chapter 644 of NRS;

3. ~~[Performance of a manual facial, including skin analysis, cleaning, scientific manipulation, packs and masks;~~

~~—4. Performance of the arching of an eyebrow, including the use of wax and manual and electric tweezers; and~~

~~—5. Performance and analysis of the application of complete and corrective make-up and the application of false eyelashes.]~~ *Client preparation and setup of supplies;*

4. Cleansing the face;

5. Exfoliating the face;

6. Massaging the face;

7. Hair removal by tweezing and simulated soft wax;

8. Facial masks;

9. Facial makeup; and

10. Procedures for exposure to blood.

Sec. 38. NAC 644.051 is hereby amended to read as follows:

644.051 An examination for licensure as a cosmetologist will include, but is not limited to, a test on:

1. Infection control and ~~{safety;}~~ *prevention;*
2. The provisions of this chapter and chapter 644 of NRS;
3. ~~{Chemical treatments;}~~ *Setup and client protection;*
4. *Thermal curling;*
5. Haircutting;
- ~~{5. Arching of the eyebrow;}~~
6. ~~{Hot work;}~~ *Chemical waving;*
7. ~~{Shampoo; and}~~ *Hair color;*
8. ~~{Manicure, pedicure, and wrapping and extending fingernails.}~~ *Hair relaxer;*
9. *Basic facials; and*
10. *Sculptured nails.*

Sec. 39. NAC 644.0515 is hereby amended to read as follows:

644.0515 1. An applicant for examination shall indicate, on the face of his or her application, the language in which the applicant wishes to have the examination offered.

2. The written and practical portions of the examination will be offered in English or Spanish without additional expense to an applicant.

3. An applicant who wishes to take the examination in a language other than English or Spanish must:

(a) Pay all expenses for taking the examination in a language other than English or Spanish, including, without limitation, the costs for the development, preparation, administration, grading and evaluation of the examination.

(b) Not less than 45 days before the date of the examination, file a written notice with the Executive Director containing the name of the interpreter to be used in the examination and the name of the organization with which the interpreter is affiliated.

(c) At the time of the examination and at the applicant's own expense, provide an interpreter who meets the qualifications set forth in subsection 4 to translate the written and practical portions of the examination. The Executive Director may allow more than one applicant to share the services of an interpreter to reduce the expenses borne by those applicants.

4. To translate the written and practical portions of an examination pursuant to this section, an interpreter must be:

(a) Affiliated with an organization that has been approved by the Board; and

(b) Personally approved by the Executive Director.

5. The Executive Director shall:

(a) Maintain a list of the organizations that have been approved by the Board to provide interpreters for the examination; and

(b) Make the list available to applicants.

6. At the time of the examination, an interpreter shall provide such identification as is necessary to establish the interpreter's identity and the identity of the organization with which he or she is affiliated.

7. For purposes of this section, “examination” means the examination for licensure as a cosmetologist ~~and~~, *hair designer, hair braider, aesthetician, nail technologist or demonstrator of cosmetics.*

Sec. 40. NAC 644.052 is hereby amended to read as follows:

644.052 An applicant for licensure as an instructor must successfully complete:

1. A nationally recognized ~~written~~ *theory* examination, with a passing score of not less than 75 percent; and
2. A law examination consisting of 50 multiple-choice questions ~~on~~ *on Nevada law relating to cosmetology*, with a passing score of not less than 75 percent.

Sec. 41. NAC 644.053 is hereby amended to read as follows:

644.053 1. When an applicant for licensure in any branch of cosmetology registers for the ~~written~~ *theory* examination, he or she must submit to the Board:

(a) If the applicant attended a school of cosmetology that is located in this State, an original record of completion of the required courses of training and a copy of the final time record for the courses studied;

(b) If the applicant attended a school of cosmetology that is located outside of this State, including, without limitation, a school of cosmetology that is located outside of the United States, a letter or record from the governmental agency, if any, that regulates such schools in the appropriate jurisdiction which verifies that the student completed courses of training and attended a number of hours per subject that are comparable to the requirements in this State; or

(c) If the applicant received his or her training pursuant to NRS 644.217 and 644.2175, *as amended by sections 38 and 39 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 599, sections 12, 13 and 14 of Assembly Bill No. 246, chapter 151, Statutes of*

Nevada 2015, at pages 588-90, and NAC 644.151 to 644.181, inclusive, as a cosmetologist's apprentice, *hair designer's apprentice, aesthetician's apprentice or nail technologist's apprentice*, a copy of the final report submitted to the Board, pursuant to NAC 644.167, by the licensed cosmetologist, *hair designer, aesthetician or nail technologist* who supervised and trained the apprentice.

2. Any hours taken at a school of cosmetology that is located outside of the United States are subject to the approval of the Board for the purposes of determining whether the training received is equivalent to the training which the applicant would have received at a school of cosmetology located in the United States.

3. The Board or its designee will send ~~an~~ *a written or electronic* acceptance letter to each applicant for the ~~written~~ *theory* examination. On the designated day and time of the ~~written~~ *theory* or practical examination, the applicant must present the acceptance letter and his or her picture identification at the location where the examination is being given for admittance into the examination. An applicant who fails to bring the acceptance letter and picture identification:

- (a) Will be denied entrance to the examination;
- (b) Forfeits any fees paid to take the examination; and
- (c) Must reregister before taking the examination.

4. The Board or its designee will notify the applicant and, if the applicant attended a school of cosmetology ~~in~~ *in this State*, the school of the results of his or her ~~written~~ *theory* examination and his or her percentage score not later than 3 weeks after the date of the ~~written~~ *theory* examination or, if the examination is graded by a testing company, ~~as soon as~~ *within 5 business days after* the results are ~~available~~ *received* from the testing company, whichever occurs later.

5. Each applicant must be on time to take the examination. Any applicant who arrives late:

- (a) Will be denied entrance to the examination;
- (b) Forfeits any fees paid to take the examination; and
- (c) Must reregister before taking the examination.

6. Except as otherwise provided in subsection 7, each applicant for licensure as a nail technologist, cosmetologist, hair designer, electrologist or aesthetician must bring to the *practical* examination a model or mannequin and all equipment required for the examination. The applicant must be able to complete the *practical* examination on the model or mannequin brought for the examination. An applicant who fails to bring a model or mannequin and all required equipment to the *practical* examination:

- (a) Will be denied entrance to the examination;
- (b) Forfeits any fees paid to take the examination; and
- (c) Must reregister before taking the examination.

7. An applicant may rent a supply kit for the *practical* examination directly from a company that makes such kits. The Board will not set or accept any fees for renting supply kits.

8. While taking an examination, each applicant must wear *clean* outer garments ~~including shoes, that are all white. No applicant will be required to wear a smock during the examination.~~ *and adequate footwear.*

Sec. 42. NAC 644.0536 is hereby amended to read as follows:

644.0536 The Board may dispense with the examination of a cosmetologist, *hair designer, hair braider*, nail technologist, aesthetician, electrologist or instructor pursuant to subsection 3 of NRS 644.330 if the person applying for restoration of his or her license provides proof of a

current license in another state and ~~{verification}~~ *certification of licensure directly from the appropriate board of that state* that the license is in good standing.

Sec. 43. NAC 644.0539 is hereby amended to read as follows:

644.0539 The passing score for the examination of a cosmetologist, nail technologist, hair designer, aesthetician or electrologist is not less than 75 percent on the ~~{national-written-portion}~~ *theory examination* and a “Pass” on the practical examination.

Sec. 44. NAC 644.054 is hereby amended to read as follows:

644.054 *1.* The fee for ~~{any}~~ *an* initial license *or registration* issued by the Board for ~~Hess~~ *than 1 1/2 years* is:

~~1. At least a portion of 1 month but less~~

~~than 6 months.....25 percent of the biennial fee for that license.~~

~~2. Six months or more but less than 12~~

~~months.....50 percent of the biennial fee for that license.~~

~~3. Twelve months or more but less than~~

~~18 months.....75 percent of the biennial fee for that license.} :~~

(a) An instructor, hair designer, nail technologist, electrologist, aesthetician, cosmetologist or demonstrator of cosmetics is:

(1) For 2 years, \$70.

(2) For 4 years, \$140.

(b) A provisional license as an instructor is, for 1 year, \$70.

(c) A shampoo technologist is:

(1) For 2 years, \$50.

(2) For 4 years, \$100.

(d) A school of cosmetology is:

(1) For 2 years, \$800.

(2) For 4 years, \$1,600.

2. The fee for an annual registration for a makeup artist, a natural person who engages in the practice of threading or the owner or operator of a kiosk or other stand-alone facility in which a natural person engages in the practice of threading is, for the period beginning on January 1 and ending on December 31 of a calendar year, \$25.

Sec. 45. NAC 644.056 is hereby amended to read as follows:

644.056 The fees for the renewal of certain licenses *and registrations* required pursuant to subsection 2 of NRS 644.325 , *as amended by section 46 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 605*, are:

1. For instructors, hair designers, nail technologists, electrologists, *demonstrators of cosmetics*, aestheticians and cosmetologists ~~§~~ :

(a) For 2 years, \$70.

(b) For 4 years, \$140.

2. For cosmetological establishments ~~§~~ :

(a) For 2 years, \$200.

(b) For 4 years, \$400.

3. For shampoo technologists:

(a) For 2 years, \$50.

(b) For 4 years, \$100.

4. For schools of cosmetology:

(a) For 2 years, \$800.

(b) For 4 years, \$1,600.

Sec. 46. NAC 644.062 is hereby amended to read as follows:

644.062 The fees for certain examinations required pursuant to subsection 1 of NRS 644.220 are:

1. For examination as a cosmetologist, \$110.
2. For examination as an electrologist, \$110.
3. For examination as a nail technologist, \$110.
4. For examination as an aesthetician, \$110.
5. For examination as a hair designer, \$110.
6. For examination as an instructor, \$110.
7. For each reexamination, ~~+\$110.+~~ **\$75.**

Sec. 47. NAC 644.080 is hereby amended to read as follows:

644.080 1. Each school of cosmetology ~~+, aesthetics, nail technology or hair design~~ must:

(a) Have , *if the school provides instruction to prepare students for the examination for:*

(1) Cosmetologists, for each 25 such students in attendance, at least 5,000 square feet of floor space;

(2) Hair designers, for each 20 such students in attendance, at least 3,500 square feet of floor space;

(3) Aestheticians, for each 20 such students in attendance, at least 3,500 square feet of floor space; and

(4) Nail technologists, for each 20 such students in attendance, at least 2,500 square feet of floor space;

(b) Provide properly equipped lecture rooms of sufficient size to accommodate all students;

~~{and}~~

(c) Provide separate lockers with sufficient space to store the student's equipment ~~{; and~~

(d) Provide a document signed by the fire marshal who has jurisdiction over the location of the school stating that the placement of the equipment and the square footage provided for the maximum number of proposed students complies with all applicable laws, regulations and codes relating to protection from fire.

2. In order to determine the total number of square feet of a school of cosmetology, the floor space must be measured from the interior walls.

Sec. 48. NAC 644.085 is hereby amended to read as follows:

644.085 Each school must have , *at a minimum*, the following working equipment:

- ~~1. Ten shampoo bowls that are located so that all 10 bowls may be in use at the same time.~~
- ~~—2. Ten hair dryers, each of which must be equipped with a chair and a device that releases air on the client's hair. For the purpose of this subsection, a handheld blow dryer does not constitute a hair dryer.~~
- ~~—3. Two facial chairs.~~
- ~~—4. Ten manicure tables or bars, and stools.~~
- ~~—5. Adequate wet and dry disinfectants that are registered with the Environmental Protection Agency.~~
- ~~—6. Hot work equipment consisting of:~~
 - ~~—(a) Five electric heaters.~~
 - ~~—(b) Combs, as follows:~~
 - ~~—(1) Fine teeth combs;~~

- ~~—(2) Coarse teeth combs;~~
- ~~—(3) Five electric pressing combs;~~
- ~~—(4) One shampoo comb per student;~~
- ~~—(5) Hard rubber combs; and~~
- ~~—(6) Styling combs.~~
- ~~—(c) Curling irons, as follows:~~
 - ~~—(1) Twenty marcelling irons with revolving handles; and~~
 - ~~—(2) One electric curling iron per student.~~
- ~~—(d) Oils and conditioners consisting of:~~
 - ~~—(1) Pressing oils;~~
 - ~~—(2) Scalp conditioners;~~
 - ~~—(3) Hair conditioners for pressed hair made without a soap base, such as petroleum jelly;~~
 - ~~—(4) Curling creams made with wax or other acceptable oils; and~~
 - ~~—(5) Products for cleaning curling irons.~~
- ~~—7. Ten dozen cold-wave rods of assorted sizes.~~
- ~~—8. One covered container for hairpins, clips, nets and similar items for each student.~~
- ~~—9. Five brushes, furnished by the school, for each student.~~
- ~~—10.}~~ Closed waste containers of sufficient size and in sufficient quantity to permit the disposal of all refuse and waste matter by the school and its students.
- ~~{11. One block, weft or mannequin on a firm stand for each beginning student.~~
- ~~—12.}~~ **2.** One ~~{time clock which punches the date and time on time cards, or a computer or~~ any other~~}~~ device approved by the Board ~~{,}~~ for use by the students to record their hours of training at the school.

~~{13.} Two shampoo capes for each student.~~

~~—14.}~~ 3. One chair *and writing surface* for each student ~~{, or a sufficient number of tables and chairs for all of the students,}~~ in classes on theory.

~~{15.}~~ 4. Mirrors, worktables and styling chairs of sufficient number to accommodate the students enrolled.

~~{16.}~~ 5. At least one textbook per student *in either physical or electronic format* and adequate reference material, charts, teaching aids and other materials to support the instruction in the school.

~~{17.}~~ 6. Adequate and safe electrical outlets.

7. If the school provides instruction to prepare students for the examination for cosmetologists:

(a) Twenty-five work stations with styling chairs.

(b) Seven shampoo bowls.

(c) Five hair dryers which may be portable or stationary.

(d) Two facial chairs.

(e) Eight nail technology tables with two chairs per table.

(f) One chair for each student in attendance.

(g) One writing surface for each student in attendance.

(h) Two mannequins for each student in attendance.

(i) One tripod or mannequin clamp for each student in attendance.

(j) One kit for each student in attendance which contains an adequate number of blow dryers, shampoo capes, smocks or aprons, brushes, combs, haircutting implements, aesthetic supplies and nail technology supplies.

(k) An adequate number of marcelling irons, flat irons and curling irons to allow students to perform the tasks required by the curriculum.

(l) An adequate amount of other supplies and instruments to allow students to perform the tasks required by the curriculum.

(m) An adequate amount of wet disinfectants.

8. If the school provides instruction to prepare students for the examination for hair designers:

(a) Twenty work stations.

(b) Twenty styling chairs.

(c) Seven shampoo bowls.

(d) Five hair dryers which may be portable or stationary.

(e) One chair for each student in attendance.

(f) One writing surface for each student in attendance.

(g) Two mannequins for each student in attendance.

(h) One tripod or mannequin clamp for each student in attendance.

(i) One kit for each student in attendance which contains an adequate number of shampoo capes, smocks or aprons, brushes, combs and haircutting implements.

(j) An adequate number of marcelling irons, flat irons and curling irons to allow students to perform the tasks required by the curriculum.

(k) An adequate amount of other supplies and instruments to allow students to perform the tasks required by the curriculum.

(l) An adequate amount of wet disinfectants.

9. If the school provides instruction to prepare students for the examination for aestheticians:

- (a) Five facial chairs.*
- (b) Five facial machines designed to perform aesthetic procedures within the legal scope of services.*
- (c) Five facial steamers.*
- (d) Five towel warmers.*
- (e) Five waxing units.*
- (f) One chair for each student in attendance.*
- (g) One writing surface for each student in attendance.*
- (h) One mannequin for each student in attendance.*
- (i) One tripod or mannequin clamp for each student in attendance.*
- (j) One kit for each student in attendance which contains an adequate amount of facial supplies.*
- (k) An adequate amount of skin care products to allow students to perform the tasks required by the curriculum.*
- (l) An adequate amount of wet disinfectants.*

10. If the school provides instruction to prepare students for the examination for nail technologists:

- (a) Ten manicure tables with two chairs per table.*
- (b) Five pedicure chairs with foot basins.*
- (c) One chair for each student in attendance.*
- (d) One writing surface for each student in attendance.*

(e) An adequate number of mannequin hands or fingers for each student in attendance.

(f) One mannequin hand clamp for each student in attendance.

(g) One kit for each student in attendance which contains an adequate amount of implements and nail care supplies for manicures and pedicures.

(h) An adequate amount of nail care products for each student in attendance.

(i) An adequate amount of wet disinfectants.

Sec. 49. NAC 644.095 is hereby amended to read as follows:

644.095 A school of cosmetology shall register each student with the Board within 45 days after the student has enrolled in school. To register a student, the school shall submit a completed form provided by the Board that includes:

1. The name of the student;
2. The number of credit hours for which the student is enrolled;
3. If the student has transferred to the school of cosmetology and is requesting to receive credit for courses taken at another school of cosmetology, a copy of the letter issued by the Board verifying the number of hours for which the student has previously earned credit;
4. The *written or electronic* signature of an authorized representative of the school;
5. ~~[Information]~~ *A statement that the school has a record of information* about the student, including:

(a) A copy of the student's birth certificate, passport, *driver's license* or ~~[voter registration]~~ *identification* card ~~[issued pursuant to the provisions of NRS 293.517;]~~ *containing a picture of the student;*

(b) An affidavit that the student has successfully completed at least the 10th grade in high school or its equivalent;

- (c) If applicable, proof of any name change of the student; and
 - (d) If applicable, a copy of the approval of foreign documentation relating to the training of the student which must be issued by the Board before the student enrolls in the school; and
6. Any other information required by the Board.

Sec. 50. NAC 644.100 is hereby amended to read as follows:

644.100 Each school of cosmetology shall appoint at least one of its employees to serve as registrar and shall file the name of the registrar with the Board. Each registrar shall:

1. Keep a daily record showing the attendance of each student.
2. Keep a record showing the training time for each student.
3. Ensure that the records are current, complete and accurate.
4. Forward to the Board the final time record of a student within 15 days after the student's withdrawal from or completion of a course of training. If the student owes money to the school, the registrar may substitute a letter **H** *or an electronic form supplied on the Board's Internet website*, in lieu of the final time record, which states that the final time record is being held for nonpayment of tuition or any fee owed to the school by the student.

5. Except as otherwise provided in subsection 4, provide any student who withdraws from the school copies of the final time record upon his or her request. These copies must be given to the student within 3 business days after the student's withdrawal from the school.

Sec. 51. NAC 644.105 is hereby amended to read as follows:

644.105 1. A school of cosmetology:

(a) Shall maintain a staff of licensed instructors who are competent to give instruction in all subjects of its curriculum, including, without limitation, the subjects required by regulation of the Board.

(b) Shall not use a licensed student instructor as a student operator.

2. Each student in cosmetology , *aesthetics, nail technology, electrology* or hair designing shall wear a badge with the word ~~["freshman"]~~ *"student"* inscribed on it. This badge ~~may not be removed, and the~~ *must be worn at all times when the student is in attendance at the school.* *The* student may not work on the public until the student has completed a preliminary training period of 300 hours ~~†~~

~~—3.— Each student in nail technology shall wear a badge with the word "freshman" inscribed on it. The badge may not be removed, and the student may not work on the public until the student has completed a preliminary training period of 100 hours.~~

~~—4.— Each student in aesthetics shall wear a badge with the word "freshman" inscribed on it. This badge must not be removed, and the student may not work on the public until the student has completed a preliminary training period of 150 hours.~~

~~—5.— Each student in electrology shall wear a badge with the word "freshman" inscribed on it. This badge must not be removed, and the student may not work on the public until the student has completed a preliminary training period of 160 hours.~~

~~—6.†~~ *for students in cosmetology or hair design, 150 hours for students in aesthetics or electrology and 100 hours for students in nail technology.*

3. Students shall not practice at home or in a cosmetological establishment and shall not give demonstrations other than those required of them by the school of cosmetology ~~†~~

~~—7.†~~ *at the location of the school or while on a field trip supervised by the instructors of the school.*

4. No instructor in a licensed school of cosmetology may, during the hours in which he or she is on duty as an instructor, devote his or her time to the public or to the private practice of

cosmetology for compensation. Each instructor shall devote the instructor's full time during the hours he or she is on duty as an instructor to instructing students.

Sec. 52. NAC 644.110 is hereby amended to read as follows:

644.110 1. Each student shall register the time of day on a time record at the beginning of each day of training and at the completion of his or her training for the day. The student shall also document on a time record the period of each break that the student takes during the day. To record the period of his or her breaks, a student may use a time record which is separate from that which is used to record the beginning and ending of the student's day.

2. A time record which contains any error may be changed only by authorization of the registrar and the instructor. The authorization must be evidenced by the initials of the registrar and instructor on the time record.

3. Original time records are the property of the school and must be maintained on school property at all times during the enrollment of the student to whom the time record pertains. A student, on request, is entitled to receive a copy of any of his or her time records from the school, unless the student owes money to the school for tuition or fees for the period covered by his or her time records. The school shall provide the requested time records ~~for~~ *for all the hours paid for by the student:*

(a) Within 3 business days, if the request is made in connection with the withdrawal of the student from the school; or

(b) Within 10 business days after the request under any other circumstances.

4. All time records of a student must be maintained by the school for validation by the Board upon the completion of or withdrawal from the training by the student.

Sec. 53. NAC 644.115 is hereby amended to read as follows:

644.115 1. Each school of cosmetology must offer the following subjects for training barbers and students to be cosmetologists:

- (a) ~~{Blow-drying.}~~ *Aesthetic services.*
- (b) ~~{Dispensary.}~~ *Chemical hair services.*
- (c) ~~{Extensions and wrapping of nails.~~
- ~~—(d) Facials, arching, skin and make-up.~~
- ~~—(e) Finger waving.~~
- ~~—(f) Hair coloring.~~
- ~~—(g) Haircutting.~~
- ~~—(h) Manicuring.~~
- ~~—(i) Miscellaneous practical and technical instruction, including, without limitation, field trips relating to the practice of cosmetology.~~
- ~~—(j) Modeling.~~
- ~~—(k) The provisions of this chapter and chapter 644 of NRS.~~
- ~~—(l) Pedicuring.~~
- ~~—(m) Permanent waving and chemical straightening.~~
- ~~—(n) Reception desk training.~~
- ~~—(o) Salon management.~~
- ~~—(p) Scalp treatments.~~
- ~~—(q) Shampooing and rinses.~~
- ~~—(r) Skipwaving.~~

~~—(s) Theory,}~~ *Cosmetology theory*, with a minimum of ~~{50}~~ *3 percent of the total* hours of *training* mandatory for students who are barbers and ~~{250}~~ *10 percent of the total* hours of *training* mandatory for all other students.

~~{(t) Thermal straightening, curling and marcelling.~~

~~—(u) Wet hairdressing.~~

~~—(v) Wigs and hairpieces.}~~

(d) Field trips and modeling, with a maximum of 5 percent of the total hours of training optional for all students.

(e) Hair design and care.

(f) Haircutting.

(g) Infection control and prevention, with a minimum of 3 percent of the total hours of training mandatory for all students.

(h) Management of a cosmetological establishment.

(i) Nail technology services.

(j) The provisions of this chapter and chapter 644 of NRS, with a minimum of 2 percent of the total hours of training mandatory for all students.

2. A student may, after completing ~~{1,200}~~ *10 percent of the total* hours of training, earn credit for up to ~~{16}~~ *5 percent of the total* hours of training by attending field trips that are approved by the school. A field trip must be conducted under the direct supervision of a licensed instructor. The instructor shall accompany the student and be available to provide assistance or instruction to the student at all times during the field trip. The student must submit a time record, authenticated by the instructor, for each field trip.

3. If a barber enrolls in a school of cosmetology, the school shall administer an examination to determine his or her areas of knowledge. The school may, if it deems it appropriate, excuse a barber from any of the subjects listed in subsection 1.

4. As used in this section:

(a) “Barber” means a licensed barber, as defined in subsection 6 of NRS 643.010, who is studying to become a cosmetologist.

(b) “Student” means a person receiving instruction in a school of cosmetology.

Sec. 54. NAC 644.116 is hereby amended to read as follows:

644.116 1. A school of cosmetology must offer the following subjects for training hair designers:

(a) ~~{Blow drying;}~~ *Chemical hair services.*

(b) ~~{Dispensary;}~~ *Field trips and modeling, with a maximum of 5 percent of the total hours of training optional for all students.*

(c) ~~{Finger waving;}~~ *Hair design and care.*

(d) Hair ~~{coloring;~~

~~—(e) Haircutting;~~

~~—(f) Modeling;~~

~~—(g) The provisions of this chapter and chapter 644 of NRS;~~

~~—(h) Permanent waving and chemical straightening;~~

~~—(i) Reception desk training;~~

~~—(j) Salon management;~~

~~—(k) Scalp treatment;~~

~~—(l) Shampooing and rinses;~~

~~—(m) Skipwaving;~~
~~—(n) Theory,† design theory, with a minimum of †150† 10 percent of the total hours of training mandatory †;~~
~~—(o) Thermal straightening, curling or marcelling;~~
~~—(p) Wet hairdressing;~~
~~—(q) Wigs and hairpieces; and~~
~~—(r) Miscellaneous practical and technical instruction, including, without limitation, field trips relating to the practice of a hair designer.† for all students.~~

(e) Haircutting.

(f) Infection control and prevention, with a minimum of 3 percent of the total hours of training mandatory for all students.

(g) Management of a cosmetological establishment.

(h) The provisions of this chapter and chapter 644 of NRS, with a minimum of 2 percent of the total hours of training mandatory for all students.

2. A student may, after completing ~~†900†~~ *10 percent of the total* hours of training, earn credit for up to ~~†16†~~ *5 percent of the total* hours of training by attending field trips that are approved by the school. A field trip must be conducted under the direct supervision of a licensed instructor. The instructor shall accompany the student and be available to provide assistance or instruction to the student at all times during the field trip. The student must submit to the school a time record, authenticated by the instructor, for each field trip.

Sec. 55. NAC 644.117 is hereby amended to read as follows:

644.117 1. Each school of cosmetology shall offer the following subjects for training students to be aestheticians:

- (a) ~~Massaging of the body.~~
- ~~—(b) Removal of hair of the body, including the face.~~
- ~~—(c) Treatment of the skin.~~
- ~~—(d) Packs and masks.~~
- ~~—(e) Application of make-up.~~
- ~~—(f) Application of false eyelashes.~~
- ~~—(g) Arching of eyebrows.~~
- ~~—(h) Tinting of eyelashes and eyebrows.~~
- ~~—(i) Lightening of hair on the body, except the scalp.~~
- ~~—(j) Theory, 150] *Aesthetic theory, with a minimum of 10 percent of the total* hours ~~†~~~~
- ~~—(k) Training in the use of electrical or mechanical devices that are approved by the Board for the care and treatment of skin.~~
- ~~—(l)† of training mandatory for all students.~~
- (b) *Facials.*
- (c) *Facial machines.*
- (d) *Field trips and modeling, with a maximum of 5 percent of the total hours of training optional for all students.*
- (e) *Hair removal.*
- (f) *Infection control and prevention, with a minimum of 3 percent of the total hours of training mandatory for all students.*
- (g) *Makeup and eyelash application.*
- (h) *Management of a cosmetological establishment.*
- (i) The provisions of this chapter and chapter 644 of NRS ~~†~~

~~(m) Miscellaneous practical and technical instruction, including, without limitation, field trips relating to the practice of an aesthetician.~~

~~—(n) Any other practical or technical instruction which the Board may require.],~~ *with a minimum of 2 percent of the total hours of training mandatory for all students.*

2. A student may, after completing ~~[450]~~ *10 percent of the total* hours of training, earn credit for up to ~~[8]~~ *5 percent of the total* hours of training by attending field trips that are approved by the school. A field trip must be conducted under the direct supervision of a licensed instructor. The instructor shall accompany the student and be available to provide assistance or instruction to the student at all times during the field trip. The student must submit to the school a time record, authenticated by the instructor, for each field trip.

Sec. 56. NAC 644.120 is hereby amended to read as follows:

644.120 1. The following subjects constitute the curriculum for nail technologists:

(a) ~~[Manicuring.]~~ *Field trips and modeling, with a maximum of 5 percent of the total hours of training optional for all students.*

(b) ~~[Modeling.~~

~~—(c)]~~ *Infection control and prevention, with a minimum of 3 percent of the total hours of training mandatory for all students.*

(c) Management of a cosmetological establishment.

(d) Nail services.

(e) Nail theory, with a minimum of 10 percent of the total hours of training mandatory for all students.

(f) The provisions of this chapter and chapter 644 of NRS [.

~~—(d) Pedicuring.~~

~~—(e) Theory, 80 hours.~~

~~—(f) Wraps and extensions for nails.~~

~~—(g) Miscellaneous practical and technical instruction, including, without limitation, field trips relating to the practice of a nail technologist.~~

~~—(h) Any other practical or technical instruction which the Board may require.], with a~~
minimum of 2 percent of the total hours of training mandatory for all students.

2. A student may, after completing ~~{375}~~ *10 percent of the total* hours of training, earn credit for up to ~~{8}~~ *5 percent of the total* hours of training by attending field trips that are approved by the school. A field trip must be conducted under the direct supervision of a licensed instructor. The instructor shall accompany the student and be available to provide assistance or instruction to the student at all times during the field trip. The student must submit a time record, authenticated by the instructor, for each field trip.

Sec. 57. NAC 644.125 is hereby amended to read as follows:

644.125 Each school of cosmetology shall ~~{provide}~~ *require* every student in attendance ~~{at least.}~~ *to:*

1. ~~{One}~~ *Take one mandatory* 30-minute lunch recess for every 7 hours of training time;
~~{and}~~

2. ~~{One}~~ *Take one mandatory* 15-minute break for every 3 1/2 hours of training time ~~{}~~;
and

3. Perform not more than 7 hours of service on the public in a day.

Sec. 58. NAC 644.145 is hereby amended to read as follows:

644.145 1. A school's advertising of cosmetological services must not be false, misleading or deceptive.

2. No school may advertise that its students will earn commissions, salaries or pay of any other kind ~~[-, other than gratuities,]~~ for services rendered ~~[-]~~ *and no school or clients of a school may pay a student for services delivered during his or her course of study at the school.*

3. A sign must be posted within each school of cosmetology to read “School of Cosmetology, Work Done Exclusively by Students,” or words of similar substance. The sign must be displayed in the reception room and in full view of all patrons, students and instructors in the school.

Sec. 59. NAC 644.151 is hereby amended to read as follows:

644.151 1. To receive a certificate of registration as a cosmetologist’s apprentice, *hair designer’s apprentice, aesthetician’s apprentice or nail technologist’s apprentice*, an applicant must complete and submit to the Board ~~[-an]~~ *a written or electronic* application on the appropriate form provided by the Board.

2. In addition to the information specified in subsection 3 of NRS 644.217, the form must be accompanied by:

(a) Proof satisfactory to the Board that the applicant:

- (1) Is a resident of a county in this State whose population is less than 50,000;
 - (2) Is required to travel more than 60 miles from his or her place of residence to attend a licensed school of cosmetology;
 - (3) Is not less than 16 years of age at the time of application;
 - (4) Is of good moral character; and
 - (5) Has completed at least the 10th grade in high school or its equivalent;
- (b) A copy of the applicant’s birth certificate, passport or voter registration card issued pursuant to the provisions of NRS 293.517;

(c) Two photographs of the applicant that:

(1) Are identical;

(2) Have been taken not more than 90 days before the date of the submission of the application;

(3) Are ~~1-1/2~~ *2 inches* by ~~1-1/2~~ *2 inches* in size; *and*

(4) Show the front view of the full face of the applicant in color against a plain white or off-white background and are otherwise substantially equivalent to a photograph suitable for use in a passport issued by the United States Government; ~~and~~

~~—(5) Have the name and address of the applicant written on the back;~~

(d) A copy of the petition of the licensed cosmetologist, *hair designer, aesthetician or nail technologist, as appropriate*, who will be supervising and training the applicant if he or she is approved to be ~~a cosmetologist's~~ *an* apprentice;

(e) A statement from the owner of the cosmetological establishment where the applicant will be trained which states that the owner has received written approval from the Board that the cosmetological establishment satisfies the requirements of NAC 644.164; and

(f) Proof of any name changes of the applicant, if applicable.

Sec. 60. NAC 644.154 is hereby amended to read as follows:

644.154 1. To supervise and train ~~a cosmetologist's~~ *an* apprentice, a licensed cosmetologist, *hair designer, aesthetician or nail technologist* must complete a petition on the appropriate form provided by the Board. The applicant for a certificate of registration as a cosmetologist's apprentice, *hair designer's apprentice, aesthetician's apprentice or nail technologist's apprentice* must obtain this completed petition and include it with his or her application submitted pursuant to NAC 644.151.

2. The petition must be accompanied by proof, satisfactory to the Board, that the petitioner:
- (a) Has been licensed by the Board to practice cosmetology in this State for not less than 3 years immediately preceding the date of submittal of an application for a certificate of registration pursuant to NAC 644.151;
 - (b) Has been in good standing with the Board during the 3-year period specified in paragraph (a);
 - (c) Resides in the same county of this State as the applicant for a certificate of registration as ~~{a-cosmetologist's}~~ *an* apprentice whom he or she seeks to supervise; and
 - (d) Currently works in or operates a licensed cosmetological establishment:
 - (1) In which all the occupations of cosmetology *which will be taught to an apprentice* are practiced;
 - (2) Which is the same establishment referred to in the owner's statement of permission and the owner's statement that he or she has received written approval from the Board that were submitted with the application for a certificate of registration pursuant to subsection 3 of NRS 644.217 and NAC 644.151, respectively; and
 - (3) Which is located in the same county of this State in which the applicant for a certificate of registration as ~~{a-cosmetologist's}~~ *an* apprentice resides.

Sec. 61. NAC 644.157 is hereby amended to read as follows:

644.157 The Board will review an application submitted pursuant to NAC 644.151, including the petition completed by the licensed cosmetologist , *hair designer, aesthetician or nail technologist* pursuant to NAC 644.154, and approve or deny it within 30 days after the date it is received by the Board. If approved, a certificate of registration will be issued and sent to the ~~{cosmetologist's}~~ apprentice within 10 days after the date the Board approves the application.

Sec. 62. NAC 644.161 is hereby amended to read as follows:

644.161 1. A certificate of registration as a cosmetologist's apprentice , *hair designer's apprentice, aesthetician's apprentice or nail technologist's apprentice* is valid for training only with the licensed cosmetologist , *hair designer, aesthetician or nail technologist* and the cosmetological establishment approved by the Board when the certificate of registration was issued.

2. Authorization of a licensed cosmetologist , *hair designer, aesthetician or nail technologist* to supervise and train ~~{a cosmetologist's}~~ *an* apprentice is valid only for the ~~{cosmetologist's}~~ apprentice named in the certificate of registration and only for the period during which the ~~{cosmetologist's}~~ apprentice holds the certificate of registration.

3. If ~~{a cosmetologist's}~~ *an* apprentice is unable to complete the number of hours of training required by NRS 644.200 , *as amended by section 30 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 595, 644.204, 644.205 or 644.207, as appropriate*, with the licensed cosmetologist , *hair designer, aesthetician or nail technologist* or the cosmetological establishment approved by the Board when the certificate of registration was issued:

(a) That certificate of registration is not valid for use with another supervising licensed cosmetologist , *hair designer, aesthetician or nail technologist* or cosmetological establishment; and

(b) The ~~{cosmetologist's}~~ apprentice may apply for a new certificate of registration with a different supervising licensed cosmetologist , *hair designer, aesthetician or nail technologist* or a different cosmetological establishment named as the site for the training of the ~~{cosmetologist's}~~ apprentice.

4. Except as otherwise provided in this subsection, the Board may allow ~~{a cosmetologist's}~~ *an* apprentice who applies for and receives a new certificate of registration pursuant to subsection 3 to apply training hours earned pursuant to his or her previous certificate of registration to the number of hours of training required pursuant to NRS 644.200 ~~{H}~~, *as amended by section 30 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 595, 644.204, 644.205 or 644.207, as appropriate.* The Board will not allow the application of hours earned 4 years or more before the date that the ~~{cosmetologist's}~~ apprentice applies for the new certificate of registration.

5. If the reason that ~~{a cosmetologist's}~~ *an* apprentice must apply for a new certificate of registration pursuant to subsection 3 is because the licensed cosmetologist, *hair designer, aesthetician or nail technologist* or the cosmetological establishment approved by the Board when the certificate of registration was issued refuses or is unable to complete the training, the Board may waive the application fee for that applicant.

Sec. 63. NAC 644.164 is hereby amended to read as follows:

644.164 1. Before an application for a certificate of registration as a cosmetologist's apprentice, *hair designer's apprentice, aesthetician's apprentice or nail technologist's apprentice* may be approved by the Board, the owner of the cosmetological establishment where the applicant will be trained must contact the Board and request an oral review to determine whether the cosmetological establishment meets the requirements of this section. The Board will conduct an on-site inspection of the cosmetological establishment not later than 90 days after the date on which the certificate of registration is issued to the applicant.

2. A cosmetological establishment where a cosmetologist's apprentice will be trained must have available in a designated area for the use of the cosmetologist's apprentice:

- (a) One styling chair;
- (b) One shampoo bowl;
- (c) One handheld blow-dryer and one dryer that is equipped with a chair and a device that releases air onto the client's hair;
- (d) One table for administering a manicure;
- (e) Supplies for performing a process, that is acceptable to the Board, for the wet and dry disinfecting of instruments used in cosmetology through the use of disinfectants ; ~~that are registered with the Environmental Protection Agency;~~
- (f) Equipment for hot work, consisting of:
 - (1) An electric heater;
 - (2) A pressing comb;
 - (3) A marcel curling iron; and
 - (4) Petroleum jelly for the protection of the client's skin while hot work is being performed;
- (g) A sufficient amount of equipment and supplies to block, wrap and complete one permanent cold wave, including rollers, rods, end papers and cotton;
- (h) Equipment and supplies for tinting, including one bowl, one brush and two bottles for the application of the tint;
- (i) Supplies, creams and lotions for performing a facial;
- (j) One head of a mannequin;
- (k) At least one standard textbook concerning cosmetology, a workbook for the theory of cosmetology and a workbook for the practice of cosmetology;
- (l) A copy of the provisions of this chapter and chapter 644 of NRS;

- (m) Combs and brushes for the performance of all services requiring combs and brushes;
- (n) Tapering shears;
- (o) Strips for protecting the neck of the client;
- (p) Scissors;
- (q) One razor and blade with a guard;
- (r) One plastic spray bottle;
- (s) Bandages;
- (t) Protective gloves;
- (u) Instruments for holding rollers in the hair, commonly referred to as “clippies”;
- (v) Equipment for hot waxing;
- (w) Oils and conditioners, consisting of:
 - (1) Pressing oils;
 - (2) Scalp conditioners, including at least one conditioner made without a soap base, especially for pressed hair;
 - (3) Hair conditioners made without a soap base, especially for pressed hair, such as petroleum jelly;
 - (4) Curling creams made with wax or petroleum jelly; and
 - (5) Dry, cleaning fluids for pressing hair, such as alcohol;
- (x) One heated cap for the treatment of hair;
- (y) A covered container for the storage of hairpins, clips, nets and similar items;
- (z) One shampoo cape; and
- (aa) Supplies for performing manicures and pedicures, including:
 - (1) Emery boards;

- (2) Cream for cuticles;
- (3) Base coat;
- (4) Top coat;
- (5) Nail polish;
- (6) A bowl for water;
- (7) Supplies for ~~{sanitizing}~~ *disinfecting* instruments used to perform a manicure or pedicure;
- (8) ~~{Sticks made of orangewood for single}~~ *Single* use *instruments* or other instruments that can be ~~{sanitized}~~ *disinfected* professionally for pushing back cuticles; and
- (9) Tips, wraps, extensions and sculptured nails.

3. A cosmetological establishment where a hair designer's apprentice will be trained must have available in a designated area for the use of the hair designer's apprentice:

- (a) One styling chair;*
- (b) One shampoo bowl;*
- (c) One handheld blow-dryer and one dryer that is equipped with a chair and a device that releases air onto the client's hair;*
- (d) Supplies for performing a process, that is acceptable to the Board, for the wet and dry disinfecting of instruments used in cosmetology through the use of disinfectants;*
- (e) Equipment for hot work, consisting of:*
 - (1) An electric heater;*
 - (2) A pressing comb;*
 - (3) A marcel curling iron; and*

- (4) Petroleum jelly for the protection of the client's skin while hot work is being performed;*
- (f) A sufficient amount of equipment and supplies to block, wrap and complete one permanent cold wave, including rollers, rods, end papers and cotton;*
- (g) Equipment and supplies for tinting, including one bowl, one brush and two bottles for the application of the tint;*
- (h) One head of a mannequin;*
- (i) At least one standard textbook concerning cosmetology, a workbook for the theory of cosmetology and a workbook for the practice of cosmetology;*
- (j) A copy of the provisions of this chapter and chapter 644 of NRS;*
- (k) Combs and brushes for the performance of all services requiring combs and brushes;*
- (l) Tapering shears;*
- (m) Strips for protecting the neck of the client;*
- (n) Scissors;*
- (o) One razor and blade with a guard;*
- (p) One plastic spray bottle;*
- (q) Bandages;*
- (r) Protective gloves;*
- (s) Instruments for holding rollers in the hair, commonly referred to as "clippies";*
- (t) Oils and conditioners, consisting of:*
- (1) Pressing oils;*
- (2) Scalp conditioners, including at least one conditioner made without a soap base, especially for pressed hair;*

(3) Hair conditioners made without a soap base, especially for pressed hair, such as petroleum jelly;

(4) Curling creams made with wax or petroleum jelly; and

(5) Dry, cleaning fluids for pressing hair, such as alcohol;

(u) One heated cap for the treatment of hair;

(v) A covered container for the storage of hairpins, clips, nets and similar items; and

(w) One shampoo cape.

4. A cosmetological establishment where an aesthetician's apprentice will be trained must have available in a designated area for the use of the aesthetician's apprentice:

(a) One facial chair;

(b) One facial machine designed to perform aesthetic procedures within the legal scope of services;

(c) One facial steamer;

(d) One towel warmer;

(e) One waxing unit;

(f) One mannequin;

(g) One tripod or mannequin clamp;

(h) One kit which contains an adequate amount of facial supplies;

(i) An adequate amount of skin care products to allow the apprentice to perform the tasks required by the curriculum; and

(j) An adequate amount of wet disinfectants.

5. A cosmetological establishment where a nail technologist's apprentice will be trained must have available in a designated area for the use of the nail technologist's apprentice:

- (a) One manicure table with two chairs;*
- (b) One pedicure chair with foot basin;*
- (c) One mannequin hand or finger;*
- (d) One mannequin hand clamp;*
- (e) One kit which contains an adequate amount of implements and nail care supplies for manicures and pedicures;*
- (f) An adequate amount of nail care products; and*
- (g) An adequate amount of wet disinfectants.*

Sec. 64. NAC 644.167 is hereby amended to read as follows:

644.167 A licensed cosmetologist , *hair designer, aesthetician or nail technologist* who has been authorized by the Board to supervise and train ~~{a-cosmetologist's}~~ *an* apprentice and who is supervising and training ~~{a-cosmetologist's}~~ *an* apprentice shall, in addition to the duties specified in NRS 644.2175 ~~{ }~~ , *as amended by section 39 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 599:*

1. Specify, in the daily record of the training of the ~~{cosmetologist's}~~ apprentice, the number of hours spent on each subject and the type of training that was administered;
2. Provide practical training and technical instruction in the subjects and for the hours listed below:

(a) For a cosmetologist's apprentice:

- (1) Blow-drying, 160 hours;*
- ~~{(b)}~~ *(2) Dispensary, 50 hours;*
- ~~{(c)}~~ *(3) Extensions and wrapping of nails, 40 hours;*
- ~~{(d)}~~ *(4) Facials, arching, skin care and ~~{make-up,}~~ makeup, 120 hours;*

~~[(e)]~~ **(5)** Finger waving, 120 hours;
~~[(f)]~~ **(6)** Hair coloring, 400 hours;
~~[(g)]~~ **(7)** Haircutting, 450 hours;
~~[(h)]~~ **(8)** Manicuring, 150 hours;
~~[(i)]~~ **(9)** Miscellaneous practical and technical instruction, 180 hours;
~~[(j)]~~ **(10)** Modeling, 60 hours;
~~[(k)]~~ **(11)** The provisions of chapter 644 of NRS and the regulations adopted pursuant thereto, 40 hours;

~~[(l)]~~ **(12)** Pedicuring, 50 hours;
~~[(m)]~~ **(13)** Permanent waving and chemical straightening, 500 hours;
~~[(n)]~~ **(14)** Receptionist's duties, 50 hours;
~~[(o)]~~ **(15)** Salon management, 50 hours;
~~[(p)]~~ **(16)** Scalp treatment, 50 hours;
~~[(q)]~~ **(17)** Shampooing and rinses, 50 hours;
~~[(r)]~~ **(18)** Skipwaving, 120 hours;
~~[(s)]~~ **(19)** Theory, 410 hours;
~~[(t)]~~ **(20)** Thermal straightening, curling and marcelling, 300 hours;
~~[(u)]~~ **(21)** Wet hairdressing, 200 hours; and
~~[(v)]~~ **(22)** Wigs and hairpieces, 50 hours;

(b) For a hair designer's apprentice:

- (1) Blow-drying, 115 hours;***
- (2) Dispensary, 35 hours;***
- (3) Finger waving, 85 hours;***

- (4) Hair coloring, 280 hours;*
- (5) Haircutting, 420 hours;*
- (6) Miscellaneous practical and technical instruction, 130 hours;*
- (7) Modeling, 40 hours;*
- (8) The provisions of chapter 644 of NRS and the regulations adopted pursuant thereto, 30 hours;*
- (9) Permanent waving and chemical straightening, 375 hours;*
- (10) Receptionist's duties, 35 hours;*
- (11) Salon management, 35 hours;*
- (12) Scalp treatment, 35 hours;*
- (13) Shampooing and rinses, 35 hours;*
- (14) Skipwaving, 85 hours;*
- (15) Theory, 290 hours;*
- (16) Thermal straightening, curling and marcelling, 200 hours;*
- (17) Wet hairdressing, 140 hours; and*
- (18) Wigs and hairpieces, 35 hours;*
- (c) For an aesthetician's apprentice:*
 - (1) Facials, 400 hours;*
 - (2) Facial machines, 500 hours;*
 - (3) Hair removal, 400 hours;*
 - (4) Infection control and prevention, 40 hours;*
 - (5) Makeup and eyelash application, 400 hours;*

(6) The provisions of chapter 644 of NRS and the regulations adopted pursuant thereto, 30 hours; and

(7) Salon management, 30 hours; and

(d) For a nail technologist's apprentice:

(1) Infection control and prevention, 40 hours;

(2) Nail services, 1,110 hours;

(3) The provisions of chapter 644 of NRS and the regulations adopted pursuant thereto, 30 hours; and

(4) Salon management, 20 hours;

3. Administer monthly tests on the theory and the practice of the subjects specified in subsection 2;

4. Submit monthly reports to the Board, signed by the licensed cosmetologist, *hair designer, aesthetician or nail technologist* and by the ~~cosmetologist's~~ apprentice, that summarize the apprentice's record of attendance, the training he or she has received during the previous month and his or her scores on any tests administered during the previous month;

5. Ensure that the ~~cosmetologist's~~ apprentice wears, at all times that he or she is receiving training or performing work on the public, a clean outer garment that meets the requirements of NAC 644.355 and a badge pursuant to the requirements of NAC 644.174;

6. Ensure that the certificate of registration of the ~~cosmetologist's~~ apprentice is in plain view of the public at the position where he or she is being trained and performing work on the public;

7. Limit the training of the ~~cosmetologist's~~ apprentice to not more than 40 hours per week and not more often than 5 days out of every 7 consecutive days;

8. Not commence training until he or she has ensured that the ~~{cosmetologist's}~~ apprentice has received a certificate of registration from the Board; and

9. Upon completion of the training of the ~~{cosmetologist's}~~ apprentice, submit to the Board a final report that:

(a) Documents that the ~~{cosmetologist's}~~ apprentice completed the number of hours of training required pursuant to NRS 644.200 , *as amended by section 30 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 595*, and the number of hours spent on each of the subjects specified in subsection 2;

(b) Summarizes the training provided to the ~~{cosmetologist's}~~ apprentice; and

(c) States whether the ~~{cosmetologist's}~~ apprentice is ready to take the ~~{written}~~ *theory* examination for a license as a cosmetologist ~~{,}~~ *, hair designer, aesthetician or nail technologist, as appropriate.*

Sec. 65. NAC 644.171 is hereby amended to read as follows:

644.171 ~~{A cosmetologist}~~ *An* apprentice may not:

1. Commence training until his or her certificate of registration is placed in plain view of the public at the place where the ~~{cosmetologist}~~ apprentice is being trained and performing work on the public; or

2. Perform work on the public until he or she has received at least ~~{350}~~ *300* hours of technical training ~~{,}~~ *for a cosmetologist's apprentice or hair designer's apprentice, 150 hours of technical training for an aesthetician's apprentice or 100 hours of technical training for a nail technologist's apprentice*, with at least a portion of that time devoted to each of the subjects specified in subsection 2 of NAC 644.167.

Sec. 66. NAC 644.174 is hereby amended to read as follows:

644.174 Each ~~{cosmetologist's}~~ apprentice shall construct and wear, at all times when receiving training or performing work on the public, a badge which contains the name and photograph of the ~~{cosmetologist's}~~ apprentice, his or her certificate of registration number and the name of the licensed cosmetologist , *hair designer, aesthetician or nail technologist* who is supervising and training him or her.

Sec. 67. NAC 644.177 is hereby amended to read as follows:

644.177 For the purposes of NRS 644.430 ~~{H}~~ , *as amended by section 60 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 612*, the failure of a:

1. Cosmetologist's apprentice , *hair designer's apprentice, aesthetician's apprentice or nail technologist's apprentice* to display properly his or her certificate of registration or wear the badge required pursuant to NAC 644.174; and

2. Licensed cosmetologist , *hair designer, aesthetician or nail technologist* who is supervising and training ~~{a-cosmetologist's}~~ *an* apprentice to ensure the proper display of the certificate of registration or the wearing of the badge by the ~~{cosmetologist's}~~ apprentice, ➡ shall be deemed an unfair or unjust practice that constitutes grounds for disciplinary action by the Board.

Sec. 68. NAC 644.181 is hereby amended to read as follows:

644.181 A licensed cosmetologist , *hair designer, aesthetician or nail technologist* who is supervising and training ~~{a-cosmetologist's}~~ *an* apprentice may be subject to discipline by the Board for any action or omission for which the ~~{cosmetologist's}~~ apprentice is subject to discipline by the Board.

Sec. 69. NAC 644.205 is hereby amended to read as follows:

644.205 Each school must have the following working equipment for each student:

1. One high-frequency generator or thermalysis machine, or one galvanic generator or electrolysis machine;
2. Twelve disposable needles ranging in size from 0.003 to 0.008 inches;
3. One complete set of electrodes and connections with each machine;
4. One stool which is adjustable in height;
5. One table or chair per patron;
6. One utility stand per setup;
7. One towel cabinet;
8. One pair of fine-pointed epilation forceps;
9. One set of magnifying glasses;
10. Covered containers for lotions, creams, ointments, soaps, ~~{sanitizing;}~~ *cleaning* agents, disinfecting agents and cotton;
11. Hospital-grade containers in which to immerse equipment for ~~{sterilization;}~~ *disinfection;*
12. Covered containers for keeping items such as instruments and needles ~~{sanitized;}~~ *clean;* and
13. A covered receptacle for waste.

Sec. 70. NAC 644.255 is hereby amended to read as follows:

644.255 Each person wishing to become an electrologist's apprentice must apply to the Board on a form prescribed by the Board and show that the person:

1. Resides in Nevada;
2. Is 18 years of age or over;
3. Is of good moral character and temperate habits;

4. Has completed the 12th grade in school or its equivalent;
5. Has submitted two photographs of the person that:
 - (a) Are identical;
 - (b) Have been taken not more than 90 days before the date of the submission of the application;
 - (c) Are ~~1 1/2~~ **2 inches** by ~~1 1/2~~ **2 inches** in size; *and*
 - (d) Show the front view of the full face of the applicant in color against a plain white or off-white background and are otherwise substantially equivalent to a photograph suitable for use in a passport issued by the United States Government; ~~and~~
 - ~~—(e) Have his or her name and address written on the back;~~
6. Has a birth certificate, passport or voter registration card issued pursuant to the provisions of NRS 293.517; and
7. Is prepared to undertake a training program for at least 1,000 hours, extending over 5 consecutive months.

Sec. 71. NAC 644.270 is hereby amended to read as follows:

644.270 Before commencing to train an electrologist's apprentice, the petitioner must supply evidence to the Board that the owner of the cosmetological establishment or ~~cosmetologist~~ *person licensed pursuant to chapter 644 of NRS* in charge of it has approved the training of the apprentice within his or her establishment.

Sec. 72. NAC 644.275 is hereby amended to read as follows:

644.275 Before the commencement of a training program for an electrologist's apprentice, the inspector for the Board shall inspect the premises on which the training program is to be

conducted. To receive approval for such a program, the cosmetological establishment must have the following equipment:

1. One high-frequency generator or thermalysis machine, or one galvanic generator or electrolysis machine;
2. Twelve needles ranging in size from .003 to .008 of an inch;
3. One complete set of electrodes and connections with each machine;
4. One stool, adjustable in height, for each apprentice;
5. One table and chair per patron;
6. One utility stand per setup;
7. One towel cabinet;
8. One pair of fine-pointed epilation forceps;
9. One set of magnifying glasses;
10. Covered containers for lotions, creams, ointments, soaps, ~~sanitizing~~ *disinfecting* agents and cotton;
11. Containers in which to immerse needles for ~~sterilization;~~ *disinfection;*
12. A covered container in which items such as instruments and needles may be kept ~~sanitized;~~ *disinfected;* and
13. A covered receptacle for waste.

Sec. 73. NAC 644.307 is hereby amended to read as follows:

644.307 1. Except as otherwise provided in NRS 644.360, if the operator of a cosmetological establishment leases space at his or her establishment to a person to engage in an activity that is not under the jurisdiction of the Board, including, without limitation, tattooing, body piercing and massage therapy, the leased space must:

- (a) ~~{Have a different entrance from that of the cosmetological establishment and be}~~ *Be* separated from the establishment by a door that can be locked and surrounding walls that are at least 6 feet high;
- (b) Be located on a floor different from the floor on which the cosmetological establishment is located; or
- (c) Be otherwise located *and have sufficient signage* to avoid creating the impression that the space is a part of the cosmetological establishment.

2. As used in this section, “space” has the meaning ascribed to it in NRS 644.360.

Sec. 74. NAC 644.308 is hereby amended to read as follows:

644.308 1. A licensed cosmetologist, aesthetician, electrologist, hair designer, demonstrator of cosmetics , *shampoo technologist, makeup artist, person who engages in the practice of threading* or nail technologist who leases space from an operator of a cosmetological establishment shall comply with the applicable provisions of NAC 644.310 to 644.385, inclusive.

2. Each operator of a cosmetological establishment who leases space to a barber, any other professional, including, without limitation, a provider of health care, or any other person shall make the person aware of the requirements set forth in NAC 644.310 to 644.385, inclusive.

Sec. 75. NAC 644.315 is hereby amended to read as follows:

644.315 Each cosmetological establishment and school of cosmetology and each room or residence used as a cosmetological establishment must have a *mechanical* system for exhaust acceptable to the Board.

Sec. 76. NAC 644.320 is hereby amended to read as follows:

644.320 1. Each cosmetological establishment or school of cosmetology must have fully operable toilets which are accessible to clients and employees. Each area in which a toilet is

located must have a sink with an adequate and readily available supply of hot and cold running water at all times and a mechanical exhaust system for ventilation which completely circulates the air. If the restrooms for the cosmetological establishment are located outside of the cosmetological establishment, the restrooms must be:

- (a) In plain view or clearly marked with appropriate signs, and
- (b) Located within 100 feet of the entrance of the cosmetological establishment and under the same roof as the cosmetological establishment.

2. The floor covering in each restroom located in a cosmetological establishment or school of cosmetology must be made of a washable material which is not porous or absorbent. ~~†, if the operator of the establishment or school is issued a license:~~

~~—(a) After July 1, 1992; or~~

~~—(b) On or before July 1, 1992, and the establishment or school is sold or a majority interest is transferred after July 1, 1992.†~~

Sec. 77. NAC 644.325 is hereby amended to read as follows:

644.325 In each cosmetological establishment or school of cosmetology:

1. All floors in restrooms and areas where hair is cut, shampooed or styled must be of a washable material which is not porous or absorbent. Carpeting is allowed in all other areas of the cosmetological establishment or school of cosmetology, including, without limitation, reception areas and areas for manicuring and aesthetics.

2. All walls within a cosmetological establishment or school of cosmetology must be of a washable material which is not porous or absorbent.

3. All walls, floors, woodwork, ceilings, furnishings, equipment and fixtures must be kept clean and in good repair.

4. Clippings of hair must not be allowed to accumulate and must be disposed of in a covered waste receptacle immediately after the hair is cut.

5. Refuse and waste must not be allowed to accumulate.

~~{6. A footbath or portable spa that has been used for nail services, including any suction screens where hair, skin and nails may accumulate, must be disinfected before the footbath or portable spa may be offered to another client. The disinfection must be performed in accordance with procedures established by the Board, including, without limitation, the use of a product that is registered with the United States Environmental Protection Agency and approved by the Board.~~

~~—7. Portable spas, if any, must have separate hoses or tubes, or both, for draining and refilling the spa. All such hoses and tubes must be appropriately marked.}~~

Sec. 78. NAC 644.330 is hereby amended to read as follows:

644.330 1. Each cosmetological establishment or school of cosmetology must have suitable permanent plumbing which provides an adequate and readily available supply of hot and cold running water at all times and is permanently connected for drainage of sewage and potable water within the areas where work is performed and supplies dispensed.

2. Each cosmetological establishment or school of cosmetology must contain a dispensary sink . ~~{if the operator of the establishment or school is issued a license:~~

~~—(a) After June 1, 1982; or~~

~~—(b) On or before June 1, 1982, and the establishment or school is sold or a majority interest is transferred after June 1, 1982.}~~

3. The floor coverings within a distance from all exposed sides of a sink, pedicure spa or dispensary sink that is the same distance as the width of the sink, pedicure spa or dispensary sink

must be made of a washable material which is not porous or absorbent . ~~if the operator of the establishment or school is issued a license:~~

~~—(a) After July 1, 1992; or~~

~~—(b) On or before July 1, 1992, and the establishment or school is sold or a majority interest is transferred after July 1, 1992.]~~

Sec. 79. NAC 644.335 is hereby amended to read as follows:

644.335 In each cosmetological establishment or school of cosmetology:

1. The headrest of each chair must be covered with a clean towel or paper sheet for each client.

2. The part of a shampoo bowl on which a client's neck rests must be covered with a clean towel during each shampoo. The bowls must be carefully washed and be disinfected with a disinfectant that is registered with the *United States* Environmental Protection Agency, and all loose hair must be removed from the drains after each use.

3. After a towel or linen has been used once, it must be deposited in a receptacle provided for soiled towels and linens, must not be stored in any restroom, and must not be used again until properly laundered . ~~and sanitized.]~~ All towels ~~[, after being laundered and sanitized,]~~ *must be washed with detergent on the hot wash cycle and dried until hot to the touch after each use.*

After being washed, towels must be kept in closed, dust-free cabinets . ~~[that have fumigants.]~~

4. Sanitary neck strips or towels must be ~~wrapped around]~~ *used between* the neck of the client *and the cape* to prevent all coverings from coming into direct contact with the client.

Proper draping of towels must be used for all services, except that ~~[sanex]~~ *single-use paper neck strips made specifically for such use* may be used for dry services.

5. Treatment tables must be ~~{sanitized}~~ *disinfected* after each use with a ~~{sanitizing solution acceptable to the Board.}~~ *disinfectant*.

6. All instruments and supplies, including, without limitation, neck strips, nail files and buffers, that come into direct contact with a client and cannot subsequently be disinfected must be disposed of in a waste receptacle immediately following their use.

7. Neck dusters and all other brushes used on a client must be maintained in a clean and ~~{sanitary}~~ *disinfected* condition.

Sec. 80. NAC 644.340 is hereby amended to read as follows:

644.340 1. In each cosmetological establishment or school of cosmetology:

(a) ~~{Sanitizing and infection control solutions}~~ *Disinfectants* must be available for immediate use at all times. ~~{and must be registered with the Environmental Protection Agency as a bactericide, fungicide or virucide.}~~

(b) All instruments, implements and other *non-porous* tools must be cleaned and disinfected in the following manner before *each* use:

(1) All hair and other adherent foreign material must be removed from the instrument, implement or other tool; and

(2) The instrument, implement or other tool must be:

(I) Thoroughly washed with soap and hot water;

(II) Rinsed in clear hot water; ~~{and}~~

(III) *Thoroughly dried; and*

(IV) Placed in a covered wet ~~{sanitizer}~~ *disinfector* which is large enough for complete immersion of the instrument, implement or other tool, and which contains ~~{an infection control solution that is registered with the Environmental Protection Agency and approved by the}~~

~~Board.}~~ *a disinfectant other than alcohol which is prepared and used as instructed on the manufacturer's label, including, without limitation, following safety precautions, requirements for dilution and contact time and requirements for proper disposal.*

→ ~~{During each service, all instruments, implements and other tools must be kept free of contamination by immersion in an infection control solution approved by the Board.}~~

Disinfectant solutions must be legibly labeled with the name of the disinfectant and the dilution of the disinfectant. Disinfectant solutions must be made daily and disposed of at the end of the day or immediately if visible debris is present. If concentrated disinfectants must be diluted with water, measuring devices must be readily available and used to ensure an effective solution is made. A concentrated disinfectant not in the original container must be legibly labeled with the name of the disinfectant and use instructions if the original container with instructions is not available.

(c) All disinfected instruments, implements and other tools that are not in use and not in the process of wet disinfection in a wet ~~{sanitizer}~~ *disinfectant* must be stored in a clean, dry , ~~{sanitizer. A dry sanitizer consists of a clean,}~~ closed container, drawer or storage unit ~~{with a fumigant}~~ that contains only disinfected instruments, implements and other tools.

(d) Any instrument, implement or other tool dropped on the floor or otherwise made unsanitary *by use or other contamination* must be deposited in a separate labeled container for soiled articles only and must not be used until it has been thoroughly disinfected as specified in paragraph (b). ~~{A}~~ *An original* container for the disinfectant used that includes the manufacturer's label must be available at all times in the cosmetological establishment or school of cosmetology.

(e) All electrolysis instruments must be cleaned in the following manner after each use:

- (1) All foreign matter must be removed from the instrument; and
 - (2) The instrument must be:
 - (I) Washed in soap and hot water; and
 - (II) Rinsed in hot water.
 - (f) After cleaning, all electrolysis instruments must be sterilized by one of the following methods:
 - (1) Use of a steam sterilizer; or
 - (2) Use of a dry sterilizer,↳ which is registered and listed with the United States Food and Drug Administration, and is used according to the manufacturer's instructions.
 - (g) Sterilization equipment must be checked daily to ensure that it is reaching the temperature required by the manufacturer's instructions.
 - (h) All sterilized instruments and sanitary disposable articles must be stored in clean, closed containers, drawers or storage units which must be free of other articles.
 - (i) Single-use items must not be used on more than one client and must be disposed of after use on a client.
 - (j) All single-use items and other items that cannot be disinfected must be stored in closed containers at all times while not in use.
2. As used in this section, "single-use items" includes, without limitation, buffers, cotton balls, cotton strips and swabs, disposable gloves, emery boards, nail files, neck and muslin strips, paraffin liners, *makeup applicators, mascara applicators*, pedicure slippers, sleeves and sanders for electric files, *foam buffer blocks, cushioned nail files, paper, sandpaper, wooden spatulas,*

cotton pads, gauze pads and toe separators ~~+~~ or any other items made with paper, wood, foam or any porous materials.

Sec. 81. NAC 644.342 is hereby amended to read as follows:

644.342 Clippers, vibrators and other electrical instruments must be disinfected in the following manner before use:

1. All foreign matter must be removed; and
2. The instrument must be disinfected with a disinfectant that is ~~registered with the Environmental Protection Agency as a bactericide, fungicide or virucide and~~ used according to the manufacturer's instructions.
3. *After the instrument is disinfected, the instrument may be stored on a clean towel and covered with a clean towel or hung on a hook. An electrical instrument with a cord may not be placed in a cabinet with disinfected nonelectrical instruments.*

Sec. 82. NAC 644.345 is hereby amended to read as follows:

644.345 In each cosmetological establishment or school of cosmetology:

1. Creams, lotions, cosmetics and other preparations used on clients must be kept in closed containers at all times when not in use.
2. Powder for the face must be kept in a closed container. The use of powder puffs is prohibited.
3. Lotions or liquids used on a client must be poured into a ~~sanitized~~ *single-use or disinfected* container and applied to the client using cotton or other type of applicator.
4. Creams or other semisolid substances must be dipped from the container with a ~~sanitized article~~ *single-use or disinfected instrument* or spatula. Removing such substances with the fingers is prohibited.

5. Creams, lotions and other preparations must be removed by means of cotton, gauze, facial tissue or other ~~{sanitized}~~ *single-use* material.

6. Supplies used for service to clients must not be stored in any restroom.

7. Cosmetics used in the form of a pencil must be sharpened before each use. *The sharpener must be cleaned and disinfected after each use.*

8. All bottles and containers must be distinctly and correctly marked with a label which discloses its contents. All articles containing poisonous substances must be distinctly marked as such.

9. Readily accessible safety data sheets for each product used in the cosmetological establishment containing hazardous substances must be available to all licensees within the establishment at all times.

Sec. 83. NAC 644.350 is hereby amended to read as follows:

644.350 Every licensee and student in a cosmetological establishment or school of cosmetology must thoroughly wash his or her hands ~~{in an antibacterial}~~ *with* liquid *soap* before and after serving each client and after each use of the restroom. *Hand sanitizer must be made available at each station for use by the client. The use of hand sanitizer or gloves is not an acceptable substitute for hand washing for a licensee.*

Sec. 84. NAC 644.360 is hereby amended to read as follows:

644.360 1. A person afflicted with an infectious or communicable disease which may be transmitted during the practice of cosmetology or with an infestation of animal parasites shall not work or train in a cosmetological establishment or school of cosmetology.

2. A cosmetological establishment or school of cosmetology shall not knowingly require, permit or allow a student or person licensed by the Board, to perform any service on a client who

is afflicted with any infectious or communicable disease which may be transmitted to a person who is practicing cosmetology.

3. A cosmetological establishment or school of cosmetology shall not require or allow a student or licensee of the Board to perform any service on a client who is afflicted with an infestation of animal parasites.

4. Infections, communicable diseases and infestations of animal parasites which may be transmitted during the practice of cosmetology include, without limitation:

(a) Cold, influenza or other respiratory illness accompanied by a fever until 24 hours after the fever subsides.

(b) Streptococcal pharyngitis, commonly known as “strep throat,” until both 24 hours after treatment has started and 24 hours after the fever subsides.

(c) Purulent conjunctivitis, commonly known as “pink eye,” until examined by a physician and approved for return to work.

(d) Varicella, commonly known as “chicken pox,” until the lesions have dried and crusted.

(e) Mumps, until 9 days after the onset of parotid gland swelling.

(f) Tuberculosis, until examined by a physician and declared noninfectious.

(g) Impetigo, until 24 hours after treatment has begun.

(h) Pediculosis, commonly known as “head lice,” until the morning after the first treatment is received.

(i) Scabies, until after treatment has been completed.

↪ Blood-borne diseases, such as hepatitis B, human immunodeficiency virus and acquired immune deficiency syndrome, are not considered infectious or communicable diseases for the purposes of this section.

Sec. 85. NAC 644.365 is hereby amended to read as follows:

644.365 In each cosmetological establishment or school of cosmetology:

1. A licensee shall not ~~massage any client~~ *perform any service* upon a surface of the skin or scalp *of a client* where such skin is inflamed or where a skin infection or eruption is present.
2. Licensees shall ~~wear protective gloves while performing~~ *not perform* any service on a client whose skin shows signs of secretion of any bodily fluids.

Sec. 86. NAC 644.368 is hereby amended to read as follows:

644.368 1. Except as otherwise provided in this section, a licensee shall not perform any invasive procedure that includes, without limitation:

- (a) The application of electricity for the sole purpose of contracting a muscle;
- (b) The application of a topical lotion, cream or other substance which affects anything other than the uppermost layers of the skin;
- (c) The penetration of the skin by ~~metal~~ needles;
- (d) The abrasion of the skin below the uppermost layers of the skin; or
- (e) The removal of a callus using an instrument, tool or other device that has a sharp edge, blade or point.

2. The provisions of paragraph (c) of subsection 1 do not apply to the use of electrolysis needles by a licensed electrologist.

3. As used in this section, “invasive procedure” means an act that affects the structure or function of the skin other than the uppermost layers of the skin.

Sec. 87. NAC 644.370 is hereby amended to read as follows:

644.370 Wigs and hairpieces must be cleaned with a ~~sanitizing~~ *disinfecting* agent approved by the Board. A microwave oven used for wig styling may be used only for that purpose.

Sec. 88. NAC 644.380 is hereby amended to read as follows:

644.380 1. Except as otherwise provided in this section and NAC 644.385, a person licensed to practice cosmetology may practice only in a currently licensed cosmetological establishment.

2. In the event of an emergency, ~~for death,~~ a person so licensed may practice elsewhere as the circumstances warrant if the licensee notifies and receives approval from the Board before engaging in that practice. The notification to the Board must include:

- (a) The name of the person to receive the service;
- (b) A description of the type of service to be provided;
- (c) The address or the location at which the service will be provided;
- (d) The date and time when the service will be provided; and
- (e) The name, type of license and number of the license of the licensee.

3. A person may engage in emergency practice only if he or she regularly operates or is employed in a cosmetological establishment. A person who engages in an emergency practice shall indicate in the appointment book of the establishment that the appointment is an out-call service.

4. A licensee may perform services outside of a licensed cosmetological establishment if the customer to receive the services has received a letter from his or her doctor which states that the customer is under the long-term care of the doctor and such services can be performed safely, in

consideration of the medical condition of the customer. Services provided by a licensee to such a customer must be provided in compliance with this section.

Sec. 89. NAC 644.600 is hereby amended to read as follows:

644.600 As used in NAC 644.600 to 644.655, inclusive, unless the context otherwise requires ~~†~~

~~—1. “M.B.T.U.” means a measurement of energy output or demand in British thermal units.~~

~~—2. “Mobile†, “mobile~~ cosmetological establishment” means a self-contained, self-supporting, enclosed mobile unit where one or more persons engage in the practice of cosmetology.

Sec. 90. NAC 644.615 is hereby amended to read as follows:

644.615 Each application for a license to operate a mobile cosmetological establishment or for the transfer of ownership of a licensed mobile cosmetological establishment must include:

1. A detailed floor plan showing:

(a) The location of:

(1) Doors;

(2) Windows;

(3) Restrooms;

(4) Sinks;

(5) Lifts or ramps;

(6) Ventilation systems; and

(7) Equipment; and

(b) The dimensions of the establishment;

2. The owner’s proof of purchase for the establishment and the equipment contained therein;

3. The required fee;
4. Copies of work permits or approvals from each county and city of operation granting the owner of the establishment permission to conduct mobile cosmetological services within that county and city; *and*
5. Copies of letters of compliance from the city, county and state agencies governing applicable plumbing, electrical and fire codes . ~~and~~
- ~~—6. Proof of a valid Nevada driver's license for the driver of the establishment.~~

Sec. 91. NAC 644.640 is hereby amended to read as follows:

644.640 A mobile cosmetological establishment must comply with the following standards:

1. Exterior advertising depicting “Licensed Cosmetological Establishment” must be on both sides of the vehicle with the unit’s establishment number.
2. The floor, carpeting, walls, ceiling, furniture, equipment and all contents of the establishment must be kept clean and in good repair at all times.
3. Carpeting is permitted only within the driving or cab area , *if applicable*, and only if approved by the appropriate city and county agencies governing fire codes.
4. All storage cabinets must be secured by the use of spring struts or friction catches.
5. All equipment must be securely anchored to the establishment.
6. The interior of the establishment must be 7 to 8 feet wide, inclusive, have a ceiling height of at least 6 feet and be at least 24 feet long, as measured from the ~~back of the driver's seat~~ *front interior wall* to the back of the establishment.
7. One 5-pound ABC fire extinguisher must be mounted in public view.
8. A ramp or lift must be provided for access to the establishment if services are provided to persons with disabilities.

9. No services may be performed while the establishment is in motion.
10. Sleeping provisions must not be placed or maintained in the working area of the establishment.
11. Containers in the establishment must consist of galvanized stainless steel or other noncorrosive material not including glass.
12. All chemicals in the establishment must be stored in secured cabinets, separate and apart from other articles or equipment in the establishment.

Sec. 92. NAC 644.655 is hereby amended to read as follows:

644.655 1. A mobile cosmetological establishment must have a ~~split lead~~ generator with:

- (a) A capacity of at least 6,500 watts;
- (b) A remote starter;
- (c) A muffler; and
- (d) Outside ventilation.

2. Heaters for mobile cosmetological establishments must be:

- (a) Sealed combustible units;
- (b) Vented outside; and
- (c) ~~Contain at least 30 M.B.T.U. of power.~~ *Able to maintain an inside temperature of at least 70 degrees Fahrenheit.*

3. All electrical wiring for an establishment must be wired in accordance with city, county, state and national fire codes.

Sec. 93. NAC 644.700 is hereby amended to read as follows:

644.700 1. The Board adopts the following schedule of fines for any violation of the provisions listed:

Violation	First Offense	Second Offense	Third Offense
COSMETOLOGICAL ESTABLISHMENT			
Operating an establishment without a license.....	\$1,000	\$1,500	\$2,000
Operating an establishment with an expired license.....	200	500	1,000
Allowing a licensee to work with an expired license (per person)	200	500	1,000
Failure to display license in place of business.....	200	500	1,000
Allowing an unlicensed person to work in an establishment.....	1,000	1,500	2,000
Operating an establishment without supervision by a licensed person	200	500	1,000
Operating an establishment with an animal on the premises.....	200	500	1,000
<i>Refusal to allow staff of the Board to inspect any licensed space.....</i>	<i>1,000</i>	<i>2,000</i>	<i>5,000</i>
COSMETOLOGIST OR OTHER LICENSED <i>OR REGISTERED</i>			
NATURAL PERSON			
Practicing with an expired license <i>or registration</i>	200	500	1,000
Failure to display license <i>or registration</i> at a work station	200	500	1,000
Failure to practice in a cosmetological establishment , <i>unless the person holds a limited license to do so</i>	500	1,000	2,000
<i>Failure to comply with NAC 644.368.....</i>	<i>200</i>	<i>500</i>	<i>1,000</i>

	First	Second	Third
Violation	Offense	Offense	Offense
<i>Using advertisements which contain knowingly false or deceptive statements or otherwise engaging in acts described in subsection 3 of NAC 644.711.....</i>			
	<i>100</i>	<i>200</i>	<i>500</i>
COSMETOLOGIST'S APPRENTICE			
Failure to display a certificate of registration in plain view	100	500	<i>1,000</i>
Failure to wear a badge while working.....	100	500	<i>1,000</i>
Working on the public without a supervising cosmetologist , <i>hair designer, aesthetician, nail technologist or electrologist, as appropriate, present.....</i>	500	1,000	<i>2,000</i>
SUPERVISOR OF A COSMETOLOGIST'S <i>AN</i> APPRENTICE			
Allowing an apprentice to work if his or her certificate of registration is not displayed in plain view.....	100	500	<i>1,000</i>
Allowing an apprentice to work if the apprentice is not wearing his or her badge	100	500	<i>1,000</i>
<i>Allowing an apprentice to work on the public without being present to supervise the apprentice.....</i>	<i>500</i>	<i>1,000</i>	<i>2,000</i>

Violation	First Offense	Second Offense	Third Offense
<i>MAKEUP ARTIST</i>			
<i>Failure to meet a requirement to engage in the practice of</i>			
<i>makeup artistry in this State.....</i>	<i>200</i>	<i>500</i>	<i>1,000</i>
<i>SCHOOL OF COSMETOLOGY</i>			
<i>Failure to comply with NRS 644.395, subsection 1 of NRS</i>			
<i>644.400, as amended by section 59 of Assembly Bill No.</i>			
<i>246, chapter 151, Statutes of Nevada 2015, at page 611,</i>			
<i>paragraph (b) of subsection 2 of NRS 644.400, as amended</i>			
<i>by section 59 of Assembly Bill No. 246, chapter 151,</i>			
<i>Statutes of Nevada 2015, at page 611, or NAC 644.085</i>	<i>200</i>	<i>500</i>	<i>1,000</i>
ANY PERSON			
Practicing without a license or certificate	1,000	1,500	2,000
Copying or altering a license or certificate <i>for purposes of</i>			
<i>fraud, deception, misrepresentation or other illegal</i>			
<i>purpose.....</i>	<i>200</i>	<i>500</i>	<i>1,000</i>
Using a copied or altered license or certificate for purposes of			
fraud, deception, misrepresentation or other illegal purpose	1,000	<i>2,000</i>	<i>5,000</i>

2. A licensee who violates a provision of NAC 644.307 to 644.355, inclusive, *and sections 13 to 16, inclusive, of this regulation*, will be fined ~~{not more than}~~ \$100 for ~~{the first}~~ *each* violation ~~{}~~ *unless, in the judgment of the Executive Director, the violation warrants a disciplinary hearing before the Board.*

3. A person who violates a provision of this chapter or chapter 644 of NRS for which this section does not provide a specific fine, including, without limitation, a second or subsequent violation, may be:

- (a) Ordered to appear at a disciplinary hearing before the Board; and
- (b) Punished by the Board as set forth in NRS 644.430 ~~{}~~ *, as amended by section 60 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 612, and section 7.3 of Assembly Bill No. 409, chapter 413, Statutes of Nevada 2015, at page 2396.*

Sec. 94. NAC 644.711 is hereby amended to read as follows:

644.711 For the purposes of paragraph ~~{(k)}~~ *(m)* of subsection 1 of NRS 644.430, *as amended by section 60 of Assembly Bill No. 246, chapter 151, Statutes of Nevada 2015, at page 612*, the following practices are grounds for disciplinary action by the Board:

- 1. Copying or altering a license *for the purposes of fraud, deception, misrepresentation or other illegal purpose* in violation of NRS 644.476.
- 2. Using a license that has been copied or altered for the purposes of fraud, deception, misrepresentation or other illegal purpose.
- 3. Using the terms “advanced” or “medical” in connection with any description of a person’s practice in any branch of cosmetology or otherwise holding the person out to the public as an advanced or medical practitioner of any branch of cosmetology.

Sec. 95. NAC 644.0503, 644.0538 and 644.0545 are hereby repealed.

TEXT OF REPEALED SECTIONS

644.0503 Application for licensure as demonstrator of cosmetics. (NRS 644.110, 644.210) An applicant for examination for a license as a demonstrator of cosmetics must submit to the Board:

1. A completed application on a form furnished by the Board;
2. The applicable fees;
3. Two photographs of the applicant that:
 - (a) Are identical;
 - (b) Have been taken not more than 90 days before the date of the submission of the application;
 - (c) Are 1 1/2 by 1 1/2 inches in size;
 - (d) Show the front view of the full face of the applicant in color against a plain white or off-white background and are otherwise substantially equivalent to a photograph suitable for use in a passport issued by the United States Government; and
 - (e) Have the name and address of the applicant written on the back.

644.0538 Maximum number of applicants. (NRS 644.110) If the Board determines that the facility available as the site for an examination is inadequate to accommodate all the applicants, it may establish, by resolution, a maximum number of applicants who can sit for an examination.

644.0545 Provisional license as instructor. (NRS 644.110, 644.193) The fee for a provisional license as an instructor is \$70.

**Nevada State Board of Cosmetology
Information Statement
LCB File Number R064-15**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 644.

1. The need and purpose of these regulations are to implement changes in NAC Chapter 644 with regard to various procedural and operational processes, and to set forth and clarify substantive procedural matters for administration of the regulations.

The need for the regulation is to provide for:

1. Defining terms that are relative to the procedures carried out in the regulations.
2. Defining what a limited license is and who is authorized to practice.
3. Define cosmetology to include 1,600 hours of training.
4. Define what needs to be included in a cosmetology school within a Department of Corrections facility.
5. Allows Board staff to inspect all rooms and drawers at the facility.
6. Defines foot spa cleaning.
7. Defines wax pot cleaning.
8. Defines steam towel cleaning.
9. Defines articles that cannot be used in the salon.
10. Defines additional information to be collected for the license type.
11. Defines the areas for advanced training.
12. Defines the scope of services for cosmetologist, hair designer, aesthetician, and nail technician.
13. Defines the new fees for licensure.
14. Defines the equipment located in the schools.
15. Defines the equipment necessary for cosmetologist's apprentice, hair designer's apprentice, aesthetician's apprentice, and nail technician's apprentice.
16. Defines what diseases preclude treatment by a cosmetology professional.
17. Defines what new citations and fines are needed.
18. Defines what new types of fraud and deception are not permitted.

2. Copies of the proposed regulations, notices of workshop, and notices of intent to act upon the regulations were sent by U.S. mail and email to persons who were known to have an interest in regulations of the Nevada State Board of Cosmetology, as well as persons who specifically requested such a notice. Those documents were also made available at the Board of Cosmetology website <http://www.cosmetology.nv.gov>, posted on the Legislative Counsel Bureau's Administrative Regulations Notices board, the Nevada Public Notice website, emailed to all county libraries, emailed to all cosmetology schools in the State of Nevada and posted to the following locations:

Nevada State Board of Cosmetology
1785 E. Sahara Avenue, Suite 255
Las Vegas, NV 89104

Nevada State Board of Cosmetology
4600 Kietzke Lane, Bldg O, Suite 262
Reno, NV 89502

A workshop was held on July 20, 2015 at the Nevada Gaming Control Board Hearing rooms video-conferenced between Carson City and Las Vegas

A workshop was held on August 10, 2015 at the Nevada Gaming Control Board Hearing rooms video-conferenced between Carson City and Las Vegas

A workshop was held on October 5, 2015 at the State of Nevada Board of Cosmetology offices via Skype in Reno and Las Vegas

A hearing was held on November 2, 2015 at the Nevada Gaming Control Board Hearing rooms video-conferenced between Carson City and Las Vegas

3. The number of persons who:

	July 20	August 10	October 5	November 2
a. Attended each meeting	18	15	32	32
b. Testified at each hearing	X	X	X	10
c. Submitted comments	0	0	0	1

4. The persons identified in “Submitted comments” of number 3 (c), as was provided to the agency conducting the hearing:

1. Name: Mary Rose McPhail
Entity: Aesthetician Instructor
Business Telephone: 702-808-0870
Email Address: maryrosemcphail@gmail.com

5. Comments were solicited from affected businesses in the same manner as they were solicited from the public.

6. The permanent regulation was adopted on November 23, 2015 and included the following changes entered at July 20, August 10, October 5 workshops and November 2, 2015 hearing

- a. Section 17 – revised the regulation to only include (a), (o) and (r) within subsection #1
- b. Section 93 – revised the regulation to have only one schedule of fines for Makeup Artists
- c. Section 94 – revised the regulation to remove item #4 from the text

7. There are no material incremental costs to the Nevada State Board of Cosmetology as the agency currently provides services and processes prescribed in these regulations. All minor impacts can be absorbed within existing staff and resources and will be funded by proposed fees of the new laws.

8. The proposed regulations are not required pursuant to any federal law. There are no other state, local or federal government agency regulations that the proposed regulations duplicate.

9. The proposed regulations do not include provisions that are more stringent than a federal regulation which regulates the same activity.

10. The proposed regulations do provide a new fee or an increase in existing fees. The proposed regulations include the following fee increases: a) makeup artist fee = \$25, b) shampoo technician fee = \$25, c) hair designer's apprentice fee = \$100, d) aesthetician's apprentice fee = \$100, e) nail technologist's apprentice fee = \$100, and the f) 4 year license fee = \$140.