

REQUIRES TWO-THIRDS MAJORITY VOTE
(§§ 37, 39, 41, 42)

S.B. 249

SENATE BILL NO. 249—SENATORS LANGE, HAMMOND, SPEARMAN;
DALY, DONATE, DONDERO LOOP, D. HARRIS,
OHRENSCHALL AND SCHEIBLE

MARCH 9, 2023

JOINT SPONSOR: ASSEMBLYMAN NGUYEN

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to cosmetology.
(BDR 54-829)

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

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

AN ACT relating to cosmetology; authorizing certain nurses to perform certain nonablative esthetic medical procedures only under the supervision of certain health care professionals; revising provisions governing the scope of practice of certain persons licensed and regulated by the State Board of Cosmetology; establishing procedures to contest certain citations issued by the Board; repealing or removing provisions which provide for the licensure and regulation by the Board of demonstrators of cosmetics and establishments for hair braiding; revising the powers and duties of the Board and the Executive Director of the Board; requiring the Board to adopt certain regulations; revising certain requirements for a person to obtain certain licenses and certificates of registration issued by the Board; revising certain licensing fees; revising provisions concerning the issuance and renewal of certain licenses and certificates of registration issued by the Board; revising provisions relating to cosmetological establishments and schools of cosmetology; revising certain requirements relating to the supervision of certain apprentices; authorizing the Board to issue certain citations; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law provides for the licensure and regulation by the State Board of
2 Cosmetology of persons engaged in various branches of cosmetology and makeup
3 artistry, cosmetological establishments and schools of cosmetology. (Chapter 644A
4 of NRS)

5 Existing law exempts, with certain exceptions, persons authorized to practice
6 medicine, commissioned medical officers of the United States Army, Navy or
7 Marine Hospital Service and various other persons from the provisions of existing
8 law governing cosmetology. (NRS 644A.150) **Section 14** of this bill additionally
9 exempts, with certain exceptions, persons authorized to practice nursing and certain
10 additional members of the Armed Forces of the United States.

11 Existing law authorizes the Board to issue a citation to a: (1) licensee or
12 registrant for certain violations relating to health or sanitation; and (2) person for
13 certain unlicensed activities. (NRS 644A.865, 644A.955) **Section 62** of this bill
14 additionally authorizes the Board to issue a citation to a licensee or registrant for
15 certain additional violations. **Section 4** of this bill sets forth a process by which a
16 person may contest certain citations. **Section 5** of this bill authorizes the Board to
17 take appropriate legal action to recover the amount of a fine imposed by the Board.

18 Existing law provides for the licensure and regulation by the Board of persons
19 engaged in the practice of: (1) esthetics, which existing law defines, in general, to
20 include certain practices involving the care of the skin, the application of cosmetics
21 and the removal of superfluous hair; and (2) advanced esthetics, which existing law
22 defines to mean the practice of advanced esthetic procedures in addition to the
23 practice of esthetics. (NRS 644A.014, 644A.075) Existing law designates a person
24 engaged in the practice of esthetics as an esthetician and a person engaged in the
25 practice of advanced esthetics as an advanced esthetician. (NRS 644A.013,
26 644A.065) Existing law also provides for the licensure and regulation by the Board
27 of cosmetologists, which existing law defines, in general, to mean a person engaged
28 in various practices involving the hair, nails and skin of a person. (NRS 644A.030)

29 **Section 7** of this bill revises the list of procedures that constitute advanced
30 esthetic procedures to: (1) include a medium-depth chemical peel, which **section 3**
31 of this bill defines, in general, to mean the removal of certain layers of skin using
32 chemicals; and (2) remove certain procedures. **Section 6** of this bill makes a
33 conforming change to indicate the proper placement of **section 3** in the Nevada
34 Revised Statutes.

35 Existing law defines "esthetic medical device" to mean, in general, certain
36 devices used to perform an esthetic medical procedure. (NRS 644A.062) **Section**
37 **18** of this bill requires the Board to adopt regulations identifying each device that
38 the Board determines to be appropriate for use in the performance of an esthetic
39 medical procedure. **Section 10** of this bill revises the definition of "esthetic medical
40 device" to include only those devices that the Board has identified by regulation.
41 **Sections 8 and 11** of this bill revise the definitions of "cosmetologist" and
42 "esthetics," respectively, for the purpose of: (1) prohibiting an esthetician or
43 cosmetologist from using certain devices, including an esthetic medical device; and
44 (2) authorizing an esthetician and a cosmetologist to perform certain procedures.

45 Existing law authorizes an advanced esthetician to perform a nonablative
46 esthetic medical procedure under the supervision of a physician, a physician
47 assistant or an advanced practice registered nurse. (NRS 644A.127) **Section 18**
48 requires the Board to adopt regulations identifying each nonablative esthetic
49 medical procedure an advanced esthetician is authorized to perform. **Section 13** of
50 this bill revises the definition of "nonablative esthetic medical procedure" for the
51 purpose of authorizing an advanced esthetician to perform only those nonablative
52 medical procedures that the Board has identified by regulation. **Section 1** of this
53 bill authorizes a registered nurse to perform such nonablative esthetic medical



54 procedures under the supervision of a physician, a physician assistant or an
55 advanced practice registered nurse.

56 Existing law prohibits a provider of health care from using space leased in a
57 cosmetological establishment to provide health care services at the same time a
58 cosmetologist uses that space to engage in the practice of cosmetology. (NRS
59 644A.615) **Section 48** of this bill provides an exemption from that prohibition to
60 authorize a physician, a physician assistant or an advanced practice registered nurse
61 to use such a leased space to provide health care services associated with the
62 supervision of an advanced esthetician.

63 Existing law sets forth certain powers and duties of the Board. (NRS 644A.230)
64 **Section 15** of this bill provides those powers and duties to the Executive Director
65 of the Board. Existing law requires the Board to keep all records and files at the
66 main office of the Board and, with certain exceptions, make the records and files
67 open to public inspection. (NRS 644A.230) **Section 15** removes the requirement to
68 keep the records and files at the main office of the Board.

69 Existing law provides that certain documents and information of the Board
70 relating to the imposition of disciplinary action against a person are confidential
71 unless the person submits to the Board a request that such documents and
72 information be made public records. (NRS 644A.870) **Section 56** of this bill
73 removes provisions authorizing a person to submit such a request.

74 **Sections 39, 42 and 47** of this bill require a licensee or registrant to have paid to
75 the Board any outstanding fees, fines or other balance owed to the Board as a
76 condition for the renewal of a license or certificate of registration. **Section 35** of
77 this bill provides that certain fees charged by the Board are nonrefundable.

78 Existing law requires a makeup artist to register with the Board and provides
79 that such a registration expires on January 1 of each year. (NRS 644A.395) **Section**
80 **12** of this bill revises the definition of "makeup artistry" to authorize a makeup
81 artist to apply strip eyelashes. (NRS 644A.105) **Section 31** of this bill: (1) revises
82 the information that a person must submit to the Board to register as a makeup
83 artist; and (2) provides that a certificate of registration as a makeup artist is valid
84 for 1 year after the date of issuance.

85 Existing law requires a person who applies to be admitted to an examination for
86 licensure as a cosmetologist, hair designer, esthetician, advanced esthetician or nail
87 technologist to satisfy certain training or experience requirements. Existing law
88 authorizes such requirements to be satisfied by having practiced the applicable
89 occupation for a certain length of time outside of this State. (NRS 644A.300,
90 644A.315, 644A.328, 644A.330, 644A.345) **Sections 20, 22 and 24-26** of this bill
91 revise those training and experience requirements to, among other things, specify
92 that practice outside of this state includes practice in any other state, territory or
93 country. **Sections 21 and 23** of this bill provide that an examination for a license as
94 a cosmetologist or hair designer may include practical demonstrations of
95 procedures involving the application of chemicals to the hair. **Section 32** of this bill
96 revises certain training requirements for a person to be admitted to examination for
97 a license as an electrologist. **Sections 29 and 30** of this bill revise requirements for
98 a person to be admitted to examination for registration as a shampoo technologist
99 and for the content of the examination. **Sections 27, 28 and 64** of this bill repeal
100 and revise requirements for a person to be admitted to examination for licensure as
101 a hair braider and for the content of the examination. **Sections 36, 54 and 59** of this
102 bill make conforming changes to remove references to certain requirements
103 concerning hair braiders repealed by **section 64**.

104 Existing law sets forth separate requirements for a person to be admitted for
105 examination as an instructor depending on whether the person wishes to be licensed
106 as an instructor of cosmetology, hair design, esthetics, advanced esthetics or nail
107 technology. (NRS 644A.420-644A.430) **Sections 34 and 64** of this bill: (1)
108 establish, with certain exceptions, the same requirements for each type of



109 instructor; and (2) authorize an instructor to provide instruction only on subject
110 matter that is within the scope of his or her license in the applicable branch of
111 cosmetology. **Section 33** of this bill revises the materials that an applicant for a
112 provisional license as an instructor is required to submit to the Board.

113 **Sections 37, 39 and 42** of this bill revise the amount of fees charged to an
114 applicant for examination for licensure as a hair braider and for the issuance and
115 renewal of such a license. **Section 41** of this bill authorizes the Board to defer the
116 expiration of certain licenses or certificates of registration for a person who submits
117 a request and pays a fee.

118 Existing law requires a person who holds a license or certificate of registration
119 to practice any branch of cosmetology to display the license or certificate at the
120 position where the holder of the license or certificate performs his or her work.
121 (NRS 644A.530) **Section 44** of this bill requires such a person to display the license
122 or certificate at the workstation where he or she performs his or her work on the
123 public.

124 Existing law establishes requirements for the licensure and operation of a
125 cosmetological establishment or a school of cosmetology. (NRS 644A.600-
126 644A.630, 644A.700-644A.755) **Section 46** of this bill revises procedures for the
127 issuance of a license for a cosmetological establishment. **Sections 51 and 52** of this
128 bill revise requirements for the: (1) supervision by a licensed instructor of a school
129 of cosmetology; (2) attendance of a student for instruction in theory; and (3)
130 advertisement of student work to the public. **Section 57** of this bill revises the
131 circumstances under which certain apprentices may engage in certain practices at a
132 cosmetological establishment. **Section 50** of this bill requires a cosmetological
133 establishment to display a sign under certain circumstances indicating when no
134 cosmetological services will be provided.

135 Existing law requires a person who engages in the practice of threading or the
136 owner or operator of certain facilities in which a person engages in the practice of
137 threading to register with the Board. (NRS 644A.550) **Sections 17 and 45** of this
138 bill: (1) require the Board to keep certain records relating to a person who engages
139 in the practice of threading; (2) provide that a certificate of registration to engage in
140 the practice of threading expires 1 year after issuance; and (3) authorize a licensed
141 cosmetologist or esthetician to engage in the practice of threading without
142 registering with the Board.

143 Existing law provides for the licensure and regulation of establishments for hair
144 braiding, which existing law defines to mean, in general, any premises, mobile unit
145 or building where hair braiding is practiced, other than a cosmetological
146 establishment. (NRS 644A.060) **Sections 16-19, 42, 53-55, 57, 60, 61 and 64** of
147 this bill remove or repeal provisions which provide for the licensure and regulation
148 of establishments for hair braiding, thereby requiring any establishment where hair
149 braiding is practiced to be licensed as a cosmetological establishment. **Section 63**
150 of this bill deems any person who, on October 1, 2023, holds a license for an
151 establishment for hair braiding to hold a license for a cosmetological establishment.

152 Existing law provides for the licensure and regulation by the Board of
153 demonstrators of cosmetics, which existing law defines to mean, in general, a
154 person who demonstrates cosmetics under certain circumstances. (NRS 644A.045)
155 **Sections 9, 17, 38-43, 48, 49, 54 and 64** of this bill repeal or remove all references
156 to demonstrators of cosmetics in the provisions of existing law governing
157 cosmetology for the purpose of no longer subjecting a demonstrator of cosmetics to
158 licensure or regulation by the Board.

159 Existing law prohibits: (1) the use of an x-ray machine to treat the scalp or
160 remove hair; and (2) the local application of corrosive substances for the purpose of
161 peeling skin. (NRS 644A.925) **Section 58** of this bill: (1) eliminates the prohibition
162 on the use of an x-ray machine to treat the scalp or remove hair; and (2) revises the
163 prohibition on the use of corrosive substances to peel skin to allow for the



164 application of certain substances by a cosmetologist, esthetician or advanced
165 esthetician for certain purposes.

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

1 **Section 1.** Chapter 632 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *A registered nurse, other than an advanced practice*
4 *registered nurse, may perform a nonablative esthetic medical*
5 *procedure only under the supervision of a health care*
6 *professional. For the purposes of this subsection, a nonablative*
7 *esthetic medical procedure is performed under the supervision of a*
8 *health care professional if, at all times during the performance of*
9 *the procedure, the health care professional:*

10 (a) *Is readily available for immediate consultation with the*
11 *registered nurse by telephone or other communication technology*
12 *which allows the health care professional and the registered nurse*
13 *to communicate in real time; and*

14 (b) *Remains within 60 miles or 60 minutes of the location at*
15 *which the procedure is being performed and is readily available to*
16 *provide care in person if any problems arise during the procedure.*

17 2. *A registered nurse shall not perform any ablative esthetic*
18 *medical procedure.*

19 3. *As used in this section:*

20 (a) *“Ablative esthetic medical procedure” has the meaning*
21 *ascribed to it in NRS 644A.011.*

22 (b) *“Health care professional” has the meaning ascribed to it*
23 *in NRS 453C.030.*

24 (c) *“Nonablative esthetic medical procedure” has the meaning*
25 *ascribed to it in NRS 644A.127.*

26 **Sec. 2.** Chapter 644A of NRS is hereby amended by adding
27 thereto the provisions set forth as sections 3, 4 and 5 of this act.

28 **Sec. 3.** *“Medium-depth chemical peel” means the removal of*
29 *skin from the epidermis and papillary dermis layers using*
30 *chemicals applied directly to the skin.*

31 **Sec. 4.** 1. *If a person is issued a citation pursuant to NRS*
32 *644A.955, the person may request a hearing before the Board to*
33 *contest the citation by filing a written request with the Board:*

34 (a) *Not later than 30 days after the date on which the citation*
35 *is received by the person; or*

36 (b) *If the Board, for good cause shown, extends the time*
37 *allowed to file a written request for a hearing to contest the*
38 *citation, on or before the later date specified by the Board.*



1 2. *If the person files a written request for a hearing to contest*
2 *the citation within the time allowed pursuant to this section, the*
3 *Board shall provide notice of and conduct the hearing in the same*
4 *manner as other disciplinary proceedings.*

5 3. *If the person does not file a written request for a hearing to*
6 *contest the citation within the time allowed pursuant to this*
7 *section, the citation shall be deemed a final order of the Board.*

8 4. *For the purposes of this section, a citation shall be deemed*
9 *to have been received by a person:*

10 (a) *On the date on which the citation is personally delivered to*
11 *the person;*

12 (b) *For a citation issued to a licensee or registrant which is*
13 *sent by electronic mail, the date on which the citation is sent by*
14 *electronic mail to the electronic mail address of the licensee or*
15 *registrant on file with the Board; or*

16 (c) *If the citation is mailed, 3 days after the date on which the*
17 *citation is mailed by certified mail to the last known business or*
18 *residential address of the person.*

19 **Sec. 5.** *The Board may cause appropriate legal action to be*
20 *taken in any court of competent jurisdiction to recover a fine*
21 *imposed by the Board pursuant to this chapter.*

22 **Sec. 6.** NRS 644A.010 is hereby amended to read as follows:

23 644A.010 As used in this chapter, unless the context otherwise
24 requires, the words and terms defined in NRS 644A.011 to
25 644A.140, inclusive, *and section 3 of this act* have the meanings
26 ascribed to them in those sections.

27 **Sec. 7.** NRS 644A.012 is hereby amended to read as follows:

28 644A.012 “Advanced esthetic procedure” means any of the
29 following procedures performed for esthetic purposes and not for
30 the treatment of a medical, physical or mental ailment:

- 31 1. ~~Exfoliation;~~
32 ~~2. Microdermabrasion and related services;~~
33 ~~3.] Microneedling;~~
34 ~~4. Dermaplaning;~~
35 ~~5. Extraction;~~
36 ~~6. Hydrotherapy;~~
37 ~~7.] 2. Medium-depth chemical peel;~~

38 3. A nonablative esthetic medical procedure; or

39 ~~8.] 4.~~ 4. Other similar esthetic preparations or procedures with
40 the use of the hands or a mechanical or electronic apparatus.

41 **Sec. 8.** NRS 644A.030 is hereby amended to read as follows:

42 644A.030 1. “Cosmetologist” means a person who engages
43 in the practices of:



1 (a) Cleansing, stimulating or massaging the scalp or cleansing or
2 beautifying the hair by the use of cosmetic preparations, antiseptics,
3 tonics, lotions or creams.

4 (b) Cutting, trimming or shaping the hair.

5 (c) Arranging, dressing, curling, waving, cleansing, singeing,
6 bleaching, tinting, coloring or straightening the hair of any person
7 with the hands, mechanical or electrical apparatus or appliances, or
8 by other means, or similar work incident to or necessary for the
9 proper carrying on of the practice or occupation provided by the
10 terms of this chapter.

11 (d) Removing superfluous hair from the surface of the body of
12 any person by the use of depilatories, waxing, tweezers or sugaring,
13 except for the *removal of hair with lasers or the* permanent removal
14 of hair with needles.

15 (e) Manicuring the nails of any person.

16 (f) Beautifying, massaging, stimulating or cleansing the skin of
17 the human body by the use of cosmetic preparations, antiseptics,
18 tonics, lotions, creams or any device ~~[, electrical or otherwise,]~~ for
19 the care of the skin ~~[,]~~ *that is noninvasive and is not an esthetic*
20 *medical device or otherwise prohibited by the Board.*

21 (g) Giving facials or skin care or applying cosmetics or
22 eyelashes to any person.

23 (h) *Performing any of the following procedures for esthetic*
24 *purposes and not for the treatment of a medical, physical or*
25 *mental ailment:*

26 (1) *Extraction;*

27 (2) *Hydrotherapy; or*

28 (3) *Exfoliation which does not remove any skin below the*
29 *stratum corneum, including, without limitation, by the use of*
30 *manual exfoliation, microdermabrasion or dermaplaning.*

31 2. ~~[As used in this section, “depilatories” does not include the~~
32 ~~practice of threading.]~~ *The term does not include a person who*
33 *engages in the practice of advanced esthetics.*

34 **Sec. 9.** NRS 644A.040 is hereby amended to read as follows:

35 644A.040 “Cosmetology” includes the occupations of a
36 cosmetologist, esthetician, advanced esthetician, electrologist, hair
37 designer, shampoo technologist, hair braider ~~[, demonstrator of~~
38 ~~cosmetics]~~ and nail technologist. The term does not include the
39 occupation of a makeup artist.

40 **Sec. 10.** NRS 644A.062 is hereby amended to read as follows:

41 644A.062 “Esthetic medical device” means a device, as
42 defined in 21 U.S.C. § 321, ~~[used to perform]~~ *which the Board, by*
43 *regulation, has determined to be appropriate for use in the*
44 *performance of* an esthetic medical procedure . ~~[, including, without~~
45 ~~limitation, a laser, a radial shockwave device, a cryotherapy device~~



1 ~~and a device that emits radio frequencies, plasma, intense pulsed~~
2 ~~light, ultrasound, microwaves or other similar energies.]~~

3 **Sec. 11.** NRS 644A.075 is hereby amended to read as follows:
4 644A.075 ~~[1-]~~ “Esthetics” means the practices of:

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

9 ~~—(b)] that is noninvasive and is not an esthetic medical device or~~
10 ~~otherwise prohibited by the Board;~~

11 2. Applying cosmetics, eyelash extensions or eyelashes to any
12 person, tinting eyelashes and eyebrows, eyelash perming and
13 lightening hair on the body; ~~and~~

14 ~~—(c)]~~ 3. Removing superfluous hair from the body of any person
15 by the use of depilatories, waxing, tweezers or sugaring ~~;~~; and

16 4. *Performing any of the following procedures for esthetic*
17 *purposes and not for the treatment of a medical, physical or*
18 *mental ailment:*

19 (a) *Extraction;*

20 (b) *Hydrotherapy; or*

21 (c) *Exfoliation which does not remove any skin below the*
22 *stratum corneum, including, without limitation, by the use of*
23 *manual exfoliation, microdermabrasion or dermaplaning,*

24 ↪ but does not include the branches of cosmetology of a
25 cosmetologist, *advanced esthetician*, hair designer, shampoo
26 technologist, hair braider, electrologist or nail technologist.

27 ~~[2.—As used in this section, “depilatories” does not include the~~
28 ~~practice of threading.]~~

29 **Sec. 12.** NRS 644A.110 is hereby amended to read as follows:

30 644A.110 1. “Makeup artistry” means the practice of
31 applying makeup, *strip eyelashes* or prosthetics for:

32 (a) Theatrical, television, film and other similar productions;

33 (b) All aspects of the modeling and fashion industry, including,
34 without limitation, photography for magazines; and

35 (c) Weddings.

36 2. The term includes the practice of applying makeup, *strip*
37 *eyelashes* or prosthetics at:

38 (a) Licensed cosmetological establishments; and

39 (b) Retail establishments, unless the practice is limited to the
40 demonstration of cosmetics by a retailer in the manner described in
41 paragraph (d) of subsection 1 of NRS 644A.150.

42 **Sec. 13.** NRS 644A.127 is hereby amended to read as follows:

43 644A.127 “Nonablative esthetic medical procedure” means an
44 esthetic medical procedure that is not expected to excise, vaporize,
45 disintegrate or remove living tissue ~~;~~, *and which the Board has,*



1 *by regulation, authorized to be performed by an advanced*
2 *esthetician.*

3 **Sec. 14.** NRS 644A.150 is hereby amended to read as follows:

4 644A.150 1. The following persons are exempt from the
5 provisions of this chapter:

6 (a) Except for those provisions relating to advanced estheticians,
7 all persons authorized by the laws of this State to practice *nursing,*
8 *medicine, dentistry, osteopathic medicine, chiropractic or podiatry.*

9 (b) Commissioned medical officers of the *Armed Forces of the*
10 *United States* ~~[Army, Navy, or Marine Hospital Service]~~ when
11 engaged in the actual performance of their official duties, and
12 attendants attached to ~~[those services.]~~ *a unit in a branch of the*
13 *Armed Forces of the United States that provides medical services.*

14 (c) Barbers, insofar as their usual and ordinary vocation and
15 profession is concerned, when engaged in any of the following
16 practices:

17 (1) Cleansing or singeing the hair of any person.

18 (2) Massaging, cleansing, stimulating, exercising or similar
19 work upon the scalp, face or neck of any person, with the hands or
20 with mechanical or electrical apparatus or appliances, or by the use
21 of cosmetic preparations, antiseptics, tonics, lotions or creams.

22 (d) Retailers, at a retail establishment, insofar as their usual and
23 ordinary vocation and profession is concerned, when engaged in the
24 demonstration of cosmetics if:

25 (1) The demonstration is without charge to the person to
26 whom the demonstration is given; and

27 (2) The retailer does not advertise or provide a service
28 relating to the practice of cosmetology except cosmetics and
29 fragrances.

30 (e) Photographers or their employees, insofar as their usual and
31 ordinary vocation and profession is concerned, if the photographer
32 or his or her employee does not advertise cosmetological services or
33 the practice of makeup artistry and provides cosmetics without
34 charge to the customer.

35 2. Any school of cosmetology conducted as part of the
36 vocational rehabilitation training program of the Department of
37 Corrections or the Caliente Youth Center:

38 (a) Is exempt from the requirements of paragraph (c) of
39 subsection 2 of NRS 644A.740.

40 (b) Notwithstanding the provisions of NRS 644A.735, shall
41 maintain a staff of at least one licensed instructor.

42 3. Any health care professional, as defined in NRS 453C.030,
43 is exempt from the provisions of this chapter relating to advanced
44 estheticians.



1 **Sec. 15.** NRS 644A.230 is hereby amended to read as follows:
2 644A.230 The *Executive Director of the* Board:

3 1. Shall prescribe the duties of ~~[its]~~ *the* officers, examiners and
4 employees ~~[,]~~ *of the Board*, and fix the compensation of those
5 employees.

6 2. May establish offices in as many ~~[localities]~~ *locations* in the
7 State as ~~[it]~~ *the Executive Director* finds necessary to carry out the
8 provisions of this chapter. ~~[All records and files of the Board must
9 be kept at the main office of the Board and, except as otherwise
10 provided in NRS 644A.870, be open to public inspection at all
11 reasonable hours.]~~

12 3. May adopt a seal.

13 4. May issue subpoenas to compel the attendance of witnesses
14 and the production of books and papers.

15 **Sec. 16.** NRS 644A.250 is hereby amended to read as follows:
16 644A.250 The Board shall:

17 1. Hold examinations to determine the qualifications of all
18 applicants for a license or certificate of registration, except as
19 otherwise provided in this chapter, whose applications have been
20 submitted to it in proper form.

21 2. Issue licenses to such applicants as may be entitled thereto.

22 3. Issue certificates of registration to such applicants as may be
23 entitled thereto.

24 4. License ~~[establishments for hair braiding,]~~ cosmetological
25 establishments and schools of cosmetology.

26 5. Report to the proper prosecuting officer or law enforcement
27 agency each violation of this chapter coming within its knowledge.

28 6. Inspect schools of cosmetology, ~~[establishments for hair
29 braiding,]~~ cosmetological establishments and any facility in this
30 State in which threading is conducted to ensure compliance with the
31 statutory requirements and adopted regulations of the Board. This
32 authority extends to any member of the Board or its authorized
33 employees.

34 **Sec. 17.** NRS 644A.260 is hereby amended to read as follows:
35 644A.260 1. The Board shall keep a record containing the

36 name, known place or places of business, electronic mail address,
37 personal mailing address, telephone number and the date and
38 number of the license or certificate of registration, as applicable, of
39 every nail technologist, electrologist, esthetician, advanced
40 esthetician, hair designer, shampoo technologist, hair braider,
41 ~~[demonstrator of cosmetics,]~~ *person engaged in the practice of*
42 *threading registered pursuant to NRS 644A.550*, makeup artist
43 registered pursuant to NRS 644A.395 and cosmetologist, together
44 with the names and addresses of all ~~[establishments for hair
45 braiding,]~~ cosmetological establishments and schools of



1 cosmetology licensed pursuant to this chapter. The record must also
2 contain the facts which the applicants claimed in their applications
3 to justify their licensure or registration.

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

6 (a) Any other licensing board or agency that is investigating a
7 licensee or registrant.

8 (b) A member of the general public, except information
9 concerning the personal mailing address, work address, electronic
10 mail address and telephone number of a licensee or registrant.

11 **Sec. 18.** NRS 644A.275 is hereby amended to read as follows:

12 644A.275 The Board shall adopt reasonable regulations:

13 1. For carrying out the provisions of this chapter.

14 2. For conducting examinations of applicants for licenses and
15 certificates of registration.

16 3. For governing the recognition of, and the credits to be given
17 to, the study of cosmetology under a licensed electrologist or in a
18 school of cosmetology licensed pursuant to the laws of another state
19 or territory of the United States or the District of Columbia.

20 4. For governing the conduct of schools of cosmetology. The
21 regulations must include but need not be limited to, provisions:

22 (a) Prohibiting schools from requiring that students purchase
23 beauty supplies for use in the course of study;

24 (b) Prohibiting schools from deducting earned hours of school
25 credit or any other compensation earned by a student as a
26 punishment for misbehavior of the student;

27 (c) Providing for lunch and coffee recesses for students during
28 school hours; and

29 (d) Allowing a member or an authorized employee of the Board
30 to review the records of a student's training and attendance.

31 5. Governing the courses of study and practical training
32 required of persons for treating the skin of the human body.

33 6. For governing the conduct of cosmetological establishments.

34 7. ~~As the Board determines are necessary for governing the~~
35 ~~conduct of establishments for hair braiding.]~~ *Identifying each*
36 *nonablative esthetic medical procedure that an advanced*
37 *esthetician is authorized to perform pursuant to this chapter.*

38 8. *Identifying each device that the Board determines to be*
39 *appropriate for use in the performance of an esthetic medical*
40 *procedure. Such devices may include, without limitation, a laser, a*
41 *radial shockwave device, a cryotherapy device and a device that*
42 *emits radio frequencies, plasma, intense pulsed light, ultrasound,*
43 *microwaves or other similar energies.*



Sec. 19. NRS 644A.280 is hereby amended to read as follows:

644A.280 1. The Board may adopt such regulations governing sanitary conditions as it deems necessary with particular reference to the precautions to be employed to prevent the creating or spreading of infectious or contagious diseases in the practice of hair braiding, ~~in establishments for hair braiding,~~ in the practice of a cosmetologist, in cosmetological establishments or schools of cosmetology, in the practice of threading and in any facility in this State in which threading is conducted.

2. No regulation governing sanitary conditions thus adopted has any effect until it has been approved by the State Board of Health.

3. A copy of all regulations governing sanitary conditions which are adopted must be furnished to each person to whom a license is issued for the conduct of a cosmetological establishment, ~~establishment for hair braiding,~~ school of cosmetology, practice of cosmetology or facility in this State in which threading is conducted.

Sec. 20. NRS 644A.300 is hereby amended to read as follows:

644A.300 The Board shall admit to examination for a license as a cosmetologist any person who has made application to the Board in proper form and paid the fee, and who before or on the date of the examination:

1. Is not less than 18 years of age.

2. Is of good moral character.

3. Has successfully completed the 10th grade in school or its equivalent. Testing for equivalency must be pursuant to applicable state or federal requirements.

4. Has had any one of the following:

(a) Training of at least 1,600 hours ~~[- extending over a school term of 10 months,]~~ in a school of cosmetology approved by the Board.

(b) Practice of the occupation of a cosmetologist for a period of 4 years outside this State ~~[-]~~, *including, without limitation, in any other state, territory or country.*

(c) If the applicant is a barber registered pursuant to chapter 643 of NRS, 600 hours of specialized training approved by the Board.

(d) At least 3,200 hours of service as a cosmetologist's apprentice in a licensed cosmetological establishment in which all of the occupations of cosmetology are practiced. The required hours must have been completed during the period of validity of the certificate of registration as a cosmetologist's apprentice issued to the person pursuant to NRS 644A.310.

Sec. 21. NRS 644A.305 is hereby amended to read as follows:

644A.305 Examinations for licensure as a cosmetologist may include:



1 1. Practical demonstrations in shampooing the hair,
2 hairdressing, styling of hair, finger waving, coloring of hair, nail
3 technology, cosmetics, thermal curling, marcelling, facial massage,
4 massage of the scalp with the hands, *procedures involving the*
5 *application of chemicals to hair*, and cutting, trimming or shaping
6 hair;

7 2. Written or oral tests on:

8 (a) Antisepsis, sterilization and sanitation;

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

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

13 3. Such other demonstrations and tests as the Board may
14 require.

15 **Sec. 22.** NRS 644A.315 is hereby amended to read as follows:

16 644A.315 The Board shall admit to examination for a license
17 as a hair designer each person who has applied to the Board in
18 proper form and paid the fee, and who:

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

20 2. Is of good moral character.

21 3. Has successfully completed the 10th grade in school or its
22 equivalent. Testing for equivalency must be pursuant to state or
23 federal requirements.

24 4. Satisfies at least one of the following:

25 (a) Is a barber registered pursuant to chapter 643 of NRS.

26 (b) Has had training of at least 1,000 hours [~~extending over a~~
27 ~~period of 7 consecutive months.~~] in a school of cosmetology
28 approved by the Board.

29 (c) Has had practice of the occupation of hair designing for at
30 least 4 years outside this State [~~;~~], *including, without limitation, in*
31 *any other state, territory or country.*

32 (d) Has had at least 2,000 hours of service as a hair designer's
33 apprentice in a licensed cosmetological establishment in which hair
34 design is practiced. The required hours must have been completed
35 during the period of validity of the certificate of registration as a
36 hair designer's apprentice issued to the person pursuant to
37 NRS 644A.325.

38 **Sec. 23.** NRS 644A.320 is hereby amended to read as follows:

39 644A.320 The examination for licensure as a hair designer may
40 include:

41 1. Practical demonstrations in shampooing the hair,
42 hairdressing, styling of hair, finger waving, coloring of hair, thermal
43 curling, marcelling, massage of the scalp with the hands, *procedures*
44 *involving the application of chemicals to hair*, and cutting,
45 trimming or shaping the hair;



- 1 2. Written or oral tests, or both written and oral tests, on:
- 2 (a) Antisepsis, sterilization and sanitation;
- 3 (b) The use of mechanical apparatus and electricity as applicable
- 4 to the practice of a hair designer; and
- 5 (c) The laws of this State and the regulations of the Board
- 6 relating to the practice of cosmetology; and
- 7 3. Such other demonstrations and tests as the Board may
- 8 require.

9 **Sec. 24.** NRS 644A.328 is hereby amended to read as follows:
10 644A.328 The Board shall admit to examination for a license
11 as an advanced esthetician any person who has made the application
12 to the Board in proper form, paid the fee and:

- 13 1. Is at least 18 years of age;
- 14 2. Is of good moral character;
- 15 3. Has successfully completed the 10th grade in school or its
- 16 equivalent; and
- 17 4. Satisfies at least one of the following:

18 (a) The person has completed at least 900 hours of training in a
19 licensed school of cosmetology in a curriculum prescribed by the
20 Board pursuant to NRS 644A.277;

21 (b) The person is a licensed esthetician and has additionally
22 completed at least 300 hours of training in a licensed school of
23 cosmetology in a curriculum prescribed by the Board pursuant to
24 NRS 644A.277; or

25 (c) The person has practiced ~~as a full time licensed~~ advanced
26 ~~esthetician~~ *esthetics* for at least ~~1 year~~ *4 years outside this State,*
27 *including, without limitation, in any other state, territory or*
28 *country.*

29 **Sec. 25.** NRS 644A.330 is hereby amended to read as follows:
30 644A.330 The Board shall admit to examination for a license
31 as an esthetician any person who has made application to the Board
32 in proper form, paid the fee and:

- 33 1. Is at least 18 years of age;
- 34 2. Is of good moral character;
- 35 3. Has successfully completed the 10th grade in school or its
- 36 equivalent; and
- 37 4. Has had any one of the following:

38 (a) A minimum of 600 hours of training, which includes theory
39 ~~modeling~~ and practice, in a licensed school of cosmetology.

40 (b) Practice as ~~a full time licensed~~ *an* esthetician for at least ~~1~~
41 *year* *4 years outside this State, including, without limitation, in*
42 *another state, territory or country.*

43 (c) At least 1,200 hours of service as an esthetician's apprentice
44 in a licensed cosmetological establishment in which esthetics is
45 practiced. The required hours must have been completed during the



1 period of validity of the certificate of registration as an esthetician's
2 apprentice issued to the person pursuant to NRS 644A.340.

3 **Sec. 26.** NRS 644A.345 is hereby amended to read as follows:

4 644A.345 The Board shall admit to examination for a license
5 as a nail technologist any person who has made application to the
6 Board in proper form, paid the fee and who, before or on the date of
7 the examination:

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

9 2. Is of good moral character.

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

12 4. Has had any one of the following:

13 (a) Practical training of at least 600 hours under the immediate
14 supervision of a licensed instructor in a licensed school of
15 cosmetology in which the practice is taught.

16 (b) Practice as a ~~full-time licensed~~ nail technologist for ~~1~~
17 ~~year~~ at least 4 years outside ~~the State of Nevada.~~ *this State,*
18 *including, without limitation, in another state, territory or country.*

19 (c) At least 1,200 hours of service as a nail technologist's
20 apprentice in a licensed cosmetological establishment in which nail
21 technology is practiced. The required hours must have been
22 completed during the period of validity of the certificate of
23 registration as a nail technologist's apprentice issued to the person
24 pursuant to NRS 644A.355.

25 **Sec. 27.** NRS 644A.360 is hereby amended to read as follows:

26 644A.360 ~~1. Except as otherwise provided in NRS~~
27 ~~644A.365, the~~ *The* Board shall admit to examination as a hair
28 braider each person who has applied to the Board in proper form
29 and paid the fee, and who:

30 ~~1.~~ *1.* Is not less than 18 years of age.

31 ~~2.~~ *2.* Is of good moral character.

32 ~~3.~~ *3.* Has successfully completed the 10th grade in school or
33 its equivalent. Testing for equivalency must be pursuant to state or
34 federal requirements.

35 ~~4. If the person has not practiced hair braiding previously:~~

36 ~~(1) Has completed a minimum of 250 hours of training and~~
37 ~~education as follows:~~

38 ~~(I) Fifty hours concerning the laws of Nevada and the~~
39 ~~regulations of the Board relating to cosmetology;~~

40 ~~(II) Seventy five hours concerning infection control and~~
41 ~~prevention and sanitation;~~

42 ~~(III) Seventy five hours regarding the health of the scalp~~
43 ~~and the skin of the human body; and~~

44 ~~(IV) Fifty hours of clinical practice; and~~



~~1 — (2) Has passed the practical demonstration in hair braiding
2 and written tests described in NRS 644A.370.~~

~~3 — (c) If the person has practiced hair braiding in this State on a
4 person who is related within the sixth degree of consanguinity
5 without a license and without charging a fee:~~

~~6 — (1) Has submitted to the Board a signed affidavit stating that
7 the person has practiced hair braiding for at least 1 year on such a
8 relative; and~~

~~9 — (2) Has passed the practical demonstration in hair braiding
10 and written tests described in NRS 644A.370.~~

~~11 — 2. The application submitted pursuant to subsection 1 must be
12 accompanied by:~~

~~13 — (a) Two current photographs of the applicant which are 2 by 2
14 inches. The name and address of the applicant must be written on
15 the back of each photograph.~~

~~16 — (b) A copy of one of the following documents as proof of the
17 age of the applicant:~~

~~18 — (1) A driver's license, identification card or permanent
19 resident card issued to the applicant by this State or another state,
20 the District of Columbia, the United States or any territory of the
21 United States or a tribal identification card issued by a tribal
22 government which satisfies the requirements of subsection 3 of
23 NRS 232.006;~~

~~24 — (2) The birth certificate of the applicant; or~~

~~25 — (3) The current passport issued to the applicant.]~~

Sec. 28. NRS 644A.370 is hereby amended to read as follows:

27 644A.370 ~~[1.]~~ The examination for licensure as a hair braider
28 pursuant to ~~[paragraph (d) of subsection 1 of]~~ NRS ~~[644A.365 must]~~
29 **644A.360 may** include:

30 ~~[(a)]~~ **1.** A written test on antisepsis, sterilization and sanitation;

31 ~~[(b)]~~ **2.** A written test on the laws of Nevada and the
32 regulations of the Board relating to cosmetology; ~~and~~

33 ~~— (c)]~~ **3. A practical demonstration in hair braiding; and**

34 **4.** Such other tests or examinations as the Board deems
35 necessary.

36 ~~[2. The examination for licensure as a hair braider pursuant to
37 NRS 644A.360 or paragraph (e) of subsection 1 of NRS 644A.365
38 must include:~~

39 ~~— (a) The written tests and such other tests or examinations
40 described in subsection 1; and~~

41 ~~— (b) A practical demonstration in hair braiding.]~~

42 **Sec. 29.** NRS 644A.375 is hereby amended to read as follows:

43 644A.375 1. The Board shall admit to examination for a
44 certificate of registration as a shampoo technologist, any person who
45 has applied to the Board in proper form and paid the fee, and who:



- 1 (a) Is not less than 16 years of age.
- 2 (b) Is of good moral character.
- 3 (c) Has successfully completed the 10th grade in school or its
- 4 equivalent.

5 (d) Satisfies at least one of the following:

6 (1) Training of at least 50 hours in a licensed school of

7 cosmetology as a student of the occupation of a cosmetologist or

8 hair designer;

9 (2) Training of at least 50 hours in a licensed school of

10 cosmetology in a curriculum prescribed by the Board by regulation;

11 *or*

12 (3) Training of at least 50 hours which is administered online

13 by the Board in a curriculum prescribed by the Board by regulation .

14 ~~;~~

15 ~~— (4) Has had practice as a full time licensed shampoo~~

16 ~~technologist for 1 year outside this State.]~~

17 2. The Board may charge a fee of not more than \$50 to

18 administer the training described in subparagraph (3) of paragraph

19 (d) of subsection 1.

20 ~~[3. A certificate of registration as a shampoo technologist is~~

21 ~~valid for 2 years after the date on which it is issued and may be~~

22 ~~renewed by the Board upon good cause shown.]~~

23 **Sec. 30.** NRS 644A.380 is hereby amended to read as follows:

24 644A.380 The examination for a certificate of registration as a

25 shampoo technologist must include:

26 1. ~~[Practical demonstrations in shampooing and rinsing the hair~~

27 ~~which are approved and conducted by the Board or a licensed school~~

28 ~~of cosmetology;~~

29 ~~—2.]~~ A written test on the laws of Nevada and the regulations of

30 the Board relating to cosmetology; and

31 ~~[3.]~~ 2. Such ~~[other]~~ demonstrations and *other* tests as the

32 Board requires.

33 **Sec. 31.** NRS 644A.395 is hereby amended to read as follows:

34 644A.395 1. Each makeup artist who engages in the practice

35 of makeup artistry in a licensed cosmetological establishment shall

36 ~~[, on or before January 1 of each year,]~~ register with the Board on a

37 form prescribed by the Board. The registration must:

38 (a) Include:

39 (1) The name, address, electronic mail address and telephone

40 number of the makeup artist; and

41 (2) The name and license number of each cosmetological

42 establishment in which the makeup artist will be practicing makeup

43 artistry.

44 (b) Be accompanied by ~~;~~



1 ~~— (1) A~~ a notarized statement indicating that the makeup
2 artist:

- 3 ~~{(I)}~~ (I) Is 18 years of age or older;
4 ~~{(II)}~~ (2) Is of good moral character; and
5 ~~{(III)}~~ (3) Has completed at least 2 years of high school .

6 ~~;~~ and

7 ~~— (2) Two current photographs of the makeup artist which are~~
8 ~~2 by 2 inches.]~~

9 2. The Board shall charge a fee of not more than \$25 for
10 registering a makeup artist pursuant to this section.

11 3. A makeup artist shall not practice makeup artistry in a
12 licensed cosmetological establishment without first obtaining a
13 certificate of registration.

14 4. A makeup artist, other than a makeup artist required to be
15 registered pursuant to subsection 1, shall not engage in the practice
16 of makeup artistry in this State unless he or she:

- 17 (a) Is 18 years of age or older;
18 (b) Is of good moral character; and
19 (c) Has completed at least 2 years of high school.

20 **5. A certificate of registration as a makeup artist is valid for 1**
21 **year after the date on which it is issued.**

22 **Sec. 32.** NRS 644A.400 is hereby amended to read as follows:
23 644A.400 The Board shall admit to examination for a license
24 as an electrologist any person who has made application to the
25 Board in the proper form and paid the fee, and who before or on the
26 date set for the examination:

- 27 1. Is not less than 18 years of age.
28 2. Is of good moral character.
29 3. Has successfully completed the 12th grade in school or its
30 equivalent.

31 4. Has or has completed any one of the following:

32 (a) A minimum training of 500 hours under the immediate
33 supervision of an approved electrologist in an approved school in
34 which the practice is taught.

35 (b) Study of the practice for at least 1,000 hours extending over
36 a period of ~~{5}~~ 8 consecutive months, under an electrologist licensed
37 pursuant to this chapter, in an approved program for electrologist's
38 apprentices.

39 (c) A valid electrologist's license issued by a state whose
40 licensing requirements are equal to or greater than those of this
41 State.

42 (d) Either training or practice, or a combination of training and
43 practice, in electrology outside this State for a period specified by
44 regulations of the Board.



1 **Sec. 33.** NRS 644A.415 is hereby amended to read as follows:
2 644A.415 1. The Board may grant a provisional license as an
3 instructor to a person who:

4 (a) Has successfully completed the 12th grade in school or its
5 equivalent;

6 (b) Has practiced as a full-time licensed cosmetologist, hair
7 designer, ~~hair braider,~~ esthetician, advanced esthetician or nail
8 technologist for 1 year and submits written verification of his or her
9 experience;

10 (c) Is licensed pursuant to this chapter;

11 (d) Applies for a provisional license on a form supplied by the
12 Board;

13 (e) Submits ~~two~~ a current ~~photographs~~ *photograph* of
14 himself or herself; and

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

16 2. The Board shall establish and collect a fee of not less than
17 \$40 and not more than \$75 for the issuance of a provisional license
18 as an instructor.

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

22 4. A provisional license as an instructor expires upon
23 accumulation by the licensee of the number of hours of training
24 required for an instructor's license or 1 year after the date of
25 issuance, whichever occurs first. The Board may grant an extension
26 of not more than 45 days to those provisional licensees who have
27 applied to the Board for examination as instructors and are awaiting
28 examination.

29 **Sec. 34.** NRS 644A.420 is hereby amended to read as follows:

30 644A.420 1. The Board shall admit to examination for a
31 license as an instructor of cosmetology , *hair design, esthetics,*
32 *advanced esthetics or nail technology* any person who has applied
33 to the Board in proper form, paid the fee and:

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

35 (b) Is of good moral character;

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

38 (d) Has received a minimum of 700 hours of training as a
39 student instructor or 500 hours of training as an instructor or as a
40 licensed provisional instructor in a licensed school of cosmetology;

41 ~~and~~

42 (e) Is licensed as a cosmetologist , *hair designer, esthetician,*
43 *advanced esthetician or nail technologist* pursuant to this chapter

44 ~~;~~ *and*



1 *(f) If the applicant is licensed as a hair designer, esthetician,*
2 *advanced esthetician or nail technologist, has practiced as a full-*
3 *time licensed hair designer, esthetician, advanced esthetician or*
4 *nail designer, as applicable, or as a licensed student instructor.*

5 2. Each instructor shall pay an initial fee for a license of not
6 less than \$60 and not more than \$90.

7 3. An instructor of cosmetology , *hair design, esthetics,*
8 *advanced esthetics or nail technology* shall complete at least the
9 number of hours of continuing education required, at the time the
10 hours of continuing education are completed, for instructors of
11 schools of cosmetology accredited by the National Accrediting
12 Commission of Career Arts & Sciences or its successor
13 organization. The hours of continuing education must be obtained in
14 courses approved by the Board during each 2-year period of his or
15 her license.

16 4. *An instructor of cosmetology, hair design, esthetics,*
17 *advanced esthetics or nail technology may only provide instruction*
18 *on subject matter that is within the scope of his or her license as a*
19 *cosmetologist, hair designer, esthetician, advanced esthetician or*
20 *nail technologist.*

21 **Sec. 35.** NRS 644A.450 is hereby amended to read as follows:

22 644A.450 1. An application for admission to examination or
23 for a license in any branch of cosmetology, or for a certificate of
24 registration as a shampoo technologist, esthetician's apprentice,
25 cosmetologist's apprentice, hair designer's apprentice or nail
26 technologist's apprentice must be made in writing on forms
27 furnished by the Board and must be submitted within the period
28 designated by the Board. The Board shall charge a *nonrefundable*
29 fee of \$15 for furnishing the forms.

30 2. An application must contain proof of the qualifications of
31 the applicant for examination, licensure or registration. The
32 applicant must certify that all the information contained in the
33 application is truthful and accurate.

34 **Sec. 36.** NRS 644A.460 is hereby amended to read as follows:

35 644A.460 ~~{Except as otherwise provided in NRS 644A.365,~~
36 ~~upon}~~ *Upon* application to the Board, accompanied by a fee of \$200,
37 a person currently licensed in any branch of cosmetology under the
38 laws of another state or territory of the United States or the District
39 of Columbia may, without examination, unless the Board sees fit to
40 require an examination, be granted a license to practice the
41 occupation in which the applicant was previously licensed upon
42 proof satisfactory to the Board that the applicant:

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

44 2. Is of good moral character.



1 3. Is currently licensed in another state or territory or the
2 District of Columbia.

3 **Sec. 37.** NRS 644A.470 is hereby amended to read as follows:

4 644A.470 1. In addition to the fee for an application, the fees
5 for examination are:

6 (a) For examination as a cosmetologist, not less than \$75 and
7 not more than \$200.

8 (b) For examination as an electrologist, not less than \$75 and not
9 more than \$200.

10 (c) For examination as a hair designer, not less than \$75 and not
11 more than \$200.

12 (d) For examination as a shampoo technologist, not less than
13 \$50 and not more than \$100.

14 (e) For examination as a hair braider, ~~[\$110.]~~ *not less than \$75*
15 *and not more than \$200.*

16 (f) For examination as a nail technologist, not less than \$75 and
17 not more than \$200.

18 (g) For examination as an esthetician, not less than \$75 and not
19 more than \$200.

20 (h) For examination as an advanced esthetician, not less than
21 \$75 and not more than \$200.

22 (i) For examination as an instructor of estheticians, advanced
23 estheticians, hair designers, cosmetology or nail technology, not less
24 than \$75 and not more than \$200.

25 2. ~~[Except as otherwise provided in this subsection, the]~~ *The*
26 fee for each reexamination is not less than \$75 and not more than
27 \$200. ~~[The fee for reexamination as a hair braider is \$110.]~~

28 3. ~~[In addition to the fee for an application, the fee for~~
29 ~~examination or reexamination as a demonstrator of cosmetics is \$75.~~
30 ~~—4.]~~ Each applicant referred to in ~~[subsections]~~ *subsection* 1
31 ~~[and 3]~~ shall, in addition to the fees specified therein, pay the
32 reasonable value of all supplies necessary to be used in the
33 examination.

34 **Sec. 38.** NRS 644A.480 is hereby amended to read as follows:

35 644A.480 1. The Board:

36 (a) Shall provide examinations for licensure or registration as a
37 cosmetologist, esthetician, advanced esthetician, hair designer,
38 shampoo technologist, hair braider ~~[]~~ *or* nail technologist ~~[or~~
39 ~~demonstrator of cosmetics]~~ in English and, upon the request of an
40 applicant for licensure or registration as a cosmetologist, esthetician,
41 advanced esthetician, hair designer, shampoo technologist, hair
42 braider ~~[]~~ *or* nail technologist, ~~[or demonstrator of cosmetics,]~~ in
43 Spanish; and

44 (b) May provide examinations for licensure or registration as a
45 cosmetologist, esthetician, advanced esthetician, hair designer,



1 shampoo technologist, hair braider ~~[]~~ or nail technologist , ~~for~~
2 ~~demonstrator of cosmetics,~~ in any other language upon the request
3 of an applicant, if the Board determines that providing the
4 examination in that language is in the best interests of the public.

5 2. A request for an examination for licensure or registration as
6 a cosmetologist, esthetician, advanced esthetician, hair designer,
7 shampoo technologist, hair braider ~~[]~~ or nail technologist ~~for~~
8 ~~demonstrator of cosmetics~~ to be translated into a language other
9 than English or Spanish must be filed with the Board by the
10 applicant making the request at least 90 days before the scheduled
11 examination. The Board shall keep all such requests on file.

12 3. The Board shall impose a fee upon the applicants who file
13 requests for an examination for licensure or registration as a
14 cosmetologist, esthetician, advanced esthetician, hair designer,
15 shampoo technologist, hair braider ~~[]~~ or nail technologist ~~for~~
16 ~~demonstrator of cosmetics~~ to be translated into a language other
17 than English or Spanish. The fee must be sufficient to ensure that
18 the applicants bear the full cost for the development, preparation,
19 administration, grading and evaluation of the translated
20 examination. The fee is in addition to all other fees that must be paid
21 by applicants for the examination for licensure or registration as a
22 cosmetologist, esthetician, advanced esthetician, hair designer,
23 shampoo technologist, hair braider ~~[]~~ or nail technologist . ~~for~~
24 ~~demonstrator of cosmetics.~~

25 4. In determining whether it is in the best interests of the public
26 to translate an examination for licensure or registration as a
27 cosmetologist, esthetician, advanced esthetician, hair designer,
28 shampoo technologist, hair braider ~~[]~~ or nail technologist ~~for~~
29 ~~demonstrator of cosmetics~~ into a language other than English or
30 Spanish, the Board shall consider the percentage of the population
31 within this State whose native language is the language for which
32 the translated examination is sought.

33 **Sec. 39.** NRS 644A.490 is hereby amended to read as follows:

34 644A.490 1. The Board shall issue a license or certificate of
35 registration, as applicable, as a cosmetologist, esthetician, advanced
36 esthetician, electrologist, hair designer, shampoo technologist, hair
37 braider, nail technologist ~~[, demonstrator of cosmetics]~~ or instructor
38 to each applicant who:

39 (a) Except as otherwise provided in NRS ~~[644A.380 and]~~
40 644A.455, passes a satisfactory examination, conducted by the
41 Board to determine his or her fitness to practice that occupation of
42 cosmetology; ~~[and]~~

43 (b) Complies with such other requirements as are prescribed in
44 this chapter for the issuance of the license or certificate of
45 registration ~~[]~~; and



1 (c) *Has paid any required fees, fines or outstanding balances*
2 *as required by the Board.*

3 2. The fees for issuance of an initial license or certificate of
4 registration, as applicable, are:

5 (a) For nail technologists, electrologists, estheticians, advanced
6 estheticians, hair designers, *hair braiders*, shampoo technologists ~~;~~
7 ~~demonstrators of cosmetics~~ and cosmetologists:

8 (1) For 2 years, not less than \$50 and not more than \$100.

9 (2) For 4 years, not less than \$100 and not more than \$200.

10 (b) ~~For hair braiders:~~

11 ~~(1) For 2 years, \$70.~~

12 ~~(2) For 4 years, \$140.~~

13 ~~(c)~~ For instructors:

14 (1) For 2 years, not less than \$60 and not more than \$100.

15 (2) For 4 years, not less than \$120 and not more than \$200.

16 **Sec. 40.** NRS 644A.510 is hereby amended to read as follows:

17 644A.510 Every licensed or registered nail technologist,
18 electrologist, esthetician, advanced esthetician, hair designer,
19 shampoo technologist, hair braider ~~;~~ ~~demonstrator of cosmetics~~ or
20 cosmetologist shall, within 30 days after changing his or her place
21 of business or personal mailing address, as designated in the records
22 of the Board, notify the Board of the new place of business or
23 personal mailing address. Upon receipt of the notification, the Board
24 shall make the necessary change in the records.

25 **Sec. 41.** NRS 644A.515 is hereby amended to read as follows:

26 644A.515 1. The license or certificate of registration, as
27 applicable, of every cosmetologist, esthetician, advanced
28 esthetician, electrologist, hair designer, shampoo technologist, hair
29 braider, nail technologist ~~;~~ ~~demonstrator of cosmetics~~ and
30 instructor expires on either:

31 (a) The second anniversary of the birthday of the licensee or
32 holder of the certificate of registration measured, in the case of an
33 original license or certificate of registration, restored license or
34 certificate of registration, renewal of a license or certificate of
35 registration or renewal of an expired license or certificate of
36 registration, from the birthday of the licensee or holder nearest the
37 date of issuance, restoration or renewal; or

38 (b) The fourth anniversary of the birthday of the licensee or
39 holder of the certificate of registration measured, in the case of an
40 original license or certificate of registration, restored license or
41 certificate of registration, renewal of a license or certificate of
42 registration or renewal of an expired license or certificate of
43 registration from the birthday of the licensee or holder nearest the
44 date of issuance, restoration or renewal.



1 2. The Board may, by regulation, defer the expiration of a
2 license or certificate of registration, as applicable, of a person who is
3 on active duty in *any branch of* the Armed Forces of the United
4 States upon such terms and conditions as it may prescribe. The
5 Board may similarly defer the expiration of the license or certificate
6 of registration, as applicable, of the spouse or dependent child of
7 that person if the spouse or child is residing with the person.

8 3. *The Board may, by regulation, defer the expiration of a*
9 *license or certificate of registration, as applicable, of a person*
10 *who:*

11 (a) *Submits to the Board, on a form prescribed by the Board, a*
12 *request for his or her license or certificate of registration to be*
13 *placed on inactive or retirement status; and*

14 (b) *Pays a fee in an amount established by the Board by*
15 *regulation.*

16 4. For the purposes of this section, any licensee or holder of a
17 certificate of registration whose date of birth occurs on February 29
18 in a leap year shall be deemed to have a birthdate of February 28.

19 **Sec. 42.** NRS 644A.520 is hereby amended to read as follows:

20 644A.520 1. An application for renewal of any license or
21 certificate of registration issued pursuant to this chapter must be:

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

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

25 (c) Accompanied by the applicable fee for renewal; and

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

28 2. The fees for renewal of a license or a certificate of
29 registration, as applicable, are:

30 (a) For nail technologists, electrologists, estheticians, advanced
31 estheticians, hair designers, *hair braiders*, shampoo technologists ~~†~~
32 ~~demonstrators of cosmetics~~] and cosmetologists:

33 (1) For 2 years, not less than \$50 and not more than \$100.

34 (2) For 4 years, not less than \$100 and not more than \$200.

35 (b) ~~†~~For hair braiders:

36 ~~(1) For 2 years, \$70.~~

37 ~~(2) For 4 years, \$140.~~

38 ~~(c)~~ For instructors:

39 (1) For 2 years, not less than \$60 and not more than \$100.

40 (2) For 4 years, not less than \$120 and not more than \$200.

41 ~~†~~(d) (c) For cosmetological establishments:

42 (1) For 2 years, not less than \$100 and not more than \$200.

43 (2) For 4 years, not less than \$200 and not more than \$400.

44 ~~†~~(e) For establishments for hair braiding:

45 ~~(1) For 2 years, \$70.~~



1 ~~— (2) For 4 years, \$140.~~

2 ~~— (f)] (d)~~ For schools of cosmetology:

3 (1) For 2 years, not less than \$500 and not more than \$800.

4 (2) For 4 years, not less than \$1,000 and not more than
5 \$1,600.

6 3. For each month or fraction thereof after the date for renewal
7 specified by the Board in which a license or a certificate of
8 registration as a shampoo technologist is not renewed, there must be
9 assessed and collected at the time of renewal a penalty of \$50 for a
10 school of cosmetology and \$20 for ~~[an establishment for hair~~
11 ~~braiding,]~~ a cosmetological establishment, all persons licensed
12 pursuant to this chapter and persons registered as a shampoo
13 technologist.

14 4. An application for the renewal of a license or a certificate of
15 registration, as applicable, as a cosmetologist, hair designer,
16 shampoo technologist, hair braider, esthetician, advanced
17 esthetician, electrologist, nail technologist ~~[, demonstrator of~~
18 ~~cosmetics]~~ or instructor must be:

19 (a) Accompanied by ~~[two]~~ *a* current ~~[photographs]~~ *photograph*
20 of the applicant ; ~~[which are 2 by 2 inches and have the name of the~~
21 ~~applicant written on the back of each photograph.]]~~ or

22 (b) If the application for the renewal of the license or certificate
23 of registration, as applicable, is made online, accompanied by a
24 current photograph of the applicant which is ~~[2 by 2 inches and is]~~
25 electronically attached to the application for renewal.

26 5. Before a person applies for the renewal of a license or
27 certificate of registration, as applicable, as a cosmetologist, hair
28 designer, shampoo technologist, hair braider, esthetician, advanced
29 esthetician, electrologist ~~[,]~~ *or* nail technologist , ~~[or demonstrator of~~
30 ~~cosmetics,]~~ the person must ~~[complete]~~ :

31 (a) *Complete* at least 4 hours of instruction relating to infection
32 control and prevention in a professional course or seminar approved
33 by the Board ~~[,]~~ ; *and*

34 (b) *Pay any outstanding fee, fine or other balance owed to the*
35 *Board.*

36 **Sec. 43.** NRS 644A.525 is hereby amended to read as follows:

37 644A.525 1. A nail technologist, electrologist, esthetician,
38 advanced esthetician, hair designer, shampoo technologist, hair
39 braider, cosmetologist ~~[, demonstrator of cosmetics]~~ or instructor
40 whose license or certificate of registration, as applicable, has
41 expired may have his or her license or certificate of registration
42 renewed only upon payment of all applicable required fees and
43 submission of all information required to complete the renewal.

44 2. Any nail technologist, electrologist, esthetician, advanced
45 esthetician, hair designer, shampoo technologist, hair braider,



1 cosmetologist ~~[, demonstrator of cosmetics]~~ or instructor who retires
2 from practice for more than 1 year may have his or her license or
3 certificate of registration, as applicable, restored only upon payment
4 of all required fees and submission of all information required to
5 complete the restoration.

6 3. No nail technologist, electrologist, esthetician, advanced
7 esthetician, hair designer, shampoo technologist, hair braider,
8 cosmetologist ~~[, demonstrator of cosmetics]~~ or instructor who has
9 retired from practice for more than 4 years may have his or her
10 license or certificate of registration, as applicable, restored without
11 examination and must comply with any additional requirements
12 established in regulations adopted by the Board.

13 **Sec. 44.** NRS 644A.530 is hereby amended to read as follows:

14 644A.530 1. The holder of a license or certificate of
15 registration issued by the Board to practice any branch of
16 cosmetology must display his or her current license or certificate or
17 a duplicate of the license or certificate in plain view of the public at
18 the ~~[position]~~ *workstation* where the holder of the license or
19 certificate performs his or her work ~~[]~~ *on the public.*

20 2. If a person practices cosmetology in more than one place,
21 the person shall display the license or certificate or a duplicate of the
22 license or certificate wherever he or she is actually working.

23 **Sec. 45.** NRS 644A.550 is hereby amended to read as follows:

24 644A.550 1. Each natural person who engages in the practice
25 of threading and each owner or operator of a kiosk or other stand-
26 alone facility in which a natural person engages in the practice of
27 threading shall ~~[, on or before January 1 of each year,]~~ register with
28 the Board on a form prescribed by the Board. The registration must
29 be accompanied by a fee of not more than \$25 and must include:

30 (a) The name, address, electronic mail address and telephone
31 number of the person, owner or operator; and

32 (b) Any other information relating to the practice of the person
33 or the operation of the kiosk or other facility required by the Board.

34 2. The Board shall, during regular business hours, inspect each
35 facility in this State in which threading is conducted . ~~[not later than~~
36 ~~90 days after the date on which the registration is activated.]~~

37 3. The fee required by subsection 1 must be established by
38 regulation of the Board.

39 4. *A certificate of registration to engage in the practice of*
40 *threading is valid for 1 year after the date on which it is issued.*

41 5. *A person who is registered with the Board pursuant to*
42 *subsection 1 is not required to obtain any other license or*
43 *certificate of registration pursuant to this chapter to engage in the*
44 *practice of threading.*



1 **6. A licensed cosmetologist or esthetician is not required to**
2 **register with the Board pursuant to subsection 1 to engage in the**
3 **practice of threading.**

4 **Sec. 46.** NRS 644A.600 is hereby amended to read as follows:

5 644A.600 1. Any person wishing to operate a cosmetological
6 establishment in which any one or a combination of the occupations
7 of cosmetology are practiced must apply to the Board for a license,
8 through the owner, manager or person in charge, upon forms
9 prepared and furnished by the Board. Each application must contain
10 a detailed floor plan of the proposed cosmetological establishment
11 and proof of the particular requisites for a license provided for in
12 this chapter. The applicant must certify that all the information
13 contained in the application is truthful and accurate.

14 2. The applicant must submit the application accompanied by
15 the applicable required fees for inspection and licensing. ~~Upon~~
16 ~~receipt of the application, the~~ **Before issuing a license for a**
17 **cosmetological establishment, the** Board shall ~~contact the applicant~~
18 ~~to arrange a date and time to~~ conduct ~~the on-site~~ **an opening**
19 **inspection** ~~and~~ **of the proposed cosmetological establishment to**
20 **ensure that the minimum requirements for operating a**
21 **cosmetological establishment pursuant to this chapter are met.**
22 **After the Board has conducted an inspection pursuant to this**
23 **subsection and determined that such minimum requirements are**
24 **met, the Board or its designee shall** issue ~~and activate~~ the license.
25 ~~[A license issued pursuant to this subsection is not valid until it is~~
26 ~~activated.]~~

27 3. The fee for issuance of a license for a cosmetological
28 establishment is:

29 (a) For 2 years, \$200.

30 (b) For 4 years, \$400.

31 4. The fee for the initial inspection is \$15. If an additional
32 inspection is necessary, the fee is \$25.

33 **Sec. 47.** NRS 644A.610 is hereby amended to read as follows:

34 644A.610 1. The license of every cosmetological
35 establishment:

36 (a) Expires 2 years after the date of issuance or renewal of a
37 license that was issued or renewed for a 2-year period.

38 (b) Expires 4 years after the date of issuance or renewal of a
39 license that was issued or renewed for a 4-year period.

40 2. If a cosmetological establishment fails to pay the applicable
41 required fee for renewal of its license within 90 days after the date
42 of expiration of the license, the establishment must be immediately
43 closed.



1 **3. Before the license of a cosmetological establishment may**
2 **be renewed, the holder of the license must pay any outstanding**
3 **fee, fine or other balance owed to the Board.**

4 **Sec. 48.** NRS 644A.615 is hereby amended to read as follows:

5 644A.615 1. Every holder of a license issued by the Board to
6 operate a cosmetological establishment shall display in plain view of
7 members of the general public:

8 (a) In the principal office or place of business of the holder, the
9 license or a duplicate of the license; and

10 (b) At each cosmetological establishment operated by the
11 holder, a sign of sufficient size to be legible to members of the
12 general public stating that the establishment is not a medical facility.

13 2. Except as otherwise provided in this section, the operator of
14 a cosmetological establishment may lease space to or employ only
15 licensed or registered, as applicable, nail technologists,
16 electrologists, estheticians, advanced estheticians, hair designers,
17 shampoo technologists, hair braiders ~~[-, demonstrators of cosmetics]~~
18 and cosmetologists at the establishment to provide services relating
19 to the practice of cosmetology. This subsection does not prohibit an
20 operator of a cosmetological establishment from:

21 (a) Leasing space to or employing a barber. Such a barber
22 remains under the jurisdiction of the State Barbers' Health and
23 Sanitation Board and remains subject to the laws and regulations of
24 this State applicable to his or her business or profession.

25 (b) Leasing space to any other professional, including, without
26 limitation, a provider of health care pursuant to subsection 3. Each
27 such professional remains under the jurisdiction of the regulatory
28 body which governs his or her business or profession and remains
29 subject to the laws and regulations of this State applicable to such
30 business or profession.

31 3. The operator of a cosmetological establishment may lease
32 space at the cosmetological establishment to a provider of health
33 care for the purpose of providing health care within the scope of his
34 or her practice. ~~[The]~~ **Except as otherwise provided in subsection 4,**
35 **the** provider of health care shall not use the leased space to provide
36 such health care at the same time a cosmetologist uses that space to
37 engage in the practice of cosmetology. A provider of health care
38 who leases space at a cosmetological establishment pursuant to this
39 subsection remains under the jurisdiction of the regulatory body
40 which governs his or her business or profession and remains subject
41 to the laws and regulations of this State applicable to such business
42 or profession.

43 4. **A provider of health care who is a health care professional**
44 **may use leased space at a cosmetological establishment to provide**
45 **health care associated with the supervision of an advanced**



1 *esthetician pursuant to NRS 644A.545 at the same time as a*
2 *cosmetologist uses that space to engage in the practice of*
3 *cosmetology.*

4 5. As used in this section:

5 (a) *“Health care professional” has the meaning ascribed to it*
6 *in NRS 453C.030.*

7 (b) “Provider of health care” means a person who is licensed,
8 certified or otherwise authorized by the law of this State to
9 administer health care in the ordinary course of business or practice
10 of a profession.

11 ~~[(b)]~~ (c) “Space” includes, without limitation, a separate room
12 in the cosmetological establishment.

13 **Sec. 49.** NRS 644A.620 is hereby amended to read as follows:

14 644A.620 Cosmetology and threading may be practiced in a
15 cosmetological establishment by licensed or registered, as
16 applicable, cosmetologists, estheticians, advanced estheticians,
17 electrologists, hair designers, shampoo technologists, hair braiders,
18 ~~[demonstrators of cosmetics,]~~ nail technologists and natural persons
19 who engage in the practice of threading, as appropriate, who are:

- 20 1. Employees of the owner of the enterprise; or
- 21 2. Lessees of space from the owner of the enterprise.

22 **Sec. 50.** NRS 644A.625 is hereby amended to read as follows:

23 644A.625 1. A cosmetological establishment must, at all
24 times, be under the immediate supervision of a person who is
25 licensed in the branch of cosmetology or a combination of branches
26 of cosmetology of any service relating to the practice of
27 cosmetology provided at the cosmetological establishment at the
28 time the service is provided.

29 2. If the operator of a cosmetological establishment leases
30 space to a licensed or registered, as applicable, nail technologist,
31 electrologist, esthetician, advanced esthetician, hair designer,
32 shampoo technologist, hair braider ~~[, demonstrator of cosmetics]~~ or
33 cosmetologist pursuant to NRS 644A.615, the lessee must provide
34 supervision for that branch of cosmetology in the manner required
35 by subsection 1.

36 3. *If a cosmetological establishment is open to the public at*
37 *any time during which no licensed or registered, as applicable,*
38 *nail technologist, electrologist, esthetician, advanced esthetician,*
39 *hair designer, shampoo technologist, hair braider or cosmetologist*
40 *is physically present in the establishment, the cosmetological*
41 *establishment must display conspicuously a sign indicating that no*
42 *cosmetological services are being offered at that time.*

43 **Sec. 51.** NRS 644A.740 is hereby amended to read as follows:

44 644A.740 1. A school of cosmetology must at all times be
45 under the immediate supervision of a licensed instructor . ~~[who has~~



1 ~~had practical experience in an established place of business for at~~
2 ~~least 1 year in the practice of a majority of the branches of~~
3 ~~cosmetology taught at the school of cosmetology.]~~

4 2. A school of cosmetology shall:

5 (a) Except as otherwise provided in subsection 6, maintain
6 courses of practical training and technical instruction equal to the
7 requirements for examination for a license or certificate of
8 registration in each branch of cosmetology taught at the school of
9 cosmetology.

10 (b) Maintain apparatus and equipment sufficient to teach all the
11 subjects of its curriculum.

12 (c) Keep a daily record of the attendance of each student, a
13 record devoted to the different practices, establish grades and hold
14 examinations before issuing diplomas. These records must be
15 submitted to the Board pursuant to its regulations.

16 (d) Include in its curriculum a course of deportment consisting
17 of instruction in courtesy, neatness and professional attitude in
18 meeting the public.

19 (e) Arrange the courses devoted to each branch or practice of
20 cosmetology as the Board may from time to time adopt as the course
21 to be followed by the schools.

22 (f) Not allow any student to perform services on the public for
23 more than 7 hours in any day.

24 (g) *Not allow any student to attend school for more than:*

25 *(1) Forty hours in each week; or*

26 *(2) Ten hours in any day.*

27 (h) Conduct at least 5 hours of instruction in theory in each 40-
28 hour week, ~~for 6 hours of instruction in theory in each 48 hour~~
29 ~~week.]~~ which must be ~~attended~~ *completed* by all registered
30 students ~~[-~~

31 ~~-(h)]~~ *either through in-person instruction or, subject to*
32 *paragraph (i), through an alternative form of instruction that has*
33 *been approved by the Board, including, without limitation,*
34 *instruction that is provided through distance education.*

35 (i) *Not allow any student to complete more than 10 percent of*
36 *his or her required hours of instruction in theory in a manner*
37 *other than through in-person instruction.*

38 (j) Require that all work by students be done on the basis of
39 rotation.

40 3. Except as otherwise provided in subsection 4, the Board
41 may, upon request, authorize a school of cosmetology to offer, in
42 addition to courses which are included in any curriculum required
43 for licensure or registration in each branch of cosmetology taught at
44 the school of cosmetology, any other course.



1 4. The Board shall, upon request, authorize a school of
2 cosmetology to offer a course or program that is designed, intended
3 or used to prepare or qualify another person for licensure in the field
4 of massage therapy, reflexology or structural integration if:

5 (a) The school of cosmetology has obtained all licenses,
6 authorizations and approvals required by state and local law to offer
7 such a course or program; and

8 (b) With regard to that portion of the premises where the school
9 of cosmetology offers courses included in the cosmetological
10 curriculum, the school of cosmetology continues to comply with the
11 provisions of this chapter and any regulations adopted pursuant
12 thereto.

13 5. Notwithstanding any other provision of law, if a school of
14 cosmetology offers a course or program that is designed, intended or
15 used to prepare or qualify another person for licensure in the field of
16 massage therapy, reflexology or structural integration:

17 (a) The Board has exclusive jurisdiction over the authorization
18 and regulation of the course or program offered by the school of
19 cosmetology; and

20 (b) The school of cosmetology is not required to obtain any
21 other license, authorization or approval to offer the course or
22 program.

23 6. A school of cosmetology is not required to maintain courses
24 of practical training and technical instruction equal to the
25 requirements for examination for a license or certificate of
26 registration in any branch of cosmetology if the school of
27 cosmetology provides its students with a disclaimer, in at least 14-
28 point bold type, indicating that completion of the instruction
29 provided at the school of cosmetology does not:

30 (a) Qualify the student for a license or certificate of registration
31 in any branch of cosmetology; or

32 (b) Prepare the student for an examination in any branch of
33 cosmetology.

34 7. *As used in this section, "distance education" means*
35 *instruction delivered by means of video, computer, television, or*
36 *the Internet or other electronic means of communication, or any*
37 *combination thereof, in such a manner that the person supervising*
38 *or providing the instruction and the student receiving the*
39 *instruction are separated geographically.*

40 **Sec. 52.** NRS 644A.750 is hereby amended to read as follows:

41 644A.750 No school of cosmetology *or student of*
42 *cosmetology* may advertise student work to the public for pay
43 through any medium, including radio, unless the work advertised is
44 ~~expressly~~:

45 1. *Expressly* designated as student's work ~~[-]~~;



- 1 2. *Performed within the school of cosmetology; and*
- 2 3. *Performed under the supervision of a licensed instructor of*
- 3 *the school of cosmetology.*

4 **Sec. 53.** NRS 644A.800 is hereby amended to read as follows:
5 644A.800 1. Except as otherwise provided in subsection 2,
6 an advertisement for services relating to the practice of cosmetology
7 must list:

8 (a) The name, as it appears on the license, and license number of
9 the cosmetological establishment ~~[or establishment for hair~~
10 ~~braiding]~~ where the services will be provided; and

11 (b) The name and number of the license or certificate of
12 registration of any licensee or registrant mentioned in the
13 advertisement.

14 2. An advertisement for services relating to the practice of
15 cosmetology to be provided at a school of cosmetology must list the
16 name, as it appears on the license, and license number of the school
17 of cosmetology where the services will be provided.

18 **Sec. 54.** NRS 644A.850 is hereby amended to read as follows:

19 644A.850 1. The following are grounds for disciplinary
20 action by the Board:

21 (a) Failure of an owner of ~~[an establishment for hair braiding,]~~ a
22 cosmetological establishment, a licensed or registered, as applicable,
23 esthetician, advanced esthetician, cosmetologist, hair designer,
24 shampoo technologist, hair braider, electrologist, instructor, nail
25 technologist, ~~[demonstrator of cosmetics,]~~ makeup artist or school
26 of cosmetology to comply with the requirements of this chapter or
27 the applicable regulations adopted by the Board.

28 (b) Failure of a cosmetologist's apprentice, electrologist's
29 apprentice, esthetician's apprentice, hair designer's apprentice or
30 nail technologist's apprentice to comply with the requirements of
31 this chapter or the applicable regulations adopted by the Board.

32 (c) Obtaining practice in cosmetology or any branch thereof, for
33 money or any thing of value, by fraudulent misrepresentation.

34 (d) Gross malpractice.

35 (e) Continued practice by a person knowingly having an
36 infectious or contagious disease.

37 (f) Drunkenness or the use or possession, or both, of a controlled
38 substance or dangerous drug without a prescription, while engaged
39 in the practice of cosmetology.

40 (g) Advertising in violation of any of the provisions of NRS
41 644A.800 or 644A.935.

42 (h) Permitting a license or certificate of registration to be used
43 where the holder thereof is not personally, actively and continuously
44 engaged in business.



1 (i) Failure to display the license or certificate of registration or a
2 duplicate of the license or certificate of registration as provided in
3 NRS 644A.530, 644A.535, 644A.615 ~~[644A.665]~~ and 644A.710.

4 (j) Failure to display the sign as provided in paragraph (b) of
5 subsection 1 of NRS 644A.615.

6 (k) Entering, by a school of cosmetology, into an
7 unconscionable contract with a student of cosmetology.

8 (l) Continued practice of cosmetology or operation of a
9 cosmetological establishment or school of cosmetology after the
10 license therefor has expired.

11 (m) Engaging in prostitution or solicitation for prostitution in
12 violation of NRS 201.353 or 201.354 by the owner of a
13 cosmetological establishment ~~[an establishment for hair braiding]~~
14 or a facility in which threading is conducted, a licensee or a holder
15 of a certificate of registration.

16 (n) Failure to comply with the provisions of NRS 454.217 or
17 629.086.

18 (o) Any other unfair or unjust practice, method or dealing
19 which, in the judgment of the Board, may justify such action.

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

22 (a) Refuse to issue or renew a license or certificate of
23 registration;

24 (b) Revoke or suspend a license or certificate of registration;

25 (c) Place the licensee or holder of a certificate of registration on
26 probation for a specified period;

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

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

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

32 **Sec. 55.** NRS 644A.855 is hereby amended to read as follows:

33 644A.855 1. If the holder of a license or certificate of
34 registration to operate a cosmetological establishment ~~[an~~
35 ~~establishment for hair braiding]~~ or a facility in which threading is
36 conducted or any other licensee or a holder of a certificate of
37 registration issued pursuant to this chapter is charged with or cited
38 for prostitution in violation of NRS 201.353 or 201.354 or any other
39 sexual offense, the appropriate law enforcement agency shall report
40 the charge or citation to the Executive Director of the Board. Upon
41 receiving such a report, the Executive Director shall immediately
42 forward the report to the Board or the Chair of the Board. The Board
43 must meet as soon as practicable to consider the report. If the Board
44 finds that the health, safety or welfare of the public imperatively
45 require emergency action and issues a cease and desist order, the



1 Executive Director shall immediately send the cease and desist order
2 by certified mail to the licensee or holder of the certificate of
3 registration. The temporary suspension of the license or certificate
4 of registration is effective immediately after the licensee or holder
5 of the certificate of registration receives notice of the cease and
6 desist order and must not exceed 15 business days. The licensee or
7 holder of the certificate of registration may file a written request for
8 a hearing to challenge the necessity of the temporary suspension.
9 The written request must be filed not later than 10 business days
10 after the date on which the Executive Director mails the cease and
11 desist order. If the licensee or holder of the certificate of
12 registration:

13 (a) Files a timely written request for a hearing, the Board shall
14 extend the temporary suspension until a hearing is held. The Board
15 shall hold a hearing and render a final decision regarding the
16 necessity of the temporary suspension as promptly as is practicable
17 but not later than 15 business days after the date on which the Board
18 receives the written request. After holding such a hearing, the
19 Board may extend the period of the temporary suspension if the
20 Board finds, for good cause shown, that such action is necessary to
21 protect the health, safety or welfare of the public pending
22 proceedings for disciplinary action.

23 (b) Does not file a timely written request for a hearing and the
24 Board wants to consider extending the period of the temporary
25 suspension, the Board shall schedule a hearing and notify the
26 licensee or holder of the certificate of registration immediately by
27 certified mail of the date of the hearing. The hearing must be held
28 and a final decision rendered regarding whether to extend the period
29 of the temporary suspension as promptly as is practicable but not
30 later than 15 business days after the date on which the Executive
31 Director mails the cease and desist order. After holding such a
32 hearing, the Board may extend the period of the temporary
33 suspension if the Board finds, for good cause shown, that such
34 action is necessary to protect the health, safety or welfare of the
35 public pending proceedings for disciplinary action.

36 2. For purposes of this section, a person is deemed to have
37 notice of a temporary suspension of his or her license or certificate
38 of registration:

39 (a) On the date on which the notice is personally delivered to the
40 person; or

41 (b) If the notice is mailed, 3 days after the date on which the
42 notice is mailed by certified mail to the last known business or
43 residential address of the person.



1 **Sec. 56.** NRS 644A.870 is hereby amended to read as follows:
2 644A.870 1. Except as otherwise provided in this section and
3 NRS 239.0115, a complaint filed with the Board, all documents and
4 other information filed with the complaint and all documents
5 and other information compiled as a result of an investigation
6 conducted to determine whether to initiate disciplinary action
7 against a person are confidential . ~~[, unless the person submits a~~
8 ~~written statement to the Board requesting that such documents and~~
9 ~~information be made public records.]~~

10 2. The charging document filed with the Board to initiate
11 disciplinary action pursuant to chapter 622A of NRS and all
12 documents and information considered by the Board when
13 determining whether to impose discipline are public records.

14 3. The Board shall, to the extent feasible, communicate or
15 cooperate with or provide any documents or other information to
16 any other licensing board or any other agency that is investigating a
17 person, including, without limitation, a law enforcement agency.

18 **Sec. 57.** NRS 644A.900 is hereby amended to read as follows:
19 644A.900 1. It is unlawful for any person to conduct or
20 operate a cosmetological establishment, ~~[an establishment for hair~~
21 ~~braiding,]~~ a school of cosmetology or any other place of business in
22 which any one or any combination of the occupations of
23 cosmetology are taught or practiced unless the person is licensed in
24 accordance with the provisions of this chapter.

25 2. Except as otherwise provided in subsections 4 and 5, it is
26 unlawful for any person to engage in, or attempt to engage in, the
27 practice of cosmetology or any branch thereof, whether for
28 compensation or otherwise, unless the person is licensed or
29 registered in accordance with the provisions of this chapter.

30 3. This chapter does not prohibit:

31 (a) Any student in any school of cosmetology established
32 pursuant to the provisions of this chapter from engaging, in the
33 school and as a student, in work connected with any branch or any
34 combination of branches of cosmetology in the school.

35 (b) An electrologist's apprentice from participating in a course
36 of practical training and study.

37 (c) A person issued a provisional license as an instructor
38 pursuant to NRS 644A.415 from acting as an instructor and
39 accepting compensation therefor while accumulating the hours of
40 training as a teacher required for an instructor's license.

41 (d) The rendering of services relating to the practice of
42 cosmetology by a person who is licensed or registered in accordance
43 with the provisions of this chapter, if those services are rendered in
44 connection with photographic services provided by a photographer.



1 (e) A registered cosmetologist's apprentice from engaging in the
2 practice of cosmetology under the immediate supervision of a
3 licensed cosmetologist ~~[-]~~ *who is approved to supervise the*
4 *apprentice.*

5 (f) A registered shampoo technologist from engaging in the
6 practice of shampoo technology under the immediate supervision of
7 a licensed cosmetologist or hair designer.

8 (g) A registered esthetician's apprentice from engaging in the
9 practice of esthetics under the immediate supervision of a licensed
10 esthetician or licensed cosmetologist ~~[-]~~ *who is approved to*
11 *supervise the apprentice.*

12 (h) A registered hair designer's apprentice from engaging in the
13 practice of hair design under the immediate supervision of a
14 licensed hair designer or licensed cosmetologist ~~[-]~~ *who is approved*
15 *to supervise the apprentice.*

16 (i) A registered nail technologist's apprentice from engaging in
17 the practice of nail technology under the immediate supervision of a
18 licensed nail technologist or licensed cosmetologist ~~[-]~~ *who is*
19 *approved to supervise the apprentice.*

20 (j) A makeup artist registered pursuant to NRS 644A.395 from
21 engaging in the practice of makeup artistry for compensation or
22 otherwise in a licensed cosmetological establishment.

23 4. A person employed to render services relating to the practice
24 of cosmetology in the course of and incidental to the production of a
25 motion picture, television program, commercial or advertisement is
26 exempt from the licensing or registration requirements of this
27 chapter if he or she renders those services only to persons who will
28 appear in that motion picture, television program, commercial or
29 advertisement.

30 5. A person practicing hair braiding is exempt from the
31 licensing requirements of this chapter applicable to hair braiding if
32 the hair braiding is practiced on a person who is related within the
33 sixth degree of consanguinity and the person does not accept
34 compensation for the hair braiding.

35 **Sec. 58.** NRS 644A.925 is hereby amended to read as follows:
36 644A.925 Nothing in this chapter ~~[-]~~ *permits:*

37 1. ~~[Authorizes the use of any X-ray machine in the treatment of~~
38 ~~the scalp or in the removal of superfluous hair; or~~

39 ~~—2. Permits the] The local application of ~~[carbolic acid or~~~~
40 ~~corrosive sublimes or their derivatives or compounds, salicylic~~
41 ~~acid, resoreinol, or] any ~~[other corrosive]~~ substance for the purpose~~
42 ~~of peeling skin ~~[-Any]~~ that is not intended for use by:~~

43 (a) *A cosmetologist or esthetician for the purposes of peeling*
44 *skin at or above the statum corneum; or*



1 *(b) An advanced esthetician for the purposes of performing a*
2 *medium-depth chemical peel; or*

3 2. *The* implantation of permanent pigment into the skin . ~~is~~
4 ~~prohibited.]~~

5 ↪ A violation of the provisions of this section constitutes a
6 misdemeanor.

7 **Sec. 59.** NRS 644A.930 is hereby amended to read as follows:

8 644A.930 1. It is unlawful for a person to alter a license or
9 certificate of registration issued pursuant to this chapter.

10 2. It is unlawful for a person to reproduce mechanically or
11 otherwise duplicate a license or certificate of registration issued
12 pursuant to this chapter for purposes of fraud, deception,
13 misrepresentation or other illegal purposes. A person may duplicate
14 a license or certificate of registration issued pursuant to this chapter
15 for a lawful purpose, including, without limitation, for purposes of
16 displaying a duplicate license or certificate of registration pursuant
17 to NRS 644A.530, 644A.535, 644A.615 ~~[, 644A.665]~~ or 644A.710.

18 **Sec. 60.** NRS 644A.935 is hereby amended to read as follows:

19 644A.935 With regard to advertising relating to the education,
20 licensing, registration or practice of cosmetology or threading:

21 1. It is unlawful to advertise in any manner that is misleading
22 or inaccurate with respect to any services relating to the practice of
23 cosmetology offered by a licensee, registrant or other natural person.

24 2. An advertisement must not state or imply favorable
25 consideration by the Board except that an advertisement may state
26 that a cosmetological establishment, ~~[establishment for hair~~
27 ~~braiding.]~~ school of cosmetology, licensee or registrant is licensed
28 or registered by the Board.

29 **Sec. 61.** NRS 644A.940 is hereby amended to read as follows:

30 644A.940 1. Except as otherwise provided in subsection 2, it
31 is unlawful for any animal to be on the premises of a licensed
32 ~~[establishment for hair braiding or]~~ cosmetological establishment.

33 2. The provisions of subsection 1 do not apply to:

34 (a) An aquarium maintained on the premises of a licensed
35 ~~[establishment for hair braiding or]~~ cosmetological establishment; or

36 (b) A service animal or service animal in training.

37 3. As used in this section:

38 (a) "Service animal" includes only a dog that has been trained
39 and meets the qualifications set forth in 28 C.F.R. § 36.104, and a
40 miniature horse that has been trained and meets the qualifications
41 set forth in 28 C.F.R. § 36.302.

42 (b) "Service animal in training" includes only a dog or miniature
43 horse that is being trained for the purposes of 28 C.F.R. § 36.104 or
44 36.302, as applicable.



1 **Sec. 62.** NRS 644A.955 is hereby amended to read as follows:
2 644A.955 1. In addition to any other penalty ~~[-~~

3 ~~-(a) The], the~~ Board may issue a citation to ~~[a]~~:
4 (a) A person who violates the provisions of NRS 644A.900.
5 (b) *A licensee or registrant who violates the provisions of*
6 *NRS 644A.850.*

7 2. A citation issued pursuant to ~~[this paragraph]~~ *subsection 1*
8 must be in writing and describe with particularity the nature of the
9 violation. The citation also must inform the person of the provisions
10 of ~~[subsection 2.]~~ *section 4 of this act*. A separate citation must be
11 issued for each violation. ~~[If appropriate, the]~~ *The* citation may
12 ~~[contain an]~~ *include, without limitation:*

13 (a) *An order to cease and desist [-], if appropriate; and*
14 (b) ~~[Upon finding that a person has violated]~~ *An order to pay an*
15 *administrative fine for each violation.*

16 3. *If the citation is issued to a licensee or registrant and*
17 *includes an order to pay an administrative fine for one or more*
18 *violations of the provisions of NRS 644A.850, the amount of the*
19 *administrative fine must not exceed the maximum amount*
20 *authorized by NRS 644A.850.*

21 4. *If the citation is issued to a person and includes an order to*
22 *pay an administrative fine for one or more violations of the*
23 provisions of NRS 644A.900, the ~~[Board shall assess an~~
24 ~~administrative fine of:]~~ *amount of the administrative fine must be:*

- 25 (1) For ~~[the]~~ *a* first violation, \$1,000.
26 (2) For ~~[the]~~ *a* second violation, \$1,500.
27 (3) For ~~[the]~~ *a* third or subsequent violation, \$2,000.

28 ~~[2. To appeal a finding of a violation of NRS 644A.900, the~~
29 ~~person must request a hearing by written notice of appeal to]~~

30 5. *The provisions of this section and section 4 of this act do*
31 *not apply to the issuance of a citation by any inspector of the*
32 Board ~~[within 30 days after the date on which the]~~ *pursuant to*
33 *subsection 3 of NRS 644A.865 and do not limit the authority of an*
34 *inspector of the Board to issue such a citation. [is issued.]*

35 **Sec. 63.** A person who, on October 1, 2023, is the holder of a
36 valid license to operate an establishment for hair braiding issued
37 pursuant to NRS 644A.650 and who is otherwise qualified to hold
38 such a license on that date shall be deemed to hold a license to
39 operate a cosmetological establishment issued pursuant to NRS
40 644A.600, as amended by section 46 of this act.

41 **Sec. 64.** NRS 644A.045, 644A.060, 644A.365, 644A.385,
42 644A.390, 644A.423, 644A.425, 644A.430, 644A.650, 644A.655,
43 644A.660, 644A.665, 644A.670, 644A.675, 644A.680 and
44 644A.720 are hereby repealed.



- 1 **Sec. 65.** 1. This section becomes effective upon passage and
2 approval.
3 2. Sections 1 to 64, inclusive, of this act become effective:
4 (a) Upon passage and approval for the purpose of adopting
5 regulations and performing any other preparatory administrative
6 tasks that are necessary to carry out the provisions of this act; and
7 (b) On October 1, 2023, for all other purposes.

LEADLINES OF REPEALED SECTIONS

- 644A.045** “Demonstrator of cosmetics” defined.
644A.060 “Establishment for hair braiding” defined.
644A.365 Qualifications for examination for person who
has practiced hair braiding in another state.
644A.385 Qualifications for examination.
644A.390 Scope of examination.
644A.423 Instructors of advanced estheticians:
Qualifications for examination for license; continuing education.
644A.425 Instructors of estheticians: Qualifications for
examination for license; continuing education.
644A.430 Instructors in nail technology: Qualifications for
examination for license; continuing education.
644A.650 Application for license; verbal review; issuance
and activation of license; on-site inspection; fees.
644A.655 Notice of change of ownership, name, services
offered or location; new license required for operation after
change; approval of changes in physical structure of
establishment by Board.
644A.660 Expiration of license; effect of failure to timely
pay renewal fee.
644A.665 Display of license.
644A.670 Practice of hair braiding by certain licensees.
644A.675 Supervision by licensed person.
644A.680 Food and beverage sales.
644A.720 Surety bonds; payment plans; regulations.

