

## H.B. 356

# BARBER, COSMETOLOGIST/BARBER, ESTHETICIAN, ELECTROLOGIST, AND NAIL TECHNICIAN LICENSING ACT AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 26, 2009

8:53 AM

Representative **Merlynn T. Newbold** proposes the following amendments:

1. *Page 4, Line 120 through Page 5, Line 121:*

- 120 (c) removing superfluous hair by means other than electrolysis [~~or laser procedures~~]; ~~{-or-}~~  
121 (d) other esthetic preparations or procedures with the use of the hands, a

2. *Page 5, Lines 123 through 124:*

- 123 for the treatment of medical, physical, or mental ailments ~~{-}~~ ;  
(e) cosmetic laser procedures under direct supervision of a licensed health care practitioner as defined by rule, limited to the following:  
(i) superfluous hair removal; or  
(ii) anti-aging resurfacing enhancements; or  
(iii) photo rejuvenation; or  
(iv) tattoo removal.  
124 (26) (a) "Practice of cosmetology/barbering" means:

3. *Page 5, Lines 141 through 147:*

- 141 cosmetology/barbering as defined in Subsection (26) in a licensed cosmetology/barber school ~~{-}~~  
142 licensed barber school, licensed nail technology school, or in an apprenticeship program as  
143 defined in Subsection 58-11a-306(2).  
144 (28) "Practice of electrolysis" means ;  
(a) the removal of superfluous hair from the body of a  
145 person by the use of electricity , waxing, shaving, or tweezing ~~{-}~~ ;  
(b) cosmetic laser procedures under the general supervision of a licensed health care practitioner as defined by rule, limited to superfluous hair removal.  
146 (29) "Practice of electrolysis instruction" means instructing electrolysis in a licensed  
147 electrolysis school.

4. *Page 6, Line 161:*

- 161 (F) advanced extraction; ~~{-or-}~~

5. *Page 6, Lines 166 through 168:*

166 treatment of a medical, physical, or mental ailment; or  
(H) cosmetic laser procedures under the general supervision of a licensed health care practitioner  
as defined by rule, limited to the following:  
(I) superfluous hair removal; or  
(II) anti-aging resurfacing enhancements; or  
(III) photo rejuvenation; or  
(IV) tatoo removal;  
= and  
167 (ii) lymphatic massage by manual or other means as defined by rule .  
168 (b) Notwithstanding the provisions of Subsection (31)(a), a master-level esthetician

6. *Page 6, Lines 170 through 172:*

170 the supervision of a licensed health care practitioner acting within the scope of the licensed  
171 health care practitioner's license as defined by rule .  
172 (c) The term "practice of master-level esthetics" includes the practice of esthetics.

7. *Page 6, Lines 177 through 179:*

177 (33) "Practice of nail technology instruction" means instructing nail technology in a  
178 licensed nail technician school , licensed cosmetology/barber school, or in an apprenticeship program as  
179 defined in Subsection  
58-11a-306(5).

8. *Page 9, Lines 255 through 256:*

255 (ii) (A) having graduated from a recognized barber school located in a state other than Utah whose  
curriculum consists  
256 of less than 1,000 hours of instruction or the equivalent number of credit hours; and

9. *Page 12, Lines 350 through 351:*

350 (c) be of good moral character; ~~{and}~~  
351 (d) provide satisfactory documentation of one of the following:

10. *Page 12, Lines 355 through 359:*

355 (B) having met the examination requirement established by division rule;  
356 (ii) ~~{(A)}~~ completion of an approved esthetician apprenticeship; ~~{and~~  
357 ~~——(B) having met the examination requirement established by division rule;}~~ or  
358 ~~[(iii) having met the examination requirement established by division rule prior to~~  
359 ~~December 31, 2001.]~~

11. Page 12, Lines 363 through 365:

363            (B) having practiced as a licensed cosmetologist/barber for a period of not less than  
364    4,000 hours {~~·~~} ; and  
                 (e) meet the examination requirement established by division rule  
365            (11) Each applicant for licensure as a master esthetician shall:

12. Page 13, Lines 377 through 385:

377            [~~(B)~~] (C) {~~having met the examination requirement established by division rule; and~~  
378    ~~— [(C)] (D) }~~ for practice of lymphatic massage, provide satisfactory documentation to  
379    show completion of 200 hours of training or equivalent number of credit hours {~~over a period of~~  
380    ~~not less than 30 weeks~~} in lymphatic massage as defined by division rule; or  
381            (ii) {~~(A)~~} completion of an approved master esthetician apprenticeship; {~~and~~  
382    ~~— (B) having met the examination requirement established by division rule[, or];~~  
383    ~~— [(iii) having met the examination requirement established by division rule prior to~~  
384    ~~December 31, 2001.] }~~ or  
                 (iii) accepting up to 600 hours or credit hours towards the 1,200 hours of training or equivalent  
                 number of credit hours from a recognized cosmetology/barber school located in a state other than Utah  
                 whose curriculum consists of less than 2,000 hours of instruction or the equivalent number of credit  
                 hours; and  
                 (e) meet the examination requirement established by division rule  
385            (12) Each applicant for licensure as an esthetician instructor shall: