
By: **Delegates Vaughn, Parker, McComas, Anderson, Howard, Kaiser, and
Oaks**

Introduced and read first time: February 11, 2005

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Cosmetologists - License Renewal - Continuing Education**
3 **Requirements**

4 FOR the purpose of requiring certain licensees to submit certain evidence of
5 compliance with certain continuing education requirements to the State Board
6 of Cosmetology for the renewal of a certain license; requiring the Board to adopt
7 certain regulations regarding continuing education requirements for the
8 renewal of certain licenses; providing the requirements for continuing education
9 credits; requiring the Board to post a certain list on the Board's website;
10 providing for waiver or modification of certain required continuing education
11 credits under certain circumstances; and generally relating to continuing
12 education requirements for license renewal with the State Board of
13 Cosmetologists.

14 BY repealing and reenacting, with amendments,
15 Article - Business Occupations and Professions
16 Section 5-311
17 Annotated Code of Maryland
18 (2004 Replacement Volume and 2004 Supplement)

19 BY adding to
20 Article - Business Occupations and Professions
21 Section 5-311.1
22 Annotated Code of Maryland
23 (2004 Replacement Volume and 2004 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Business Occupations and Professions**

2 5-311.

3 (a) Unless a license is renewed for a 2-year term as provided in this section,
4 the license expires on the first October 31 that comes:

5 (1) after the effective date of the license; and

6 (2) in an odd-numbered year.

7 (b) At least 1 month before a license expires, the Board shall mail to the
8 licensee, at the last known address of the licensee:

9 (1) a renewal application form; and

10 (2) a notice that states:

11 (i) the date on which the current license expires;

12 (ii) the date by which the Board must receive the renewal
13 application for the renewal to be issued and mailed before the license expires; and

14 (iii) the amount of the renewal fee.

15 (c) Before a license expires, the licensee periodically may renew it for an
16 additional 2-year term, if the licensee:

17 (1) otherwise is entitled to be licensed;

18 (2) pays to the Board a renewal fee established by the Board in
19 accordance with § 5-205 of this title; and

20 (3) submits to the Board:

21 (I) a renewal application on the form that the Board provides; AND

22 (II) SATISFACTORY EVIDENCE OF COMPLIANCE WITH THE
23 CONTINUING EDUCATION REQUIREMENTS SET UNDER THIS SUBTITLE FOR LICENSE
24 RENEWAL.25 (d) The Board shall renew the license of and issue a renewal certificate to each
26 licensee who meets the requirements of this section.27 (e) The Secretary may determine that licenses issued under this subtitle shall
28 expire on a staggered basis.29 (f) (1) If an individual who, on or before September 30, 1999, holds a limited
30 license to provide esthetic services files an application to renew the license, the Board
31 shall grant a waiver of the requirement for completion of hours of instruction under §

1 5-305(c)(3)(ii) of this subtitle that are in addition to the hours of instruction required
2 on or before that date.

3 (2) If an individual who, on or before September 30, 1999, holds a limited
4 license to provide manicuring services files an application to renew the license, the
5 Board shall grant a waiver of the requirement for completion of hours of instruction
6 under § 5-305(d)(3)(ii) of this subtitle that are in addition to the hours of instruction
7 required on or before that date.

8 5-311.1.

9 (A) (1) THE BOARD SHALL ADOPT REGULATIONS THAT SET, IN
10 ACCORDANCE WITH THIS SECTION, CONTINUING EDUCATION REQUIREMENTS AS A
11 CONDITION TO THE RENEWAL OF LICENSES UNDER THIS SUBTITLE.

12 (2) (I) TO QUALIFY FOR RENEWAL OF A LICENSE UNDER THIS
13 SUBTITLE, A LICENSEE SHALL COMPLETE, FOR EACH 2-YEAR LICENSE TERM, 16
14 HOURS OF CONTINUING EDUCATION CREDITS IN ACCORDANCE WITH THIS SECTION.

15 (II) OF THE 16 HOURS REQUIRED, A LICENSEE SHALL COMPLETE 1
16 HOUR IN EACH OF THE FOLLOWING COURSE SUBJECTS:

- 17 1. COMMUNICABLE DISEASES;
- 18 2. DISINFECTION, SANITATION, AND STERILIZATION;
- 19 3. MARYLAND STATE LAW; AND
- 20 4. MARYLAND OCCUPATIONAL SAFETY AND HEALTH
21 REGULATIONS AND THE SAFE HANDLING OF CHEMICALS.

22 (III) THE REMAINING 12 HOURS MAY BE COMPLETED IN THE
23 COURSE SUBJECTS LISTED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH OR ANY
24 OTHER COSMETOLOGY-RELATED COURSE SUBJECT APPROVED BY THE BOARD.

25 (IV) IF A LICENSEE COMPLETES MORE THAN 16 HOURS DURING A
26 2-YEAR LICENSE TERM, THE BOARD SHALL CREDIT THE EXCESS HOURS TO THE
27 REQUIREMENTS FOR THE FOLLOWING TERM.

28 (V) A LICENSEE MAY MEET NOT MORE THAN 12 HOURS OF THE
29 CREDIT REQUIREMENTS FOR A LICENSE TERM, BY PARTICIPATION IN A HOME STUDY
30 COURSE INCLUDING, BY CORRESPONDENCE, VIDEO, OR INTERNET, THAT THE BOARD
31 APPROVES.

32 (B) THE BOARD SHALL POST A LIST OF APPROVED COSMETOLOGY
33 EDUCATORS ON THE BOARD'S WEBSITE.

34 (C) (1) THE CONTINUING EDUCATION CREDITS REQUIRED FOR RENEWAL
35 MAY BE WAIVED OR MODIFIED BY THE BOARD FOR A LICENSEE IF THE LICENSEE:

1 (I) DURING THE PERIOD FOR WHICH THE CONTINUING
2 EDUCATION WAS REQUIRED:

- 3 1. HAD A DOCUMENTED EMERGENCY SITUATION; OR
4 2. WAS CALLED TO ACTIVE DUTY IN THE UNITED STATES
5 MILITARY;

6 (II) HAD AN INCAPACITATING ILLNESS VERIFIED BY
7 DOCUMENTATION FROM THE LICENSEE'S PARTICIPATING PHYSICIAN; OR

8 (III) IS LICENSED IN ANOTHER STATE THAT REQUIRES AT LEAST 6
9 HOURS OF CONTINUING EDUCATION.

10 (2) EXCEPT FOR APPLICANTS LICENSED IN ANOTHER STATE THAT
11 REQUIRES AT LEAST 12 HOURS OF CONTINUING EDUCATION, ANY CONTINUING
12 EDUCATION CREDITS THAT WERE WAIVED OR MODIFIED BY THE BOARD FOR THE
13 REASONS LISTED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CUMULATIVE
14 AND SHALL BE COMPLETED BY THE APPLICANT BEFORE THE APPLICANT'S NEXT
15 LICENSE RENEWAL.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2005.