C2 6lr3704 CF SB 830

By: Delegates Davis and Kelly

Introduced and read first time: February 12, 2016

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

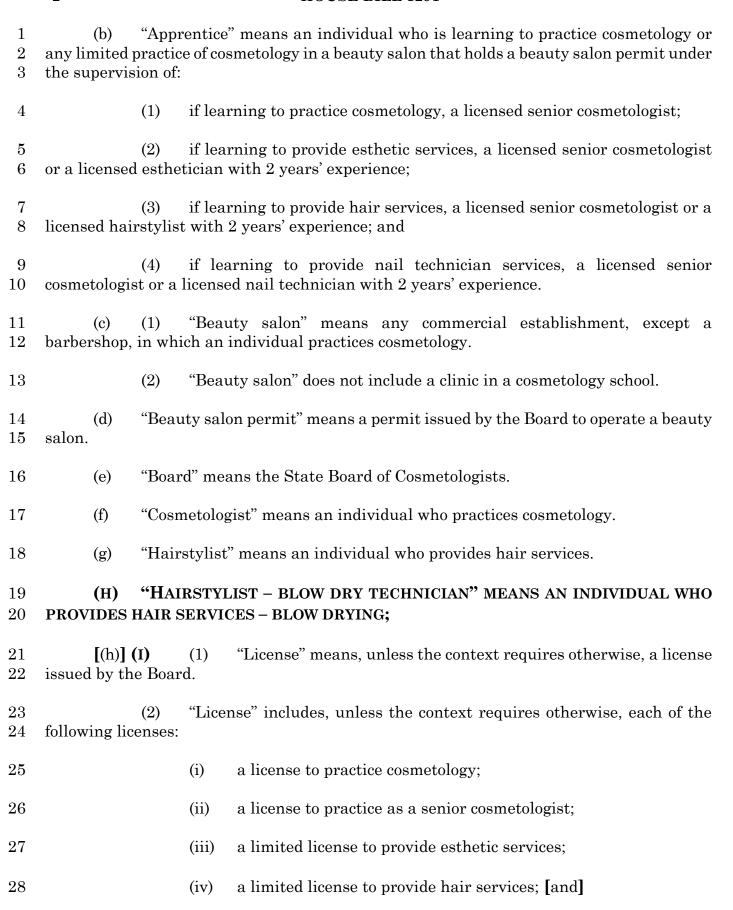
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State Board of Cosmetologists - Limited License - Hair Services - Blow Drying

- 3 FOR the purpose of establishing a limited license to provide hair services – blow drying; 4 requiring the State Board of Cosmetologists to establish by regulation certain 5 curriculum standards for providing hair services – blow drying for use by certain 6 entities for a certain purpose; establishing qualifications for a limited license to 7 provide hair services - blow drying; providing that a certain limited license 8 authorizes the licensee to provide only certain services; authorizing the 9 establishment of a limited practice beauty salon for providing hair services – blow drying; prohibiting a person from providing hair services – blow drying in certain 10 11 places subject to certain exceptions; defining certain terms; altering the definitions 12 of certain terms; and generally relating to a limited license to provide hair services blow drving. 13
- 14 BY repealing and reenacting, with amendments,
- 15 Article Business Occupations and Professions
- 16 Section 5–101, 5–205(c), 5–301, 5–305, 5–310, 5–501, and 5–605
- 17 Annotated Code of Maryland
- 18 (2010 Replacement Volume and 2015 Supplement)
- 19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 20 That the Laws of Maryland read as follows:
 - Article Business Occupations and Professions
- 22 5–101.

21

23 (a) In this title the following words have the meanings indicated.



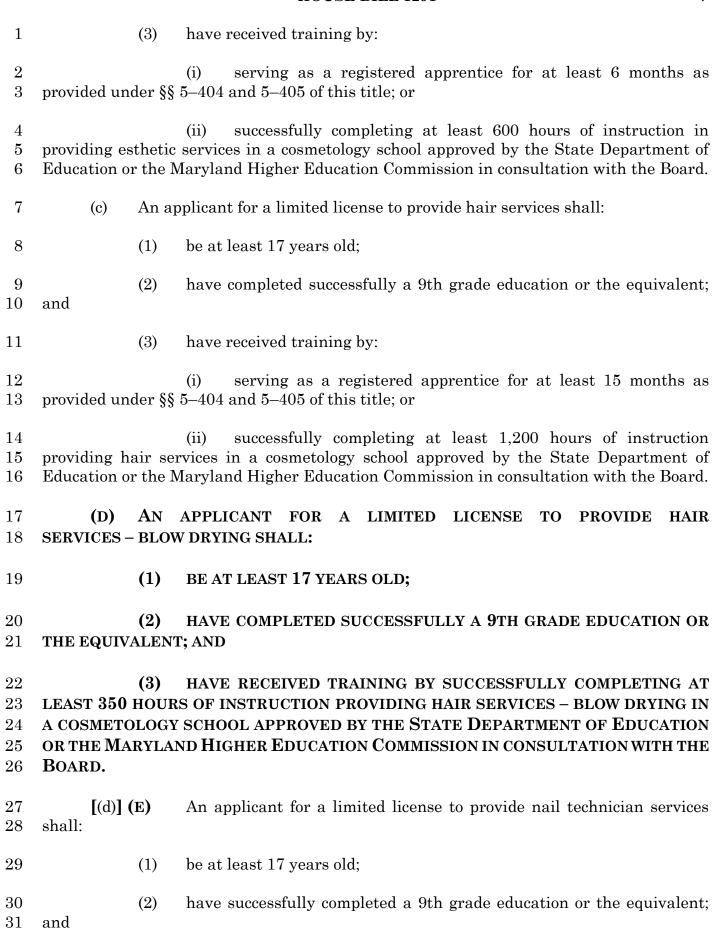
$1\\2$	DRYING; AND	(v)	A LIMITED LICENSE TO PROVIDE HAIR SERVICES – BLOW			
3		[(v)]	VI) a limited license to provide nail technician services.			
4 5	[(i)] (J) a cosmetologist wh	"Licensed cosmetologist" means, unless the context requires otherwise, no is licensed by the Board to practice cosmetology.				
6	[(j)] (K)	"Lice	nsed senior cosmetologist" means a person who:			
7	(1)	has a	t least 2 years of experience as a licensed cosmetologist; and			
8	(2)	has passed a test approved by the Board.				
9 10	[(k)] (L) (1) "Limited license" means a license issued by the Board to practice cosmetology as limited in \S 5–301 of this title.					
11 12	, , , , , , , , , , , , , , , , , , , ,					
13		(i)	a limited license to provide esthetic services;			
14		(ii)	a limited license to provide hair services; [and]			
15 16	DRYING; AND	(III)	A LIMITED LICENSE TO PROVIDE HAIR SERVICES – BLOW			
17		[(iii)]	(IV) a limited license to provide nail technician services.			
18 19	[(l)] (M) for compensation:	(1)	"Practice cosmetology" means to engage in any of the following			
20		(i)	providing hair services;			
21		(ii)	arching or dyeing eyebrows;			
22		(iii)	dyeing eyelashes;			
23		(iv)	providing esthetic services; or			
24		(v)	providing nail technician services.			
25	(2)	The p	ractice of cosmetology does not include:			
26		(i)	the mere sale, fitting, or styling of wigs or hairpieces;			

provided that the	(iii) a service that results in tension on hair strands or roots by weaving, extending, locking, or braiding by hand or mechanical device, service does not include the application of dyes, reactive chemicals, or to alter the color of the hair or to straighten, curl, or alter the structure
-	"Provide esthetic services" means to provide to an individual, for service of:
(1) similar procedure o	cleansing, exercising, massaging, stimulating, or performing any other on the skin or scalp by electrical, mechanical, or any other means;
(2) preparation; or	applying to the face an alcohol, cream, lotion, astringent, or cosmetic
(3)	removing superfluous hair by the use of a depilatory, tweezers, or wax.
[(n)] (O) compensation the sby:	"Provide hair services" means to provide to an individual for ervice of beautifying, cleaning, or embellishing the hair of the individual
(1)	arranging the hair;
(2)	bleaching the hair;
(3)	cleansing the hair;
(4)	coloring the hair;
(5)	curling the hair;
(6)	cutting the hair;
(7)	dressing the hair;
(8)	singeing the hair;
(9)	permanent waving the hair;
(10)	waving the hair; or
(11)	performing any other similar procedure intended to beautify, clean, or
	provided that the sother preparations of the hair. [(m)] (N) compensation, the solution of the hair. (1) similar procedure of the solution o

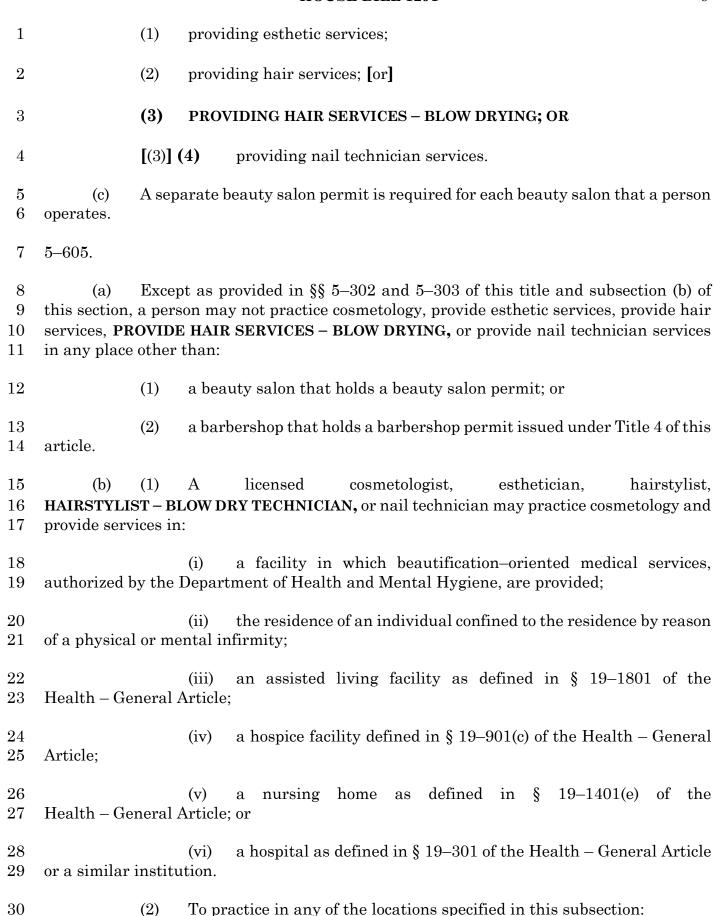
1 2 3	INDIVIDUAL FOR	VIDE HAIR SERVICES – BLOW DRYING" MEANS TO PROVIDE TO AN COMPENSATION THE SERVICE OF BEAUTIFYING, CLEANING, OR HAIR OF THE INDIVIDUAL BY:
4	(1)	ARRANGING THE HAIR;
5	(2)	CLEANSING THE HAIR;
6	(3)	CURLING THE HAIR;
7	(4)	DRESSING THE HAIR;
8	(5)	BLOW DRYING THE HAIR; OR
9	(6) BEAUTIFY, CLEAN	PERFORMING ANY OTHER SIMILAR PROCEDURE INTENDED TO, OR ARRANGE THE HAIR.
$\frac{1}{2}$	[(o)] (Q) compensation, the	"Provide nail technician services" means to provide to an individual, for service of:
13	(1)	manicuring or pedicuring the individual's nails;
4	(2)	applying artificial nail enhancement products; or
15	(3)	maintaining artificial nail enhancement products.
16	5–205.	
17 18 19 20 21	Commission in ap provision of esthe	The Board shall adopt regulations that establish detailed curriculum by the State Board of Education or the Maryland Higher Education roving applications for instruction in the practice of cosmetology, the ic services, the provision of hair services, and the provision of nail at public schools or private career schools.
22 23	(2) subsection shall:	The curriculum standards established under paragraph (1) of this
24		(i) incorporate modern methods and practices for:
25		1. practicing cosmetology;
26		2. providing esthetic services;
27		3. providing hair services; [and]

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1		4. PI	ROVIDING HAIR SERVICES	– BLOW DRYING; AND
2		[4.] 5.	providing nail technicia	n services;
3 4	,	<i>'</i>	a reference to each topic and ulum in the appropriate lice	<u>-</u>
5 6	Board.	iii) be revie	wed and updated periodica	ally as determined by the
7	5–301.			
8 9 10	` '	-	provided in this title, an ind before the individual may	
$\frac{1}{2}$	(b) If an in		s the appropriate limited l imited to:	icense, the individual may
13	(1) p	providing esthe	etic services;	
4	(2) p	providing hair	services; [or]	
15	(3) I	PROVIDING HA	AIR SERVICES – BLOW DRY	ING; OR
15 16	(3) I [(3)] (4		AIR SERVICES – BLOW DRY g nail technician services.	ING; OR
	[(3)] (4) providin		ING; OR
16	[(3)] (4 (c) Subsect	providing tion (a) of this a student while	g nail technician services. section does not apply to: e the student practices cosme	
16 17	[(3)] (4 (c) Subsect (1) a 5–302 or § 5–303 of t	providing tion (a) of this a student while	g nail technician services. section does not apply to: e the student practices cosme	
16 17 18 19	[(3)] (4 (c) Subsect (1) a 5–302 or § 5–303 of t	providing tion (a) of this a student while this subtitle; o	g nail technician services. section does not apply to: e the student practices cosme	
16 17 18 19	[(3)] (4 (c) Subsect (1) a 5–302 or § 5–303 of t (2) a 5–305.	providing tion (a) of this a student while this subtitle; of a registered ap	g nail technician services. section does not apply to: e the student practices cosme	etology in accordance with §
16 17 18 19 20 21	[(3)] (4) (c) Subsect (1) a 5-302 or § 5-303 of t (2) a 5-305. (a) To qual an individual who m	providing tion (a) of this a student while this subtitle; or a registered application for a limited teets the requirements.	g nail technician services. section does not apply to: the student practices cosmer prentice.	etology in accordance with §
16 17 18 19 20 21 22 23	[(3)] (4 (c) Subsect (1) a 5–302 or § 5–303 of t (2) a 5–305. (a) To qual an individual who m	providing tion (a) of this a student while this subtitle; or a registered application for a limited teets the requirements.	g nail technician services. section does not apply to: the student practices cosmer prentice. ed license to practice cosmet rements of this section. aited license to provide esthe	etology in accordance with §



- 1 (3) have received training by:
- 2 (i) serving as a registered apprentice for at least 3 months as 3 provided under §§ 5-404 and 5-405 of this title; or
- 4 (ii) successfully completing at least 250 hours of instruction in 5 providing nail technician services in a cosmetology school approved by the State 6 Department of Education or the Maryland Higher Education Commission in consultation 7 with the Board.
- [(e)] (F) If an applicant is licensed to practice as an esthetician, hairstylist, HAIRSTYLIST BLOW DRYING TECHNICIAN, or nail technician in another state or foreign country, the applicant meets the training requirements of this section if the applicant has held a limited license in the other state or foreign country and has actively practiced in the other state or foreign country for a period of 6 months.
- [(f)] (G) An applicant for a limited license shall pass an examination given by the Board under this subtitle.
- 15 5–310.
- 16 (a) Subject to subsections (b), (c), [and] (d), AND (E) of this section and while a license to practice cosmetology is in effect, it authorizes the licensee to practice cosmetology.
- 18 (b) While a limited license to provide esthetic services is in effect, it authorizes 19 the licensee to provide only esthetic services.
- 20 (c) While a limited license to provide hair services is in effect, the license 21 authorizes the licensee to provide only hair services.
- 22 (D) WHILE A LIMITED LICENSE TO PROVIDE HAIR SERVICES BLOW DRYING 23 IS IN EFFECT, THE LICENSE AUTHORIZES THE LICENSEE TO PROVIDE ONLY HAIR 24 SERVICES – BLOW DRYING.
- 25 **[(d)] (E)** While a limited license to provide nail technician services is in effect, it authorizes the licensee to provide only nail technician services.
- 27 5–501.
- 28 (a) A person shall hold a beauty salon permit issued by the Board before the 29 person may operate a beauty salon in the State.
- 30 (b) A beauty salon may operate as a limited practice beauty salon by offering 31 cosmetology services limited to:



To practice in any of the locations specified in this subsection:

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1	(i) the licensed cosmetologist, esthetician, hairstylist,
2	HAIRSTYLIST - BLOW DRY TECHNICIAN, or nail technician shall be sponsored by a beauty
3	salon in which the cosmetologist, esthetician, hairstylist, HAIRSTYLIST - BLOW DRY
4	TECHNICIAN, or nail technician is authorized to practice;
5 6	(ii) the patron to whom the services are rendered shall be a customer of the beauty salon; and
7 8	(iii) the services shall be rendered by appointment through the beauty salon.
9 10	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.