

HOUSE BILL 1600

C2

7lr3609

By: **Delegate Jones**

Introduced and read first time: February 22, 2017

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Cosmetologists – License Renewal – Continuing Education**

3 FOR the purpose of requiring the State Board of Cosmetologists to require, beginning on a
4 certain date, certain licensees to complete continuing education to qualify for the
5 renewal of a license; requiring the Board to adopt certain regulations; and generally
6 relating to continuing education for a license renewal for cosmetologists.

7 BY repealing and reenacting, with amendments,
8 Article – Business Occupations and Professions
9 Section 5–205 and 5–311
10 Annotated Code of Maryland
11 (2010 Replacement Volume and 2016 Supplement)

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

14 **Article – Business Occupations and Professions**

15 5–205.

16 (a) In addition to any duties set forth elsewhere, the Board shall adopt:

17 (1) bylaws for the conduct of its proceedings;

18 (2) regulations for qualification and examination of applicants for licenses,
19 registration, and permits and issuance of licenses, certificates of registration, and permits;

20 (3) regulations to govern the conduct of persons regulated under this title;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) regulations to govern sanitation and safety in practicing cosmetology,
2 including regulations that establish precautions to prevent the spread of infectious and
3 contagious diseases; and

4 (5) regulations to govern the direct supervision of the operation of limited
5 practice beauty salons.

6 (b) (1) The Board shall establish reasonable fees for licensing, licensing
7 renewal, examinations, reinstatements, certifications, applications, preopening
8 inspections, per diem fees for Board members, compensation for inspectors appointed by
9 the Board, and for any other service performed by the Board necessary to carry out the
10 provisions of this title.

11 (2) (i) Except for the examination fees which the Board shall establish
12 in amounts not to exceed the costs of the examinations and subject to subparagraph (ii) of
13 this paragraph, the fees established by the Board shall be set in a manner that will produce
14 funds sufficient to cover the actual direct and indirect costs of regulating the cosmetology
15 industry in the State in accordance with the provisions of this title.

16 (ii) The Board may not set fees for licensing and license renewals
17 that exceed \$50.

18 (3) The total cost of regulating the cosmetology industry in the State in
19 accordance with the provisions of this title may not be more than the revenues generated
20 by the fees established under paragraph (1) of this subsection.

21 (c) (1) The Board shall adopt regulations that establish detailed curriculum
22 standards for use by the State Board of Education or the Maryland Higher Education
23 Commission in approving applications for instruction in the practice of cosmetology, the
24 provision of esthetic services, the provision of hair services, and the provision of nail
25 technician services at public schools or private career schools.

26 (2) The curriculum standards established under paragraph (1) of this
27 subsection shall:

28 (i) incorporate modern methods and practices for:

- 29 1. practicing cosmetology;
- 30 2. providing esthetic services;
- 31 3. providing hair services;
- 32 4. providing hair services – blow drying; and
- 33 5. providing nail technician services;

1 (ii) include a reference to each topic and the emphasis of each topic
2 required of a comprehensive curriculum in the appropriate licensing area; and

3 (iii) be reviewed and updated periodically as determined by the
4 Board.

5 **(D) (1) BEGINNING OCTOBER 1, 2018, THE BOARD SHALL REQUIRE A**
6 **LICENSEE RENEWING A LICENSE TO COMPLETE AT LEAST SIX CREDIT HOURS OF**
7 **CONTINUING EDUCATION APPROVED BY THE BOARD.**

8 **(2) THE BOARD SHALL ADOPT REGULATIONS THAT SET STANDARDS**
9 **FOR CONTINUING EDUCATION COURSES THAT, AT A MINIMUM, REQUIRE:**

10 **(I) TWO HOURS OF TRAINING IN HEALTH, SAFETY, AND**
11 **WELFARE SUBJECTS; AND**

12 **(II) FOUR HOURS OF TRAINING IN GENERAL ELECTIVE**
13 **COURSES.**

14 5–311.

15 (a) The initial term of a license is 2 years.

16 (b) A license expires on the date set by the Board unless the license is renewed
17 for an additional term as provided in this section.

18 (c) At least 1 month before a license expires, the Board shall mail to the licensee,
19 at the last known address of the licensee:

20 (1) a renewal application form; and

21 (2) a notice that states:

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

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

25 (iii) the amount of the renewal fee.

26 (d) Before a license expires, the licensee periodically may renew it for an
27 additional 2–year term, if the licensee:

28 (1) otherwise is entitled to be licensed;

1 (2) pays to the Board a renewal fee established by the Board in accordance
2 with § 5–205 of this title; [and]

3 (3) submits to the Board a renewal application on the form that the Board
4 provides; AND

5 **(4) SUBMITS TO THE BOARD SATISFACTORY EVIDENCE OF**
6 **COMPLETION OF THE CONTINUING EDUCATION REQUIREMENTS UNDER § 5–205 OF**
7 **THIS TITLE.**

8 (e) The Board shall renew the license of and issue a renewal certificate to each
9 licensee who meets the requirements of this section.

10 (f) (1) If an individual who, on or before September 30, 1999, holds a limited
11 license to provide esthetic services files an application to renew the license, the Board shall
12 grant a waiver of the requirement for completion of hours of instruction under §
13 5–305(b)(3)(ii) of this subtitle that are in addition to the hours of instruction required on or
14 before that date.

15 (2) If an individual who, on or before September 30, 1999, holds a limited
16 license to provide manicuring services files an application to renew the license, the Board
17 shall grant a waiver of the requirement for completion of hours of instruction under §
18 5–305(d)(3)(ii) of this subtitle that are in addition to the hours of instruction required on or
19 before that date.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2017.