
By: **Delegates Rudolph, Pitkin, and Cane**
Introduced and read first time: February 11, 1999
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Cosmetologists - Practice Settings - Elderly, Homebound, and Other**
3 **Confined Individuals**

4 FOR the purpose of authorizing a licensed cosmetologist, under certain conditions, to
5 practice cosmetology on certain individuals who are confined to or located in
6 certain settings; authorizing the State Board of Cosmetology to adopt a certain
7 regulation; defining certain terms; and generally relating to the practice of
8 cosmetology.

9 BY repealing and reenacting, without amendments,
10 Article - Business Occupations and Professions
11 Section 5-101(a) and (e)
12 Annotated Code of Maryland
13 (1995 Replacement Volume and 1998 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - Business Occupations and Professions
16 Section 5-605
17 Annotated Code of Maryland
18 (1995 Replacement Volume and 1998 Supplement)

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

21 **Article - Business Occupations and Professions**

22 5-101.

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

24 (e) "Board" means the State Board of Cosmetologists.

1 5-605.

2 (a) Except as provided in §§ 5-302 and 5-303 of this title and [subsection (b)]
3 SUBSECTIONS (B) AND (C) of this section, a person may not practice cosmetology in
4 any place other than:

5 (1) a beauty salon that holds a beauty salon permit; or

6 (2) a barbershop that holds a barbershop permit issued under Title 4 of
7 this article.

8 [(b) (1) A licensed cosmetologist may practice cosmetology in the residence of
9 a patron, in a nursing home, or in a hospital as defined in § 19-301 of the Health -
10 General Article or a similar institution, by appointment, if:

11 (i) the licensed cosmetologist is sponsored by a beauty salon that
12 holds a beauty salon permit; and

13 (ii) the patron is a customer of the beauty salon.]

14 (B) (1) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS
15 INDICATED.

16 (I) "ASSISTED LIVING FACILITY" HAS THE MEANING STATED IN §
17 19-1801 OF THE HEALTH - GENERAL ARTICLE.

18 (II) "FUNERAL ESTABLISHMENT" HAS THE MEANING STATED IN §
19 7-101(H) OF THE HEALTH OCCUPATIONS ARTICLE.

20 (III) "HOSPICE FACILITY" HAS THE MEANING STATED IN § 19-901(C)
21 OF THE HEALTH - GENERAL ARTICLE.

22 (IV) "HOSPITAL" HAS THE MEANING STATED IN § 19-301(F) OF THE
23 HEALTH - GENERAL ARTICLE.

24 (V) "NURSING FACILITY" HAS THE MEANING STATED IN § 19-1401(D)
25 OF THE HEALTH-GENERAL ARTICLE.

26 (2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A LICENSED
27 COSMETOLOGIST, BY APPOINTMENT, MAY PRACTICE COSMETOLOGY ON AN
28 INDIVIDUAL WHO:

29 (I) IS CONFINED IN AN ASSISTED LIVING FACILITY, COMMUNITY
30 CARE HOME, CONVALESCENT HOME, HOSPITAL, NURSING FACILITY, OR A SIMILAR
31 INSTITUTION;

32 (II) IS CONFINED TO THE HOME OF THE INDIVIDUAL BY REASON OF
33 AGE, PHYSICAL OR MENTAL INFIRMITY, SICKNESS, PHYSICAL DISABILITY, OR FOR
34 ANY OTHER REASON;

35 (III) IS DECEASED AND IN A FUNERAL ESTABLISHMENT; OR

1 (IV) IS CONFINED IN A HOSPICE FACILITY.

2 (3) A LICENSED COSMETOLOGIST MAY PRACTICE COSMETOLOGY IN THE
3 SETTINGS SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION IF THE
4 COSMETOLOGIST:

5 (I) COMPLIES WITH THE SAFETY, SANITATION, AND RECORD
6 KEEPING REGULATIONS OF THE BOARD; AND

7 (II) HAS PERSONAL LIABILITY INSURANCE.

8 (4) THE BOARD MAY ADOPT REGULATIONS NECESSARY TO CARRY OUT
9 THIS SUBSECTION.

10 [(2)] (C) An individual who holds a limited license to provide manicuring
11 services may provide manicuring services in a barbershop.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 1999.