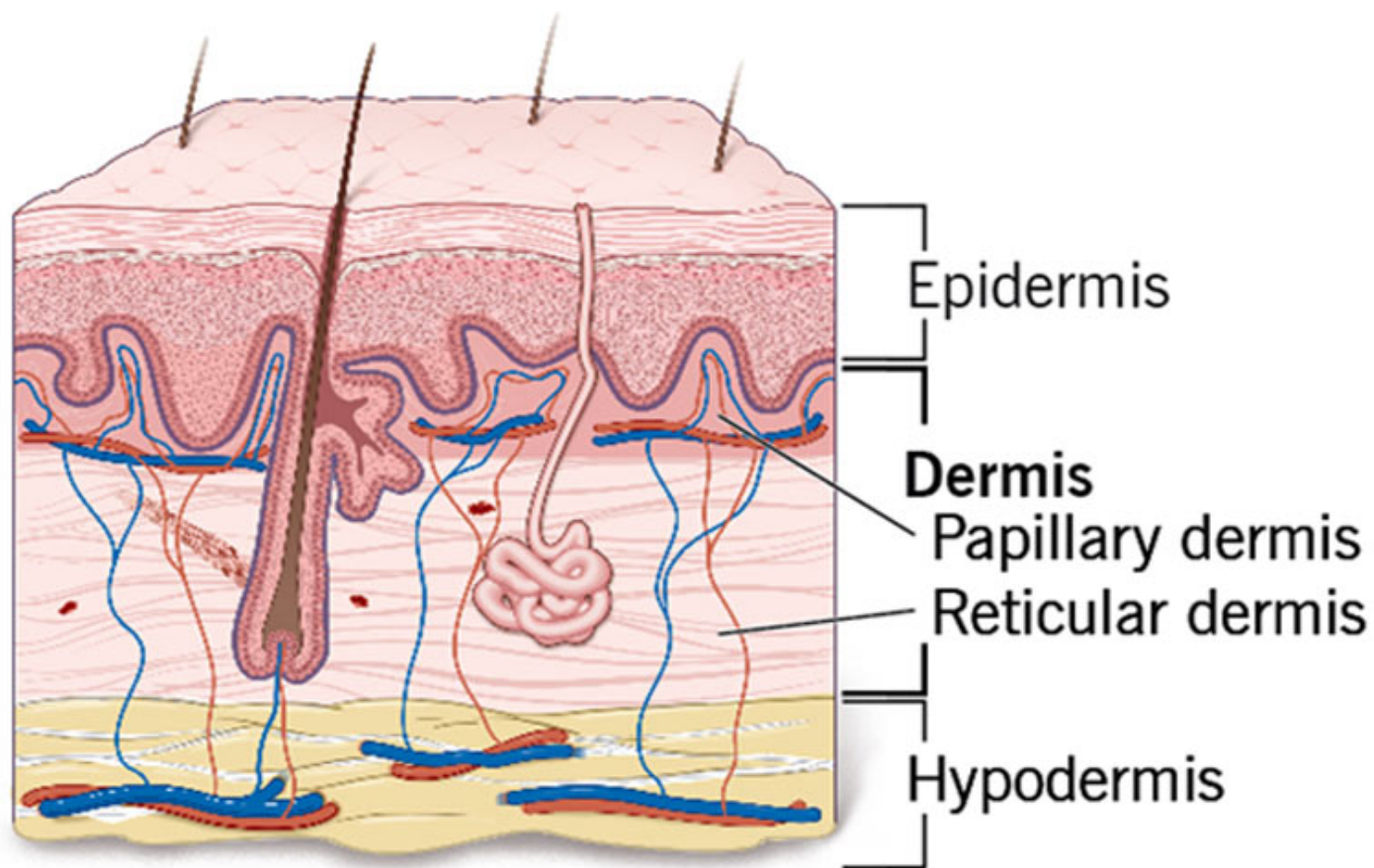


# **Epidermis.pdf**

Uploaded by: Sabrina Scott

Position: FAV

## Layers of the Skin



# **Testimony.pdf**

Uploaded by: Sabrina Scott

Position: FAV

My name is Sabrina Scott and I'm a licensed esthetician and small business owner in Severna Park.

I went to esthetic school in 2018. After 600 hours and 9 months spent solely on learning all about skin, I graduated and passed both of my state boards. I did my national certification with NCEA right after which is considered another 600 hours of training. After that I got certified and trained in a variety of treatments.

New regulations were rolled out in April of 2023 that severely restricted my ability to perform my job as a licensed esthetician. Washing your face with a wash cloth removes more layers of the epidermis than what the dermatologists want to let us practice in. Estheticians are trained specifically to work in the multiple "layers" of the epidermis. We do not penetrate through to live tissue with our superficial peels and tools. There is a lot of confusion about what a layer of skin really is! Please see the graphic we've provided to explain the layers and the anatomy of the skin.

I'm also a licensed esthetician in DC and feared I would have to move my business to DC because of these restrictions Maryland has installed. Skincare products and treatments change and evolve constantly, yet Maryland's laws pertaining to estheticians have not been updated in over 3 decades. This is hurting so many women owned small businesses.

As a solo esthetician, I was forced to hire a lobbyist because estheticians are governed by a state board that doesn't understand skin and what we do and the medical community that is fleeing medicine for a quick cash grab in esthetics and encroaching into our industry and telling us we are not qualified. I have tons of clients that are nurse practitioners, RNs, physicians assistants, and even dermatologist NPs who know absolutely nothing about taking care of their skin, but could take a short course tomorrow and treat you next week.

There is plenty of room for both trained medical professionals and estheticians to work along side one another. There are cosmetic treatments (within our scope) and medical grade treatments (outside of our scope) for this reason. Most of the United States have these guidelines and regulations that actually make sense for estheticians. This protects the esthetician and the consumer. Trying to restrict our ability to work is going to take a huge toll on Maryland's economy. We need your help to protect our businesses and keep them in Maryland. Thank you.

**DG Written Testimony\_SB1044.pdf**

Uploaded by: Senator Gile

Position: FAV

DAWN D. GILE  
Legislative District 33  
Anne Arundel County

Finance Committee

Chair

Anne Arundel County  
Senate Delegation



Miller Senate Office Building  
11 Bladen Street, Suite 3 East  
Annapolis, Maryland 21401  
410-841-3568 · 301-858-3568  
800-492-7122 Ext. 3568  
Dawn.Gile@senate.state.md.us

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of SB1044 - Cosmetologists - Esthetic Services - Definition**

Mr. Chair, Madame Vice Chair, and Members of the Senate Education, Energy, and the Environment Committee:

SB1044 would modernize the definition of esthetic services in our state code.

Estheticians serve as indispensable experts, guiding clients towards healthier and more radiant skin. Through a range of treatments, these professionals address diverse skin concerns, from acne to aging, employing both traditional techniques and innovative technologies. Over the years, the skincare industry has undergone remarkable evolution, driven by advancements in methods and tools, resulting in a landscape that continually adapts to meet the changing needs of clients.

Notably, the profession of esthetics stands out for its significant representation of minorities and women, offering a pathway to entrepreneurship and career fulfillment. For those who venture into esthetics ownership, the rewards are multifaceted, encompassing both financial gains and personal satisfaction derived from serving as valued members of society. From facials to gentle peels, waxing, microdermabrasion, and extractions, estheticians deliver a wide array of services, tailored to meet the unique requirements of each client.

In Maryland alone, the ranks of estheticians exceed 5,000, a testament to the industry's robust presence and contribution to the state's economy. Moreover, the skincare sector is poised for exponential growth nationwide, fueled by the expanding role of estheticians in medical settings. However, despite the advancements in skincare practices and technologies, Maryland's regulatory framework has lagged behind, with the law last updated in the early nineties.

Recognizing the urgent need for modernization, SB1044 emerges as a critical legislative initiative aimed at aligning Maryland's regulations with contemporary standards. By updating the law to encompass the latest advancements in skincare technology, SB1044 seeks to empower estheticians to deliver services safely and effectively, thus retaining their talent within the state. We are currently losing estheticians to other states that have updated their definition and are practicing within their intended scope and education. Moreover, the bill grants the Board of Cosmetology the flexibility to promulgate regulations that support the evolving needs of the industry.

Crucially, SB1044's aims to define the esthetic services not only reflects the current state of the industry but also facilitates the provision of quality care to clients across various settings. By ensuring that estheticians can practice in accordance with their training and expertise, the bill aims to bolster Maryland's position as a hub for skincare excellence. Furthermore, by addressing regulatory gaps and fostering collaboration between stakeholders, SB1044 paves the way for continued innovation and growth within the state's skincare industry.

In response to stakeholder feedback, including from the Maryland Department of Labor, I have submitted a sponsor amendment to remove “applying makeup” from the updated services definition.

In conclusion, the evolution of esthetics in Maryland underscores the vital role played by estheticians in promoting skin health and well-being. With SB1044 poised to usher in much-needed regulatory updates, ensuring that estheticians can continue to thrive and serve their clients with excellence.

Per the Fiscal Note, SB1044 would not require additional state resources. For these reasons, I respectfully request a favorable report on SB1044.

# **Sponsor Amendment\_SB1044.pdf**

Uploaded by: Senator Gile

Position: FAV





**SB1044/343729/1**

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

15 FEB 24  
08:57:44

BY: Senator Gile  
(To be offered in the Education, Energy, and the Environment  
Committee)

AMENDMENT TO SENATE BILL 1044

(First Reading File Bill)

On page 2, strike beginning with “**APPLYING**” in line 9 down through “**(II)**” in line 10; and in lines 11, 14, and 17, strike “**(III)**”, “**(IV)**”, and “**(V)**”, respectively, and substitute “**(II)**”, “**(III)**”, and “**(IV)**”, respectively.

# **MDS Testimony 2024 - Support\_SB1044 with amendment**

Uploaded by: Daniel Shattuck

Position: FWA



February 21, 2024

The Honorable Pamela Beidle  
Chair, Senate Finance Committee  
3 East, Miller Senate Office Building  
Annapolis, Maryland 21401

Re: Senate Bill 1044 - Cosmetologists - Esthetic Services - Definition  
Support with Amendments

Dear Chairperson Beidle,

On behalf of over 150 members of the Maryland Dermatologic Society, we write in support of SB 1044 with important clarifying amendments.

Senate Bill 1044 as drafted, “alters the definition of “provide esthetic services” to include specified services; however, the bill excludes from the definition (1) the diagnosis of illness, disease, or injury or (2) performing ablation of the dermis or hypodermis,”

The bill seeks to clarify the types of tools that cosmetologists can use and the level of skin that can safely be treated. We propose the following clarifying amendments.

Amendment #1: Page 2, Line 7 - Specifies that the tools that can be used are not lasers.

**[(3)] (III) removing superfluous hair by the use of [a depilatory, tweezers, or wax] ELECTRICAL, MECHANICAL, OR ANY OTHER MEANS. NOT INCLUDING LASERS OR DEVICES EMITTING LIGHT OR INTENSE PULSED LIGHT.**

Amendment #2: Page 2, Line 12 - The removal of skin tissue must be limited to superficial skin, specifically the “strata corneum” the outermost layer of the skin. Any removal of living skin, the epidermis, falls within the practice of medicine.

**(III) PERFORMING SUPERFICIAL EXFOLIATION TREATMENTS OF THE STRATUM CORNEUM EPIDERMIS USING PROFESSIONAL AND OTHER COMMERCIALY AVAILABLE PRODUCTS OR DEVICES;**

February 21, 2024  
Re: Senate Bill 1044

Amendment #3: Page 2, line 19 - Further clarifies the prohibition of performing ablation includes the epidermis.

**(II) PERFORMING ABLATION OF THE EPIDERMIS, DERMIS OR HYPODERMIS.**

We appreciate the opportunity to provide written comments on this important bill and are glad to work with your office and stakeholders on these important patient safety amendments. As physicians, our number one priority is the health and welfare of Marylanders and treatment of their skin.

For further information, please contact Russ Kujan, executive director of the Maryland Dermatologic Society at [rkujan@medchi.org](mailto:rkujan@medchi.org) or 410-539-0872.

Sincerely,

A handwritten signature in black ink, appearing to read "Rachel Schleichert MD". The signature is fluid and cursive, with the letters "R", "S", and "M" being particularly prominent.

Rachel Schleichert, MD, FAAD  
President  
Maryland Dermatologic Society

**SB 1044-Letter of Support w Amend.docx.pdf**

Uploaded by: John Dove

Position: FWA



DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSING  
State Boards of Barbers and Cosmetologists  
1100 N. Eutaw St., Room 121  
Baltimore, MD 21201

Date: February 22, 2024

To: Energy, Education, Environment

Bill: SB1044- State Board of Cosmetologists-Esthetics Services-Definition

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The Board of Cosmetologists supports SB1044 - State Board of Cosmetologists - Esthetics Services-Definition submitted by Senators Gile and Kelly. The Board feels that editing the definition of what it means to provide esthetic services will provide necessary clarity to constituents about what services are permissible to perform in Maryland. Maryland's statute, as it stands, is vague and leaves room for interpretation that could lead to harmful consequences for consumers if left unclarified.

The Board requests that line I (I) APPLYING MAKEUP; be stricken from the Bill as the service has not been regulated by the Board for several years. Should this legislation pass as is, makeup artists would be mandated to obtain an Esthetician license requiring them to either attend a private career school or complete an apprenticeship test to acquire the license. This may be seen as a barrier to employment and many would be noncompliant.

The Esthetics industry is growing and new industry trends are presented often to the Board. It is vital for the statutory definitions to reflect the current climate of the industry. It would be to the benefit of the Board to be proactive and provide licensees with clarification on their scope of practice in the state as it pertains to their livelihood.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Dove, Jr.", written in a cursive style.

John C. Dove, Jr.  
Commissioner  
Division of Occupational and Professional Licensing

A handwritten signature in black ink, appearing to read "Nicole Fletcher", written in a cursive style.

Nicole Fletcher  
Executive Director  
Board of Cosmetologists

[nicole.fletcher@maryland.gov](mailto:nicole.fletcher@maryland.gov) | 410-230-6193 | [www.labor.maryland.gov](http://www.labor.maryland.gov)

WES MOORE, GOVERNOR | ARUNA MILLER, LT. GOVERNOR | PORTIA WU, SECRETARY