

CHAPTER.....

AN ACT relating to cosmetology; prohibiting the State Board of Cosmetology from including certain personal information on a license or certificate which is required to be displayed publicly; reducing the period during which a person must practice as a full-time licensed cosmetologist, aesthetician or manicurist to qualify for the issuance of a provisional license as an instructor; revising the requirements for training for certain instructors; authorizing certain providers of health care to practice in a cosmetological establishment under certain circumstances; authorizing the sale of food or beverages in a cosmetological establishment; authorizing a school of cosmetology to offer certain courses of study; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 644 of NRS is hereby amended by adding thereto a new section to read as follows:

The Board shall not include on any license or certificate for public display the residential address of the holder or any other personal information relating to the holder, except the name of the holder and the number of the license or certificate.

Sec. 2. NRS 644.193 is hereby amended to read as follows:

644.193 1. The Board may grant a provisional license as an instructor to a person who:

(a) Has successfully completed the 12th grade in school or its equivalent and submits written verification of the completion of his education;

(b) Has practiced as a full-time licensed cosmetologist, aesthetician or manicurist for ~~3 years~~ *1 year* and submits written verification of his experience;

(c) Is licensed pursuant to this chapter;

(d) Applies for a provisional license on a form supplied by the Board;

(e) Submits two current photographs of himself; and

(f) Has paid the fee established pursuant to subsection 2.

2. The Board shall establish and collect a fee of not less than \$25 nor more than \$40 for the issuance of a provisional license as an instructor.

3. A person issued a provisional license pursuant to this section may act as an instructor for compensation while accumulating the number of hours of training required for an instructor's license.

4. A provisional license as an instructor expires upon accumulation by the licensee of the number of hours of training required for an instructor's license. The Board may grant an extension of not more than 45 days to those provisional licensees who have applied to the Board for examination as instructors and are awaiting examination.

Sec. 3. NRS 644.195 is hereby amended to read as follows:

644.195 1. Each instructor must:

- (a) Be licensed as a cosmetologist pursuant to this chapter.
- (b) Have successfully completed the 12th grade in school or its equivalent.
- (c) Have 1 year of experience as a cosmetologist.
- (d) Have completed 1,000 hours of training as an instructor or 500 hours of training as a provisional instructor in a school of cosmetology.
- (e) ~~[Take]~~ *Except as otherwise provided in subsection 2, take one or more courses in advanced techniques for teaching or training, approved by the Board, whose combined duration is at least 30 hours during each 2-year period.*

2. *The provisions of paragraph (e) of subsection 1 do not apply to an instructor who is initially licensed not more than 6 months before the renewal date of the license. An instructor who is initially licensed more than 6 months but less than 1 year before the renewal date of the license must take one or more courses specified in paragraph (e) whose combined duration is at least 15 hours during each 2-year period.*

3. Each instructor shall pay an initial fee for a license of not less than \$40 and not more than \$60.

Sec. 4. NRS 644.1955 is hereby amended to read as follows:

644.1955 1. The Board shall admit to examination for a license as an instructor of aestheticians any person who has applied to the Board in proper form, paid the fee and:

- (a) Is at least 18 years of age;
- (b) Is of good moral character;
- (c) Has successfully completed the 12th grade in school or its equivalent;
- (d) Has received a minimum of 800 hours of training as an instructor or 400 hours of training as a provisional instructor in a licensed school of cosmetology;
- (e) Is licensed as an aesthetician pursuant to this chapter; and
- (f) Has practiced as a full-time licensed aesthetician for 1 year.

2. ~~[An]~~ *Except as otherwise provided in subsection 3, an instructor of aestheticians shall complete at least 30 hours of advanced training in a course approved by the Board during each 2-year period of his license.*

3. The provisions of subsection 2 do not apply to an instructor of aestheticians who is initially licensed not more than 6 months before the renewal date of the license. An instructor of aestheticians who is initially licensed more than 6 months but less than 1 year before the renewal date of the license must take one or more courses specified in subsection 2 whose combined duration is at least 15 hours during each 2-year period.

Sec. 5. NRS 644.197 is hereby amended to read as follows:

644.197 1. The Board shall admit to examination for a license as an instructor in manicuring any person who has applied to the Board in proper form, paid the fee and:

- (a) Is at least 18 years of age;
- (b) Is of good moral character;
- (c) Has successfully completed the 12th grade in school or its equivalent;
- (d) Has received a minimum of 500 hours of training as an instructor or 250 hours of training as a provisional instructor in a licensed school of cosmetology;
- (e) Is licensed as a manicurist pursuant to this chapter; and
- (f) Has practiced as a full-time licensed manicurist for 1 year.

2. ~~[An]~~ *Except as otherwise provided in subsection 3, an instructor in manicuring shall complete at least 30 hours of advanced training in a course approved by the Board during each 2-year period of his license.*

3. The provisions of subsection 2 do not apply to an instructor in manicuring who is initially licensed not more than 6 months before the renewal date of the license. An instructor in manicuring who is initially licensed more than 6 months but less than 1 year before the renewal date of the license must take one or more courses specified in subsection 2 whose combined duration is at least 15 hours during each 2-year period.

Sec. 6. NRS 644.360 is hereby amended to read as follows:

644.360 1. Every holder of a license issued by the Board to operate a cosmetological establishment shall display the license in plain view of members of the general public in the principal office or place of business of the holder.

2. ~~[The]~~ *Except as otherwise provided in this section, the operator of a cosmetological establishment shall lease space to or employ only licensed manicurists, electrologists, aestheticians, hair designers, demonstrators of cosmetics and cosmetologists at his establishment to provide cosmetological services. This subsection does not prohibit an operator of a cosmetological establishment from leasing space to or employing a barber. Such a barber remains under the jurisdiction of the State Barbers' Health and Sanitation Board.*

3. *The operator of a cosmetological establishment may lease space at his cosmetological establishment to a provider of health care for the purpose of providing health care within the scope of his practice. The provider of health care shall not use the leased space to provide such health care at the same time a cosmetologist uses that space to engage in the practice of cosmetology. A provider of health care who leases space at a cosmetological establishment pursuant to this subsection remains subject to the laws and regulations of this state applicable to his business or profession.*

4. *As used in this section, "provider of health care" means a person who is licensed, certified or otherwise authorized by the law of this state to administer health care in the ordinary course of business or practice of a profession.*

Sec. 7. NRS 644.375 is hereby amended to read as follows:

644.375 ~~{Any food}~~ **Food** or beverages ~~{that are sold}~~ for immediate consumption **may be sold** in a cosmetological establishment . ~~{must be sold in an area of the cosmetological establishment which is sufficiently separated from the area of the cosmetological establishment where cosmetological services are provided.}~~

Sec. 8. NRS 644.400 is hereby amended to read as follows:

644.400 1. A school of cosmetology must at all times be under the immediate supervision of a licensed instructor who has had practical experience of at least 1 year in the practice of a majority of the branches of cosmetology in an established place of business.

2. A school of cosmetology shall:

(a) Maintain a school term of not less than 1,800 hours extending over a period of not ~~{less than 10 months nor}~~ more than ~~{24}~~ **36** months, and maintain a course of practical training and technical instruction equal to the requirements for examination for a license as a cosmetologist.

(b) Maintain apparatus and equipment sufficient to teach all the subjects of its curriculum.

(c) Keep a daily record of the attendance of each student, a record devoted to the different practices, establish grades and hold examinations before issuing diplomas. These records must be submitted to the Board pursuant to its regulations.

(d) Include in its curriculum a course of deportment consisting of instruction in courtesy, neatness and professional attitude in meeting the public.

(e) Arrange the courses devoted to each branch or practice of cosmetology as the Board may from time to time adopt as the course to be followed by the schools.

(f) Not allow any student to perform services on the public for more than 7 hours in any day . ~~{nor for more than 5 days out of every 7.}~~

(g) Conduct at least 5 hours of instruction in theory in each 40-hour week or 6 hours of instruction in theory in each 48-hour week, which must be attended by all registered students.

(h) Require that all work by students be done on the basis of rotation.

3. The Board may, upon request, authorize a school of cosmetology to offer, in addition to courses which are included in any curriculum required for licensure as a cosmetologist, any other course.

Sec. 9. NRS 644.477 is hereby amended to read as follows:

644.477 ~~{H}~~ *Except as otherwise provided in NRS 644.360, it* is unlawful for the operator of a cosmetological establishment to practice or allow the practice of any profession other than cosmetology in that establishment.

Sec. 10. The provisions of section 1 of this act apply only to a license or certificate issued or renewed on or after June 1, 2003.

Sec. 11. 1. This section and sections 1 and 10 of this act become effective upon passage and approval.

2. Sections 2 to 9, inclusive, of this act become effective on July 1, 2003.