



MINUTES

Nevada State Board of Cosmetology Board Meeting January 10 2022 NVBOC Board Meeting Monday, January 10, 2022, 9:00 am - 4:30 pm

THIS MEETING WILL BE HELD BY REMOTE TECHNOLOGY SYSTEM (videoconference or teleconference only).

The Board is pleased to invite individuals to participate remotely using ZOOM. To learn more about Zoom, go to zoom.com. On the scheduled day and time, from the ZOOM website, click "Join a Meeting" and enter your name and this Meeting ID: 837 9913 8117

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Find your local number: <https://us06web.zoom.us/j/83799138117>

The State of Nevada Board of Cosmetology is pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the State Board of Nevada, in writing, at 8945 W. Russell Road, Suite 100 Las Vegas, NV 89148 or by calling (702) 979-5918 at least 24 business hours prior to the meeting date. *Please note the Board's office hours are 7 am-5 pm, M-Th. Members of the public may request the supporting materials for this meeting from: Lauren Gossage, Regulatory Compliance Specialist- 8945 W. Russell Road, Suite #100, Las Vegas, NV 89148, (702)-979-5918. Email: lauren@nvcosmo.com. Supporting materials may be found on the "board meeting information" page of nvcosmo.com

The meeting agenda and any supporting documents can be found on the Board's website, nvcosmo.com. Per NRS 241.020 (11) any supporting material provided to the Board during the meeting will be available on the Board's website no later than 24 hours after the conclusion of the meeting.

STACKED CALENDAR: In accordance with Nevada's Open Meeting Law, the Board may consider agenda items taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the

agenda or delay discussion relating to an item on the agenda at any time. The Board may continue the meeting as deemed necessary. The Board, at its discretion, may take public comment during times other than the designated Public Comment agenda items. The Board reserves the right to limit public comment to three (3) minutes. Comment may not be restricted based on viewpoint. During the public comment period, please unmute your microphone, when instructed, to deliver your public comment. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the board may refuse to consider public comment. See NRS 233B.126.

Pursuant to NRS 241.030(1), the State of Nevada Board of Cosmetology may conduct a closed meeting to consider the character, allegations of misconduct, professional competence, or physical and mental health of a person.

This meeting has been properly noticed and posted at the following locations:

State of Nevada Board of Cosmetology-8945 W. Russell Road, Suite #100 Las Vegas, NV 89148

State of Nevada Board of Cosmetology (Reno)- 740 Del Monte Lane, Suite #12 Reno, NV 89511

Nevada State Board of Cosmetology website www.nvcosmo.com

State of Nevada Website <https://notice.nv.gov>

In Attendance

Anita Douglass; Bertha Jackson; Bryan Baltazar; Gary Landry; Gwendolyn Braimoh; Kai Stanton; Lauren Gossage; Pamela Hayes-Fitzgerald; Rodney Moore; Roxanne Pruitt Harris; Tialutrell Ridley; Victoria Negrete

A. Roll Call

The Board Meeting was called to order by Board Chair Braimoh at 9:01 AM PST

B. Mission Statement

The mission of the Nevada State Board of Cosmetology is to protect the public health, safety and welfare of those that obtain cosmetology related services through the delivery of quality Testing, Licensing, Inspection and Education Services that focus on consumer protection.

C. Comments from the General Public-*For discussion only*

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Erica Hufford: I am a Licensed Instructor and Cosmetologist. I would like to become a CEU Provider and a trainer that emphasizes on Scalp Analysis, Braiding, Hair Weaving, and Hair Extensions. I would like to know what type of facility with this entails and how do I go about obtaining to be a participant of the CEU Provider.

D. Approval of minutes from previous meeting(s)-*For discussion and possible action*

The Board to approve minutes from November 15, 2021 Board Meeting.

The meeting minutes from the November 15, 2021 Board Meeting were approved by unanimous vote.

Move: Bryan Baltazar Second: Kai Stanton Status: Passed

E. *Petitions*

1. Petition Madysen Leigh Huntsman A-39210 -*For discussion and possible action*

Petitioner is disputing violations V3131345, V3131346, V3131347, and V3131348

Petitioner's request was denied. The citations were upheld.

Move: Tialutrell Ridley Second: Roxanne Pruitt Harris Status: Passed

2. Petition Amanda (Johnson) Deborski C-32338 -*For discussion and possible action*

Petitioner is requesting approval to renew Cosmetology license C-32338 with a felony conviction.

The Board voted to approve petitioner Amanda (Johnson) Deborski C-32338 request to renew her Cosmetology license with a felony conviction.

Move: Bryan Baltazar Second: Anita Douglass Status: Passed

3. Petition John Henry Lovan III U-705383 -*For discussion and possible action*

Petitioner is requesting approval to transfer his Cosmetology license from Utah to Nevada with a felony conviction.

The Board voted to approve petitioner John Henry Lovan III U-705383 request to transfer his Cosmetology license to Nevada with a felony conviction.

Move: Roxanne Pruitt Harris Second: Bryan Baltazar Status: Passed

4. Petition Amanda Mazza U-704821-*For discussion and possible action*

Petitioner is requesting approval to transfer her Cosmetology license from Texas with a felony conviction.

Petitioner Amanda Mazza U-704821 withdrawn petition was accepted by unanimous vote.

Move: Anita Douglass Second: Roxanne Pruitt Harris Status: Passed

5. Petition Nyja Wilson ST-1046086 -*For discussion and possible action*

Petitioner is disputing violations V3138423, V3138424, and V3138425

The Board voted to deny petitioner Nyja Wilson ST-1046086 petition because petitioner was not present at the meeting.

Move: Roxanne Pruitt Harris Second: Anita Douglass Status: Passed

6. Petition Sandra Lockett C-21656 TEMPO III SENIOR APARTMENTS SALON S-186934 **-For discussion and possible action**

Petitioner is disputing violations V3129472 and V3129468

The Board voted to approve petitioner Sandra Lockett C-21656 request for a refund of V3129472 and V3129468 in the amount of \$200.00. Petitioner Sandra Lockett C-21656 requested a full refund to her original payment method.

Move: Bryan Baltazar Second: Tialutrell Ridley Status: Passed

7. Petition Grimilda Gonzalez C-25855 Dominican Destination Salon S-10783 **-For discussion and possible action**

Petitioner is disputing inspection findings for V3138467, V3138470, and V3138477 as she was not open to the public at the time of inspection.

The board voted to deny petitioner Grimilda Gonzalez C-25855 Dominican Destination Salon S-10783's petitions because the petitioner was not present at the meeting.

Move: Roxanne Pruitt Harris Second: Anita Douglass Status: Passed

8. Petition Devin Lewis ST-1047396 **-For discussion and possible action**

Petitioner is requesting a fine reduction for violations V3138629, V3138630, and V3138631

Petitioner's request was denied. The citations were upheld.

Move: Tialutrell Ridley Second: Anita Douglass Status: Passed

9. Petition Ada Labanino N-38255 **-For discussion and possible action**

Petitioner is disputing violations V3138714, V3138715, and V3138716

Petitioner's request was denied. The citations were upheld.

Move: Roxanne Pruitt Harris Second: Anita Douglass Status: Passed

10. Petition Alyce Le C-34517 **-For discussion and possible action**

Petitioner is disputing violation V3139125

Petitioner's request was denied. The citations were upheld.

Move: Tialutrell Ridley Second: Roxanne Pruitt Harris Status: Passed

11. Petition Mistiara Watkins N-53646 **-For discussion and possible action**

Petitioner is disputing violations V3139178 and V3139177

The Board voted to deny petitioner Mistiria Watkins N-53646's petition because the petitioner was not present.

Move: Roxanne Pruitt Harris Second: Anita Douglass Status: Passed

12. Petition Josseline Cheret C-13396 -*For discussion and possible action*

Petitioner is disputing violation V3139580

Petitioner's request was denied. The citations were upheld.

Move: Anita Douglass Second: Tialutrell Ridley Status: Passed

13. Petition Blanca Azucena Favela Rodriguez U-704810 -*For discussion and possible action*

Petitioner is disputing violations V3139433, V3139434, and V3139435

Petitioner's request was denied. The citations were upheld.

Move: Anita Douglass Second: Tialutrell Ridley Status: Passed

14. Petition Mercedes Triplett C-29514 - *For discussion and possible action*

Petitioner is asking the board to consider reviewing the requirements set forth in NAC 644A.250 and NAC 644A.255 to become a licensed instructor.

The Board voted to deny petitioner Mercedes Triplett C-29514's petition because the petitioner was not present at the meeting.

Move: Roxanne Pruitt Harris Second: Anita Douglass Status: Passed

F. **Misc. Agenda Items**

1. Permanent distance learning- *For discussion and possible action.*

The Board will discuss how to move forward with incorporating permanent distance learning. The Student Survey will be presented during this time.

Board reviewed the results from the Student Survey.

Board Member Bryan Baltazar called for Board Staff to do research on Permanent Distance learning in the surrounding states to be reviewed at the next meeting.

Board Member Gwen Braimoh requested Board Staff to get information from surrounding states to review at the April or July Board Meeting:

Specifically what those states have put in place regarding permanent online

distance learning and present to the board the percentage of hours that they are allowing.

Move: Bryan Baltazar Second: Tialutrell Ridley Status: Passed

2. Clarification to NAC 644A.870- ***For discussion and possible action.***

The Board Members are to vote that the term "master" may be used in advertisements.

NAC 644A.870-"Uses advertisements which contain knowingly false or deceptive statements, including, without limitation, using the terms "expert," "advanced" or "medical" in connection with any description of a licensee's practice in any branch of cosmetology or otherwise holding the licensee out to the public as an expert, advanced or medical practitioner of any branch of cosmetology."

The Board voted to table item for future meeting.

Move: Tialutrell Ridley Second: Kai Stanton Status: Passed

3. Approval for Apprentice Applicants- ***For discussion and possible action***

The Board is to discuss and vote to give Executive Director Gary Landy the authority to approve Apprentice Applications for those who live in a county with over 50k in population but have to drive more than 60 miles to the nearest beauty school.

The Board voted and approved Executive Director Gary Landy the authority to approve Apprentice Applications for those who live in a county with over 50k in population but have to drive more than 60 miles to the nearest beauty school.

Move: Bryan Baltazar Second: Anita Douglass Status: Passed

4. Revisit the maximum number of theory hours students can complete via distance learning- ***For discussion and possible action.***

During the December 7, 2020 Board Meeting, the Board voted to allow for remote theory hours until "the State of Emergency was lifted or until the pandemic was over"

The Board clarified that while the State of Emergency is still in place, schools are allowed to do theory hours via distance education. Once the State of Emergency has been lifted by the Governor, schools are to resume to 100% in-person theory training.

During the October 11, 2021 Board Meeting, the Board voted to allow a maximum of 6 hours a week for distance theory learning. The maximum amount of hours allowed to be accrued in a month is limited to 24 hours.

The Board voted to keep the current maximum number of Theory hours to 6 hours a week for distance Theory learning. The maximum amount of hours

allowed to be accrued in a month is limited to 24 hours.

Move: Roxanne Pruitt Harris Second: Anita Douglass Status: Passed

5. Executive Director's Report- *For discussion and possible action*

Director Landry to provide a quarterly operations update to the Board.

The Board voted to approve the Executive Director's Report

Board Member Gwen Braimoh: Our Executive Director was very instrumental in ensuring that the Accreditation Agency added our state to their list to make it favorable to the schools who were closed during Covid. Thank you Director Gary Landry.

Move: Kai Stanton Second: Roxanne Pruitt Harris Status: Passed

6. Monthly Financial Reports- *For discussion and possible action*

The Board to review financial reports prepared by Andrew Helms, CFO.

The Board voted to accept the Monthly Financial Report.

Move: Kai Stanton Second: Anita Douglass Status: Passed

G. Comments from the General Public- *For discussion only*

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Board Member Gwen Braimoh: Expressed that the State Board and the Staff is watching Covid very closely. We are prepared to increase the hours in Distance Education if it is necessary. This guidance will need to be for all schools.

The Board is also taking into consideration everyone's comments and everyone's questions. The Board is now looking at putting Regulations in place in the event we will have to increase the hours when the time comes. When the time does come it will be regulated and guidance set forth for all schools and all students.

Board Member Kai Stanton: Expressed to staff and all schools that Hybrid was never permanent.

Board Member Kai Stanton: Encouraged everyone to read the details of the Student Survey.

Board Member Kai Stanton: Expressed concerns over the moving of graduation dates for the students and the students being over charged when out sick with Covid.

Mimi (Euphoria Institute): Expressed concerns over Covid Safety and the maximum hours allowed for Distance Theory.

Adjanae (Euphoria Institute): Expressed concerns over Covid Safety and the maximum hours allowed for Distance Theory.

Leanna (Euphoria Institute): Expressed concerns over Covid Safety and the maximum hours allowed for Distance Theory.

Kayla (Euphoria Institute): Expressed concerns over Covid Safety and the maximum hours allowed for Distance Theory.

Briana (Euphoria Institute): Expressed concerns over Covid Safety and the maximum hours allowed for Distance Theory.

Kanijah (Euphoria Institute): Expressed concerns over Covid Safety and the maximum hours allowed for Distance Theory.

Jda (Euphoria Institute): Expressed concerns over Covid Safety and the maximum hours allowed for Distance Theory.

Berkley (Euphoria Institute): Expressed concerns over Covid Safety and the maximum hours allowed for Distance Theory.

Lou (Euphoria Institute): Expressed concerns over Covid Safety and the maximum hours allowed for Distance Theory.

Chyna (Euphoria Institute): Expressed concerns over Covid Safety and the maximum hours allowed for Distance Theory.

Chasity (Euphoria Institute): Expressed concerns over Covid Safety and the maximum hours allowed for Distance Theory.

Mary (Euphoria Institute): Expressed concerns over Covid Safety and the maximum hours allowed for Distance Theory.

Benita (Euphoria Institute): Expressed concerns over Covid Safety and the maximum hours allowed for Distance Theory.

Enya (Euphoria Institute): Expressed concerns over Covid Safety and the maximum hours allowed for Distance Theory.

Enya (Euphoria Institute): Expressed that the use of the word “Master” is a grey area. This will depend on the years of experience in the field.

Jessy (Euphoria Institute): Expressed concerns over Covid Safety and the possibility of raising maximum hours allowed for Distance Theory.

Jasmine Nakea: Expressed concerns over unlicensed activity

H. **Comments from Board Members- *For discussion only***

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Board Member Gwen Braimoh: Requested Board Staff to check California, Arizona, and Utah what is currently in place in regards to Distance Education for COVID spikes. Gwen Braimoh stated that we will need to be prepared for when we have to call for an Emergency Meeting.

Board Member Kai Stanton: Would like to have an agenda item for discussion and possible action on the CEU Accreditation Definition of how CEU Providers are currently being approved. Board Staff is to provide the following for review:

1. CEU Accreditation Definition of how CEU Providers are currently being approved and denied.
2. Detailed description of each current Approved CEU Course
4. The requirements to become a CEU Provider
5. Details of the College Courses

Board Staff to gather the information that goes out regarding what the Nevada State Board of Cosmetology gets involved with regarding School Licensing and School Contracts. Board Member Kai Stanton would also like to talk about Students who are out sick with COVID, how that works if they are absent for more than 5 days.

Board Member Tialutrell McCormick: Thanked all of the students and schools who showed up to the meeting and took time out to speak to the Board Members and voice their concerns. There are so many people impacted in so many different ways and for different reasons. I think we should carve out some time for an additional meeting different from these meetings to discuss things like this. Thank you to the AG's office for looking into the term "Master". Thank you for asking another Instructor.

I. **Adjournment- *For possible action***

This meeting was adjourned at 3:06 PM PST.

Move: Roxanne Pruitt Harris Second: Kai Stanton Status: Passed

APPROVED



MINUTES

Nevada State Board of Cosmetology Board Meeting March 7 2022 NVBOC REGULATION ADOPTION HEARING Monday, March 7, 2022, 9:00 am - 4:30 pm NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Amendment of Regulations of the Nevada State Board of Cosmetology

NOTICE IS HEREBY GIVEN that the Nevada State Board of Cosmetology will hold a public hearing at 9:00 a.m. on March 7, 2022, via ZOOM. The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations that pertain to Chapter 644A of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603.

Statement of need for and purpose of the proposed regulation or amendment:

The purpose of the regulation is to allow cosmetology students to earn practical hours remotely, outside of a licensed school of cosmetology, in times of "emergency" as declared by Nevada's Governor and upon a majority vote by the Board. Any remote practical learning would be limited to work on mannequins. This regulation amendment would allow for students to continue to earn practical hours when schools are closed or have limited capacity due to a governor-declared emergency.

Terms or substance of the proposed regulation or subjects and issues involved:

The proposed regulation seeks to modify the language of NAC 644A.618 which notes that students shall not practice at home or in a cosmetological establishment and shall not give demonstrations other than those required by them by their school of cosmetology. The proposed modification would add a subsection that notes that during a state of emergency or declaration of disaster as proclaimed by the Governor or by resolution of the Legislature, the Board may, by vote, authorize students to complete practical hours at home provided those hours are earned while working on a mannequin and not a live person. The full text of the proposed regulation is attached to this agenda and can be found on the Board's website, nvcosmo.com.

Estimated economic effect on business and public:

- (a) The survey results indicated that the majority of those polled felt that a proposed regulation change would not, directly or indirectly, negatively impact their businesses.
- (b) The Board does not foresee any adverse or beneficial effects both in the immediate and long-term on members of the public.

Estimated cost to the agency for enforcement:

The Nevada State Board of Cosmetology does not foresee there being a cost to enforce these proposed

changes.

Overlap or duplication of regulations:

The proposed regulation does not include provisions that duplicate or are more stringent than federal, state, or local standards regulating the same activity.

Regulation required by federal law:

This regulation is not required by federal law.

More stringent than federal regulation:

The proposed regulation is not more stringent than a federal regulation that regulates the same activity.

Fees:

The proposed regulation does not establish a new fee or increase an existing fee.

In January '21, the Nevada State Board of Cosmetology sent out a survey to all of the then licensed schools of cosmetology in Nevada. Those responses were then reviewed to determine whether the proposed changes to NAC 644A would have an impact on small businesses. Subsequently, a workshop was held on May 20, 2021, at which time public comments were heard in support of the proposed modifications. There were no public comments made in opposition to the proposed modifications.

The full text of the Small Business Impact Statement is attached to this notice.

Persons wishing to comment upon the proposed action of the Nevada State Board of Cosmetology may attend the March 7, 2022 ZOOM meeting or may address their comments, data, views, or arguments, in written form, to Gary Landry, Executive Director, 8945 W. Russell Road, Suite #100 Las Vegas, NV 89148. Written submissions must be received by the Board on or before March 3, 2022 at 5PM PDT. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada Board of Cosmetology may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted and amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours.

Additional copies of the notice and the regulation to be adopted and amended will be available at the Board offices (see below) and in all counties in which an office of the Board is not maintained, the main public library, for inspection and copying by members of the public during business hours. The text of the proposed regulation is also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the Board, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and

against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

THIS MEETING WILL BE HELD VIA VIDEO CONFERENCE ONLY

ZOOM MEETING ID: 889 7953 5442

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On the scheduled day and time, from the ZOOM website, click “Join a Meeting” and enter your name and this Meeting ID: 889 7953 5442

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ALL CELLULAR TELEPHONES ARE TO BE TURNED OFF OR SET TO SILENT NOTIFICATION MODE DURING THE PROCEEDINGS.

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State of Nevada Board of Cosmetology (Reno)- 740 Del Monte Lane, Suite 12 Reno, NV 89511

Nevada State Board of Cosmetology website www.nvcosmo.com

The NV State Library and Archives Administrator-nslapr-admin@admin.nv.gov

Carson City Library-900 N. Roop St. Carson City, NV 89701

Churchill County Library-533 S. Main St. Fallon, NV 89406

Las Vegas-Clark County Library District HQ- 833 Las Vegas Blvd. North, Las Vegas, NV 89101

Douglas County Public Library-1625 Library Lane, Minden, NV 89423

Elko County Library- 720 Court St. Elko, NV 89801

Esmeralda County Library- P.O. Box 430 Goldfield, NV 89013

Eureka County Library-10190 Monroe St. Eureka, NV 89316

Humboldt County Library- 85 E. 5th St. Winnemucca, NV 89445

Battle Mountain Library- 625 S. Broad St. Battle Mountain, NV 89820

Lincoln County Library-63 Main St, Pioche, NV 89043

Lyon County Library System- 20 Nevin Way, Yerington NV 89447

Mineral County Public Library- P.O. Box 1390 Hawthorne, NV 89415

Pershing County Library-1125 Central Ave. Lovelock, NV 89419

Storey County Treasurer and Clerk's Office Drawer D, Virginia City, NV 89440

Tonopah Public Library- P.O. Box 449 Tonopah, NV 89049

Washoe County Library System- 301 S. Center St. Reno, NV 89501

*In addition to the places listed above, a copy of the notice was sent to the Legislative Counsel Bureau for inclusion in the Register of Administrative Regulations.

In Attendance

Anita Douglass; Bertha Jackson; Bryan Baltazar; Gary Landry; Gwendolyn Braimoh; Janie Huggins; Kai Stanton; Lauren Gossage; Rodney Moore; Roxanne Pruitt Harris; Tialutrell Ridley

Not In Attendance

Andrew Helms; Victoria Negrete

A. Roll Call

The Board Meeting was called to order by Board Chair Braimoh at 9:00 AM PST

B. Mission Statement

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C. Comments from the General Public - *For discussion only*

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There were no comments from the general public.

D. Action Items- *For discussion and possible action*

1. Proposed Modifications to NAC 644A.618 (R020-21)- for discussion and possible action

The board voted to accept the proposed modifications to NAC 644A.618 (R020-21)

Move: Tialutrell Ridley Second: Anita Douglass Status: Passed

2. Adoption of NAC 644A.618 (R020-21)- for discussion and possible action

The board voted to adopt NAC 644A.618 (R020-21) as written.

Move: Kai Stanton Second: Roxanne Pruitt Harris Status: Passed

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Sharona Shelton- Expressed concerns in regards to SB291.

Warda Ali- Expressed concerns in regards to SB291.

F. Comments from Board Members - *For discussion only*

Board Member Gwen Braimoh: Expressed concerns regarding SB291.

Board Member Bryan Baltazar: Expressed concerns regarding SB291.

Board Member Tialutrell Ridley: Requested for the board to provide notification to Estheticians regarding March 14, 2022 Board Meeting.

Board Member Kai Stanton: Requested for the board to provide notification to Estheticians regarding March 14, 2022 Board Meeting. Board Member Kai Stanton would like to add discussion on Lash Technician License to the next Board Meeting in April. Board Member Kai Stanton would also like to review communication processes between licensees and board staff.

G. Adjournment - *For possible action*

This meeting was adjourned at 9:47 AM PST.

Move: Kai Stanton Second: Roxanne Pruitt Harris Status: Passed

CHAPTER.....

AN ACT relating to cosmetology; providing for the licensure and regulation of advanced estheticians and instructors of advanced estheticians by the State Board of Cosmetology; setting forth certain requirements for licensure as an advanced esthetician or instructor of advanced estheticians; setting forth certain requirements for the performance of certain procedures performed by an advanced esthetician; prohibiting an advanced esthetician from performing certain procedures; requiring the Board to prescribe a curriculum for a course of study in advanced esthetics; establishing certain fees relating to licensure as an advanced esthetician and an instructor of advanced estheticians; revising provisions relating to schools of cosmetology and cosmetological establishments; authorizing the Board to, for a certain period of time, issue a license as an advanced esthetician or an instructor of advanced estheticians to certain persons who would otherwise not qualify for such licenses; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides for the licensure and regulation by the State Board of Cosmetology of persons engaged in the practice of various branches of cosmetology, cosmetological establishments, schools of cosmetology and instructors at such schools. (Chapter 644A of NRS) Among the persons licensed and regulated by the Board are persons engaged in the practice of esthetics, which existing law defines generally to include certain practices involving the care of the skin, the application of cosmetics and the removal of superfluous hair from the body. (NRS 644A.075) This bill provides for the licensure and regulation of: (1) persons designated by **section 7** of this bill as advanced estheticians, who, in addition to the practice of esthetics, engage in certain specified advanced esthetic procedures; and (2) instructors of advanced estheticians.

Existing law requires the Board to hold examinations to determine the qualifications of all applicants for licenses issued by the Board. (NRS 644A.300-644A.535) **Section 19** of this bill sets forth certain requirements for admission to examination for a license as an advanced esthetician. **Section 20** of this bill sets forth certain requirements for the examination for licensure as an advanced esthetician.

Section 6 of this bill designates certain procedures as advanced esthetic procedures. Among these procedures is a nonablative esthetic medical procedure, which is defined in **sections 11 and 18** of this bill to mean a procedure performed for esthetic purposes using certain medical devices and which is not expected to excise, vaporize, disintegrate or remove living tissue. **Section 22** of this bill sets forth certain requirements for the performance of a nonablative esthetic medical procedure by an advanced esthetician. **Section 22** also prohibits an advanced esthetician from performing an ablative esthetic medical procedure, which is defined in **sections 5 and 11** of this bill to mean a procedure performed for esthetic



purposes using certain medical devices and which is expected to excise, vaporize, disintegrate or remove living tissue.

Existing law sets forth various requirements for the operation of schools of cosmetology. (NRS 644A.700-644A.755) **Section 23** of this bill requires the Board to adopt regulations prescribing a curriculum for a course of study in advanced esthetics to be used by a licensed school of cosmetology that wishes to offer such a course of study and sets forth certain requirements for the curriculum. Existing law imposes certain requirements for admission to examination for a license as an instructor of cosmetology, instructor of estheticians and instructor in nail technology. (NRS 644A.420-644A.430) **Section 21** of this bill imposes similar requirements for admission to examination for a license as an instructor of advanced estheticians. **Section 42** of this bill requires a student advanced esthetician to complete a certain number of hours of instruction before commencing work on members of the public.

Existing law exempts a person authorized to practice medicine, dentistry, osteopathic medicine, chiropractic or podiatry from the provisions of existing law regarding cosmetology. (NRS 644A.150) **Section 26** of this bill revises that exemption for the purposes of allowing only a physician or osteopathic physician, a physician assistant or an advanced practice registered nurse to engage in the practice of advanced esthetics without being subject to the requirements set forth in this bill.

Section 25 of this bill includes advanced esthetician within the occupations encompassed by the definition of "cosmetology" set forth in existing law. (NRS 644A.040) **Section 3** of this bill includes a person licensed as an advanced esthetician among the persons exempt from the provisions of existing law governing massage therapy. (NRS 640C.100) **Section 27** of this bill authorizes a person licensed as an advanced esthetician to be appointed to the Board.

Section 29 of this bill provides for the issuance of a provisional license as an instructor to certain licensed advanced estheticians under certain circumstances. **Section 30** of this bill authorizes the Board to issue a limited license to certain persons who are licensed as advanced estheticians, which allows for the practice of advanced esthetics subject to certain restrictions.

Section 32 of this bill revises provisions relating to the language in which examinations for licenses issued by the Board are given to apply to the examinations for a license as an advanced esthetician and an instructor of advanced estheticians.

Sections 31 and 34 of this bill establish certain fees for the examination and issuance of a license as an advanced esthetician and an instructor of advanced estheticians. **Sections 36-38** of this bill revise provisions relating to the expiration and renewal of licenses issued by the Board to apply to a license as an advanced esthetician and an instructor of advanced estheticians.

Sections 39-41 of this bill make certain provisions relating to the operation of cosmetological establishments applicable to cosmetological establishments at which advanced estheticians practice. **Section 39** also requires a holder of a license to operate a cosmetological establishment to display at each establishment he or she operates a sign indicating that the establishment is not a medical facility.

Existing law prescribes grounds for disciplinary action against holders of licenses issued by the Board. (NRS 644A.850) **Section 43** of this bill makes these provisions applicable to the holder of a license as an advanced esthetician or an instructor of advanced estheticians. **Section 43** also authorizes disciplinary action for failure to comply with the requirements of **section 39**.

Sections 45 and 46 of this bill set forth processes by which the Board is authorized to issue a license as an advanced esthetician or a license as an instructor



of advanced estheticians to certain applicants who do not meet the requirements set forth in this bill but who: (1) hold a license as an esthetician or a license as an instructor of cosmetology or instructor of estheticians, as applicable, issued by the Board on or before October 1, 2023; (2) apply for licensure on or before October 1, 2023; and (3) meet certain other requirements.

Sections 5-18 of this bill define words and terms applicable to the provisions of this bill. **Sections 24, 33 and 44** of this bill make conforming changes to properly indicate the placement of new language in the Nevada Revised Statutes.

EXPLANATION - Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

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

Sections 1 and 2. (Deleted by amendment.)

Sec. 3. NRS 640C.100 is hereby amended to read as follows:
640C.100 1. The provisions of this chapter do not apply to:

(a) A person licensed pursuant to chapter 630, 630A, 631, 632, 633, 634, 634A, 635, 640, 640A or 640B of NRS if the massage therapy, reflexology or structural integration is performed in the course of the practice for which the person is licensed.

(b) A person licensed as a barber or apprentice pursuant to chapter 643 of NRS if the person is massaging, cleansing or stimulating the scalp, face, neck or skin within the permissible scope of practice for a barber or apprentice pursuant to that chapter.

(c) A person licensed or registered as an *advanced esthetician*, esthetician, esthetician's apprentice, hair designer, hair designer's apprentice, hair braider, shampoo technologist, cosmetologist or cosmetologist's apprentice pursuant to chapter 644A of NRS if the person is massaging, cleansing or stimulating the scalp, face, neck or skin within the permissible scope of practice for a *advanced esthetician*, esthetician, esthetician's apprentice, hair designer, hair designer's apprentice, hair braider, shampoo technologist, cosmetologist or cosmetologist's apprentice pursuant to that chapter.

(d) A person licensed or registered as a nail technologist or nail technologist's apprentice pursuant to chapter 644A of NRS if the person is massaging, cleansing or stimulating the hands, forearms, feet or lower legs within the permissible scope of practice for a nail technologist or nail technologist's apprentice.

(e) A person who is an employee of an athletic department of any high school, college or university in this State and who, within the scope of that employment, practices massage therapy, reflexology or structural integration on athletes.

(f) Students enrolled in a school of massage therapy, reflexology or structural integration recognized by the Board.



(g) A person who practices massage therapy, reflexology or structural integration solely on members of his or her immediate family.

(h) A person who performs any activity in a licensed brothel.

2. Except as otherwise provided in subsection 3 and NRS 640C.330, the provisions of this chapter preempt the licensure and regulation of a massage therapist, reflexologist or structural integration practitioner by a county, city or town, including, without limitation, conducting a criminal background investigation and examination of a massage therapist, reflexologist or structural integration practitioner or applicant for a license to practice massage therapy, reflexology or structural integration.

3. The provisions of this chapter do not prohibit a county, city or town from requiring a massage therapist, reflexologist or structural integration practitioner to obtain a license or permit to transact business within the jurisdiction of the county, city or town, if the license or permit is required of other persons, regardless of occupation or profession, who transact business within the jurisdiction of the county, city or town.

4. As used in this section, "immediate family" means persons who are related by blood, adoption or marriage, within the second degree of consanguinity or affinity.

Sec. 4. Chapter 644A of NRS is hereby amended by adding thereto the provisions set forth as sections 5 to 23, inclusive, of this act.

Sec. 5. *"Ablative esthetic medical procedure" means an esthetic medical procedure that is expected to excise, vaporize, disintegrate or remove living tissue.*

Sec. 6. *"Advanced esthetic procedure" means any of the following procedures performed for esthetic purposes and not for the treatment of a medical, physical or mental ailment:*

1. *Exfoliation;*
2. *Microdermabrasion and related services;*
3. *Microneedling;*
4. *Dermaplaning;*
5. *Extraction;*
6. *Hydrotherapy;*
7. *A nonablative esthetic medical procedure; or*
8. *Other similar esthetic preparations or procedures with the use of the hands or a mechanical or electronic apparatus.*

Sec. 7. *"Advanced esthetician" means any person who engages in the practice of advanced esthetics.*



Sec. 8. *“Advanced esthetics” means the practice of advanced esthetic procedures in addition to the practice of esthetics.*

Sec. 9. *“Dermaplaning” means the use of a blade with a handle to remove dead skin cells and vellus hairs from the face.*

Sec. 10. *“Esthetic medical device” means a device, as defined in 21 U.S.C. § 321, used to perform an esthetic medical procedure, including, without limitation, a laser, a radial shockwave device, a cryotherapy device and a device that emits radio frequencies, plasma, intense pulsed light, ultrasound, microwaves or other similar energies.*

Sec. 11. *“Esthetic medical procedure” means a procedure performed using an esthetic medical device for the purposes of the care of the skin, beautification, anti-aging, permanent hair reduction, skin tightening, skin rejuvenation, noninvasive body contouring, noninvasive lipolysis or other similar esthetic purposes.*

Sec. 12. *“Exfoliation” means a process whereby superficial epidermal cells are removed from the skin.*

Sec. 13. *“Extraction” means the removal of impurities from the skin using lancets or needles.*

Sec. 14. *“Hydrotherapy” means the use of water for esthetic purposes or beautification of the body.*

Sec. 15. (Deleted by amendment.)

Sec. 16. *“Microdermabrasion” means the physical removal of surface epidermal cells using an abrasive material or apparatus.*

Sec. 17. *“Microneedling” means the use of multiple small needles which are solid and which are designed to pierce the skin for the purpose of stimulating collagen production or cellular renewal.*

Sec. 18. *“Nonablative esthetic medical procedure” means an esthetic medical procedure that is not expected to excise, vaporize, disintegrate or remove living tissue.*

Sec. 19. *The Board shall admit to examination for a license as an advanced esthetician any person who has made the application to the Board in proper form, paid the fee and:*

- 1. Is at least 18 years of age;*
- 2. Is of good moral character;*
- 3. Has successfully completed the 10th grade in school or its equivalent; and*
- 4. Satisfies at least one of the following:*



(a) *The person has completed at least 900 hours of training in a licensed school of cosmetology in a curriculum prescribed by the Board pursuant to section 23 of this act;*

(b) *The person is a licensed esthetician and has additionally completed at least 300 hours of training in a licensed school of cosmetology in a curriculum prescribed by the Board pursuant to section 23 of this act; or*

(c) *The person has practiced as a full-time licensed advanced esthetician for at least 1 year.*

Sec. 20. *The examination for a license as an advanced esthetician may include:*

1. *Practical demonstrations in advanced esthetics;*

2. *Written and oral tests on:*

(a) *Antisepsis, sterilization and sanitation;*

(b) *The use of electricity and mechanical apparatuses, including, without limitation, esthetic medical devices, as applicable to the practice of advanced esthetics; and*

(c) *The laws of Nevada and the regulations of the Board relating to cosmetology; and*

3. *Such other demonstrations and tests as the Board requires.*

Sec. 21. 1. *The Board shall admit to examination for a license as an instructor of advanced estheticians 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 700 hours of training as a student instructor or 500 hours of training as an instructor or as a licensed provisional instructor in a licensed school of cosmetology;*

(e) *Is licensed as an advanced esthetician pursuant to this chapter; and*

(f) *Has practiced as a full-time licensed advanced esthetician or as a licensed student instructor.*

2. *An instructor of advanced estheticians shall complete at least the number of hours of continuing education required, at the time the hours of continuing education are completed, for instructors of schools of cosmetology accredited by the National Accrediting Commission of Career Arts & Sciences or its successor organization. The hours of continuing education must be obtained during each 2-year period of his or her license in courses approved by the Board.*



Sec. 22. 1. *An advanced esthetician may perform a nonablative esthetic medical procedure only under the supervision of a health care professional. For the purposes of this subsection, an esthetic medical procedure is performed under the supervision of a health care professional if, at all times during the performance of the procedure, the health care professional:*

(a) Is readily available for immediate consultation with the advanced esthetician by telephone or other communication technology which allows the health care professional and the advanced esthetician to communicate in real time; and

(b) Remains within 60 miles or 60 minutes of the location at which the procedure is being performed and is readily available to provide care in person if any problems arise during the procedure.

2. *An advanced esthetician shall not perform any ablative esthetic medical procedure.*

3. *As used in this section, "health care professional" has the meaning ascribed to it in NRS 453C.030.*

Sec. 23. 1. *The Board shall adopt regulations prescribing a curriculum for a course of study in advanced esthetics to be used by a licensed school of cosmetology that wishes to offer such a course of study.*

2. *The curriculum prescribed pursuant to subsection 1 must include, without limitation, instruction in the following subjects:*

(a) State and federal laws pertaining to the practice of advanced esthetics;

(b) Professional ethical standards for advanced estheticians;

(c) The theory and performance of advanced esthetic procedures;

(d) Medical subjects relevant to the practice of advanced esthetics, including, without limitation, subjects relating to health, lifestyle, nutrition, autoimmune diseases, infection control and wound healing;

(e) First aid, including, without limitation, the administration of cardiopulmonary resuscitation;

(f) Subjects relating to the science of the skin, including, without limitation, skin types, systems for the classification of skin conditions and skin disorders and diseases;

(g) Anatomy, physiology, chemistry, pharmacology and other relevant sciences;

(h) The physics of wave energy, including, without limitation, the physics of lasers, intense pulsed light, radio frequency, ultrasound, plasma and other energies;



(i) The duties of an advanced esthetician with respect to the confidentiality of client information, client consultation, informed consent and the care of clients both before and after advanced esthetic procedures;

(j) Subjects relevant to the professional practice of advanced esthetics, including, without limitation, professional liability insurance, risk management and professional interactions with health care professionals;

(k) Subjects relating to esthetic medical devices and other apparatuses used in the practice of advanced esthetics, including, without limitation, the classification, maintenance and safe and proper use of such devices and apparatuses; and

(l) Any other subject which the Board may determine by regulation to be necessary and proper for the instruction of advanced estheticians.

Sec. 24. NRS 644A.010 is hereby amended to read as follows:
644A.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 644A.015 to 644A.140, inclusive, *and sections 5 to 18, inclusive, of this act* have the meanings ascribed to them in those sections.

Sec. 25. NRS 644A.040 is hereby amended to read as follows:
644A.040 "Cosmetology" includes the occupations of a cosmetologist, esthetician, *advanced esthetician*, electrologist, hair designer, shampoo technologist, hair braider, demonstrator of cosmetics and nail technologist. The term does not include the occupation of a makeup artist.

Sec. 26. NRS 644A.150 is hereby amended to read as follows:
644A.150 1. The following persons are exempt from the provisions of this chapter:

(a) ~~[A]H~~ *Except for those provisions relating to advanced estheticians*, all persons authorized by the laws of this State to practice medicine, dentistry, osteopathic medicine, chiropractic or podiatry.

(b) Commissioned medical officers of the United States Army, Navy, or Marine Hospital Service when engaged in the actual performance of their official duties, and attendants attached to those services.

(c) Barbers, insofar as their usual and ordinary vocation and profession is concerned, when engaged in any of the following practices:

(1) Cleansing or singeing the hair of any person.

(2) Massaging, cleansing, stimulating, exercising or similar work upon the scalp, face or neck of any person, with the hands or



with mechanical or electrical apparatus or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams.

(d) Retailers, at a retail establishment, insofar as their usual and ordinary vocation and profession is concerned, when engaged in the demonstration of cosmetics if:

(1) The demonstration is without charge to the person to whom the demonstration is given; and

(2) The retailer does not advertise or provide a service relating to the practice of cosmetology except cosmetics and fragrances.

(e) Photographers or their employees, insofar as their usual and ordinary vocation and profession is concerned, if the photographer or his or her employee does not advertise cosmetological services or the practice of makeup artistry and provides cosmetics without charge to the customer.

2. Any school of cosmetology conducted as part of the vocational rehabilitation training program of the Department of Corrections or the Caliente Youth Center:

(a) Is exempt from the requirements of paragraph (c) of subsection 2 of NRS 644A.740.

(b) Notwithstanding the provisions of NRS 644A.735, shall maintain a staff of at least one licensed instructor.

3. Any health care professional, as defined in NRS 453C.030, is exempt from the provisions of this chapter relating to advanced estheticians.

Sec. 27. NRS 644A.205 is hereby amended to read as follows:
644A.205 1. No person is eligible for appointment as a member of the Board:

(a) Who is not licensed as a nail technologist, electrologist, esthetician, ***advanced esthetician*** or cosmetologist under the provisions of this chapter.

(b) Who is not, at the time of appointment, actually engaged in the practice of his or her respective branch of cosmetology.

(c) Who is not at least 25 years of age.

(d) Who has not been a resident of this State for at least 3 years immediately before appointment.

2. The requirements of paragraphs (a) and (b) of subsection 1 do not apply to a person appointed to represent customers of cosmetology.

3. Not more than one member of the Board may be connected, directly or indirectly, with any school of cosmetology, or have been so connected while previously serving as a member of the Board.



Sec. 28. NRS 644A.260 is hereby amended to read as follows:

644A.260 1. The Board shall keep a record containing the name, known place or places of business, electronic mail address, personal mailing address, telephone number and the date and number of the license or certificate of registration, as applicable, of every nail technologist, electrologist, esthetician, *advanced esthetician*, hair designer, shampoo technologist, hair braider, demonstrator of cosmetics, makeup artist registered pursuant to NRS 644A.395 and cosmetologist, together with the names and addresses of all establishments for hair braiding, cosmetological establishments and schools of cosmetology licensed pursuant to this chapter. The record must also contain the facts which the applicants claimed in their applications to justify their licensure or registration.

2. The Board may disclose the information contained in the record kept pursuant to subsection 1 to:

(a) Any other licensing board or agency that is investigating a licensee or registrant.

(b) A member of the general public, except information concerning the personal mailing address, work address, electronic mail address and telephone number of a licensee or registrant.

Sec. 29. NRS 644A.415 is hereby amended to read as follows:

644A.415 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;

(b) Has practiced as a full-time licensed cosmetologist, hair designer, hair braider, esthetician, *advanced esthetician* or nail technologist for 1 year and submits written verification of his or her 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 or herself; and

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

2. The Board shall establish and collect a fee of not less than \$40 and not more than \$75 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 or 1 year after the date of



issuance, whichever occurs first. 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. 30. NRS 644A.455 is hereby amended to read as follows:

644A.455 1. The Board may, without examination, issue a limited license to a person who intends to practice cosmetology in this State in the manner set forth in this section and who is currently licensed as a cosmetologist, hair designer, nail technologist , ~~or~~ esthetician ~~+~~ *or advanced esthetician:*

(a) Pursuant to NRS 644A.490; or

(b) In another state or territory of the United States or the District of Columbia.

2. A limited license issued pursuant to this section authorizes the holder of the limited license to practice cosmetology in this State:

(a) Within the branch of cosmetology or branches of cosmetology for which the person is licensed in a resort hotel and in other types of locations the Board designates by regulation; and

(b) For:

(1) A 1-year period; or

(2) Not more than five periods, of not more than 10 days each, during any 1-year period for which the license is issued or renewed.

3. To apply for a limited license for the period described in subparagraph (1) of paragraph (b) of subsection 2, an applicant must submit to the Board:

(a) An application which includes the name of the applicant and the number of the applicant's license issued pursuant to NRS 644A.490;

(b) Proof of successful completion of a course provided by the Board relating to sanitation and infection control when providing services relating to the practice of cosmetology in a location other than a cosmetological establishment;

(c) Any other information required by the Board; and

(d) An application fee of \$100.

4. To apply for a limited license for the period described in subparagraph (2) of paragraph (b) of subsection 2, an applicant must submit to the Board:

(a) An application which includes the name of the applicant and:

(1) The number of the applicant's license issued pursuant to NRS 644A.490; or



(2) The number or other designation identifying the applicant's license from any other jurisdiction described in subsection 1;

(b) Any other information required by the Board; and

(c) An application fee of \$100.

5. The Board may issue a limited license pursuant to this section for not more than 1 year and may renew the limited license annually. A limited license expires 1 year after its date of issuance.

6. A holder of a limited license may renew the limited license on or before the date of its expiration. To renew the limited license, the holder must:

(a) Apply to the Board for renewal; and

(b) Submit an annual renewal fee of \$100.

7. Not less than 5 days before practicing cosmetology in this State pursuant to a limited license, the holder of a limited license shall notify the Board electronically or in writing of the holder's intention to practice cosmetology in this State pursuant to the limited license. The notice must specify:

(a) The name and limited license number of the holder;

(b) The specific dates and times on which the holder will be practicing cosmetology in this State pursuant to the limited license; and

(c) The name and address of the location at which the holder will be practicing cosmetology in this State pursuant to the limited license.

8. A holder of a limited license may submit to the Board the notice required by subsection 7 by using the Board's online notification process, by mail or in person.

9. A holder of a limited license is subject to the regulatory and disciplinary authority of the Board to the same extent as any other licensed cosmetologist for all acts relating to the practice of cosmetology which occur in this State pursuant to the limited license.

10. The Board:

(a) Shall designate by regulation the types of:

(1) Locations, in addition to a resort hotel, at which a holder of a limited license may practice cosmetology in this State under a limited license; and

(2) Services relating to the practice of cosmetology that a holder of a limited license may perform in this State under a limited license.

(b) May adopt any other regulations as are necessary to carry out the provisions of this section.



11. As used in this section, "resort hotel" has the meaning ascribed to it in NRS 463.01865.

Sec. 31. NRS 644A.470 is hereby amended to read as follows:

644A.470 1. In addition to the fee for an application, the fees for examination are:

(a) For examination as a cosmetologist, not less than \$75 and not more than \$200.

(b) For examination as an electrologist, not less than \$75 and not more than \$200.

(c) For examination as a hair designer, not less than \$75 and not more than \$200.

(d) For examination as a shampoo technologist, not less than \$50 and not more than \$100.

(e) For examination as a hair braider, \$110.

(f) For examination as a nail technologist, not less than \$75 and not more than \$200.

(g) For examination as an esthetician, not less than \$75 and not more than \$200.

(h) *For examination as an advanced esthetician, not less than \$75 and not more than \$200.*

(i) For examination as an instructor of estheticians, *advanced estheticians*, hair designers, cosmetology or nail technology, not less than \$75 and not more than \$200.

2. Except as otherwise provided in this subsection, the fee for each reexamination is not less than \$75 and not more than \$200. The fee for reexamination as a hair braider is \$110.

3. In addition to the fee for an application, the fee for examination or reexamination as a demonstrator of cosmetics is \$75.

4. Each applicant referred to in subsections 1 and 3 shall, in addition to the fees specified therein, pay the reasonable value of all supplies necessary to be used in the examination.

Sec. 32. NRS 644A.480 is hereby amended to read as follows:

644A.480 1. The Board:

(a) Shall provide examinations for licensure or registration as a cosmetologist, esthetician, *advanced esthetician*, hair designer, shampoo technologist, hair braider, nail technologist or demonstrator of cosmetics in English and, upon the request of an applicant for licensure or registration as a cosmetologist, esthetician, *advanced esthetician*, hair designer, shampoo technologist, hair braider, nail technologist or demonstrator of cosmetics, in Spanish; and

(b) May provide examinations for licensure or registration as a cosmetologist, esthetician, *advanced esthetician*, hair designer,



shampoo technologist, hair braider, nail technologist or demonstrator of cosmetics, in any other language upon the request of an applicant, if the Board determines that providing the examination in that language is in the best interests of the public.

2. A request for an examination for licensure or registration as a cosmetologist, esthetician, *advanced esthetician*, hair designer, shampoo technologist, hair braider, nail technologist or demonstrator of cosmetics to be translated into a language other than English or Spanish must be filed with the Board by the applicant making the request at least 90 days before the scheduled examination. The Board shall keep all such requests on file.

3. The Board shall impose a fee upon the applicants who file requests for an examination for licensure or registration as a cosmetologist, esthetician, *advanced esthetician*, hair designer, shampoo technologist, hair braider, nail technologist or demonstrator of cosmetics to be translated into a language other than English or Spanish. The fee must be sufficient to ensure that the applicants bear the full cost for the development, preparation, administration, grading and evaluation of the translated examination. The fee is in addition to all other fees that must be paid by applicants for the examination for licensure or registration as a cosmetologist, esthetician, *advanced esthetician*, hair designer, shampoo technologist, hair braider, nail technologist or demonstrator of cosmetics.

4. In determining whether it is in the best interests of the public to translate an examination for licensure or registration as a cosmetologist, esthetician, *advanced esthetician*, hair designer, shampoo technologist, hair braider, nail technologist or demonstrator of cosmetics into a language other than English or Spanish, the Board shall consider the percentage of the population within this State whose native language is the language for which the translated examination is sought.

Sec. 33. NRS 644A.485 is hereby amended to read as follows:

644A.485 1. In addition to any other requirements set forth in this chapter:

(a) An applicant for the issuance of a license or evidence of registration issued pursuant to NRS 644A.300 to 644A.535, inclusive, *and sections 19, 20 and 21 of this act* shall include the social security number of the applicant in the application submitted to the Board.

(b) An applicant for the issuance or renewal of a license or evidence of registration issued pursuant to NRS 644A.300 to 644A.535, inclusive, *and sections 19, 20 and 21 of this act* shall



submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license or evidence of registration; or

(b) A separate form prescribed by the Board.

3. A license or evidence of registration may not be issued or renewed by the Board pursuant to NRS 644A.300 to 644A.535, inclusive, *and sections 19, 20 and 21 of this act* if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

Sec. 34. NRS 644A.490 is hereby amended to read as follows:

644A.490 1. The Board shall issue a license or certificate of registration, as applicable, as a cosmetologist, esthetician, *advanced esthetician*, electrologist, hair designer, shampoo technologist, hair braider, nail technologist, demonstrator of cosmetics or instructor to each applicant who:

(a) Except as otherwise provided in NRS 644A.380 and 644A.455, passes a satisfactory examination, conducted by the Board to determine his or her fitness to practice that occupation of cosmetology; and

(b) Complies with such other requirements as are prescribed in this chapter for the issuance of the license or certificate of registration.

2. The fees for issuance of an initial license or certificate of registration, as applicable, are:



(a) For nail technologists, electrologists, estheticians, *advanced estheticians*, hair designers, shampoo technologists, demonstrators of cosmetics and cosmetologists:

- (1) For 2 years, not less than \$50 and not more than \$100.
- (2) For 4 years, not less than \$100 and not more than \$200.

(b) For hair braiders:

- (1) For 2 years, \$70.
- (2) For 4 years, \$140.

(c) For instructors:

- (1) For 2 years, not less than \$60 and not more than \$100.
- (2) For 4 years, not less than \$120 and not more than \$200.

Sec. 35. NRS 644A.510 is hereby amended to read as follows:

644A.510 Every licensed or registered nail technologist, electrologist, esthetician, *advanced esthetician*, hair designer, shampoo technologist, hair braider, demonstrator of cosmetics or cosmetologist shall, within 30 days after changing his or her place of business or personal mailing address, as designated in the records of the Board, notify the Board of the new place of business or personal mailing address. Upon receipt of the notification, the Board shall make the necessary change in the records.

Sec. 36. NRS 644A.515 is hereby amended to read as follows:

644A.515 1. The license or certificate of registration, as applicable, of every cosmetologist, esthetician, *advanced esthetician*, electrologist, hair designer, shampoo technologist, hair braider, nail technologist, demonstrator of cosmetics and instructor expires on either:

(a) The second anniversary of the birthday of the licensee or holder of the certificate of registration measured, in the case of an original license or certificate of registration, restored license or certificate of registration, renewal of a license or certificate of registration or renewal of an expired license or certificate of registration, from the birthday of the licensee or holder nearest the date of issuance, restoration or renewal; or

(b) The fourth anniversary of the birthday of the licensee or holder of the certificate of registration measured, in the case of an original license or certificate of registration, restored license or certificate of registration, renewal of a license or certificate of registration or renewal of an expired license or certificate of registration from the birthday of the licensee or holder nearest the date of issuance, restoration or renewal.

2. The Board may, by regulation, defer the expiration of a license or certificate of registration, as applicable, of a person who is on active duty in the Armed Forces of the United States upon such



terms and conditions as it may prescribe. The Board may similarly defer the expiration of the license or certificate of registration, as applicable, of the spouse or dependent child of that person if the spouse or child is residing with the person.

3. For the purposes of this section, any licensee or holder of a certificate of registration whose date of birth occurs on February 29 in a leap year shall be deemed to have a birthdate of February 28.

Sec. 37. NRS 644A.520 is hereby amended to read as follows:

644A.520 1. An application for renewal of any license or certificate of registration issued pursuant to this chapter must be:

- (a) Made on a form prescribed and furnished by the Board;
- (b) Made on or before the date for renewal specified by the Board;
- (c) Accompanied by the applicable fee for renewal; and
- (d) Accompanied by all information required to complete the renewal.

2. The fees for renewal of a license or a certificate of registration, as applicable, are:

(a) For nail technologists, electrologists, estheticians, *advanced estheticians*, hair designers, shampoo technologists, demonstrators of cosmetics and cosmetologists:

- (1) For 2 years, not less than \$50 and not more than \$100.
- (2) For 4 years, not less than \$100 and not more than \$200.

(b) For hair braiders:

- (1) For 2 years, \$70.
- (2) For 4 years, \$140.

(c) For instructors:

- (1) For 2 years, not less than \$60 and not more than \$100.
- (2) For 4 years, not less than \$120 and not more than \$200.

(d) For cosmetological establishments:

- (1) For 2 years, not less than \$100 and not more than \$200.
- (2) For 4 years, not less than \$200 and not more than \$400.

(e) For establishments for hair braiding:

- (1) For 2 years, \$70.
- (2) For 4 years, \$140.

(f) For schools of cosmetology:

- (1) For 2 years, not less than \$500 and not more than \$800.
- (2) For 4 years, not less than \$1,000 and not more than

\$1,600.

3. For each month or fraction thereof after the date for renewal specified by the Board in which a license or a certificate of registration as a shampoo technologist is not renewed, there must be assessed and collected at the time of renewal a penalty of \$50 for a



school of cosmetology and \$20 for an establishment for hair braiding, a cosmetological establishment, all persons licensed pursuant to this chapter and persons registered as a shampoo technologist.

4. An application for the renewal of a license or a certificate of registration, as applicable, as a cosmetologist, hair designer, shampoo technologist, hair braider, esthetician, *advanced esthetician*, electrologist, nail technologist, demonstrator of cosmetics or instructor must be:

(a) Accompanied by two current photographs of the applicant which are 2 by 2 inches and have the name of the applicant written on the back of each photograph; or

(b) If the application for the renewal of the license or certificate of registration, as applicable, is made online, accompanied by a current photograph of the applicant which is 2 by 2 inches and is electronically attached to the application for renewal.

5. Before a person applies for the renewal of a license or certificate of registration, as applicable, as a cosmetologist, hair designer, shampoo technologist, hair braider, esthetician, *advanced esthetician*, electrologist, nail technologist or demonstrator of cosmetics, the person must complete at least 4 hours of instruction relating to infection control and prevention in a professional course or seminar approved by the Board.

Sec. 38. NRS 644A.525 is hereby amended to read as follows:

644A.525 1. A nail technologist, electrologist, esthetician, *advanced esthetician*, hair designer, shampoo technologist, hair braider, cosmetologist, demonstrator of cosmetics or instructor whose license or certificate of registration, as applicable, has expired may have his or her license or certificate of registration renewed only upon payment of all applicable required fees and submission of all information required to complete the renewal.

2. Any nail technologist, electrologist, esthetician, *advanced esthetician*, hair designer, shampoo technologist, hair braider, cosmetologist, demonstrator of cosmetics or instructor who retires from practice for more than 1 year may have his or her license or certificate of registration, as applicable, restored only upon payment of all required fees and submission of all information required to complete the restoration.

3. No nail technologist, electrologist, esthetician, *advanced esthetician*, hair designer, shampoo technologist, hair braider, cosmetologist, demonstrator of cosmetics or instructor who has retired from practice for more than 4 years may have his or her license or certificate of registration, as applicable, restored without



examination and must comply with any additional requirements established in regulations adopted by the Board.

Sec. 39. NRS 644A.615 is hereby amended to read as follows:

644A.615 1. Every holder of a license issued by the Board to operate a cosmetological establishment shall display *in plain view of members of the general public*:

(a) *In the principal office or place of business of the holder, the license or a duplicate of the license ~~[in plain view of members of the general public in the principal office or place of business of the holder.]~~; and*

(b) *At each cosmetological establishment operated by the holder, a sign of sufficient size to be legible to members of the general public stating that the establishment is not a medical facility.*

2. Except as otherwise provided in this section, the operator of a cosmetological establishment may lease space to or employ only licensed or registered, as applicable, nail technologists, electrologists, estheticians, *advanced estheticians*, hair designers, shampoo technologists, hair braiders, demonstrators of cosmetics and cosmetologists at the establishment to provide services relating to the practice of cosmetology. This subsection does not prohibit an operator of a cosmetological establishment from:

(a) Leasing space to or employing a barber. Such a barber remains under the jurisdiction of the State Barbers' Health and Sanitation Board and remains subject to the laws and regulations of this State applicable to his or her business or profession.

(b) Leasing space to any other professional, including, without limitation, a provider of health care pursuant to subsection 3. Each such professional remains under the jurisdiction of the regulatory body which governs his or her business or profession and remains subject to the laws and regulations of this State applicable to such business or profession.

3. The operator of a cosmetological establishment may lease space at the cosmetological establishment to a provider of health care for the purpose of providing health care within the scope of his or her 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 under the jurisdiction of the regulatory body which governs his or her business or profession and remains subject to the laws and regulations of this State applicable to such business or profession.



4. As used in this section:

(a) "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.

(b) "Space" includes, without limitation, a separate room in the cosmetological establishment.

Sec. 40. NRS 644A.620 is hereby amended to read as follows:

644A.620 Cosmetology and threading may be practiced in a cosmetological establishment by licensed or registered, as applicable, cosmetologists, estheticians, *advanced estheticians*, electrologists, hair designers, shampoo technologists, hair braiders, demonstrators of cosmetics, nail technologists and natural persons who engage in the practice of threading, as appropriate, who are:

1. Employees of the owner of the enterprise; or
2. Lessees of space from the owner of the enterprise.

Sec. 41. NRS 644A.625 is hereby amended to read as follows:

644A.625 1. A cosmetological establishment must, at all times, be under the immediate supervision of a person who is licensed in the branch of cosmetology or a combination of branches of cosmetology of any service relating to the practice of cosmetology provided at the cosmetological establishment at the time the service is provided.

2. If the operator of a cosmetological establishment leases space to a licensed or registered, as applicable, nail technologist, electrologist, esthetician, *advanced esthetician*, hair designer, shampoo technologist, hair braider, demonstrator of cosmetics or cosmetologist pursuant to NRS 644A.615, the lessee must provide supervision for that branch of cosmetology in the manner required by subsection 1.

Sec. 42. NRS 644A.745 is hereby amended to read as follows:

644A.745 A student enrolled as a cosmetologist, esthetician, *advanced esthetician*, electrologist, hair designer or nail technologist must receive a minimum of 10 percent of the total hours of instruction in the classroom before commencing work on members of the public.

Sec. 43. NRS 644A.850 is hereby amended to read as follows:

644A.850 1. The following are grounds for disciplinary action by the Board:

(a) Failure of an owner of an establishment for hair braiding, a cosmetological establishment, a licensed or registered, as applicable, esthetician, *advanced esthetician*, cosmetologist, hair designer, shampoo technologist, hair braider, electrologist, instructor, nail



technologist, demonstrator of cosmetics, makeup artist or school of cosmetology to comply with the requirements of this chapter or the applicable regulations adopted by the Board.

(b) Failure of a cosmetologist's apprentice, electrologist's apprentice, esthetician's apprentice, hair designer's apprentice or nail technologist's apprentice to comply with the requirements of this chapter or the applicable regulations adopted by the Board.

(c) Obtaining practice in cosmetology or any branch thereof, for money or any thing of value, by fraudulent misrepresentation.

(d) Gross malpractice.

(e) Continued practice by a person knowingly having an infectious or contagious disease.

(f) Drunkenness or the use or possession, or both, of a controlled substance or dangerous drug without a prescription, while engaged in the practice of cosmetology.

(g) Advertising in violation of any of the provisions of NRS 644A.800 or 644A.935.

(h) Permitting a license or certificate of registration to be used where the holder thereof is not personally, actively and continuously engaged in business.

(i) Failure to display the license or certificate of registration or a duplicate of the license or certificate of registration as provided in NRS 644A.530, 644A.535, 644A.615, 644A.665 and 644A.710.

(j) *Failure to display the sign as provided in paragraph (b) of subsection 1 of NRS 644A.615.*

(k) Entering, by a school of cosmetology, into an unconscionable contract with a student of cosmetology.

~~(l)~~ (l) Continued practice of cosmetology or operation of a cosmetological establishment or school of cosmetology after the license therefor has expired.

~~(m)~~ (m) Engaging in prostitution or solicitation for prostitution in violation of NRS 201.354 by the owner of a cosmetological establishment, an establishment for hair braiding or a facility in which threading is conducted, a licensee or a holder of a certificate of registration.

~~(n)~~ (n) Failure to comply with the provisions of NRS 454.217 or 629.086.

~~(o)~~ (o) Any other unfair or unjust practice, method or dealing which, in the judgment of the Board, may justify such action.

2. If the Board determines that a violation of this section has occurred, it may:

(a) Refuse to issue or renew a license or certificate of registration;



- (b) Revoke or suspend a license or certificate of registration;
- (c) Place the licensee or holder of a certificate of registration on probation for a specified period;
- (d) Impose a fine not to exceed \$2,000; or
- (e) Take any combination of the actions authorized by paragraphs (a) to (d), inclusive.

3. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

Sec. 44. NRS 644A.860 is hereby amended to read as follows:

644A.860 1. If the Board receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who has been issued a license or been registered pursuant to NRS 644A.300 to 644A.535, inclusive, *and sections 19, 20 and 21 of this act*, the Board shall deem the license or registration issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Board receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the holder of the license or registration stating that the holder of the license or registration has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Board shall reinstate a license or registration issued pursuant to NRS 644A.300 to 644A.535, inclusive, *and sections 19, 20 and 21 of this act* that has been suspended by a district court pursuant to NRS 425.540 if the Board receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license or registration was suspended stating that the person whose license or registration was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

Sec. 45. 1. Notwithstanding the amendatory provisions of this act, the Board may issue a license as an advanced esthetician to an applicant, without regard to whether the applicant meets the requirements set forth in the amendatory provisions of this act, if the applicant:

- (a) Holds a current license as an esthetician issued by the Board on or before October 1, 2023;
- (b) Applies to the Board for a license as an advanced esthetician on or before October 1, 2023; and
- (c) Has:
 - (1) Continuously held a license as an instructor of estheticians issued by the Board for not less than 3 years



immediately preceding the submission of the application for a license; or

(2) Completed at least 75 hours of training in the operation of lasers for medical or esthetic purposes or at least 150 hours of practical experience as an operator of lasers for medical or esthetic purposes under the delegation or supervision of a health care professional or other licensed professional whose licensure permits such delegation or supervision.

2. An applicant who applies for a license from the Board pursuant to subsection 1 must submit to the Board:

(a) A completed application on a form prescribed by the Board;

(b) The fee for the initial issuance of a license as an advanced esthetician set forth in NRS 644A.490, as amended by section 34 of this act;

(c) Proof satisfactory to the Board that the applicant satisfies the requirements for licensure set forth in subsection 1; and

(d) Any other information requested by the Board.

3. A license issued by the Board pursuant to subsection 1 shall be deemed to be a license as an advanced esthetician issued by the Board pursuant to NRS 644A.490, as amended by section 34 of this act.

4. As used in this section:

(a) "Advanced esthetician" has the meaning ascribed to it in section 7 of this act.

(b) "Board" means the State Board of Cosmetology.

(c) "Esthetics" has the meaning ascribed to it in NRS 644A.075.

(d) "Health care professional" has the meaning ascribed to it in NRS 453C.030.

Sec. 46. 1. Notwithstanding the amendatory provisions of this act, the Board shall issue a license as an instructor of advanced estheticians to an applicant, without regard to whether the applicant meets the requirements set forth in the amendatory provisions of this act, if the applicant:

(a) Holds a current license as an instructor of cosmetology or an instructor of estheticians on or before October 1, 2023;

(b) Applies to the Board for a license as an instructor of advanced estheticians on or before October 1, 2023; and

(c) Has completed at least the number of hours of continuing education required, at the time the hours of continuing education are completed, for instructors of schools of cosmetology accredited by the National Accrediting Commission of Career Arts & Sciences or its successor organization. Such continuing education must be related to advanced esthetics.



2. An applicant who applies for a license from the Board pursuant to subsection 1 must submit to the Board:

- (a) A completed application on a form prescribed by the Board;
- (b) Proof satisfactory to the Board that the applicant satisfies the requirements set forth in subsection 1; and
- (c) Any other information requested by the Board.

3. A license issued by the Board pursuant to subsection 1 shall be deemed to be a license as an instructor of advanced estheticians.

4. As used in this section:

(a) "Advanced esthetician" has the meaning ascribed to it in section 7 of this act.

(b) "Advanced esthetics" has the meaning ascribed to it in section 8 of this act.

(c) "Board" means the State Board of Cosmetology.

Sec. 47. 1. This act becomes effective on January 1, 2022.

2. Section 44 of this act expires by limitation on the date 2 years after the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

(a) Have failed to comply with a subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

(b) Are in arrears in the payment for the support of one or more children,

↪ are repealed by the Congress of the United States.



ESTHETICIAN

NRS 644A.065 “Esthetician” defined. “Esthetician” means any person who engages in the practice of esthetics.

NRS 644A.075 “Esthetics” defined.

1. “Esthetics” means the practices of:
 - (a) Beautifying, massaging, cleansing or stimulating the skin of the human body by the use of cosmetic preparations, antiseptics, tonics, lotions or creams, or any device, electrical or otherwise, for the care of the skin;
 - (b) Applying cosmetics, eyelash extensions or eyelashes to any person, tinting eyelashes and eyebrows, eyelash perming and lightening hair on the body; and
 - (c) Removing superfluous hair from the body of any person by the use of depilatories, waxing, tweezers or sugaring, but does not include the branches of cosmetology of a cosmetologist, hair designer, shampoo technologist, hair braider, electrologist or nail technologist.
2. As used in this section, “depilatories” does not include the practice of threading.

NRS 644A.335 Estheticians: Scope of examination. The examinations for an esthetician may include:

1. Practical demonstrations in facial massage, cosmetics or arching the eyebrow;
2. Written and oral tests on:
 - (a) Antisepsis, sterilization and sanitation;
 - (b) The use of mechanical apparatus and electricity in the care of skin; and
 - (c) The laws of Nevada and the regulations of the Board relating to cosmetology; and
3. Such other demonstrations and tests as the Board requires.

NAC 644A.285 Examination for licensure as esthetician. (NRS 644A.275, 644A.335) An examination for licensure as an esthetician will include, but is not limited to, a test on:

1. Infection control and prevention;
2. The provisions of this chapter and chapter 644A of NRS;
3. Client preparation and setup of supplies;
4. Cleansing the face;
5. Exfoliating the face;
6. Massaging the face;
7. Hair removal by tweezing and simulated soft wax;
8. Facial masks;
9. Facial makeup; and
10. Procedures for exposure to blood.

NAC 644A.603 Minimum requirements for equipment.

9. If the school provides instruction to prepare students for the examination for estheticians:

- (a) Five facial chairs.
- (b) Five facial machines designed to perform esthetic procedures within the legal scope of services.
- (c) Five facial steamers.
- (d) Five towel warmers.
- (e) Five waxing units.
- (f) One chair for each student in attendance.
- (g) One writing surface for each student in attendance.
- (h) One mannequin for each student in attendance.
- (i) One tripod or mannequin clamp for each student in attendance.
- (j) One kit for each student in attendance which contains an adequate amount of facial supplies.
- (k) An adequate amount of skin care products to allow students to perform the tasks required by the curriculum.
- (l) An adequate amount of wet disinfectants.

NAC 644A.634 Curriculum for estheticians; credit for attending field trips. (NRS 644A.275, 644A.740)

1. Each school of cosmetology shall offer the following subjects for training students to be estheticians:

- (a) Esthetic theory, with a minimum of 10 percent of the total hours of training mandatory for all students.
- (b) Facials.
- (c) Facial machines.
- (d) Field trips and modeling, with a maximum of 5 percent of the total hours of training optional for all students.
- (e) Hair removal.
- (f) Infection control and prevention, with a minimum of 3 percent of the total hours of training mandatory for all students.
- (g) Makeup and eyelash application.
- (h) Management of a cosmetological establishment.
- (i) The provisions of this chapter and chapter 644A of NRS, with a minimum of 2 percent of the total hours of training mandatory for all students.

2. A student may, after completing 10 percent of the total hours of training, earn credit for up to 5 percent of the total hours of training by attending field trips that are approved by the school. A field trip must be conducted under the direct supervision of a licensed instructor. The instructor shall accompany the student and be available to provide assistance or instruction to the student at all times during the field trip. The student must submit to the school a time record, authenticated by the instructor, for each field trip

ADVANCED ESTHETICIAN

Sec. 6. “Advanced esthetic procedure” means any of the following procedures performed for esthetic purposes and not for the treatment of a medical, physical or mental ailment: 1. Exfoliation; 2. Microdermabrasion and related services; 3. Microneedling; 4. Dermaplaning; 5. Extraction; 6. Hydrotherapy; 7. A nonablative esthetic medical procedure; or 8. Other similar esthetic preparations or procedures with the use of the hands or a mechanical or electronic apparatus.

Sec. 7. “Advanced esthetician” means any person who engages in the practice of advanced esthetics.

Sec. 8. “Advanced esthetics” means the practice of advanced esthetic procedures in addition to the practice of esthetics.

Sec. 10. “Esthetic medical device” means a device, as defined in 21 U.S.C. § 321, used to perform an esthetic medical procedure, including, without limitation, a laser, a radial shockwave device, a cryotherapy device and a device that emits radio frequencies, plasma, intense pulsed light, ultrasound, microwaves or other similar energies.

Sec. 11. “Esthetic medical procedure” means a procedure performed using an esthetic medical device for the

purposes of the care of the skin, beautification, anti-aging, permanent hair reduction, skin tightening, skin rejuvenation, noninvasive body contouring, noninvasive lipolysis or other similar esthetic purposes.

Sec. 19. The Board shall admit to examination for a license as an advanced esthetician any person who has made the application to the Board in proper form, paid the fee and: 1. Is at least 18 years of age; 2. Is of good moral character; 3. Has successfully completed the 10th grade in school or its equivalent; and 4. Satisfies at least one of the following: (a) The person has completed at least 900 hours of training in a licensed school of cosmetology in a curriculum prescribed by the Board pursuant to section 23 of this act; (b) The person is a licensed esthetician and has additionally completed at least 300 hours of training in a licensed school of cosmetology in a curriculum prescribed by the Board pursuant to section 23 of this act; or (c) The person has practiced as a full-time licensed advanced esthetician for at least 1 year.

Sec. 20. The examination for a license as an advanced esthetician may include: 1. Practical demonstrations in advanced esthetics; 2. Written and oral tests on: (a) Antisepsis, sterilization and sanitation; (b) The use of electricity and mechanical apparatuses, including, without limitation, esthetic medical devices, as applicable to the

practice of advanced esthetics; and (c) The laws of Nevada and the regulations of the Board relating to cosmetology; and 3. Such other demonstrations and tests as the Board requires.

Sec. 22. 1. An advanced esthetician may perform a nonablative esthetic medical procedure only under the supervision of a health care professional. For the purposes of this subsection, an esthetic medical procedure is performed under the supervision of a health care professional if, at all times during the performance of the procedure, the health care professional: (a) Is readily available for immediate consultation with the advanced esthetician by telephone or other communication technology which allows the health care professional and the advanced esthetician to communicate in real time; and (b) Remains within 60 miles or 60 minutes of the location at which the procedure is being performed and is readily available to provide care in person if any problems arise during the procedure. 2. An advanced esthetician shall not perform any ablative esthetic medical procedure. 3. As used in this section, "health care professional" has the meaning ascribed to it in NRS 453C.030.

Sec. 23. 1. The Board shall adopt regulations prescribing a curriculum for a course of study in advanced esthetics to

be used by a licensed school of cosmetology that wishes to offer such a course of study. 2. The curriculum prescribed pursuant to subsection 1 must include, without limitation, instruction in the following subjects: (a) State and federal laws pertaining to the practice of advanced esthetics;

(b) Professional ethical standards for advanced estheticians; (c) The theory and performance of advanced esthetic procedures; (d) Medical subjects relevant to the practice of advanced esthetics, including, without limitation, subjects relating to health, lifestyle, nutrition, autoimmune diseases, infection control and wound healing; (e) First aid, including, without limitation, the administration of cardiopulmonary resuscitation; (f) Subjects relating to the science of the skin, including, without limitation, skin types, systems for the classification of skin conditions and skin disorders and diseases; (g) Anatomy, physiology, chemistry, pharmacology and other relevant sciences; (h) The physics of wave energy, including, without limitation, the physics of lasers, intense pulsed light, radio frequency, ultrasound, plasma and other energies; (i) The duties of an advanced esthetician with respect to the confidentiality of client information, client consultation, informed consent and the care of clients both before and after advanced esthetic procedures; (j) Subjects relevant to the professional practice of advanced esthetics, including, without limitation, professional liability

insurance, risk management and professional interactions with health care professionals; (k) Subjects relating to esthetic medical devices and other apparatuses used in the practice of advanced esthetics, including, without limitation, the classification, maintenance and safe and proper use of such devices and apparatuses; and (l) Any other subject which the Board may determine by regulation to be necessary and proper for the instruction of advanced estheticians.

Sec. 45. 1. Notwithstanding the amendatory provisions of this act, the Board may issue a license as an advanced esthetician to an applicant, without regard to whether the applicant meets the requirements set forth in the amendatory provisions of this act, if the applicant: (a) Holds a current license as an esthetician issued by the Board on or before October 1, 2023; (b) Applies to the Board for a license as an advanced esthetician on or before October 1, 2023; and (c) Has: (1) Continuously held a license as an instructor of estheticians issued by the Board for not less than 3 years immediately preceding the submission of the application for a license; or (2) Completed at least 75 hours of training in the operation of lasers for medical or esthetic purposes or at least 150 hours of practical experience as an operator of lasers for medical or esthetic purposes under the delegation or supervision of a health care professional or other licensed

professional whose licensure permits such delegation or supervision. 2. An applicant who applies for a license from the Board pursuant to subsection 1 must submit to the Board: (a) A completed application on a form prescribed by the Board; (b) The fee for the initial issuance of a license as an advanced esthetician set forth in NRS 644A.490, as amended by section 34 of this act; (c) Proof satisfactory to the Board that the applicant satisfies the requirements for licensure set forth in subsection 1; and (d) Any other information requested by the Board. 3. A license issued by the Board pursuant to subsection 1 shall be deemed to be a license as an advanced esthetician issued by the Board pursuant to NRS 644A.490, as amended by section 34 of this act. 4. As used in this section: (a) “Advanced esthetician” has the meaning ascribed to it in section 7 of this act. (b) “Board” means the State Board of Cosmetology. (c) “Esthetics” has the meaning ascribed to it in NRS 644A.075. (d) “Health care professional” has the meaning ascribed to it in NRS 453C.030.

NRS 453C.030 “Health care professional” defined.

1. “Health care professional” means a physician, a physician assistant or an advanced practice registered nurse.
2. As used in this section:

(a) “Advanced practice registered nurse” has the meaning ascribed to it in NRS 632.012.

(b) “Physician” means a physician licensed pursuant to chapter 630 or 633 of NRS.

(c) “Physician assistant” means a physician assistant licensed pursuant to chapter 630 or 633 of NRS.



Nevada State Board of Cosmetology

Esthetician and Advanced Esthetician Licenses

March 14, 2022

Agenda

- Esthetician License
- Advanced Esthetician License
- 2 Year Transition Status
- Questions

Esthetician License

- Nevada Revised Statutes Chapter 644A.065 and 644A.075 - defined
- Nevada Revised Statutes Chapter 644A.335 - examination
- Nevada Administrative Code Chapter 644A.285 - examination
- Nevada Administrative Code Chapter 644A.603 - equipment
- Nevada Administrative Code Chapter 644A.634 - curriculum

Advanced Esthetician

- Nevada Revised Statutes Chapter 644A Section 6, Section 7, and Section 8 - defined
- Nevada Revised Statutes Chapter 644A Section 10 and Section 11 - esthetic medical device and procedure
- Nevada Revised Statutes Chapter 644A Section 19 - application
- Nevada Revised Statutes Chapter 644A Section 20 - examination
- Nevada Revised Statutes Chapter 644A Section 22 - nonablative esthetic medical procedure
- Nevada Revised Statutes Chapter 644A Section 23 - curriculum

2 Year Transition Status

- Nevada Revised Statutes Chapter 644A Section 45 - stipulations

Questions



- (b) Revoke or suspend a license or certificate of registration;
- (c) Place the licensee or holder of a certificate of registration on probation for a specified period;
- (d) Impose a fine not to exceed \$2,000; or
- (e) Take any combination of the actions authorized by paragraphs (a) to (d), inclusive.

3. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

Sec. 44. NRS 644A.860 is hereby amended to read as follows:

644A.860 1. If the Board receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who has been issued a license or been registered pursuant to NRS 644A.300 to 644A.535, inclusive, *and sections 19, 20 and 21 of this act*, the Board shall deem the license or registration issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Board receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the holder of the license or registration stating that the holder of the license or registration has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Board shall reinstate a license or registration issued pursuant to NRS 644A.300 to 644A.535, inclusive, *and sections 19, 20 and 21 of this act* that has been suspended by a district court pursuant to NRS 425.540 if the Board receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license or registration was suspended stating that the person whose license or registration was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

Sec. 45. 1. Notwithstanding the amendatory provisions of this act, the Board may issue a license as an advanced esthetician to an applicant, without regard to whether the applicant meets the requirements set forth in the amendatory provisions of this act, if the applicant:

- (a) Holds a current license as an esthetician issued by the Board on or before October 1, 2023;
- (b) Applies to the Board for a license as an advanced esthetician on or before October 1, 2023; and
- (c) Has:
 - (1) Continuously held a license as an instructor of estheticians issued by the Board for not less than 3 years



immediately preceding the submission of the application for a license; or

(2) Completed at least 75 hours of training in the operation of lasers for medical or esthetic purposes or at least 150 hours of practical experience as an operator of lasers for medical or esthetic purposes under the delegation or supervision of a health care professional or other licensed professional whose licensure permits such delegation or supervision.

2. An applicant who applies for a license from the Board pursuant to subsection 1 must submit to the Board:

(a) A completed application on a form prescribed by the Board;

(b) The fee for the initial issuance of a license as an advanced esthetician set forth in NRS 644A.490, as amended by section 34 of this act;

(c) Proof satisfactory to the Board that the applicant satisfies the requirements for licensure set forth in subsection 1; and

(d) Any other information requested by the Board.

3. A license issued by the Board pursuant to subsection 1 shall be deemed to be a license as an advanced esthetician issued by the Board pursuant to NRS 644A.490, as amended by section 34 of this act.

4. As used in this section:

(a) "Advanced esthetician" has the meaning ascribed to it in section 7 of this act.

(b) "Board" means the State Board of Cosmetology.

(c) "Esthetics" has the meaning ascribed to it in NRS 644A.075.

(d) "Health care professional" has the meaning ascribed to it in NRS 453C.030.

Sec. 46. 1. Notwithstanding the amendatory provisions of this act, the Board shall issue a license as an instructor of advanced estheticians to an applicant, without regard to whether the applicant meets the requirements set forth in the amendatory provisions of this act, if the applicant:

(a) Holds a current license as an instructor of cosmetology or an instructor of estheticians on or before October 1, 2023;

(b) Applies to the Board for a license as an instructor of advanced estheticians on or before October 1, 2023; and

(c) Has completed at least the number of hours of continuing education required, at the time the hours of continuing education are completed, for instructors of schools of cosmetology accredited by the National Accrediting Commission of Career Arts & Sciences or its successor organization. Such continuing education must be related to advanced esthetics.

