



AGENDA

Nevada State Board of Cosmetology Board Meeting Group Law Review Subcommittee Meeting Monday, October 26, 2020, 9:00 am - 5:00 pm

Nevada Board of Cosmetology- Law Review Subcommittee Meeting

NOTICE IS HEREBY GIVEN that the Nevada State Board of Cosmetology will be holding a Law Review Subcommittee Meeting to discuss possible modifications to NRS 644A. While committee members make up a quorum of the full, 7-member Board, all actions and decisions of the subcommittee are merely recommendations to be discussed and ultimately voted upon at a future meeting before the full Board.

THIS MEETING WILL BE HELD VIA VIDEO CONFERENCE ONLY

ZOOM MEETING ID: 968 9447 0979

The Board is pleased to invite individuals to participate remotely using ZOOM. To learn more about ZOOM, go to [zoom.com](https://zoom.us).

On the scheduled day and time, from the ZOOM website, click "Join a Meeting" and enter your name and this Meeting ID: 968 9447 0979

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Meeting ID: 968 9447 0979

Find your local number: <https://zoom.us/j/96894470979>

Due to the current state of emergency in Nevada, and as allowed in the Governor's Executive Order and Directive Number 006, as extended through Directive 029, there will be no physical meeting place.

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) 486-6542 at least 24-

hours prior to the date of the meeting. *Please note the Board's office hours are 7am-5pm, M-Th.

Members of the public may request the supporting materials for this meeting from: Lisa Nguyen, Compliance Specialist- 8945 W. Russell Road, Suite #100 Las Vegas, NV 89148, (702)-850-2907. Email: lisa@nvcosmo.com

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 minutes. Comment may not be restricted based on viewpoint. 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.

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

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

Euphoria Institute of Beauty Arts & Sciences-9340 W. Sahara Ave. #205 Las Vegas, NV 89117

Nevada State Library & Archives- 100 N. Stewart St. Carson City, NV 89701

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

Clark County Library- 1401 E. Flamingo Rd. Las Vegas, NV 89119

Office of the Attorney General -555 E. Washington Ave. Las Vegas, NV 89101

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>

A. Roll Call

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*

The Board will entertain comments from the general public for any item that is or is not on the published agenda and is related to the Nevada State Board of Cosmetology.

No action can be taken on a matter unless it is included in an agenda.

Comments should be limited to three (3) minutes or less.

D. Selection of Subcommittee Chair and Vice-Chair- *for discussion and possible action.*

E. Subcommittee Law Review

1. The subcommittee is to review the follow provisions of Chapter 644A of the Nevada Revised Statutes to then make recommendations, if any, to the full Nevada State Board of Cosmetology at a future open meeting.- *For discussion and possible action*

NRS 644A.075- "Esthetics" defined

NRS 644A.085- "Hair braiding" defined

NRS 644A.130- "Shampoo technologist" defined

NRS 644A.215- Officers

NRS 644A.220- Meetings; salary of members; per diem allowances and travel expenses of members and employees; payment of compensation and expenses

NRS 644A.225- Employees, attorneys and other professional consultants

NRS 644A.230- Duties and compensation of employees; offices; records and files; seal; subpoenas

NRS 644A.255- Limitations on information that may be included on license or certificate for public display

NRS 644A.330- Estheticians: Qualifications for examination

NRS 644A.335- Estheticians: Scope of Examination

NRS 644A.340- Esthetician's apprentice: Qualifications of applicant; waiver; application for certificate of registration; fee; expiration and renewal of certificate of registration.

F. Selection of future law review subcommittee meeting date(s)- *for discussion and possible action.*

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

The Board will entertain comments from the general public for any item that is or is not on the published agenda and is related to the Nevada State Board of Cosmetology.

No action can be taken on a matter unless it is included in an agenda.

Comments should be limited to three (3) minutes or less.

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

I. Adjournment- *For possible action*

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.

(Added to NRS by [2015, 587](#); A [2019, 1166](#)) — (Substituted in revision for NRS 644.0207)

NRS 644A.085 “Hair braiding” defined.

1. “Hair braiding” means a natural form of hair manipulation by braiding, cornrowing, extending, lacing, locking, sewing, twisting, weaving or wrapping human hair, natural fibers, synthetic fibers and hair extensions. The practice may be performed by hand or by using simple braiding devices, including, without limitation, clips, combs, hairpins, scissors, needles and thread.

2. The term includes:

(a) Cleansing the scalp; and

(b) The making of customized wigs from natural hair, natural fibers, synthetic fibers and hair extensions.

3. The term does not include:

(a) The use of penetrating chemical hair treatments, chemical hair coloring agents, chemical hair straightening agents, chemical hair joining agents, permanent wave styles or chemical hair bleaching agents applied to growing human hair;

(b) The cutting or growing of human hair, except that the term includes the trimming of hair extensions or sewn weave-in extensions only as applicable to the braiding process; or

(c) Any other activity set forth in the definition of “cosmetologist” pursuant to [NRS 644A.030](#) other than the activities expressly set forth in subsections 1 and 2.

(Added to NRS by [2011, 3029](#)) — (Substituted in revision for NRS 644.0274)

NRS 644A.130 “Shampoo technologist” defined. “Shampoo technologist” means any person who, for compensation or by demonstration, engages in shampoo technology under the immediate supervision of a licensed cosmetologist or hair designer.
(Added to NRS by 2015, 588) — (Substituted in revision for NRS 644.0294)

NRS 644A.215 Officers. The members of the Board shall annually elect a President, a Vice President and a Secretary-Treasurer from among their number.

[Part 4:218:1931; A 1933, 237; 1931 NCL § 1862.03] — (NRS A 1975, 351; 1983, 1543; 1985, 1627; 1987, 1069; 2017, 566) —
(Substituted in revision for NRS 644.060)

NRS 644A.220 Meetings; salary of members; per diem allowances and travel expenses of members and employees; payment of compensation and expenses.

1. The Board shall hold meetings at least four times a year for the transaction of such business as pertains to its duties.
2. The Board may hold such other meetings for the transaction of necessary business at such times and places as it determines.
3. The members of the Board are entitled to receive:
 - (a) A salary of not more than \$150 per day, as fixed by the Board, while engaged in the business of the Board; and
 - (b) A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.
4. While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.
5. All such compensation and expenses must be paid by the Board out of the fees and receipts received by it, and no part thereof may be paid by the State.

[Part 4:218:1931; A [1933, 237](#); 1931 NCL § 1862.03] + [5:218:1931; 1931 NCL § 1862.04] — (NRS A [1960, 310](#); [1963, 160](#); [1975, 306](#); [1981, 1350](#), [1995](#); [1983, 1543](#); [1985, 445](#); [1987, 1201](#); [1989, 1704](#); [2007, 2957](#); [2017, 566](#)) — (Substituted in revision for NRS 644.070)

NRS 644A.225 Employees, attorneys and other professional consultants. The Board may employ inspectors, investigators, advisers, examiners and clerks and secure the services of attorneys and other professional consultants, but no part of the compensation of those persons or reasonable expenses incurred by the Board may be paid by the State.

[Part 4:218:1931; A [1933, 237](#); 1931 NCL § 1862.03] — (NRS A [1963, 161](#); [1981, 1351](#)) — (Substituted in revision for NRS 644.150)

NRS 644A.230 Duties and compensation of employees; offices; records and files; seal; subpoenas. The Board:

1. Shall prescribe the duties of its officers, examiners and employees, and fix the compensation of those employees.
 2. May establish offices in as many localities in the State as it finds necessary to carry out the provisions of this chapter. All records and files of the Board must be kept at the main office of the Board and, except as otherwise provided in [NRS 644A.870](#), be open to public inspection at all reasonable hours.
 3. May adopt a seal.
 4. May issue subpoenas to compel the attendance of witnesses and the production of books and papers.
- [Part 4:218:1931; A [1933, 237](#); 1931 NCL § 1862.03] — (NRS A [1963, 161](#); [1981, 1350](#); [2003, 3463](#)) — (Substituted in revision for NRS 644.080)

NRS 644A.255 Limitations on information that may be included on license or certificate for public display. The Board shall not include on any license or certificate for public display the residential address of the holder or any other personal information relating to the holder, except the name of the holder and the number of the license or certificate.

(Added to NRS by [2003, 2531](#)) — (Substituted in revision for NRS 644.135)

Estheticians

NRS 644A.330 Estheticians: Qualifications for examination. The Board shall admit to examination for a license as an esthetician any person who has made 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. Has had any one of the following:
 - (a) A minimum of 600 hours of training, which includes theory, modeling and practice, in a licensed school of cosmetology.
 - (b) Practice as a full-time licensed esthetician for at least 1 year.
 - (c) At least 1,200 hours of service as an esthetician's apprentice in a licensed cosmetological establishment in which esthetics is practiced. The required hours must have been completed during the period of validity of the certificate of registration as an esthetician's apprentice issued to the person pursuant to [NRS 644A.340](#).

(Added to NRS by [1981, 1347](#); A [1985, 1631](#); [2009, 2503](#); [2011, 3037](#); [2015, 596](#); [2019, 1166, 4324](#)) — (Substituted in revision for NRS 644.207)

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.

(Added to NRS by [1985, 1625](#); A [2001, 1193](#)) — (Substituted in revision for NRS 644.247)

NRS 644A.340 Esthetician's apprentice: Qualifications of applicant; waiver; application for certificate of registration; fee; expiration and renewal of certificate of registration.

1. The Board may issue a certificate of registration as an esthetician's apprentice to a person if:
 - (a) The person is required to travel more than 60 miles from his or her place of residence to attend a licensed school of cosmetology; and
 - (b) The training of the person as an esthetician's apprentice will be conducted at a licensed cosmetological establishment that is located 60 miles or more from a licensed school of cosmetology.
2. The Board may, for good cause shown, waive the requirements of subsection 1 for a particular applicant.
3. An applicant for a certificate of registration as an esthetician's apprentice must submit an application to the Board on a form prescribed by the Board. The application must be accompanied by a fee of \$100 and must include:
 - (a) A statement signed by the licensed esthetician or licensed cosmetologist who will be supervising and training the esthetician's apprentice which states that the licensed esthetician or licensed cosmetologist has been licensed by the Board to practice esthetics in this State for not less than 3 years immediately preceding the date of the application and that his or her license has been in good standing during that period;
 - (b) A statement signed by the owner of the licensed cosmetological establishment where the applicant will be trained which states that the owner will permit the applicant to be trained as an esthetician's apprentice at the cosmetological establishment; and
 - (c) Such other information as the Board may require by regulation.
4. A certificate of registration as an esthetician's apprentice is valid for 12 months after the date on which it is issued and may be renewed by the Board upon good cause shown.

(Added to NRS by [2015, 588](#)) — (Substituted in revision for NRS 644.2155)