

See S.F. 2353
FILED MAR 1958

SENATE FILE 2340
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 2179)
Supplemental to SSB 2179

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to cosmetology arts and sciences and imposing
2 fees and penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2340

1 Section 1. Section 157.1, Code 1991, is amended by
2 striking the section and inserting in lieu thereof the
3 following:

4 157.1 DEFINITIONS.

5 For purposes of this chapter:

6 1. "Board" means the board of cosmetology arts and
7 sciences examiners.

8 2. "Cosmetologist" means a person who performs the
9 practice of cosmetology, or otherwise by the person's
10 occupation claims to have knowledge or skill particular to the
11 practice of cosmetology. Cosmetologists shall not represent
12 themselves to the public as being primarily in the practice of
13 haircutting unless that function is, in fact, their primary
14 specialty.

15 3. "Cosmetology" means all of the following practices:

16 a. Arranging, dressing, curling, waving, shampooing,
17 cutting, singeing, bleaching, coloring, or similar works, upon
18 the hair of any person; or upon a wig or hairpiece when done
19 in conjunction with haircutting or hairstyling by any means.

20 b. Massaging, cleansing, stimulating, exercising,
21 beautifying, or similar techniques upon the scalp, face, neck,
22 arms, hands, or upper part of the body of any person with the
23 hands or mechanical or electrical apparatus or appliances or
24 with the use of cosmetic preparations, antiseptics, tonics,
25 lotions, creams, or other preparations.

26 c. Manicuring the nails of any person.

27 d. Electrology.

28 e. Esthetics.

29 f. Nail technology.

30 4. "Cosmetology arts and sciences" means any or all of the
31 following practices, performed with or without compensation by
32 a licensee:

33 a. Cosmetology.

34 b. Electrology.

35 c. Esthetics.

1 d. Nail technology.

2 5. "Department" means the Iowa department of public
3 health.

4 6. "Electrologist" means a person who performs the
5 practice of electrology.

6 7. "Electrology" means the removal of superfluous hair of
7 a person by the use of an electric needle or other electronic
8 process.

9 8. "Esthetician" means a person who performs the practice
10 of esthetics.

11 9. "Esthetics" means the following:

12 a. Beautifying, massaging, cleansing, or stimulating the
13 skin of a person, except the scalp, by the use of cosmetic
14 preparations, antiseptics, tonics, lotions, or creams or any
15 device, electrical or otherwise, for the care of the skin.

16 b. Applying makeup or eyelashes to a person, tinting
17 eyelashes or eyebrows, or lightening hair on the body except
18 the scalp.

19 c. Removing superfluous hair from the body of a person by
20 the use of depilatories, waxing, or tweezers.

21 10. "Instructor" means a person licensed for the purpose
22 of teaching cosmetology arts and sciences.

23 11. "Nail technologist" means a person who performs the
24 practice of nail technology.

25 12. "Nail technology" means all of the following:

26 a. Applying sculptured nails, nail extensions, wraps,
27 overlays, nail art, or any other nail technique to the
28 fingernails and toenails of a person.

29 b. Massaging the hands and arms of a person.

30 c. Removing superfluous hair from hands, arms, feet, or
31 legs of a person by the use of wax or a tweezer.

32 13. "Salon" means a fixed establishment or place where one
33 or more persons engage in the practice of cosmetology arts and
34 sciences, including, but not limited to, a retail

35 establishment where cosmetologists engage in the practice of

1 cosmetology arts and sciences.

2 14. "School of cosmetology arts and sciences" means an
3 establishment licensed for the purpose of teaching all of the
4 cosmetology arts and sciences.

5 Sec. 2. Section 157.2, Code 1991, is amended to read as
6 follows:

7 157.2 PROHIBITION -- EXCEPTIONS.

8 It is unlawful for a person to practice cosmetology arts
9 and sciences with or without compensation unless the person
10 possesses a license issued under ~~the-provision-of~~ section
11 157.3. However, practices listed in 157.1 when performed by
12 the following persons are not defined as the practice of
13 cosmetology arts and sciences:

14 1. Licensed physicians and surgeons, osteopaths,
15 osteopathic physicians and surgeons, nurses, dentists,
16 podiatrists, optometrists, chiropractors, and physical
17 therapists, when exclusively engaged in the practice of their
18 respective professions.

19 2. Licensed barbers who practice barbering as defined in
20 section 158.1.

21 3. Students enrolled in licensed schools of cosmetology
22 arts and sciences or barber schools who are practicing under
23 the instruction or immediate supervision of an instructor.

24 4. Persons who perform without compensation any of the
25 practices listed in section 157.1 on an emergency basis or on
26 a casual basis.

27 5. Employees and residents of hospitals, health care
28 facilities, orphans' homes, juvenile homes, and other similar
29 facilities who shampoo, arrange, dress, or curl the hair of
30 any resident without receiving direct compensation from the
31 person receiving the service.

32 6. Persons who perform any of the practices listed in
33 section 157.1 on themselves or on a member of the person's
34 immediate family.

35 ~~7.--Persons-licensed-as-manicurists-pursuant-to-this~~

1 chapter, when manicuring the nails of any person.

2 8 7. Employees of a licensed barbershop when manicuring
3 fingernails, if permitted under section 158.14, subsection 2.

4 9. -- Persons licensed as electrologists pursuant to section
5 157.5, when practicing electrolysis as described in that
6 section.

7 Sec. 3. Section 157.3, Code 1991, is amended to read as
8 follows:

9 157.3 LICENSE REQUIREMENTS.

10 1. An applicant shall be issued a license to practice any
11 of the cosmetology arts and sciences by the department when
12 the applicant satisfies all of the following:

13 a. Presents to the department the certificate of a
14 licensed physician and surgeon, osteopath, or osteopathic
15 physician and surgeon that the applicant is free from any
16 infectious or contagious disease.

17 b. Presents to the department a high school diploma or its
18 equivalent.

19 c. Presents to the department a diploma, or similar
20 evidence, issued by a licensed school of cosmetology arts and
21 sciences indicating that the applicant has completed the
22 course of study for the appropriate practice of the
23 cosmetology arts and sciences prescribed by the board. An
24 applicant may satisfy this requirement upon presenting a
25 diploma or similar evidence issued by a school in another
26 state, recognized by the board, which provides instruction
27 regarding the practice for which licensure is sought, provided
28 that the course of study is equivalent to or greater in length
29 and scope than that required for a school in this state, and
30 is approved by the board.

31 d. Completes the application form prescribed by the
32 board.

33 e. Passes an examination prescribed by the board. The
34 examination ~~shall~~ may include both practical demonstrations
35 and written or oral tests and shall not be confined to any

1 specific system or method. However, a member of the board who
2 is a licensed instructor of cosmetology arts and sciences
3 shall not be involved in the selection or administration of
4 the exam.

5 2. ~~Notwithstanding the provisions of~~ subsection 1, any a
6 person who completes the application form prescribed by the
7 board and who submits satisfactory proof of having been a
8 licensed cosmetologist in a practice of the cosmetology arts
9 and sciences in another state for at least twelve months in
10 the twenty-four month period preceding the submission of the
11 application shall be allowed to take the examination for a
12 license to practice the appropriate practice of the
13 cosmetology arts and sciences. However, the examination
14 requirement shall be waived for those persons who submit
15 evidence of licensure in another state which has a reciprocal
16 agreement with the state of Iowa under ~~the provisions of~~
17 sections 147.44 to 147.49.

18 Sec. 4. Section 157.4, Code 1991, is amended to read as
19 follows:

20 157.4 TEMPORARY PERMITS.

21 1. Any A person who completes the requirements for
22 licensure ~~as a cosmetologist~~ listed in section 157.3, except
23 for the examination, shall be known as a trainee and shall be
24 issued a temporary permit by the department which allows the
25 applicant to practice in the cosmetology arts and sciences
26 from the date of graduation from the licensed school of
27 cosmetology to the date on which the results of the next
28 succeeding examination for cosmetologists are available
29 application until passage of the examination subject to this
30 subsection. An applicant shall take the first available
31 examination administered by the board, and may retain the
32 temporary permit if the applicant does not pass the
33 examination. An applicant who does not pass the first
34 examination shall take the next available examination
35 administered by the board. The temporary permit of an

1 applicant who does not pass the second examination shall be
2 revoked. An applicant who passes either examination shall be
3 issued a license pursuant to section 157.3. The board shall
4 adopt rules providing for a waiver of the requirement to take
5 the first available examination for good cause. Only one
6 ~~permit shall be issued to a person. The fee for the temporary~~
7 ~~permit shall be established by the board as provided in~~
8 ~~section 147.80.~~

9 2. The department may issue a temporary permit for the
10 purpose of demonstrating cosmetology arts and sciences upon
11 recommendation of the board. The board shall determine and
12 state its recommendations and the length of time the temporary
13 permit issued under this subsection is valid.

14 3. The fee for a temporary permit shall be established by
15 the board as provided in section 147.80.

16 Sec. 5. Section 157.5A, unnumbered paragraph 1, Code 1991,
17 is amended to read as follows:

18 The department shall issue a license to practice manicuring
19 to any person who submits proof of successful completion of a
20 course of at least forty hours of training relating to
21 manicuring in a licensed school of cosmetology arts and
22 sciences or licensed barber school. The board shall adopt
23 rules defining the course of study for a manicurist and the
24 practices which a licensed manicurist may perform.

25 Sec. 6. Section 157.6, Code 1991, is amended to read as
26 follows:

27 157.6 SANITARY RULES -- PRACTICE IN THE HOME.

28 The department shall prescribe sanitary rules for beauty
29 salons and schools of cosmetology arts and sciences which
30 shall include the sanitary conditions necessary for the
31 practice of cosmetology arts and sciences and for the
32 prevention of infectious and contagious diseases. Subject to
33 local zoning ordinances, a beauty salon may be established in
34 a residence if a room other than the living quarters is
35 equipped for that purpose. The department shall enforce the

1 ~~provisions of~~ this section and make necessary inspections for
2 enforcement purposes.

3 Sec. 7. Section 157.8, Code 1991, is amended by striking
4 the section and inserting in lieu thereof the following:

5 157.8 LICENSING OF SCHOOLS OF COSMETOLOGY ARTS AND
6 SCIENCES AND INSTRUTORS.

7 1. It is unlawful for a school of cosmetology arts and
8 sciences to operate unless the owner has obtained a license
9 issued by the department. The owner shall file a verified
10 application with the department on forms prescribed by the
11 board. The application for a license for a school shall be
12 accompanied by the annual license fee determined pursuant to
13 section 147.80 and shall state the name and location of the
14 school and such other additional information as the board may
15 require. The license is valid for one year and may be
16 renewed. A license for a school of cosmetology arts and
17 sciences shall not be issued for any space in any location
18 where the same space is also licensed as a barber school. The
19 school of cosmetology arts and sciences must pass a sanitary
20 inspection under section 157.6. An annual inspection of each
21 school of cosmetology arts and sciences, including the
22 educational activities of each school, shall be conducted and
23 completed by the board prior to renewal of the license.

24 2. The number of instructors for each school shall be
25 based upon total enrollment, with a minimum of two instructors
26 employed on a full-time basis for up to thirty students and an
27 additional instructor for each fifteen additional students.
28 However, a school operated by an area community college prior
29 to September 1, 1982, with only one instructor per fifteen
30 students is not subject to this paragraph and may continue to
31 operate with the ratio of one instructor to fifteen students.

32 a. A person employed as an instructor in the cosmetology
33 arts and sciences by a licensed school shall be licensed in
34 the practice and shall possess a separate instructor's license
35 which shall be renewed biennially. An instructor shall file

1 an application with the department on forms prescribed by the
2 board. Prior to licensure, an applicant for an instructor's
3 license shall have been actively engaged in the practice for a
4 period of two years and complete a course of study required by
5 the board or an instructor's course at a school for
6 cosmetology arts and sciences, and meet any other requirement
7 established by the board.

8 b. The application for an instructor's license shall be
9 accompanied by the biennial fee determined pursuant to section
10 147.80.

11 Sec. 8. Section 157.10, Code 1991, is amended by striking
12 the section and inserting in lieu thereof the following:

13 157.10 COURSE OF STUDY.

14 1. The course of study required for licensure for the
15 practice of cosmetology shall be two thousand one hundred
16 hours. The hours of a course of study required for licensure
17 for the practices of electrology, esthetics, and nail
18 technology shall be established by the board. The board shall
19 adopt rules to define the course and content of study for each
20 practice of cosmetology arts and sciences.

21 2. A person licensed in or a student of a practice of
22 cosmetology arts and sciences shall be granted full credit for
23 each course successfully completed which meets the
24 requirements for licensure in another practice of cosmetology
25 arts and sciences.

26 3. A barber licensed under chapter 158 or a student in a
27 barber school who applies for licensure in a practice of
28 cosmetology arts and sciences or who enrolls in a school of
29 cosmetology arts and sciences shall be granted full credit for
30 each course successfully completed for licensure as a barber
31 which meets the requirements for licensure in a practice of
32 cosmetology arts and sciences.

33 Sec. 9. Section 157.11, Code Supplement 1991, is amended
34 to read as follows:

35 157.11 SALON LICENSES.

1 Commencing January 17, 1977, a beauty A salon shall not
2 operate unless the owner has obtained a license issued by the
3 department. The owner shall apply to the department on forms
4 prescribed by the board. The department shall perform a
5 sanitary inspection of each beauty salon biennially and may
6 perform a sanitary inspection of a beauty salon prior to the
7 issuance of a license. An inspection of a beauty salon shall
8 also be conducted upon receipt of a complaint by the
9 department.

10 The application shall be accompanied by the annual license
11 fee determined pursuant to section 147.80. The license is
12 valid for one year and may be renewed.

13 A licensed school of cosmetology arts and sciences at which
14 students practice cosmetology arts and sciences is exempt from
15 licensing as a beauty salon.

16 Sec. 10. Section 157.12, Code 1991, is amended to read as
17 follows:

18 157.12 SUPERVISORS OF COSMETOLOGISTS.

19 A person who directly supervises the work of cosmetologists
20 practitioners of cosmetology arts and sciences shall be either
21 a cosmetologist licensed under this chapter in the practice
22 supervised or a barber licensed under section 158.3.

23 Sec. 11. Section 157.13, Code 1991, is amended to read as
24 follows:

25 157.13 VIOLATIONS.

26 1. It is unlawful for a person to employ an individual to
27 practice cosmetology arts and sciences unless that individual
28 is a licensed cosmetologist or has obtained a temporary permit
29 under this chapter. It is unlawful for a licensed
30 cosmetologist licensee to practice cosmetology with or without
31 compensation in any place other than a licensed beauty salon,
32 a licensed school of cosmetology arts and sciences, or a
33 licensed barbershop as defined in section 158.1 which has also
34 been licensed as a beauty salon, except that a licensed
35 cosmetologist licensee may practice cosmetology at a location

1 which is not a licensed beauty salon or school of cosmetology
2 arts and sciences under extenuating circumstances arising from
3 physical or mental disability or death of a customer. It is
4 unlawful for a ~~licensed-cosmetologist~~ licensee to claim to be
5 a licensed barber, but it is lawful for a licensed
6 cosmetologist to work in a licensed barbershop ~~if-the-same~~
7 ~~premises-are-also-licensed-as-a-beauty-salon.~~

8 2. If the owner or manager of a beauty salon does not
9 comply with the sanitary rules adopted under ~~the-provisions-of~~
10 section 157.6 or fails to maintain the beauty salon as
11 prescribed by rules of the department, the department may
12 notify the owner or manager in writing of the failure to
13 comply. If the rules are not complied with within five days
14 after receipt of the written notice by the owner or manager,
15 the department shall in writing order the beauty salon closed
16 until the rules are complied with. It is unlawful for a
17 person to practice cosmetology in a salon which has been
18 closed under ~~the-provisions-of~~ this section. The county
19 attorney in each county shall assist the department in
20 enforcing ~~the-provisions-of~~ this section.

21 Sec. 12. Section 157.15, Code 1991, is amended to read as
22 follows:

23 157.15 PENALTY.

24 A person convicted of violating any of the provisions of
25 ~~sections-of~~ this chapter ~~shall-be-fined-not-to-exceed-one~~
26 hundred-dollars or rules adopted pursuant to this chapter is
27 guilty of a serious misdemeanor.

28 Sec. 13. Section 147.1, subsections 2 and 3, Code
29 Supplement 1991, are amended to read as follows:

30 2. "Licensed" or "certified" when applied to a physician
31 and surgeon, podiatrist, osteopath, osteopathic physician and
32 surgeon, physician assistant, psychologist or associate
33 psychologist, chiropractor, nurse, dentist, dental hygienist,
34 optometrist, speech pathologist, audiologist, pharmacist,
35 physical therapist, occupational therapist, practitioner of

1 cosmetology arts and sciences, practitioner of barbering,
2 funeral director, dietitian, marital and family therapist,
3 mental health counselor, or social worker means a person
4 licensed under this title.

5 3. "Profession" means medicine and surgery, podiatry,
6 osteopathy, osteopathic medicine and surgery, practice as a
7 physician assistant, psychology, chiropractic, nursing,
8 dentistry, dental hygiene, optometry, speech pathology,
9 audiology, pharmacy, physical therapy, occupational therapy,
10 cosmetology arts and sciences, barbering, mortuary science,
11 marital and family therapy, mental health counseling, social
12 work, or dietetics.

13 Sec. 14. Section 147.13, subsection 11, Code Supplement
14 1991, is amended to read as follows:

15 11. For cosmetology arts and sciences, cosmetology arts
16 and sciences examiners.

17 Sec. 15. Section 147.14, subsection 1, Code Supplement
18 1991, is amended to read as follows:

19 1. For podiatry, ~~cosmetology~~, barbering, mortuary science,
20 and social work, three members each, licensed to practice the
21 profession for which the board conducts examinations, and two
22 members who are not licensed to practice the profession for
23 which the board conducts examinations and who shall represent
24 the general public. A quorum shall consist of a majority of
25 the members of the board.

26 Sec. 16. Section 147.14, Code Supplement 1991, is amended
27 by adding the following new subsection:

28 NEW SUBSECTION. 14. For cosmetology arts and sciences
29 examiners, a total of seven members, three who are licensed
30 cosmetologists, one who is a licensed electrologist,
31 esthetician, or nail technologist, one who is a licensed
32 instructor of cosmetology arts and sciences at a public or
33 private school and who does not own a school of cosmetology
34 arts and sciences, and two who are not licensed in a practice
35 of cosmetology arts and sciences and who shall represent the

1 public.

2 Sec. 17. Section 147.80, subsection 15, Code Supplement
3 1991, is amended to read as follows:

4 15. License to practice cosmetology arts and sciences
5 issued upon the basis of an examination given by the board of
6 cosmetology arts and sciences examiners, license to practice
7 cosmetology arts and sciences under a reciprocal agreement,
8 renewal of a license to practice cosmetology arts and
9 sciences, temporary permit to practice as a cosmetology arts
10 and sciences trainee, original license to conduct a school of
11 cosmetology arts and sciences, renewal of license to conduct a
12 school of cosmetology arts and sciences, original license to
13 operate a beauty salon, renewal of a license to operate a
14 beauty salon, ~~original-license-and-examination-to-practice~~
15 ~~electrolysis,-renewal-of-a-license-to-practice-electrolysis,-~~
16 original license to practice manicuring, renewal of a license
17 to practice manicuring, annual inspection of a school of
18 cosmetology arts and sciences, annual inspection of a beauty
19 salon, original cosmetology arts and sciences school
20 instructor's license, and renewal of cosmetology arts and
21 sciences school instructor's license.

22 Sec. 18. Section 158.2, subsections 2 and 3, Code 1991,
23 are amended to read as follows:

24 2. Licensed ~~cosmetologists-who-practice-cosmetology~~
25 practitioners of cosmetology arts and sciences as defined in
26 section 157.1.

27 3. Students enrolled in licensed barber schools or schools
28 of cosmetology arts and sciences who are practicing under the
29 instruction or immediate supervision of an instructor.

30 Sec. 19. Section 158.4, Code 1991, is amended by striking
31 the section and inserting in lieu thereof the following:

32 158.4 TEMPORARY PERMITS.

33 1. A person who completes the requirements for licensure
34 listed in section 158.3, except for the examination, shall be
35 known as a trainee and shall be issued a temporary permit by

1 the department which allows the applicant to practice
2 barbering from the date of application until passage of the
3 examination subject to this subsection. An applicant shall
4 take the first available examination administered by the
5 board, and may retain the temporary permit if the applicant
6 does not pass the examination. An applicant who does not pass
7 the first examination shall take the next available
8 examination administered by the board. The temporary permit
9 of an applicant who does not pass the second examination shall
10 be revoked. An applicant who passes either examination shall
11 be issued a license pursuant to section 158.3. The board
12 shall adopt rules providing for a waiver of the requirement to
13 take the first available examination for good cause.

14 2. The department may issue a temporary permit for the
15 purpose of demonstrating barbering upon recommendation of the
16 board. The board shall determine and state its
17 recommendations and the length of time the temporary permit
18 issued under this subsection is valid.

19 3. The fee for a temporary permit shall be established by
20 the board as provided in section 147.80.

21 Sec. 20. Section 158.8, unnumbered paragraph 2, Code 1991,
22 is amended to read as follows:

23 A cosmetologist person licensed under section 157.3 who
24 enrolls in a barber school shall be granted one-thousand-fifty
25 hours-credit full credit for each course successfully
26 completed which meets the requirements of the barber school,
27 which shall be credited toward the two thousand one hundred
28 hour requirement, and the ten-month period does not apply. A
29 person who has been a student in a school of cosmetology arts
30 and sciences licensed under chapter 157 may enroll in a barber
31 school and, ~~at the option of the barber school,~~ shall be
32 granted a ~~credit of one hour for every two hours the student~~
33 ~~attended at the school of cosmetology, up to a maximum credit~~
34 ~~of one thousand fifty hours~~ full credit for each course
35 successfully completed which meets the requirements of the

1 barber school.

2 Sec. 21. Section 158.11, Code 1991, is amended to read as
3 follows:

4 158.11 BARBER ASSISTANTS.

5 The department shall issue a license to practice as a
6 barber assistant to any person who submits proof of completion
7 of a course of not less than one hundred sixty hours in a
8 licensed barber school or licensed school of cosmetology arts
9 and sciences. The board shall adopt rules defining the course
10 of study of a barber assistant and the practices which a
11 barber assistant may perform. The course of study shall
12 include but not be limited to demonstrations, lectures, and
13 supervised practical instruction in scalp care, rinses, hair
14 treatments, anatomy of scalp and hair and their common
15 disorders, and sanitation and sterilization. A barber
16 assistant shall work under the direct supervision of a
17 licensed barber. The fee for the license shall be established
18 by the board as provided in section 147.80.

19 Sec. 22. Section 158.13, subsection 1, Code 1991, is
20 amended to read as follows:

21 1. It is unlawful for a person to employ an individual to
22 practice barbering unless that individual is a licensed barber
23 or has obtained a temporary permit. It is unlawful for a
24 licensed barber to practice barbering with or without
25 compensation in any place other than a licensed barbershop~~7-a~~
26 or barber school, or a licensed beauty salon as defined in
27 ~~section 157.1 which has also been licensed as a barbershop,~~
28 except that a licensed barber may practice barbering at a
29 location which is not a licensed barbershop or barber school
30 under extenuating circumstances arising from physical or
31 mental disability or death of a customer. It is unlawful for
32 a licensed barber to claim to be a licensed cosmetologist, but
33 it is lawful for a licensed barber to work in a licensed
34 ~~beauty salon if the same premises are also licensed as a~~
35 barbershop.

1 permits, licensing of schools and instructors, requirements
2 for courses of study, requirements for supervisors, and
3 notification of continuing education opportunities are
4 provided.

5 Corresponding amendments to general provisions of the Code
6 regulating health practice professions and barbers are
7 provided in the bill.

8 The bill does not apply to persons holding a valid license
9 issued by the board of cosmetology examiners on or before July
10 1, 1992. The bill also allows a person who can demonstrate
11 that the person practiced esthetics or nail technology in this
12 state with skill and knowledge satisfactory to the board to be
13 granted an appropriate license without meeting any additional
14 requirements imposed by the bill.

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SENATE FILE 2340
FISCAL NOTE

A fiscal note for Senate File 2340 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2340 expands the scope of the practice of cosmetology, as related to the Board of Cosmetology in the Department of Public Health, to include the practices of electrology, esthetics, and nail technology.

ASSUMPTIONS:

1. License volumes:
 - A. Sixty esthetics licenses issued each year with a \$60 fee.
 - B. One hundred fifty technologist licenses issued each year with a \$60 fee.
 - C. Two hundred demonstrator permits issued each year with a \$30 fee.
2. Increase fees for 11,200 existing cosmetology licenses by \$5.00.
3. Two new Board of Cosmetology members and 3 FTE positions would be added to the Department of Public Health.

FISCAL EFFECT:

	<u>Fiscal Year 1993</u>			<u>Fiscal Year 1994</u>		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Increase (Decrease)</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Increase (Decrease)</u>
<u>REVENUE</u>						
Fees	\$ 370,015	\$ 444,615	\$ 74,600	\$ 370,015	\$ 444,615	\$ 74,600
<u>EXPENDITURES</u>						
Salaries	\$ 110,927	\$ 181,015	\$ 70,088	\$ 116,473	\$ 190,065	\$ 73,592
Adm Expense:	<u>234,778</u>	<u>263,678</u>	<u>28,900</u>	<u>246,517</u>	<u>276,862</u>	<u>30,345</u>
Total	\$ 345,705	\$ 444,693	\$ 98,988	\$ 362,990	\$ 466,927	\$ 103,937
<u>NET EFFECT</u>	\$ <u>24,310</u>	\$ <u>(78)</u>	\$ <u>(24,388)</u>	\$ <u>7,025</u>	\$ <u>(22,312)</u>	\$ <u>(29,337)</u>

Source: Department of Public Health

(LSB 5632sv, RRS)

FILED MARCH 12, 1992

BY DENNIS PROUTY, FISCAL DIRECTOR

RUNNING. W.
LUNA
WELSH
VANDEHOLF
SPORNOLTZ

SSB 2179

STATE GOVERNMENT
NOW

SENATE FILE 2340

BY (PROPOSED COMMITTEE ON STATE
GOVERNMENT BILL BY CHAIRPERSON
KIBBIE)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to cosmetology arts and sciences and imposing
2 fees and penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 157.1, Code 1991, is amended by
2 striking the section and inserting in lieu thereof the
3 following:

4 157.1 DEFINITIONS.

5 For purposes of this chapter:

6 1. "Board" means the board of cosmetology arts and
7 sciences examiners.

8 2. "Cosmetologist" means a person who performs the
9 practice of cosmetology, or otherwise by the person's
10 occupation claims to have knowledge or skill particular to the
11 practice of cosmetology. Cosmetologists shall not represent
12 themselves to the public as being primarily in the practice of
13 haircutting unless that function is, in fact, their primary
14 specialty.

15 3. "Cosmetology" means all of the following practices:

16 a. Arranging, dressing, curling, waving, shampooing,
17 cutting, singeing, bleaching, coloring, or similar works, upon
18 the hair of any person; or upon a wig or hairpiece when done
19 in conjunction with haircutting or hairstyling by any means.

20 b. Massaging, cleansing, stimulating, exercising,
21 beautifying, or similar techniques upon the scalp, face, neck,
22 arms, hands, or upper part of the body of any person with the
23 hands or mechanical or electrical apparatus or appliances or
24 with the use of cosmetic preparations, antiseptics, tonics,
25 lotions, creams, or other preparations.

26 c. Manicuring the nails of any person.

27 d. Electrology.

28 e. Esthetics.

29 f. Nail technology.

30 4. "Cosmetology arts and sciences" means any or all of the
31 following practices, performed with or without compensation by
32 a licensee:

33 a. Cosmetology.

34 b. Electrology.

35 c. Esthetics.

- 1 d. Nail technology.
- 2 5. "Department" means the Iowa department of public
3 health.
- 4 6. "Electrologist" means a person who performs the
5 practice of electrology.
- 6 7. "Electrology" means the removal of superfluous hair of
7 a person by the use of an electric needle or other electronic
8 process.
- 9 8. "Esthetician" means a person who performs the practice
10 of esthetics.
- 11 9. "Esthetics" means the following:
- 12 a. Beautifying, massaging, cleansing, or stimulating the
13 skin of a person, except the scalp, by the use of cosmetic
14 preparations, antiseptics, tonics, lotions, or creams or any
15 device, electrical or otherwise, for the care of the skin.
- 16 b. Applying makeup or eyelashes to a person, tinting
17 eyelashes or eyebrows, or lightening hair on the body except
18 the scalp.
- 19 c. Removing superfluous hair from the body of a person by
20 the use of depilatories, waxing, or tweezers.
- 21 10. "Instructor" means a person licensed for the purpose
22 of teaching cosmetology arts and sciences.
- 23 11. "Nail technologist" means a person who performs the
24 practice of nail technology.
- 25 12. "Nail technology" means all of the following:
- 26 a. Applying sculptured nails, nail extensions, wraps,
27 overlays, nail art, or any other nail technique to the
28 fingernails and toenails of a person.
- 29 b. Massaging the hands and arms of a person.
- 30 c. Removing superfluous hair from hands, arms, feet, or
31 legs of a person by the use of wax or a tweezer.
- 32 13. "Salon" means a fixed establishment or place where one
33 or more persons engage in the practice of cosmetology arts and
34 sciences.
- 35 14. "School of cosmetology arts and sciences" means an

1 establishment licensed for the purpose of teaching
2 cosmetology arts and sciences.

3 Sec. 2. Section 157.2, Code 1991, is amended to read as
4 follows:

5 157.2 PROHIBITION -- EXCEPTIONS.

6 It is unlawful for a person to practice cosmetology arts
7 and sciences with or without compensation unless the person
8 possesses a license issued under ~~the provision of~~ section
9 157.3. However, practices listed in 157.1 when performed by
10 the following persons are not defined as the practice of
11 cosmetology arts and sciences:

12 1. Licensed physicians and surgeons, osteopaths,
13 osteopathic physicians and surgeons, nurses, dentists,
14 podiatrists, optometrists, chiropractors, and physical
15 therapists, when exclusively engaged in the practice of their
16 respective professions.

17 2. Licensed barbers who practice barbering as defined in
18 section 158.1.

19 3. Students enrolled in licensed schools of cosmetology
20 arts and sciences or barber schools who are practicing under
21 the instruction or immediate supervision of an instructor.

22 4. Persons who perform without compensation any of the
23 practices listed in section 157.1 on an emergency basis or on
24 a casual basis.

25 5. Employees and residents of hospitals, health care
26 facilities, orphans' homes, juvenile homes, and other similar
27 facilities who shampoo, arrange, dress, or curl the hair of
28 any resident without receiving direct compensation from the
29 person receiving the service.

30 6. Persons who perform any of the practices listed in
31 section 157.1 on themselves or on a member of the person's
32 immediate family.

33 7. Persons licensed as manicurists pursuant to this
34 chapter, when manicuring the nails of any person.

35 8. Employees of a licensed barbershop when manicuring

2179

1 fingernails, if permitted under section 158.14, subsection 2.
2 9---Persons-licensed-as-electrologists-pursuant-to-section
3 157.57-when-practicing-electrolysis-as-described-in-that
4 section-

5 Sec. 3. Section 157.3, Code 1991, is amended to read as
6 follows:

7 157.3 LICENSE REQUIREMENTS.

8 1. An applicant shall be issued a license to practice any
9 of the cosmetology arts and sciences by the department when
10 the applicant satisfies all of the following:

11 a. Presents to the department the certificate of a
12 licensed physician and surgeon, osteopath, or osteopathic
13 physician and surgeon that the applicant is free from any
14 infectious or contagious disease.

15 b. Presents to the department a high school diploma or its
16 equivalent.

17 b c. Presents to the department a diploma, or similar
18 evidence, issued by a licensed school of cosmetology arts and
19 sciences indicating that the applicant has completed the
20 course of study for the appropriate practice of the
21 cosmetology arts and sciences prescribed by the board. An
22 applicant for licensure as an electrologist, esthetician, or
23 nail technologist may satisfy this requirement upon presenting
24 a diploma or similar evidence issued by a school in another
25 state, recognized by the board, which provides instruction
26 regarding the practice for which licensure is sought, provided
27 that the course of study is equivalent to or greater in length
28 and scope than that required for a school in this state, and
29 is approved by the board.

30 c d. Completes the application form prescribed by the
31 board.

32 d e. Passes an examination prescribed by the board. The
33 examination shall may include both practical demonstrations
34 and written or oral tests and shall not be confined to any
35 specific system or method.

1 2. Notwithstanding ~~the provisions of~~ subsection 1, any a
2 person who completes the application form prescribed by the
3 board and who submits satisfactory proof of having been a
4 licensed cosmetologist in a practice of the cosmetology arts
5 and sciences in another state for at least twelve months in
6 the twenty-four month period preceding the submission of the
7 application shall be allowed to take the examination for a
8 license to practice the appropriate practice of the
9 cosmetology arts and sciences. However, the examination
10 requirement shall be waived for those persons who submit
11 evidence of licensure in another state which has a reciprocal
12 agreement with the state of Iowa under ~~the provisions of~~
13 sections 147.44 to 147.49.

14 Sec. 4. Section 157.4, Code 1991, is amended to read as
15 follows:

16 157.4 TEMPORARY PERMITS.

17 1. Any A person who completes the requirements for
18 licensure ~~as a cosmetologist~~ listed in section 157.3, except
19 for the examination, shall be known as a trainee and shall be
20 issued a temporary permit by the department which allows the
21 applicant to practice in the cosmetology arts and sciences
22 ~~from the date of graduation from the licensed school of~~
23 ~~cosmetology to the date on which the results of the next~~
24 ~~succeeding examination for cosmetologists are available~~
25 application, for a period determined by the board not
26 exceeding one hundred eighty days, under the direct
27 supervision of a licensed practitioner in the cosmetology arts
28 and sciences or a licensed barber. Only one permit shall be
29 ~~issued to a person. The fee for the temporary permit shall be~~
30 ~~established by the board as provided in section 147.88.~~

31 2. The department may issue a temporary permit for the
32 purpose of demonstrating cosmetology arts and sciences upon
33 recommendation of the board. The board shall determine and
34 state its recommendations and the length of time the temporary
35 permit issued under this subsection is valid.

2179

1 3. The fee for a temporary permit shall be established by
2 the board as provided in section 147.80.

3 Sec. 5. Section 157.5A, unnumbered paragraph 1, Code 1991,
4 is amended to read as follows:

5 The department shall issue a license to practice manicuring
6 to any person who submits proof of successful completion of a
7 course of at least forty hours of training relating to
8 manicuring in a licensed school of cosmetology arts and
9 sciences or licensed barber school. The board shall adopt
10 rules defining the course of study for a manicurist and the
11 practices which a licensed manicurist may perform.

12 Sec. 6. Section 157.6, Code 1991, is amended to read as
13 follows:

14 157.6 SANITARY RULES -- PRACTICE IN THE HOME.

15 The department shall prescribe sanitary rules for beauty
16 salons and schools of cosmetology arts and sciences which
17 shall include the sanitary conditions necessary for the
18 practice of cosmetology arts and sciences and for the
19 prevention of infectious and contagious diseases. Subject to
20 local zoning ordinances, a beauty salon may be established in
21 a residence if a room other than the living quarters is
22 equipped for that purpose. The department shall enforce the
23 ~~provisions of~~ this section and make necessary inspections for
24 enforcement purposes.

25 Sec. 7. Section 157.8, Code 1991, is amended by striking
26 the section and inserting in lieu thereof the following:

27 157.8 LICENSING OF SCHOOLS OF COSMETOLOGY ARTS AND
28 SCIENCES AND INSTRUTORS.

29 1. It is unlawful for a school of cosmetology arts and
30 sciences to operate unless the owner has obtained a license
31 issued by the department. The owner shall file a verified
32 application with the department on forms prescribed by the
33 board. The application for a license for a school shall be
34 accompanied by the annual license fee determined pursuant to
35 section 147.80 and shall state the name and location of the

1 school and such other additional information as the board may
2 require. The license is valid for one year and may be
3 renewed. A license for a school of cosmetology arts and
4 sciences shall not be issued for any space in any location
5 where the same space is also licensed as a barber school. The
6 school of cosmetology arts and sciences must pass a sanitary
7 inspection under section 157.6. An annual inspection of each
8 school of cosmetology arts and sciences, including the
9 educational activities of each school, shall be conducted and
10 completed by the board prior to renewal of the license.

11 2. The number of instructors for each school shall be
12 based upon total enrollment, with a minimum of two instructors
13 employed on a full-time basis for up to thirty students and an
14 additional instructor shall be employed to adequately
15 supervise the instruction of additional student enrollment.
16 However, a school operated by an area community college prior
17 to September 1, 1982, with only one instructor per fifteen
18 students is not subject to this paragraph and may continue to
19 operate with the ratio of one instructor to fifteen students.

20 a. A person employed as an instructor in the cosmetology
21 arts and sciences by a licensed school shall be licensed in
22 the practice and shall possess a separate instructor's license
23 which shall be renewed biennially. An instructor shall file
24 an application with the department on forms prescribed by the
25 board. Prior to licensure, an applicant for an instructor's
26 license shall have been actively engaged in the practice for a
27 period of two years and complete a course of study required by
28 the board or an instructor's course at a school for
29 cosmetology arts and sciences, and meet any other requirement
30 established by the board.

31 b. The application for an instructor's license shall be
32 accompanied by the biennial fee determined pursuant to section
33 147.80.

34 Sec. 8. Section 157.10, Code 1991, is amended by striking
35 the section and inserting in lieu thereof the following:

2179

1 157.10 COURSE OF STUDY.

2 1. The course of study required for licensure for the
3 practice of cosmetology shall be two thousand one hundred
4 hours. The hours of a course of study required for licensure
5 for the practices of electrology, esthetics, and nail
6 technology shall be established by the board. The board shall
7 adopt rules to define the course and content of study for each
8 practice of cosmetology arts and sciences.

9 2. A person licensed in or a student of a practice of
10 cosmetology arts and sciences shall be granted full credit for
11 each course successfully completed which meets the
12 requirements for licensure in another practice of cosmetology
13 arts and sciences.

14 3. A barber licensed under chapter 158 or a student in a
15 barber school who applies for licensure in a practice of
16 cosmetology arts and sciences or who enrolls in a school of
17 cosmetology arts and sciences shall be granted full credit for
18 each course successfully completed for licensure as a barber
19 which meets the requirements for licensure in a practice of
20 cosmetology arts and sciences.

21 Sec. 9. Section 157.11, Code Supplement 1991, is amended
22 to read as follows:

23 157.11 SALON LICENSES.

24 ~~Commencing January 17, 1977, a beauty~~ A salon shall not
25 operate unless the owner has obtained a license issued by the
26 department. The owner shall apply to the department on forms
27 prescribed by the board. The department shall perform a
28 sanitary inspection of each beauty salon biennially and may
29 perform a sanitary inspection of a beauty salon prior to the
30 issuance of a license. An inspection of a beauty salon shall
31 also be conducted upon receipt of a complaint by the
32 department.

33 The application shall be accompanied by the annual license
34 fee determined pursuant to section 147.80. The license is
35 valid for one year and may be renewed.

1 A licensed school of cosmetology arts and sciences at which
2 students practice cosmetology arts and sciences is exempt from
3 licensing as a beauty salon.

4 Sec. 10. Section 157.12, Code 1991, is amended to read as
5 follows:

6 157.12 SUPERVISORS ~~OF-COSMETOLOGISTS~~.

7 A person who directly supervises the work of cosmetologists
8 practitioners of cosmetology arts and sciences shall be either
9 ~~a-cosmetologist licensed under this chapter in the practice~~
10 supervised or a barber licensed under section 158.3.

11 Sec. 11. Section 157.13, Code 1991, is amended to read as
12 follows:

13 157.13 VIOLATIONS.

14 1. It is unlawful for a person to employ an individual to
15 practice cosmetology arts and sciences unless that individual
16 is a licensed ~~cosmetologist~~ or has obtained a temporary permit
17 under this chapter. It is unlawful for a ~~licensed~~
18 ~~cosmetologist licensee~~ to practice ~~cosmetology~~ with or without
19 compensation in any place other than a licensed beauty salon,
20 a licensed school of cosmetology arts and sciences, or a
21 licensed barbershop as defined in section 158.1 ~~which has also~~
22 ~~been licensed as a beauty salon~~, except that a ~~licensed~~
23 ~~cosmetologist licensee~~ may practice ~~cosmetology~~ at a location
24 which is not a licensed beauty salon or school of cosmetology
25 arts and sciences under extenuating circumstances arising from
26 physical or mental disability or death of a customer. It is
27 unlawful for a ~~licensed-cosmetologist licensee~~ to claim to be
28 a licensed barber, but it is lawful for a licensed
29 cosmetologist to work in a licensed barbershop ~~if the same~~
30 ~~premises are also licensed as a beauty salon~~.

31 2. If the owner or manager of a beauty salon does not
32 comply with the sanitary rules adopted under ~~the provisions of~~
33 section 157.6 or fails to maintain the beauty salon as
34 prescribed by rules of the department, the department may
35 notify the owner or manager in writing of the failure to

2179

1 comply. If the rules are not complied with within five days
2 after receipt of the written notice by the owner or manager,
3 the department shall in writing order the beauty salon closed
4 until the rules are complied with. It is unlawful for a
5 person to practice cosmetology in a salon which has been
6 closed under ~~the provisions of~~ this section. The county
7 attorney in each county shall assist the department in
8 enforcing ~~the provisions of~~ this section.

9 Sec. 12. Section 157.15, Code 1991, is amended to read as
10 follows:

11 157.15 PENALTY.

12 A person convicted of violating any of the provisions of
13 ~~sections of this chapter shall be fined not to exceed one~~
14 hundred dollars or rules adopted pursuant to this chapter is
15 guilty of a serious misdemeanor.

16 Sec. 13. Section 147.1, subsections 2 and 3, Code
17 Supplement 1991, are amended to read as follows:

18 2. "Licensed" or "certified" when applied to a physician
19 and surgeon, podiatrist, osteopath, osteopathic physician and
20 surgeon, physician assistant, psychologist or associate
21 psychologist, chiropractor, nurse, dentist, dental hygienist,
22 optometrist, speech pathologist, audiologist, pharmacist,
23 physical therapist, occupational therapist, practitioner of
24 cosmetology arts and sciences, practitioner of barbering,
25 funeral director, dietitian, marital and family therapist,
26 mental health counselor, or social worker means a person
27 licensed under this title.

28 3. "Profession" means medicine and surgery, podiatry,
29 osteopathy, osteopathic medicine and surgery, practice as a
30 physician assistant, psychology, chiropractic, nursing,
31 dentistry, dental hygiene, optometry, speech pathology,
32 audiology, pharmacy, physical therapy, occupational therapy,
33 cosmetology arts and sciences, barbering, mortuary science,
34 marital and family therapy, mental health counseling, social
35 work, or dietetics.

1 Sec. 14. Section 147.13, subsection 11, Code Supplement
2 1991, is amended to read as follows:

3 11. For cosmetology arts and sciences, cosmetology arts
4 and sciences examiners.

5 Sec. 15. Section 147.14, subsection 1, Code Supplement
6 1991, is amended to read as follows:

7 1. For podiatry, ~~cosmetology~~, barbering, mortuary science,
8 and social work, three members each, licensed to practice the
9 profession for which the board conducts examinations, and two
10 members who are not licensed to practice the profession for
11 which the board conducts examinations and who shall represent
12 the general public. A quorum shall consist of a majority of
13 the members of the board.

14 Sec. 16. Section 147.14, Code Supplement 1991, is amended
15 by adding the following new subsection:

16 NEW SUBSECTION. 14. For cosmetology arts and sciences
17 examiners, a total of seven members, three who are licensed
18 cosmetologists, one who is a licensed electrologist,
19 esthetician, or nail technologist, one who is a licensed
20 instructor of cosmetology arts and sciences or who owns a
21 school of cosmetology arts and sciences and is a licensed
22 instructor, and two who are not licensed in a practice of
23 cosmetology arts and sciences and who shall represent the
24 public.

25 Sec. 17. Section 147.80, subsection 15, Code Supplement
26 1991, is amended to read as follows:

27 15. License to practice cosmetology arts and sciences
28 issued upon the basis of an examination given by the board of
29 cosmetology arts and sciences examiners, license to practice
30 cosmetology arts and sciences under a reciprocal agreement,
31 renewal of a license to practice cosmetology arts and
32 sciences, temporary permit to practice as a cosmetology arts
33 and sciences trainee, original license to conduct a school of
34 cosmetology arts and sciences, renewal of license to conduct a
35 school of cosmetology arts and sciences, original license to

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1 operate a beauty salon, renewal of a license to operate a
2 beauty salon, ~~original-license-and-examination-to-practice~~
3 ~~electrolysis, renewal-of-a-license-to-practice-electrolysis,~~
4 original license to practice manicuring, renewal of a license
5 to practice manicuring, annual inspection of a school of
6 cosmetology arts and sciences, annual inspection of a beauty
7 salon, original cosmetology arts and sciences school
8 instructor's license, and renewal of cosmetology arts and
9 sciences school instructor's license.

10 Sec. 18. Section 158.2, subsections 2 and 3, Code 1991,
11 are amended to read as follows:

12 2. Licensed ~~cosmetologists-who-practice-cosmetology~~
13 practitioners of cosmetology arts and sciences as defined in
14 section 157.1.

15 3. Students enrolled in licensed barber schools or schools
16 of cosmetology arts and sciences who are practicing under the
17 instruction or immediate supervision of an instructor.

18 Sec. 19. Section 158.8, unnumbered paragraph 2, Code 1991,
19 is amended to read as follows:

20 A cosmetologist person licensed under section 157.3 who
21 enrolls in a barber school shall be granted ~~one-thousand-fifty~~
22 ~~hours-credit~~ full credit for each course successfully
23 completed which meets the requirements of the barber school,
24 which shall be credited toward the two thousand one hundred
25 hour requirement, and the ten-month period does not apply. A
26 person who has been a student in a school of cosmetology arts
27 and sciences licensed under chapter 157 may enroll in a barber
28 school and, at the option of the barber school, be granted a
29 ~~credit-of-one-hour-for-every-two-hours-the-student-attended-at~~
30 ~~the-school-of-cosmetology, up-to-a-maximum-credit-of-one~~
31 ~~thousand-fifty-hours~~ full credit for each course successfully
32 completed which meets the requirements of the barber school.

33 Sec. 20. Section 158.11, Code 1991, is amended to read as
34 follows:

35 158.11 BARBER ASSISTANTS.

1 The department shall issue a license to practice as a
2 barber assistant to any person who submits proof of completion
3 of a course of not less than one hundred sixty hours in a
4 licensed barber school or licensed school of cosmetology arts
5 and sciences. The board shall adopt rules defining the course
6 of study of a barber assistant and the practices which a
7 barber assistant may perform. The course of study shall
8 include but not be limited to demonstrations, lectures, and
9 supervised practical instruction in scalp care, rinses, hair
10 treatments, anatomy of scalp and hair and their common
11 disorders, and sanitation and sterilization. A barber
12 assistant shall work under the direct supervision of a
13 licensed barber. The fee for the license shall be established
14 by the board as provided in section 147.80.

15 Sec. 21. Section 158.13, subsection 1, Code 1991, is
16 amended to read as follows:

17 1. It is unlawful for a person to employ an individual to
18 practice barbering unless that individual is a licensed barber
19 or has obtained a temporary permit. It is unlawful for a
20 licensed barber to practice barbering with or without
21 compensation in any place other than a licensed barbershop~~7-a~~
22 or barber school, or a licensed beauty salon as defined in
23 section 157.1 ~~which-has-also-been-licensed-as-a-barbershop,~~
24 except that a licensed barber may practice barbering at a
25 location which is not a licensed barbershop or barber school
26 under extenuating circumstances arising from physical or
27 mental disability or death of a customer. It is unlawful for
28 a licensed barber to claim to be a licensed cosmetologist, but
29 it is lawful for a licensed barber to work in a licensed
30 ~~beauty salon if-the-same-premises-are-also-licensed-as-a~~
31 ~~barbershop.~~

32 Sec. 22. Section 258A.1, subsection 6, paragraph i, Code
33 1991, is amended by striking the paragraph and inserting in
34 lieu thereof the following:

35 i. The board of cosmetology arts and sciences examiners,

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1 created pursuant to chapter 147.

2 Sec. 23. Section 258A.2A, Code 1991, is amended to read as
3 follows:

4 258A.2A CONTINUING EDUCATION MINIMUM REQUIREMENTS --
5 BARBERING AND COSMETOLOGY ARTS AND SCIENCES.

6 The board of barber examiners and the board of cosmetology
7 arts and sciences examiners, created pursuant to chapter 147,
8 shall each require, as a condition of license renewal, a
9 minimum of six hours of continuing education in the two years
10 immediately prior to a licensee's license renewal. The board
11 of cosmetology arts and sciences examiners shall notify
12 cosmetology arts and sciences licensees on a quarterly basis
13 regarding continuing education opportunities.

14 Sec. 24. APPLICABILITY. This Act does not apply to
15 persons holding a valid license issued by the board of
16 cosmetology examiners before or on July 1, 1992.

17 Sec. 25. Section 157.5, Code 1991, is repealed.

18 EXPLANATION

19 This bill relates to licensure of professional practices
20 within the cosmetology arts and sciences. The bill expands
21 the scope of the practice of cosmetology as currently provided
22 in the Code to include the practices of electrology,
23 esthetics, and nail technology, and also provides for
24 licensure for each of these practices separately. Definitions
25 of the practices, requirements for licensure, exceptions to
26 the requirements of the chapter, issuance of temporary
27 permits, licensing of schools and instructors, requirements
28 for courses of study, requirements for supervisors, and
29 notification of continuing education opportunities are
30 provided in sections 1 through 12, 22, and 25 of the bill.

31 Sections 13 through 22 of the bill are corresponding
32 amendments to general provisions of the Code regulating health
33 practice professions and barbers.

34 Section 24 provides that the bill does not apply to persons
35 holding a valid license issued by the board of cosmetology

S.F. _____ H.F. _____

1 examiners on or before July 1, 1992.

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