

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1056

Short Title: Esthetician Registration.

(Public)

Sponsors: Representatives Morris; and Hardy.

Referred to: Rules, Calendar and Operations of the House.

April 21, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR THE REGISTRATION OF ESTHETICIANS AND
3 ESTHETICIAN APPRENTICES BY THE STATE BOARD OF COSMETIC ART
4 EXAMINERS.

5 The General Assembly of North Carolina enacts:

6 Section 1. Chapter 88 of the General Statutes is amended by adding a new
7 section to read:

8 "**§ 88-6.1. Definitions.**

9 The following definitions apply in this Chapter:

10 (1) Esthetician. – Any person other than a registered cosmetologist,
11 registered apprentice, or esthetician apprentice, who practices esthetics.

12 (2) Esthetics. – The providing of services, for compensation, to enhance the
13 appearance of the face, neck, arms, legs, or shoulders of an individual
14 through skin care, makeup artistry, facials, or body waxing.

15 (3) Esthetician apprentice. – Any person who is registered by the State
16 Board of Cosmetic Art Examiners to learn the practice of esthetics
17 under the direction and supervision of a registered cosmetologist or a
18 registered esthetician as provided in G.S. 88-12.2. An applicant for this
19 registration shall pay the fees required under G.S. 88-21."

1 Section 2. Chapter 88 of the General Statutes is amended by adding the
2 following new sections to read:

3 **"§ 88-12.2. Supervision of registered esthetician apprentice.**

4 (a) A registered esthetician apprentice shall be directly supervised and trained by a
5 registered cosmetologist or a registered esthetician with two years of experience.

6 (b) The registered cosmetologist or the registered esthetician who supervises an
7 esthetician apprentice pursuant to subsection (a) of this section shall:

8 (1) Ensure that the esthetician apprentice receives the theory and practical
9 training prescribed by the Board.

10 (2) File a monthly report, on a form prescribed by the Board, stating the
11 progress of each esthetician apprentice.

12 (3) Advise the Board immediately upon an esthetician apprentice
13 discontinuing the apprenticeship.

14 (4) Ensure that the esthetician apprentice performs esthetic services only
15 under the supervision of a registered cosmetologist or a registered
16 esthetician.

17 **"§ 88-12.3. Qualifications for registered esthetician.**

18 (a) A certificate of registration as a registered esthetician shall be issued by the
19 State Board of Cosmetic Art Examiners to any person who satisfies all of the following
20 qualifications:

21 (1) Successful completion of at least 550 hours in courses in an appropriate
22 program taught in a cosmetic art school or college, which courses and
23 schools are approved by the Board.

24 (2) Successful completion of at least 30 hours per week for at least 12
25 months of an apprenticeship as a registered esthetician apprentice
26 pursuant to G.S. 88-12.2.

27 (3) Successful completion of an examination conducted by the Board to
28 determine the applicant's fitness and skill to practice esthetics, as
29 defined in G.S. 88-6.1.

30 (4) Payment of fees required by G.S. 88-21.

31 (b) The Board shall adopt rules that establish an appropriate program of study for
32 estheticians, including a curriculum that addresses sanitation management and equipment
33 requirements.

34 (c) A person who has five years of experience as of January 1, 1998, in the
35 practice of esthetics may, upon submitting evidence of this experience to the Board and
36 upon the Board accepting this experience as sufficient, obtain a certificate of registration
37 without satisfying subdivisions (1) through (3) of subsection (a) of this section. An
38 application for licensure under this subsection must be submitted to the Board by January
39 1, 1999.

40 (d) Any person who is certified, registered, or licensed as an esthetician in another
41 state that has a reciprocity agreement with the State Board of Cosmetic Art Examiners
42 may be issued a certificate of registration by the Board without satisfying subdivisions

1 (1) through (3) of subsection (a) of this section if that person meets all of the following
2 requirements:

- 3 (1) Has at least two years of experience in the practice of esthetics.
4 (2) Submits a certification, registration, or license from the other state that
5 is in effect within six months of making application for a registration
6 under this Chapter.

7 (e) A certificate of registration as a registered esthetician must be renewed
8 annually."

9 Section 3. G.S. 88-21 reads as rewritten:

10 "**§ 88-21. Fees required.**

11 (a) The following fees shall be paid to the Board:

- 12 (1) The fee to be paid by an applicant for a certificate of registration to
13 practice cosmetic art as an apprentice and to practice esthetics as an
14 esthetician apprentice is five dollars (\$5.00).
15 (2) The fee to be paid by an applicant for an examination to determine the
16 applicant's fitness to receive a certificate of registration as a registered
17 cosmetologist who does not intend to practice esthetics is twenty dollars
18 (\$20.00).
19 (2a) The fee to be paid by an applicant for an examination to determine the
20 applicant's fitness to receive a certificate of registration as a registered
21 cosmetologist who intends to practice esthetics or as an esthetician is
22 twenty dollars (\$20.00).
23 (3) The fee to be paid by an applicant for an examination to determine the
24 applicant's fitness to receive a certificate of registration as a registered
25 manicurist is fifteen dollars (\$15.00).
26 (4) The license fee for a registered cosmetologist shall be in an amount
27 determined by the Board but not to exceed thirty-nine dollars (\$39.00)
28 for three years, payable in advance.
29 (5) The fee for renewal of the license of a registered cosmetologist shall be
30 in an amount determined by the Board but not to exceed thirty-nine
31 dollars (\$39.00) for three years, payable in advance, if the license is
32 renewed before it becomes delinquent. The licenses of all registered
33 cosmetologists are due for renewal in October 1986, and every three
34 years thereafter.
35 (6) A delinquency penalty of ten dollars (\$10.00) shall be paid, in addition
36 to the renewal fee, for the renewal of a registered cosmetologist's license
37 that has become delinquent.
38 (7) The annual fee for a registered apprentice ~~cosmetologist~~ cosmetologist,
39 registered esthetician apprentice, and a certified manicurist, which shall
40 be due on or before October 1, is ten dollars (\$10.00).
41 (8) All cosmetic art shops shall pay an annual fee of three dollars (\$3.00)
42 for each active booth, on or before February 1 of each year.

- 1 (9) A delinquency penalty of ten dollars (\$10.00) shall be paid by each
2 cosmetic art shop that does not pay the required fees by the February 1
3 deadline.
- 4 (10) The fee for reissuance of an expired permit of a cosmetic art shop is
5 twenty-five dollars (\$25.00).
- 6 (11) All cosmetic art schools shall pay a fee of fifty dollars (\$50.00)
7 annually.
- 8 (12) Applicants for licensing under G.S. 88-19 shall pay an application fee of
9 fifteen dollars (\$15.00).
- 10 (13) Registered cosmetologists licensed under G.S. 88-19 shall pay an
11 annual license fee of one-third the amount set under subdivision (4) of
12 this subsection, rounded up to the nearest whole dollar, until the year in
13 which all other registered cosmetologist licenses are due for renewal
14 and then shall pay the fees required in subdivision (5) above.
- 15 (14) A delinquency penalty of three dollars (\$3.00) shall be paid by all
16 registered cosmetologists licensed under G.S. 88-19, paying on an
17 annual basis if they do not renew their license before October 1 of that
18 year.
- 19 (15) Apprentice cosmetologists, licensed under G.S. 88-19, shall pay an
20 annual license fee of ten dollars (\$10.00) for the first year, or part of the
21 year, in addition to the application fee required by subdivision (12)
22 above.
- 23 (16) All cosmetic art teachers shall be licensed by the Board and shall pay a
24 fee of ten dollars (\$10.00) for that license which shall be renewed every
25 two years.
- 26 (17) The fee to be paid by an applicant for an examination to determine the
27 applicant's fitness to receive a license to teach cosmetic art is twenty-
28 five dollars (\$25.00).
- 29 (18) The fee to be paid for the issuance of a certificate of registration to
30 practice esthetics as an esthetician is thirty dollars (\$30.00).
- 31 (19) The annual fee for a registered esthetician is thirty dollars (\$30.00).
- 32 (b) The Board shall not increase a fee above the amount set or authorized in
33 subsection (a) of this section, but the Board may regulate the payment of the fees and
34 may prorate the fees as appropriate."
- 35 Section 4. All persons practicing esthetics and all esthetician apprentices in
36 this State must be registered pursuant to the provisions of G.S. 88-12.3 and G.S. 88-12.2
37 respectively within one year of the effective date of this act.
- 38 Section 5. This act is effective when it becomes law.