
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1431

Session of
1981

INTRODUCED BY ARTY, CIVERA, MICOZZIE AND F. E. TAYLOR,
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REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MAY 12, 1981

AN ACT

1 Regulating the practice of electrolysis.

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4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Declaration of policy.

7 The practice of electrolysis in the Commonwealth of
8 Pennsylvania is hereby declared to affect the public safety and
9 welfare, and to be subject to regulation and control in the
10 public interest to protect the public from unprofessional,
11 improper, unauthorized and unqualified practice of electrolysis,
12 and from unprofessional conduct by persons licensed to practice
13 electrolysis. This act shall be broadly construed to carry out
14 these objects and purposes.

15 Section 2. Short title.

16 This act shall be known and may be cited as the "Electrolysis
17 Practice Act."

18 Section 3. Definitions.

19 The following words and phrases when used in this act shall
20 have, unless the context clearly indicates otherwise, the
21 meanings given them in this section:

22 "Board." The Pennsylvania Board of Electrolysis Examiners in
23 the Department of State.

24 "Commissioner." The Commissioner of Professional and
25 Occupational Affairs in the Department of State.

26 "Licensee" or "electrologist." A person permitted by this
27 act to engage in the practice of electrolysis and to conduct an
28 electrolysis office.

29 "Person." An individual, firm, company, partnership or
30 corporation.

1 "Practice of electrolysis." Holding oneself out to the
2 public by any title or description of services incorporating the
3 words "electrolysis" or "electrologist" and under such
4 description offering to render or rendering to individuals, or
5 to the public for remuneration, a service involving a process or
6 method for the permanent removal of hair from the human body by
7 the application of electrical current through the medium of a
8 needle or needles to cause decomposition or coagulation of the
9 hair papilla, or the removal of hair by some other means than
10 waxing, tweezing by nonelectrical methods, depilatories or
11 shaving.

12 Section 4. Necessity for license.

13 It shall be unlawful six months after the effective date of
14 this act for a person to engage in the practice of electrolysis
15 or offer or attempt to do so without a license obtained pursuant
16 to this act. Persons licensed under this act may use the word
17 "Electrologist" after their names.

18 Section 5. Powers and duties of the Pennsylvania Board of
19 Electrolysis Examiners.

20 (a) The board shall have the power and its duties shall be:

21 (1) To provide for and regulate the licensing of
22 electrologists.

23 (2) To develop, impose, and enforce standards which
24 shall be met by individuals to receive a license as an
25 electrologist, which shall be designed to insure that
26 electrologists will be individuals who are of good character
27 and otherwise able, and who, by training and experience, are
28 qualified to serve as electrologists.

29 (3) To develop and apply appropriate techniques,
30 including examinations and investigations, for determining

1 whether an individual meets such standards.

2 (4) To issue licenses to individuals determined, after
3 application of such techniques, to meet such standards, and
4 revoke or suspend licenses previously issued by it whenever
5 the individual holding a license is determined to have failed
6 to conform to such standards.

7 (5) To receive, investigate and take appropriate action
8 with respect to, any change or complaint filed with the board
9 that an individual licensed as an electrologist has failed to
10 comply with such standards.

11 (6) To approve schools of electrolysis which maintain
12 standards of training and reputability sufficient to admit
13 their graduates to the examinations given by the board.

14 (7) To make rules and regulations, not inconsistent with
15 law, as may be necessary for the proper performance of its
16 duties.

17 (b) The board or any member thereof, acting in an official
18 capacity, shall have the authority to issue subpoenas, compel
19 the attendance of witnesses, administer oaths and take testimony
20 concerning all matters within the jurisdiction of the board. The
21 board shall not be bound by strict rules of evidence in the
22 conduct of its proceedings, but determinations made shall be
23 founded upon sufficient legal evidence to sustain them. The
24 right of appeal from a decision of it shall be in accordance
25 with existing law.

26 Section 6. Composition of board.

27 The Pennsylvania Board of Electrolysis Examiners shall
28 consist of five persons to be appointed by the Governor with the
29 advice and consent of the Senate within 90 days thereof, which
30 shall aid and assist in the administration of this act. The

1 members of the board shall be residents of Pennsylvania. The
2 Commissioner of Professional and Occupational Affairs shall be
3 an ex officio member of the board. Three members of the board
4 shall be practicing electrologists with a minimum of five years
5 experience. Not more than one appointed member shall be
6 affiliated with a school of electrolysis in this Commonwealth or
7 another state. They shall be appointed for terms of three years.
8 One member shall be of the general public having no connection
9 with the practice of electrolysis. One public member of the
10 board shall be appointed for a term of three years. Of the
11 members initially appointed, one shall be appointed for a term
12 of one year, one for a term of two years, and two for a term of
13 three years, and shall hold office until their successors are
14 appointed and qualified. Whenever a member dies, resigns or is
15 removed from office during his term of office, his successor
16 shall be appointed and hold office for the unexpired term.
17 Members shall receive \$30 per diem for each day actually engaged
18 in the attendance at meetings of the board. The members shall
19 also receive the amount of actual traveling, hotel and other
20 necessary expenses incurred in the performance of their duties
21 under this act. The board shall meet at least one day per month
22 as specified by the commissioner and at other times as necessity
23 warrants.

24 Section 7. Qualifications for licensure.

25 An applicant shall be qualified for a license to practice
26 electrolysis provided he submits proof satisfactory to the board
27 that:

28 (1) He is over the age of 18 years.

29 (2) He submits a subscribed application sworn or
30 affirmed as true under the penalties of perjury.

1 (3) He submits two recent photographs of himself of a
2 size prescribed by the board.

3 (4) He submits an affidavit of a practicing physician
4 that the applicant was examined and is free from all
5 contagious and infectious diseases, which affidavit shall
6 have been issued within 40 days prior to the date of the
7 filing of the application.

8 (5) His application is accompanied by a fee of \$50, or a
9 fee established by regulation of the board.

10 (6) He submits a certificate showing graduation from a
11 twelfth grade school or its equivalent.

12 (7) He has completed 500 hours of education at a school
13 of electrolysis, licensed pursuant to this act, or a
14 combination of such education and practical experience as
15 follows:

16 (i) For a temporary license, completion of 200 hours
17 of classroom instruction at a licensed school of
18 electrolysis and satisfactorily completing a test
19 established by the board. The curriculum shall include
20 methods of hair removal, anatomy of the skin, hair and
21 glands, sterilization and hygiene, and practical training
22 in a school of electrolysis. The temporary license
23 permits the applicant to complete the remaining 300 hours
24 of practical experience in an electrolysis office. The
25 applicant shall complete the remaining 300 hours of
26 practical training within six months of completing his
27 school training. Further extensions may be granted at the
28 discretion of the board.

29 (ii) An extension shall not be granted after the
30 expiration of one year from the completion of the

1 mandated school credit hours.

2 (iii) The fee for a temporary license shall be \$75.

3 (8) He is of good moral character.

4 (9) He has passed the licensure examination established
5 by the board to become a licensed electrologist.

6 Section 8. Requirements of a school of electrolysis.

7 A school shall not be granted a certificate of registration
8 unless it employs and maintains a sufficient number of competent
9 teachers, registered as such and possesses apparatus and
10 equipment sufficient for the proper and full teaching of all
11 subjects of this curriculum, keeps a daily record of the
12 attendance of each student, maintains regular class and
13 instruction hours, establishes grades and hold examinations
14 before issuance of diplomas, and requires a day-school term of
15 training of not less than 500 hours consisting of not more than
16 seven hours per day or night-school term of training for a
17 period of not more than 24 consecutive months for a complete
18 course, comprising all or a majority of the practices of
19 electrolysis, and includes practical demonstrations, theoretical
20 studies and studies in sanitation, sterilization, and the use of
21 antiseptics, the electrolysis equipment consistent with the
22 practice of the theoretical requirements applicable to
23 electrolysis or the practice thereof. There shall not be less
24 than one teacher to each 20 pupils. The fee for licensure of a
25 school of electrolysis shall be \$200 biennially.

26 Section 9. Teachers of electrolysis

27 A teacher of electrolysis shall be a licensed electrologist
28 who has five years of practical experience. The board may issue
29 a teacher certification upon receiving an application from the
30 electrologist accompanied by a biennial fee of \$150.

1 Section 10. License without examination.

2 The provisions of section 7 shall not apply and a license
3 shall be issued without examination to an applicant who:

4 (1) Has submitted an application for license accompanied
5 by an application fee as specified by the board within one
6 year after the effective date of this act.

7 (2) Is a resident of this Commonwealth.

8 (3) Has practiced in the Commonwealth for a period of
9 two years.

10 (4) Holds a certificate evidencing completion of 125
11 credit hours of electrolysis training from a licensed school
12 of cosmetology or a school of electrolysis.

13 Section 11. License fee.

14 (a) The fee for a license in electrolysis is \$100, or such
15 other sum as may be fixed by regulation of the board.

16 (b) The board shall, upon application and without
17 examination, issue a license to any person over the age of 18
18 years who has been licensed by another state, territory, or
19 protectorate of the United States, to engage in the practice of
20 electrolysis upon a compliance with standards and requirements
21 not lower than those of this State, provided, that such state
22 extends similar reciprocity to licensees of this State. The
23 application shall be accompanied by the photographs, evidence
24 and certificate of licensure from the foreign jurisdiction
25 accompanied with the biennial license fee.

26 Section 12. Suspension and revocation of licenses.

27 A license to engage in the practice of electrolysis may be
28 suspended or revoked, or a reprimand issued by the board for any
29 of the following reasons:

30 (1) Practice by a person having an infectious or

1 contagious disease.

2 (2) Habitual drunkenness or unlawful use of habit
3 forming drugs.

4 (3) Fraud or bribery in securing a license or permission
5 to take a license examination.

6 (4) The making of any false statement as to a material
7 matter in an application or other statement or certificate
8 required by this act.

9 (5) Incompetency.

10 (6) Failure to display a license.

11 (7) Violation of any provision of this act or a rule or
12 regulation adopted pursuant to this act.

13 (8) Conviction of a crime or offense involving moral
14 turpitude.

15 Section 13. Hearing on charges.

16 A license shall not be suspended or revoked nor shall a
17 reprimand be imposed until a hearing has been held before the
18 board designated for such purpose, upon notice to the licensee
19 of at least 14 days. The notice shall be served either
20 personally or by certified mail, and shall state the date and
21 place of the hearing and the ground or grounds constituting the
22 charges against the licensee. The licensee shall be heard in his
23 defense either in person or by counsel and may produce witnesses
24 and testimony in his behalf. A stenographic record of the
25 hearing shall be taken and preserved. The hearing may be
26 adjourned from time to time. The board shall deliberate and
27 shall issue an order dismissing the charges or suspending or
28 revoking the license or imposing a reprimand upon the licensee.
29 The licensee shall have the right to appeal according to the
30 Pennsylvania Rules of Court.

1 Section 14. Violations and penalties.

2 A person who directly or indirectly engages in the practice
3 of electrolysis or holds himself out to the public as being able
4 to do so or conducts an electrolysis office without a license,
5 or uses the electric tweezer to remove hair from the human body
6 for remuneration and represents it as a permanent method for
7 doing so, or violates a provision of this act, or, having had
8 his license suspended or revoked, shall continue to engage in
9 the practice of electrolysis, or employs, permits or authorizes
10 an unlicensed person to engage in the practice of electrolysis,
11 is guilty of a misdemeanor. Upon conviction he shall be
12 sentenced to pay a fine of not more than \$2,000 or to
13 imprisonment for not less than six months or both. Each
14 violation shall be deemed a separate offense.

15 Section 15. Application of this act.

16 This act shall not apply to or affect the practice of their
17 professions by licensed physicians and osteopaths.

18 Section 16. Provisions severable.

19 The provisions of this act are severable, and whenever any
20 provision thereof shall be declared unconstitutional, it is
21 declared to be the legislative intent that the remaining
22 portions would be enacted notwithstanding such judicial
23 determination of the invalidity of any particular provision or
24 provisions in any respect.

25 Section 17. Effective date.

26 This act shall take effect in 60 days.