

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2225 Session of 2014

INTRODUCED BY SCAVELLO, GOODMAN, TOBASH, STURLA, GILLESPIE, MURT, KILLION, BARRAR, CUTLER, KNOWLES, ROZZI, ADOLPH, FEE, READSHAW, HACKETT, M. K. KELLER, AUMENT AND C. HARRIS, MAY 1, 2014

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MAY 1, 2014

AN ACT

1 Amending the act of May 3, 1933 (P.L.242, No.86), entitled, as
 2 amended, "An act to promote the public health and safety by
 3 providing for examination, licensing and granting of permits
 4 for those who desire to engage in the profession of
 5 cosmetology; defining cosmetology, and regulating cosmetology
 6 salons, schools, students, apprentices, teachers, managers,
 7 manicurists and cosmetologists; conferring powers and duties
 8 upon the Commissioner of Professional and Occupational
 9 Affairs in the Department of State; providing for appeals to
 10 certain courts by applicants and licensees; and providing
 11 penalties," further providing for eligibility requirements
 12 for examination and for limited licenses.

13 The General Assembly of the Commonwealth of Pennsylvania
 14 hereby enacts as follows:

15 Section 1. Sections 4 and 5 of the act of May 3, 1933
 16 (P.L.242, No.86), referred to as the Cosmetology Law, amended
 17 October 24, 2012 (P.L.1290, No.161), are amended to read:

18 Section 4. Eligibility Requirements for Examination.--(a)
 19 No person shall be permitted by the board [to take an
 20 examination] to receive a license as a cosmetologist unless such
 21 person (1) shall be at least sixteen years of age and of good
 22 moral character at the time of making application, and (2) shall

1 have completed a tenth grade education or the equivalent
2 thereof, or in lieu of such education or the equivalent thereof
3 shall have received training from or under the auspices of the
4 Bureau of Rehabilitation in the Department of Labor and
5 Industry, and (3) shall have either (i) completed not less than
6 one thousand two hundred fifty hours as a student in a duly
7 registered school of cosmetology as hereinafter provided in this
8 act, or (ii) shall have been registered and served as an
9 apprentice at least two thousand hours in a licensed cosmetology
10 salon as hereinafter provided in this act. The application shall
11 be accompanied by a notarized statement from either the licensed
12 cosmetology school the applicant attended or the licensed
13 cosmetology teacher in the licensed cosmetology salon where the
14 applicant studied and trained, stating that the applicant has
15 completed the study and training period required under this act.

16 (b) An applicant wishing to obtain licensure in the practice
17 of cosmetology may be permitted to apply to take the written
18 examination upon completion of at least nine hundred hours of
19 instruction in a duly licensed school of cosmetology. The
20 examination shall include both theoretical and procedural skill
21 questions as prescribed by the board. Any applicant may apply
22 and is eligible for licensure upon (1) passing the written
23 examination, (2) completion of the required one thousand two
24 hundred fifty hours of instruction, and (3) certification by a
25 duly licensed school of satisfactory completion of all program
26 requirements.

27 (c) No person shall be permitted [to take an examination
28 for] to receive a license to teach cosmetology or natural hair
29 braiding, nail technology or esthetics unless such person shall
30 have a license to practice cosmetology or a limited license, be

1 at least eighteen years of age, shall have completed a twelfth
2 grade education or the equivalent thereof and have had five
3 hundred hours of specialized training as set forth in section 6
4 of this act which hours shall be in addition to the hours
5 necessary to qualify for a license to practice cosmetology or a
6 limited license.

7 (d) An applicant for a license to teach cosmetology, natural
8 hair braiding, nail technology or esthetics shall be permitted
9 to take [the theoretical part of the] a written examination upon
10 completion of at least four hundred hours of the specialized
11 training required. [Notwithstanding clause (3)(i), an applicant
12 shall be permitted to take the theoretical part of the
13 examination upon completion of at least nine hundred hours of
14 instruction in a duly registered school of cosmetology.] The
15 examination shall include both theoretical and procedural skill
16 questions as prescribed by the board. Any applicant may apply
17 and is eligible for licensure upon (1) passing the written
18 examination, (2) completion of the required five hundred hours
19 of instruction, and (3) certification by a duly licensed school
20 of satisfactory completion of all program requirements.

21 Section 5. Limited Licenses.--(a) An applicant for a
22 limited license shall be at least sixteen years of age, be of
23 good moral character, have completed a tenth grade education or
24 the equivalent thereof and pay the applicable fee to the board.

25 (b) The board shall issue the following limited licenses to
26 qualified applicants:

27 (1) Esthetician license, which shall authorize the holder to
28 engage in the practice of esthetics only. An applicant for an
29 esthetician license shall have completed three hundred hours of
30 instruction in esthetics in a licensed school of cosmetology and

1 passed an examination limited to that practice. Licensed
2 estheticians may operate a salon limited to that license. An
3 applicant [shall] may be permitted to apply to take [the
4 theoretical part of the] a written examination upon completion
5 of at least two hundred fifty hours of instruction in esthetics
6 in a licensed school of cosmetology. The examination shall
7 include both theoretical and procedural skill questions as
8 prescribed by the board. Any applicant may apply and is eligible
9 for licensure upon (i) passing the written examination, (ii)
10 completion of the required three hundred hours of instruction,
11 and (iii) certification by a duly licensed school of
12 satisfactory completion of all program requirements.

13 (2) Nail technician license, which shall authorize the
14 holder to engage in the practice of nail technology only. An
15 applicant for a nail technician license shall have completed two
16 hundred hours of instruction in nail technology in a licensed
17 school of cosmetology and passed an examination limited to that
18 practice. Licensed nail technicians may operate a salon limited
19 to that license. An applicant [shall] may be permitted to take
20 [the theoretical part of the] a written examination upon
21 completion of at least one hundred fifty hours of instruction in
22 nail technology in a licensed school of cosmetology. The
23 examination shall include both theoretical and procedural skill
24 questions as prescribed by the board. Any applicant may apply
25 and is eligible for licensure upon (i) passing the written
26 examination, (ii) completion of the required two hundred hours
27 of instruction, and (iii) certification by a duly licensed
28 school of satisfactory completion of all program requirements.

29 (3) (i) Natural hair braiding license, which shall
30 authorize the holder to engage in the practice of natural hair

1 braiding only. An applicant for a natural hair braiding license
2 shall have completed three hundred hours of board-approved
3 subjects relating to sanitation, scalp care, anatomy and natural
4 hair braiding in a cosmetology school and passed an examination
5 limited to that practice. Licensed natural hair braiders may
6 operate a salon limited to that license. An applicant [shall]
7 may be permitted to take [the theoretical part of the] a written
8 examination upon completion of at least two hundred fifty hours
9 of instruction in natural hair braiding in a licensed school of
10 cosmetology. The examination shall include both theoretical and
11 procedural skill questions as prescribed by the board. Any
12 applicant may apply and is eligible for licensure upon (A)
13 passing the written examination, (B) completion of the required
14 three hundred hours of board-approved subjects, and (C)
15 certification by a duly licensed school of satisfactory
16 completion of all program requirements.

17 (ii) The requirements of paragraph (3)(i) shall not apply
18 and a license to practice natural hair braiding shall be issued
19 to an applicant who:

20 (A) has submitted an application, along with the required
21 fee, within one year of the board's promulgation of final
22 regulations required under this section; and

23 (B) can demonstrate proof of practice of natural hair
24 braiding for three consecutive years immediately prior to the
25 date of application for licensure. Proof of practice shall
26 require tax records of employment and an affidavit from the
27 applicant and the applicant's immediate supervisor where
28 applicable. The board shall accept the information provided
29 without penalty to the applicant for failure to comply with
30 licensing provisions prior to the effective date of this

1 subsection.

2 (c) Within two years of the initial issuance of a license
3 under subsection (b) (3) (ii), the licensee shall provide the
4 board with proof that the licensee completed one hundred fifty
5 hours of education from a school of cosmetology as a condition
6 of renewal of the license. The courses shall include, at a
7 minimum, scalp care, hygiene and occupational safety.

8 Section 2. This act shall take effect in 60 days.