

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption of Regulations of the Nevada State Board of Cosmetology, as proposed in LCB File No.R182-22.

The Nevada State Board of Cosmetology will hold a public hearing at 9:00 am., on April 8, 2024, at 8945 west Russell Road, Suite 200, Las Vegas, NV, 89148 and 740 Del Monte Lane Suite 12, Reno, Nevada 89511. The purpose of the hearing is to receive comments from all interested persons regarding the Adoption of regulations that pertain to chapter 644 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need for and the purpose of the proposed regulation or amendment.

This regulation is necessary to comport with recent statutory changes made in SB 249 of the 82nd legislative session and SB 291 of the 81st session as reviewed by LCB counsel. The proposed regulation change also intends to streamline, clarify, or otherwise improve the regulations as mandated by the Governor's Executive Order 2023-003.

2. If the proposed regulation is a temporary regulation, either the terms or the substance of the regulations to be adopted, amended, or repealed, or a description of the subjects and issues involved. If the proposed regulation is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation prepared by the Legislative Counsel pursuant to NRS 233B.063.

This is a permanent regulation.

3. If the proposed regulation is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation.

The revised language can be found at <https://www.nvcosmo.com/board-meeting-information> under agenda documents for the April 8, 2024 meeting.

4. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include: (a) Both adverse and beneficial effects; and (b) Both immediate and long-term effects.

The survey results indicated that the majority of those polled felt that a proposed regulation change would not have an adverse or beneficial impact their businesses.

The Board does not foresee any adverse or beneficial effects both in the immediate and long-term on members of the public.

5. The methods used by the agency in determining the impact on a small business.

The Nevada State Board of Cosmetology requested input from small business owners and operators. Two surveys were sent to each of the Board's licensed businesses, including schools of cosmetology asking for input as to the projected adverse and beneficial impacts of the proposed regulation changes.

The surveys were sent via Alchemer, an online survey tool in 2022 and 2023. In total, 187 complete responses were collected. The survey results indicated that the majority of those polled were unsure what, if any, impact the proposed changes would have an economic effect on their small business.

6. The estimated cost to the agency for enforcement of the proposed regulation.

The Nevada State Board of Cosmetology does not anticipate there being a cost to enforce the proposed regulation.

7. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

This regulation does not overlap or duplicate any regulations of other state or local government agencies. This regulation does not overlap or duplicate any federal regulations.

8. If the regulation is required pursuant to federal law, a citation and description of the federal law.

This regulation is not required pursuant to federal law.

9. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

This regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.

10. Whether the proposed regulation establishes a new fee or increases an existing fee.

The proposed regulation does not establish a new fee or increases an existing fee.

Persons wishing to comment upon the proposed action of the Nevada State Board of Cosmetology may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to Nevada State Board of Cosmetology, Attn: Janie Huggins, 8945 West Russell Rd, Ste

200, Las Vegas, Nevada 89148. Written submissions must be received by the Nevada State Board of Cosmetology on or before Monday, April 8, 2024, at 9:00 am PDT. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Board of Cosmetology may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted will be on file at the State Library, Archives and Public Records, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be available at Nevada State Board of Cosmetology office located at 8945 West Russell Rd, Ste 100, Las Vegas, Nevada 89148, Nevada State Board of Cosmetology office located at 740 Del Monte Lane Suite 12, Reno, Nevada 89511 and NVCOSMO.COM for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us/>. Copies of this notice and the proposed regulation will also be mailed to members of the public at no charge upon request.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

Nevada State Board of Cosmetology office located at 8945 West Russell Rd, Ste 100, Las Vegas, Nevada 89148

Nevada State Board of Cosmetology office located at 740 Del Monte Lane Suite 12, Reno, Nevada 89511
State Library, Archives and Public Records, 100 Stewart Street, Carson City, Nevada



AGENDA

Nevada State Board of Cosmetology Board Meeting April 8 2024 NVBOC Board Meeting Monday, April 8, 2024, 9:00 am - 4:30 pm

THIS MEETING WILL BE HELD VIA REMOTE TECHNOLOGY AND IN-PERSON MEETING LOCATIONS.

The Board is pleased to invite individuals to participate remotely using ZOOM. To learn more about Zoom, go to zoom.com.

On the scheduled day and time, from the ZOOM website, click "Join a Meeting" and enter your name and this Meeting ID: 819 9368 3140

Join Zoom Meeting

<https://us06web.zoom.us/j/81993683140>

Meeting ID: 819 9368 3140

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One tap mobile

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• +1 253 215 8782 US (Tacoma)

• +1 386 347 5053 US

• +1 507 473 4847 US

• +1 564 217 2000 US

• +1 646 558 8656 US (New York)

• +1 646 931 3860 US

• +1 689 278 1000 US

• +1 301 715 8592 US (Washington DC)

• +1 305 224 1968 US

• +1 309 205 3325 US

• +1 312 626 6799 US (Chicago)

• +1 360 209 5623 US

Meeting ID: 819 9368 3140

Find your local number: <https://us06web.zoom.us/j/kc0dH0vbdb>

IN-PERSON MEETING LOCATIONS:

Southern Nevada:

Las Vegas Office Address

8945 West Russell Road, Suite 200

Las Vegas, Nevada 89148

Room: Conference

Northern Nevada:

Reno Office Address

740 Del Monte Lane, Suite 12

Reno, Nevada 89511

Room: Conference

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 200 Las Vegas, NV 89148 or by calling (702) 979-5918 at least 24 business hours prior to the meeting date. *Please note the Board's office hours are 7 am-5 pm, M-Th. Members of the public may request the supporting materials for this meeting from Lauren Gossage, Regulatory Compliance Specialist- 8945 W. Russell Road, Suite #200 Las Vegas, NV 89148, (702)-979-5918. Email: lauren@nvcosmo.com. Supporting materials may be found on the "board meeting information" page of nvcosmo.com

The meeting agenda and any supporting documents can be found on the Board's website, nvcosmo.com. Per NRS 241.020 (11) any supporting material provided to the Board during the meeting will be available on the Board's website no later than 24 hours after the conclusion of the meeting.

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 (3) minutes. A comment may not be restricted based on viewpoint. During the public comment period, please unmute your microphone, when instructed, to deliver your public comment. 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.

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

State of Nevada Board of Cosmetology-8945 W. Russell Road, Suite #200 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

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 related to the Nevada State Board of Cosmetology.

Members of the public can call into the meeting to make public comments by dialing 1 720 707 2699 and entering 819 9368 3140 for the meeting ID.

Comments are limited to three (3) minutes or less. No discussion or action can be taken during public comment.

D. **Approval of minutes from previous meeting(s)- *For discussion and possible action***

The Board is to approve minutes from January 22, 2024 Board Meeting.

E. ***Felony Review***

1. Petition Deandre Johnson U-705665- ***For discussion and possible action***

During the April 11, 2022, Board meeting, the Board voted to table this Petition until the parole/probation requirements were completed on or before September of 2022. Petitioner is re-petitioning and is requesting approval to enroll in a school of Cosmetology with a felony conviction.

F. ***Petitions***

1. Petition Vanessa Ochoa A-104930 - ***For discussion and possible action***

Petitioner is asking for an exemption to be made that would allow her to submit an application to Grandfather into Advanced Esthetics after October 1, 2023.

2. Petition Alicia Cansler A-107163 - ***For discussion and possible action***

Petitioner is asking for an exemption to be made that would allow her to submit an application to Grandfather into Advanced Esthetics after October 1, 2023.

3. Petition Monique Williams A-44411 - ***For discussion and possible action***

Petitioner is asking for an exemption to be made that would allow her to submit an application to Grandfather into Advanced Esthetics after October 1, 2023.

4. Petition Ketevan Ferrera A-6791 - ***For discussion and possible action***

Petitioner is asking for an exemption to be made that would allow her to submit an application to Grandfather

into Advanced Esthetics after October 1, 2023.

5. Petition Diana Inocence Robles A-1051780 - ***For discussion and possible action***

Petitioner is asking for an exemption to be made that would allow her to submit an application to Grandfather into Advanced Esthetics after October 1, 2023.

6. Petition Cherith Libby A-1517 - ***For discussion and possible action***

Petitioner is asking for an exemption to be made that would allow her to submit an application to Grandfather into Advanced Esthetics after October 1, 2023.

7. Petition Ellen Naylor U-101016220 - ***For discussion and possible action***

Petitioner is asking for an exemption to be made that would allow her to continue to offer Laser service's without an Advanced Esthetician license based on her previous experience.

8. Petition Yiping Zhao U-101016481 - ***For discussion and possible action***

Petitioner is asking for the Board to review her transcripts and allow her to utilize them toward Reciprocity in Nevada.

9. Petition Connie Wright ST-101017184 - ***For discussion and possible action***

Petitioner is asking for the Board to review her hours and application to allow her the ability to test and receive her Esthetician license in the state of Nevada.

Connie Wright ST-101017184's student records were reviewed and entered into evidence during the Board's Public hearing on Complaint No. C-2022-0211 held on January 8, 2024. Ability School of Esthetics was the Respondent. During the hearing, the Board found factual allegations 1 - 17 as proven, all alleged violations of law as proven and imposed discipline.

10. Petition Xin Yu Chen ST-101017529 - ***For discussion and possible action***

Petitioner is asking for the Board to review her hours and application to allow her the ability to test and receive her Esthetician license in the state of Nevada.

Xin Yu Chen ST-101017529's student records were reviewed and entered into evidence during the Board's Public hearing on Complaint No. C-2022-0211 held on January 8, 2024. Ability School of Esthetics was the Respondent. During the hearing, the Board found factual allegations 1 - 17 as proven, all alleged violations of law as proven and imposed discipline.

11. Petition Mei Lu ST-101017182 - ***For discussion and possible action***

Petitioner is asking for the Board to review her hours and application to allow her the ability to test and receive her Esthetician license in the state of Nevada.

Mei Lu ST-101017182's student records were reviewed and entered into evidence during the Board's Public hearing on Complaint No. C-2022-0211 held on January 8, 2024. Ability School of Esthetics was the Respondent. During the hearing, the Board found factual allegations 1 - 17 as proven, all alleged violations of law as proven and imposed discipline.

12. Petition Qingrong Gao A-105607 - ***For discussion and possible action***

Petitioner is asking the Board to review the hours earned in the 75 hour laser course held in April of 2023 provided by Ability School of Esthetics, License No. SC-44984.

On January 8, 2024, this Board held a Public Hearing on Complaint No. C-2022-0211. Ability School of Esthetics was the Respondent. During the hearing, the Board found factual allegations 1-17 as proven, all alleged violations of law as proven and imposed discipline.

13. Petition Gang Wu A-106371 - ***For discussion and possible action***

Petitioner is asking the Board to review the hours earned in the 75 hour laser course held in April of 2023 provided by Ability School of Esthetics, License No. SC-44984.

On January 8, 2024, this Board held a Public Hearing on Complaint No. C-2022-0211. Ability School of Esthetics was the Respondent. During the hearing, the Board found factual allegations 1-17 as proven, all alleged violations of law as proven and imposed discipline.

14. Petition Ronald Gregory ST-101018552- ***For discussion and possible action***

Petitioner is disputing V3147223

Appearances: Karen A. Peterson, Esq., for Reno Tattoo Removal / Ron and Melanie Gregory, Owners.

15. Petition Shannon Denise Logan ST-101018798- ***For discussion and possible action***

Petitioner is disputing V3145876 and V3145877

16. Petition Misa Yamagata U-101016089- ***For discussion and possible action***

Petitioner is disputing V3147151 and V3147152

17. Petition Evelyn Enriquez U-101016443- ***For discussion and possible action***

Petitioner is disputing V3147231 and V3147232

18. Petition Francis Sanchez ST-101011804- ***For discussion and possible action***

Petitioner is disputing V3147437 and V3147438

19. Petition Carine Sangdong HB-42527- ***For discussion and possible action***

Petitioner is disputing V3147770 and V3147771

20. Petition Samantha Ciprian N-106103- ***For discussion and possible action***

Petitioner is disputing V3147419 and V3147420

21. Petition Holly Marietta U-101016323- ***For discussion and possible action***

Petitioner is disputing V3146698 and V3146699

22. Petition Felicia Almeida AE-895- ***For discussion and possible action***

Petitioner is disputing V3147742, V3147743, V3148061, and V3148062

G. Misc. Agenda Items

1. Notice of Intent To Act Upon A Regulation

Review of language for R182-22- ***For discussion only***

The Board will solicit comments from the public on the revised language of R182-22.

2. Adoption of NAC 644A (R182-22)- *For discussion and possible action*

3. Executive Director's Review- *For discussion and possible action*

4. Monthly Financial Reports - *For discussion only*

The Board to review financial reports submitted by Josephine Alvidera, Chief Accountant.

5. Budget FY 2025 - *For discussion and possible action*

FY 2025 budget to be presented by Josephine Alvidera, Chief Accountant.

6. Election of Board Officers - *For discussion and possible action*

Yearly election of Board Officers (President, Vice-President & Secretary-Treasurer)

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

The Board will entertain comments from the general public for any item that is related to the Nevada State Board of Cosmetology.

Members of the public can call into the meeting to make public comments by dialing 1 720 707 2699 and entering 819 9368 3140 for the meeting ID.

Comments are limited to three (3) minutes or less. No discussion or action can be taken during public comment.

I. Comments from Board Members- *For discussion only*

The Board will entertain comments from the Board Members 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.

J. Adjournment- *For possible action*

**PROPOSED REGULATION OF
THE STATE BOARD OF COSMETOLOGY**

LCB File No. R182-22

November 1, 2023

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§ 1, 2, 5, 8-11, 13, 16, 17, 18, 22, 24, 50, 52, 55, 59, 65, 66, 78, 79, 81, 82, 87 and 90, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878; § 3, NRS 644A.515, as amended by section 41 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 888; §§ 4, 12, 14 and 15, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.277; §§ 6, 38-40, 43, 44 and 46, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.535; §§ 7, 67-77, 80 and 83, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.280, as amended by section 19 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878; §19, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, NRS 644A.490, as amended by section 39 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 887, and NRS 644A.600, as amended by section 46 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 891; § 20, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.520, as amended by section 42 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 889; § 21, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.470; §§ 23 and 84, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.455; §§ 25 and 29, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.450, as amended by section 35 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 886; §26, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.415, as amended by section 33 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 885; § 27, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.435; § 28, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.420, as amended by section 34 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 885; § 30, NRS 644A.275, as

amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.525, as amended by section 43 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 890; § 31, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.305, as amended by section 21 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 880; § 32, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.320, as amended by section 23 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 880; § 33, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.335; §§ 34 and 35, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.490; § 36, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.480, as amended by section 38 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 887; § 37, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, 644A.310 and 644A.535; § 41, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, NRS 644A.280, as amended by section 19 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.535; § 42, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, NRS 644A.535 and 644A.905; § 45, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, NRS 644A.535 and 644A.850, as amended by section 54 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 895; § 47, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.625, as amended by section 50 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 893; §§ 48 and 49, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and 644A.615, as amended by section 48 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 892; § 51, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, NRS 644A.600, as amended by section 46 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 891, and NRS 644A.605; § 53, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and 644A.700, as amended by section 45 of Assembly Bill No. 54, chapter 206, Statutes of Nevada 2023, at page 1227; § 54, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, NRS 644A.280, as amended by section 19 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.700, as amended by section 45 of Assembly Bill No. 54, chapter 206, Statutes of Nevada 2023, at page 1227; §§ 56, 57 and 60-64, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.740, as

amended by section 51 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 893; § 58, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, NRS 644A.735 and 644A.745; §§ 85 and 86, NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878, and NRS 644A.850, as amended by section 54 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 895; §§ 88 and 89, NRS 233B.120 and 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878.

A REGULATION relating to cosmetology; setting forth requirements for certain persons to defer the expiration of a license or certificate of registration issued by the State Board of Cosmetology; revising provisions relating to applications and examinations for licensure; revising provisions relating to apprentices; revising provisions governing the scope of practice of certain persons regulated by the Board; revising requirements for the maintenance and operation of certain facilities, schools of cosmetology and cosmetological establishments; setting forth certain requirements for advanced estheticians and schools of cosmetology that provide instruction in advanced esthetics; revising provisions relating to the practice of cosmetology outside of a cosmetological establishment; establishing and revising certain fees; revising requirements for requesting a certification of licensure in this State; revising provisions relating to schools of cosmetology; revising continuing education requirements for instructors; revising the conditions under which space in a cosmetological establishment may be leased to certain persons; revising provisions relating to the inspection by the Board of certain establishments; revising when the holder of a license to operate a mobile cosmetological establishment must submit an itinerary for the establishment to the Board; revising the schedule of fines and fees collected by the Board; revising certain provisions relating to the advertisement of cosmetological services; revising procedures relating to certain petitions submitted to the Board; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Board of Cosmetology to adopt reasonable regulations for carrying out the provisions of existing law relating to cosmetology. (NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878)

Senate Bill No. 249 of the 2023 Legislative Session repealed or removed all references to demonstrators of cosmetics in the provisions of existing law governing cosmetology for the purpose of no longer subjecting a demonstrator of cosmetics to licensure or regulation by the Board. (Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 871) **Sections 19, 20, 25, 36 and 49** of this regulation make conforming changes to remove references to demonstrators of cosmetics from the provisions of existing regulations relating to cosmetology.

Existing law authorizes the Board to, by regulation, defer the expiration of a license or certificate of registration issued by the Board to a person who is on active duty in any branch of the Armed Forces of the United States or the spouse or dependent child of such a person under certain circumstances. (NRS 644A.515, as amended by section 41 of Senate Bill No. 249,

chapter 165, Statutes of Nevada 2023, at page 888) **Section 3** of this regulation sets forth procedures and requirements for such persons to request the deferral of the expiration of a license or certificate of registration.

Existing law authorizes an advanced esthetician to perform a nonablative esthetic medical procedure only under the supervision of a health care professional, which existing law defines as a physician, a physician assistant or an advanced practice registered nurse. (NRS 453C.050, 644A.545) **Section 2** of this regulation similarly defines “health care professional” for the purposes of existing regulations relating to cosmetology. **Section 16** of this regulation makes a conforming change to indicate the proper placement of **section 2** in the Nevada Administrative Code. **Section 8** of this regulation clarifies that the requirement that a nonablative esthetic medical procedure be performed under the supervision of a health care professional is not satisfied by the supervision of the advanced esthetician by a registered nurse. **Section 10** of this regulation requires an advanced esthetician to enter into a collaboration agreement with a health care professional before performing any nonablative esthetic medical procedure under his or her supervision. **Section 11** of this regulation sets forth certain additional requirements concerning the performance of nonablative esthetic medical procedures.

Existing law defines “esthetic medical procedure” as certain procedures performed using an esthetic medical device. (NRS 644A.063) Existing law defines “nonablative esthetic medical procedure” to mean an esthetic medical procedure that is not expected to excise, vaporize, disintegrate or remove living tissue, and which the Board has, by regulation, authorized to be performed by an advanced esthetician. (NRS 644A.127, as amended by section 13 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 877) Under existing law, “esthetic medical device” is defined to include only certain devices which the Board has determined to be appropriate for use in the performance of an esthetic medical procedure. (NRS 644A.062, as amended by section 10 of Senate Bill 249, chapter 165, Statutes of Nevada 2023, at page 876) Existing law requires the Board to adopt regulations identifying each: (1) nonablative esthetic medical procedure an advanced esthetician is authorized to perform; and (2) device that the Board determines is appropriate for use in the performance of an esthetic medical procedure. (NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878) **Section 9** of this regulation: (1) sets forth the devices that constitute esthetic medical devices appropriate for use in an esthetic medical procedure; and (2) authorizes an advanced esthetician to perform, in accordance with the requirements set forth under existing law and regulations, any nonablative esthetic medical procedure that is performed using such a device.

Existing law requires the Board to adopt reasonable regulations for governing the conduct of schools of cosmetology. (NRS 644A.275, as amended by section 18 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 878) Existing regulations set forth various requirements governing the licensure and operation of schools of cosmetology. (NAC 644A.600-644A.655) **Sections 12-14 and 53-66** of this regulation revise provisions relating to schools of cosmetology. **Section 12** prohibits a school of cosmetology from providing any instruction in advanced esthetics unless provided as part of a program for training students to be advanced estheticians that is supervised by a health care professional. **Section 12** requires a school of cosmetology that wishes to offer a program for training students to be advanced estheticians to enter into a collaboration agreement with the health care professional who will supervise the program. **Section 13** of this regulation sets forth certain requirements governing the supervision of a program for training students to be advanced estheticians by a health care professional.

Section 14 requires a school of cosmetology to offer certain subjects for a program of training students to be advanced estheticians.

Sections 53 and 54 of this regulation revise the required amount of floor space and the required equipment a school of cosmetology is required to have. **Section 55** of this regulation requires a school of cosmetology to file certain additional information with the Board in its application for the issuance or renewal of a license or when any change relating to the information on its license occurs. **Sections 58 and 60-66** of this regulation revise requirements relating to instruction provided by a school of cosmetology. **Sections 57 and 59** of this regulation require a school of cosmetology that ceases operation to: (1) immediately provide the Board and each student with a final time record of the student; and (2) maintain all final time records for at least 4 years. **Section 65** of this regulation revises provisions governing the transfer of credits for a student who transfers from one course of study of cosmetology to another.

Existing regulations provide that a person applying for licensure will not receive credit for incomplete hours in any courses that were taken 4 years or more before the date on which the person enrolled in a school of cosmetology. (NAC 644A.230) **Section 24** of this regulation provides instead that a person applying for licensure or enrolling in a school of cosmetology will not receive credit for incomplete hours in courses that were taken 4 years or more before the date on which the person last attended a course in cosmetology.

Existing law requires an instructor of cosmetology, hair design, esthetics, advanced esthetics or nail technology to complete, during each 2-year period of his or her license, at least the number of hours of continuing education required, at the time the hours of continuing education are completed, for instructors of schools of cosmetology accredited by the National Accrediting Commission of Career Arts & Sciences or its successor organization. (NRS 644A.420, as amended by section 34 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 885) **Section 28** of this regulation sets forth the manner in which credit for the hours of continuing education may be received.

Existing regulations set forth separate requirements for schools of cosmetology and schools of electrology. (NAC 644A.600-644A.690) **Section 90** of this regulation repeals provisions governing schools of electrology and **sections 53 and 54** consolidate certain requirements for schools of electrology with existing requirements for schools of cosmetology.

Existing regulations set forth various requirements for schools of cosmetology and cosmetological establishments governing conditions and procedures for practice. (NAC 644A.700-644A.825) **Sections 67-77** of this regulation make various revisions to those requirements relating to the sanitary conditions and practices, plumbing and exhaust systems of schools of cosmetology and cosmetological establishments. **Section 90** repeals certain requirements relating to certain amenities at cosmetological establishments. **Sections 49, 83 and 85** of this regulation make conforming changes to account for the removal of those requirements. **Section 80** of this regulation revises the devices that a cosmetological establishment is prohibited from having in certain areas of the establishment. **Section 7** of this regulation requires a person who engages in the practice of threading and the owner or operator of a kiosk or stand-alone facility in which a person engages in the practice of threading to comply with certain requirements for a cosmetological establishment.

Existing law requires that a cosmetological establishment, at all times, be under the immediate supervision of a person licensed in the branch of cosmetology under which services are provided at that establishment. (NRS 644A.625, as amended by section 50 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 893) **Section 47** of this regulation clarifies

that a cosmetological establishment where only advanced esthetics are provided must be under the supervision of a licensed advanced esthetician. **Section 48** of this regulation expands the circumstances under which the owner of a cosmetological establishment may lease space within that establishment to certain persons. **Section 49** requires an advanced esthetician or hair braider who leases space from the owner of a cosmetological establishment to comply with certain regulations governing that establishment. **Section 50** of this regulation revises the manner in which a staff member of the Board assigned to perform an inspection of a cosmetological establishment will perform the inspection.

Existing regulations provide that the Board will deny an application for a license to operate a mobile cosmetological establishment if the applicant fails to allow the Board to inspect the establishment or if the establishment has been closed for 12 calendar months. (NAC 644A.545) **Section 51** of this regulation removes the provision that the Board will deny the application if the establishment has been closed for 12 calendar months.

Existing regulations require the holder of a license to operate a mobile cosmetological establishment to submit to the Board a monthly itinerary for the establishment at least 15 days before the beginning of each month. (NAC 644A.560) **Section 52** of this regulation requires the owner of the establishment to instead submit the itinerary to the Board within 48 hours after receiving a request from the Board.

Existing law and regulations authorize a person who holds a limited license to practice cosmetology at a resort hotel or certain other locations in this State. (NRS 644A.455; NAC 644A.825) **Section 15** of this regulation authorizes a person who is licensed to practice cosmetology and is employed by a cosmetological establishment located within a resort hotel to provide certain services in other areas of the resort hotel and requires the cosmetological establishment to maintain records relating to the services provided. **Section 84** of this regulation revises where a person who holds a limited license may practice cosmetology and the services which he or she may offer. **Section 23** of this regulation revises the information that certain applicants for a limited license must submit to the Board. **Sections 81 and 82** of this regulation revise the circumstances under which a licensee may practice cosmetology outside a cosmetological establishment.

Existing regulations set forth the fees required for the initial issuance and renewal of certain licenses and registrations issued by the Board and for an examination for licensure or registration. (NAC 644A.105, 644A.110, 644A.115) **Section 19**: (1) sets forth the fees required for the initial issuance of a license as an advanced esthetician; (2) provides that the fee paid for an annual registration for a makeup artist or certain persons engaged in the practice of threading is valid for 1 year after the date of issuance of the registration; and (3) clarifies the fees that must be paid before the Board will issue a license to operate a cosmetological establishment. **Section 20** sets forth the fee for renewal of a license as an advanced esthetician or hair braider. **Section 21** of this regulation: (1) sets forth the fee for an examination for licensure as an advanced esthetician or hair braider; and (2) increases the fee for a reexamination for licensure or registration from \$75 to \$95.

Existing regulations require the Board, upon receipt of a completed request for a certification of licensure, to immediately forward the certification of licensure to the requesting jurisdiction. (NAC 644A.205) **Section 22** of this regulation removes the requirement that the Board forward the certification immediately.

Existing regulations require an applicant for a limited license or for an examination for certain licenses issued by the Board to submit to the Board certain information and materials.

(NAC 644A.210, 644A.240, 644A.270) **Sections 23 and 25** revise the information and materials that are required to be submitted to the Board by such an applicant. **Section 29** of this regulation revises: (1) the forms of identification that an applicant for licensure in a branch of cosmetology must present when attending certain examinations; and (2) the circumstances under which the Board will notify certain schools of cosmetology of the results of an examination.

Existing law provides for the issuance by the Board of a license as a student instructor and a provisional license as an instructor. (NRS 644A.415, as amended by section 33 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 885, NRS 644A.435) **Sections 26 and 27** of this regulation revise the materials that applicants for such licenses must submit to the Board.

Existing regulations authorize the Board to dispense with the examination of a cosmetologist, hair designer, hair braider, nail technologist, esthetician, electrologist or instructor for certain persons under certain circumstances. (NAC 644A.275) **Section 30** of this regulation authorizes the Board to dispense with the examination of an advanced esthetician under the same circumstances.

Existing regulations prescribe the minimum content that must be included in certain examinations for licensure and sets forth the conditions under which a cosmetologist, nail technologist, hair designer, esthetician, electrologist or instructor is deemed to have successfully completed an examination for licensure. (NAC 644A.280, 644A.283, 644A.285, 644A.290, 644A.293) **Sections 4 and 5** of this regulation set forth the minimum required content of an examination for licensure as an advanced esthetician and a hair braider. **Sections 31-33** of this regulation revise the required content of the examinations for a cosmetologist, hair designer and esthetician. **Sections 34 and 35** of this regulation set forth the conditions under which an advanced esthetician, hair braider or instructor is deemed to have successfully completed his or her respective examination for licensure. **Section 36** revises procedures by which an applicant for examination may request the language in which certain examinations are offered and sets forth the requirements for using a translator for the examination.

Existing regulations set forth various requirements governing cosmetologist's apprentices, esthetician's apprentices, nail technologist's apprentices and electrologist's apprentices. (NAC 644A.300-644A.395) **Section 90** repeals provisions governing electrologist's apprentices, and **sections 37, 39-42, 44 and 45** of this regulation consolidate certain provisions governing electrologist's apprentices with provisions of existing regulations governing cosmetologist's apprentices, esthetician's apprentices and nail technologist's apprentices.

Section 37 revises the required content of an application to receive a certificate of registration as an apprentice. **Section 38** of this regulation revises the amount of time in which the Board will approve or deny an application to receive a certificate of registration as an apprentice. **Section 40** of this regulation revises which training hours previously earned by an applicant may be applied to certain training hour requirements for apprentices.

Existing regulations prohibit a licensed cosmetologist supervising and training a cosmetologist's apprentice from accepting compensation for the apprenticeship. (NAC 644A.330) **Section 43** of this regulation specifies that this prohibition applies only to compensation from the apprentice.

Section 42 of this regulation limits the training of an apprentice to not more than 10 hours per day and, upon completion of the training of an apprentice, requires the apprentice's supervisor to provide the Board with a score sheet indicating the apprentice's performance on the practical examination required by the Board. **Section 45** removes the failure of an apprentice to

wear a badge and the failure of the apprentice’s supervisor to ensure the apprentice wears a badge from the list of acts which are deemed unfair or unjust practices that constitute grounds for disciplinary action by the Board. **Section 46** of this regulation provides that the Board will not authorize a person to supervise and train an apprentice if the person is already supervising and training another apprentice. **Section 6** of this regulation sets forth certain requirements for the advertising of the services of an apprentice.

Existing law authorizes the Board to take certain disciplinary action against a licensee or registrant under certain circumstances. (NRS 644A.850, as amended by section 54 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 895) **Section 85** revises the schedule of fines which the Board may impose for certain violations.

Existing regulations make using the terms “expert,” “advanced” or “medical” in connection with any description of a licensee’s practice in any branch of cosmetology or otherwise holding the licensee out to the public as an expert, advanced or medical practitioner in any branch of cosmetology grounds for disciplinary action. (NAC 644A.870) **Section 86** of this regulation specifies that a licensed advanced esthetician is not subject to disciplinary action for using the term “advanced” in connection with his or her practice in advanced esthetics or holding himself or herself out to the public as an advanced esthetician.

Existing regulations: (1) authorize a cosmetologist or an esthetician to remove the uppermost layers of the facial skin in accordance with certain requirements; and (2) prohibits such a person from using techniques or practices that affect anything other than the uppermost layers of the facial skin. (NAC 644A.785) **Section 78** of this regulation revises those provisions to instead: (1) authorize a cosmetologist or an esthetician to remove any portion of the skin that is at or above the stratum corneum in accordance with certain requirements; and (2) prohibit such a person from using techniques or practices for the removal of skin below the stratum corneum.

Existing regulations prohibit a licensee from performing any invasive procedure. (NAC 644A.790) **Section 79** of this regulation revises that prohibition to: (1) revise the procedures that constitute a prohibited invasive procedure; and (2) specify certain procedures that an advanced esthetician is authorized to perform and prohibited from performing.

Existing regulations authorize a person to petition the Board: (1) to appear before the Board and be heard on certain matters; and (2) for a declaratory order or advisory opinion as to the applicability of any statutory provision or any regulation or decision of the Board. (NAC 644A.940, 644A.970-644A.985) **Section 87** of this regulation revises the circumstances under which the Board will deny certain petitions. **Section 88** of this regulation: (1) provides that the Board will not consider certain petitions submitted after a certain period of time; and (2) prohibits a petitioner whose petition for a declaratory order or advisory opinion was granted or denied from petitioning the Board again on the same matter. **Section 89** of this regulation makes a conforming change to account for the renumbering of provisions in **section 88**.

Sections 17 and 18 of this regulation revise the definitions of “school of cosmetology” and “sterilization” for the purpose of existing regulations relating to cosmetology.

Section 1. Chapter 644A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 15, inclusive, of this regulation.

Sec. 2. *“Health care professional” has the meaning ascribed to it in NRS 453C.030.*

Sec. 3. 1. *Any person who is on active duty in any branch of the Armed Forces of the United States, or who is the spouse or dependent child of such a person and is residing with the person, may defer the expiration of his or her license or certificate of registration, as applicable, by completing and submitting to the Board a form provided by the Board before the date on which the license or certificate of registration expires.*

2. Any person who is on active duty in any branch of the Armed Forces of the United States may, after the date on which his or her license or certificate of registration, as applicable, expires, defer the expiration of his or her license or certificate of registration by completing and submitting to the Board a form provided by the Board and providing proof satisfactory to the Board that the person's active duty service in any branch of the Armed Forces of the United States contributed to his or her failure to renew his or her license or certificate of registration before the date on which it was to expire.

Sec. 4. *An examination for licensure as an advanced esthetician will include, without limitation, a test on:*

- 1. Infection control and prevention;*
- 2. The provisions of this chapter and chapter 644A of NRS;*
- 3. Client preparation and setup of supplies;*
- 4. Cleansing, exfoliating and massaging the face;*
- 5. Hair removal;*
- 6. Facial masks or products;*
- 7. Devices and treatments used in the practice of advanced esthetics;*
- 8. Facial machines, electricity and electrotherapy; and*
- 9. Procedures for exposure to blood.*

Sec. 5. *An examination for licensure as a hair braider will include, without limitation, a test on:*

- 1. Infection control and prevention;*
- 2. The provisions of this chapter and chapter 644A of NRS;*
- 3. Client preparation and setup of supplies;*
- 4. Braiding;*
- 5. Extensions; and*
- 6. Procedures for exposure to blood.*

Sec. 6. *Advertising of the services of a cosmetologist's apprentice, hair designer's apprentice, esthetician's apprentice, electrologist's apprentice or nail technologist's apprentice must not mislead the public about the nature or extent of those services. A finding of false or misleading advertising regarding services of such an apprentice is sufficient cause to warrant revocation or suspension of the permit of the apprentice, the license of the supervisor or the license of the cosmetological establishment where the apprentice provides or is advertised to provide services.*

Sec. 7. *Each person required to register with the Board pursuant to NRS 644A.550, as amended by section 45 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 890, shall ensure that each kiosk or other stand-alone facility in which the person practices threading or which the person owns or operates complies with the requirements of NAC 644A.705, 644A.720, 644A.730, 644A.740 and 644A.765 for a cosmetological establishment.*

Sec. 8. *The requirement set forth in NRS 644A.545 requiring an advanced esthetician to be supervised by a health care professional in the performance of a nonablative esthetic*

medical procedure is not satisfied by the supervision of the advanced esthetician by a registered nurse.

Sec. 9. *1. Any device, as defined in 21 U.S.C. § 321, that is a laser, a radial shockwave device, a cryotherapy device or a device that emits radio frequencies, plasma, intense pulsed light, ultrasound, microwave or similar energies and which is considered a prescription device by the United States Food and Drug Administration is an esthetic medical device appropriate for use in an esthetic medical procedure.*

2. An advanced esthetician may, in accordance with the requirements of this chapter and chapter 644A of NRS, perform any nonablative esthetic medical procedure that is performed using an esthetic medical device described in subsection 1.

Sec. 10. *1. An advanced esthetician shall, before performing any nonablative esthetic medical procedure under the supervision of a health care professional, enter into a collaboration agreement with the health care professional on a form prescribed by the Board and submit the collaboration agreement to the Board for its approval. An advanced esthetician shall not perform a nonablative esthetic medical procedure unless the Board has approved the collaboration agreement between the advanced esthetician and the health care professional who will supervise the performance of the procedure submitted pursuant to this subsection.*

2. The Board will:

(a) Provide a copy of a collaboration agreement submitted pursuant to subsection 1 to the regulatory body which governs the profession of the health care professional who is a party to the collaboration agreement upon request of the regulatory body; and

(b) Not approve the collaboration agreement if the regulatory body objects to the collaboration agreement.

3. *An advanced esthetician shall retain a copy of each collaboration agreement entered into by the advanced esthetician and provide a copy of any such collaboration agreement to an investigator, inspector or staff member of the Board upon request.*

4. *An advanced esthetician shall notify the Board within 72 hours after any change in a collaboration agreement entered into by the advanced esthetician, including, without limitation, the termination of the collaboration agreement.*

5. *As used in this section, “regulatory body” has the meaning ascribed to it in NRS 622.060.*

Sec. 11. 1. *An advanced esthetician may perform an advanced esthetic procedure only in a licensed cosmetological establishment that is licensed to offer services relating to the practice of advanced esthetics, regardless of whether the advanced esthetician is employed in a medical office or by a health care professional.*

2. *A holder of a license to operate a cosmetological establishment at which an advanced esthetician performs a nonablative esthetic medical procedure shall, in addition to the sign required by paragraph (b) of subsection 1 of NRS 644A.615, post in plain view a sign of sufficient size to be visible and legible to members of the general public stating that an advanced esthetician may only perform a nonablative esthetic medical procedure while under the supervision of a health care professional. Such signs may be posted in the room in which nonablative esthetic medical procedures are performed.*

3. *At all times during the performance of a nonablative esthetic medical procedure, the health care professional supervising the procedure must be readily available in accordance with NRS 644A.545 to provide care if medical intervention is required. The health care professional shall not direct the advanced esthetician performing the procedure to take any*

action that is outside the scope of practice, ability or expertise of the advanced esthetician. If medical intervention is required, the advanced esthetician may administer reasonable emergency services, including, without limitation, first aid and cardiopulmonary resuscitation, that are within his or her ability.

Sec. 12. *1. A school of cosmetology shall not provide any instruction in advanced esthetics unless the instruction is provided as part of a program for training students to be advanced estheticians that is supervised by a health care professional.*

2. A school of cosmetology that wishes to offer a program for training students to be advanced estheticians shall enter into a collaboration agreement with the health care professional who will supervise the program and submit the collaboration agreement to the Board for its approval. A school of cosmetology shall not provide any instruction in advanced esthetics unless the Board has approved a collaboration agreement between the school of cosmetology and the health care professional who will supervise the program for training students to be advanced estheticians submitted pursuant to this subsection.

3. A collaboration agreement submitted pursuant to subsection 2 must not conflict with the laws and regulations governing the profession of the health care professional who is a party to the agreement. The Board will:

(a) Provide a copy of a collaboration agreement submitted pursuant to subsection 2 to the regulatory body which governs the profession of the health care professional who is a party to the collaboration agreement upon request of the regulatory body; and

(b) Not approve the collaboration agreement if the regulatory body objects to the collaboration agreement.

4. *As used in this section, “regulatory body” has the meaning ascribed to it in NRS 622.060.*

Sec. 13. *For a program for training students to be advanced estheticians offered by a school of cosmetology to be supervised by a health care professional as required by subsection 1 of section 12 of this regulation, the health care professional with whom a school has entered a collaboration agreement pursuant to subsection 2 of section 12 of this regulation must:*

1. *Supervise any enrolled student or licensed instructor in the program in the performance of any nonablative esthetic medical procedure;*
2. *Cooperate with the school of cosmetology to ensure:*
 - (a) *The quality and safety of any advanced esthetic procedures performed by enrolled students and licensed instructors in the programs; and*
 - (b) *The maintenance of accurate records and documentation concerning the program, any protocols for initiating medical treatment relating to the program and any medical treatment provided pursuant to the program; and*
3. *At least quarterly, be physically present at the school of cosmetology for a sufficient amount of time to:*
 - (a) *Accurately assess the quality of advanced esthetic procedures being performed by enrolled students and licensed instructors in the program;*
 - (b) *Directly observe the equipment being used pursuant to the program, including, without limitation, any observation necessary to determine whether the equipment is properly calibrated;*
 - (c) *Assess whether records and documentation are being adequately maintained; and*

(d) Consult with school personnel concerning medical treatment provided pursuant to the program.

Sec. 14. 1. *Each school of cosmetology must offer the following subjects in a program for training students to be advanced estheticians:*

(a) Advanced esthetic theory, including, without limitation, the subjects listed in NRS 644A.277, with a minimum of 10 percent and a maximum of 13 percent of the total hours of training mandatory for all students.

(b) Practical instruction in the following:

(1) Skin analysis, client consultation, pre- and post-treatment protocols, contraindications and patient recordkeeping.

(2) Facials and advanced facial treatments.

(3) Dermaplaning.

(4) Machine exfoliation service.

(5) Hair removal, including, without limitation, the use of depilatories, waxing, tweezers and lasers.

(6) Chemical exfoliation, including, without limitation, the use of alpha hydroxy acids, beta hydroxy acids, trichloroacetic acids and blended chemical peels.

(7) Advanced treatments and modalities for the face and body, including, without limitation, services using direct current, indirect current, cryotherapy, lasers, intense pulsed light, radio frequency, ultrasound, plasma and other energies.

(8) Extractions.

(9) Skin needling.

(10) Laser safety and device maintenance.

(11) Infection prevention and safety procedures.

(c) Field trips and modeling, with a maximum of 5 percent of the total hours of training optional for all students.

(d) Infection control and prevention, with a minimum of 3 percent of the total hours of training mandatory for all students.

(e) The provisions of this chapter and chapter 644A of NRS, with a minimum of 2 percent of the total hours of training mandatory for all students.

2. A student may, after completing 10 percent of the total hours of training, earn credit for up to 5 percent of the total hours of training by attending field trips that are approved by the school. A field trip must be conducted under the direct supervision of a licensed instructor. The instructor shall accompany the student and be available to provide assistance or instruction to the student at all times during the field trip. The student must submit to the school a time record, authenticated by the instructor, for each field trip.

Sec. 15. *1. A person who is licensed pursuant to chapter 644A of NRS to practice cosmetology and who is employed by a cosmetological establishment located within a resort hotel may provide any of the services described in paragraph (b) of subsection 2 of NAC 644A.825 in any area of the resort hotel in which the resort hotel authorizes the person to perform those services.*

2. A cosmetological establishment shall maintain and make available to the Board upon request a record of all services provided by an employee of the cosmetological establishment pursuant to subsection 1, including, without limitation:

(a) The name of each employee who provides a service;

(b) Each date on which the employee provides the service; and

(c) Which services are provided by the employee pursuant to each request for services.

Sec. 16. NAC 644A.001 is hereby amended to read as follows:

644A.001 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 644A.005 to 644A.080, inclusive, *and section 2 of this regulation* have the meanings ascribed to them in those sections.

Sec. 17. NAC 644A.060 is hereby amended to read as follows:

644A.060 “School of cosmetology” means a licensed establishment accepting compensation for instruction in cosmetology *or any branch thereof* which enrolls students in courses that satisfy the requirements for licensure under this chapter and chapter 644A of NRS.

Sec. 18. NAC 644A.070 is hereby amended to read as follows:

644A.070 “Sterilization” means the complete destruction of all microbial life by means of heat and pressure, including, without limitation, the use of an autoclave *or a dry sterilizer* approved by the United States Food and Drug Administration.

Sec. 19. NAC 644A.105 is hereby amended to read as follows:

644A.105 1. The fee for an initial license or registration issued by the Board for:

(a) An instructor, hair designer, nail technologist, electrologist, esthetician, *advanced esthetician or* cosmetologist ~~for demonstrator of cosmetics~~ is:

(1) For 2 years, \$70.

(2) For 4 years, \$140.

(b) A provisional license as an instructor is, for 1 year, \$70.

(c) A shampoo technologist is:

(1) For 2 years, \$50.

(2) For 4 years, \$100.

(d) A school of cosmetology is:

(1) For 2 years, \$800.

(2) For 4 years, \$1,600.

2. The fee for an annual registration for a makeup artist, a natural person who engages in the practice of threading or the owner or operator of a kiosk or other stand-alone facility in which a natural person engages in the practice of threading is, for ~~the~~ a period *of 1 year* beginning on ~~January 1 and ending on December 31 of a calendar year,~~ *the date of issuance*, \$25.

3. A person who applies for a license to operate a cosmetological establishment pursuant to NRS 644A.600 must pay the fee for the issuance of the license specified in subsection 3 of NRS 644A.600, the fee for the initial inspection specified in subsection 4 of NRS 644A.600 and, if applicable, the fee for each additional inspection specified in subsection 4 of NRS 644A.600 before the Board will issue the person a license.

Sec. 20. NAC 644A.110 is hereby amended to read as follows:

644A.110 The fees for the renewal of certain licenses and registrations required pursuant to subsection 2 of NRS 644A.520 , *as amended by section 42 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 889*, are:

1. For instructors, hair designers, nail technologists, electrologists, ~~demonstrators of cosmetics,~~ estheticians , *advanced estheticians, hair braiders* and cosmetologists:

(a) For 2 years, \$70.

(b) For 4 years, \$140.

2. For cosmetological establishments:

(a) For 2 years, \$200.

(b) For 4 years, \$400.

3. For shampoo technologists:

(a) For 2 years, \$50.

(b) For 4 years, \$100.

4. For schools of cosmetology:

(a) For 2 years, \$800.

(b) For 4 years, \$1,600.

Sec. 21. NAC 644A.115 is hereby amended to read as follows:

644A.115 The fees for certain examinations required pursuant to subsection 1 of NRS 644A.470 , *as amended by section 37 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 886*, are:

1. For examination as a cosmetologist, \$110.

2. For examination as an electrologist, \$110.

3. For examination as a nail technologist, \$110.

4. For examination as an esthetician, \$110.

5. *For examination as an advanced esthetician, \$110.*

6. For examination as a hair designer, \$110.

~~6.~~ 7. *For examination as a hair braider, \$110.*

8. For examination as an instructor, \$110.

~~7.~~ 9. For each reexamination, ~~75.~~ *\$95.*

Sec. 22. NAC 644A.205 is hereby amended to read as follows:

644A.205 1. A request for a certification of licensure in this State must be ~~made in writing or~~ submitted electronically on a form provided by the Board. Upon the receipt of a

completed request for a certification of licensure, the Board will ~~immediately~~ forward the certification of licensure to the requesting jurisdiction.

2. The Board will accept a certification of licensure from another jurisdiction only if the Board receives the certification directly from the agency in the other jurisdiction authorized to provide such certifications. A certification of licensure from another jurisdiction is valid for 6 months after the date on which the Board receives the certification. The Board will not accept altered forms of a certification of licensure.

Sec. 23. NAC 644A.210 is hereby amended to read as follows:

644A.210 In addition to the requirements set forth in NRS 644A.455, a person applying for a limited license under that section must submit to the Board:

1. If the person is licensed in another state or territory of the United States or the District of Columbia:

(a) A copy of ~~a valid~~ *an active* license to practice cosmetology from another state or territory of the United States or the District of Columbia;

(b) A certification of licensure provided directly from the board which issued the license;

(c) Valid identification, including, without limitation, a driver's license, passport or identification card which contains a picture of the applicant and was issued by another state or territory of the United States or the District of Columbia;

(d) Proof of temporary hire by a location described in paragraph (a) of subsection 2 of NAC 644A.825 which consists of a letter or other documentation from the location stating that the person applying for the limited license has been hired or has contracted to engage in the practice of cosmetology ~~for makeup artistry~~ *or any branch thereof* at the location for a designated period;

(e) ~~{Two photographs}~~ *A photograph* which must:

(1) ~~{Be identical;}~~

~~—(2)}~~ Have been taken not more than 90 days before the submission of the application;

~~{(3) Be 2 inches by 2 inches in size;}~~ and

~~{(4)}~~ (2) Show the front view of the full face of the applicant in color against a plain white or off-white background and be otherwise substantially equivalent to a photograph suitable for use in a passport issued by the United States Government; and

(f) A fee of \$100.

2. If the person is licensed under NRS 644A.300, 644A.315, *644A.328*, 644A.330 or 644A.345:

(a) A form supplied by the Board containing the name, address, electronic mail address, social security number, age, citizenship status and military status of the applicant, the license number of the cosmetologist, hair designer, esthetician, *advanced esthetician* or nail technician, whether the applicant is subject to a court order for the support of a child and any other information required by the Board;

(b) The name and address under which the license described in this subsection was issued;

(c) Valid identification, including, without limitation, a driver's license, passport or identification card which contains a picture of the applicant and which was issued by another state or territory of the United States or the District of Columbia;

(d) ~~{Two photographs}~~ *A photograph* which must:

(1) ~~{Be identical;}~~

~~—(2)}~~ Have been taken not more than 90 days before the submission of the application;

~~{(3) Be 2 inches by 2 inches in size;}~~ and

~~{(4)}~~ (2) Show the front view of the full face of the applicant in color against a plain white or off-white background and be otherwise substantially equivalent to a photograph suitable for use in a passport issued by the United States Government; and

(e) A fee of \$100.

Sec. 24. NAC 644A.230 is hereby amended to read as follows:

644A.230 A person applying for licensure *or enrolling in a school of cosmetology* pursuant to this chapter and chapter 644A of NRS will not receive credit for incomplete hours in courses that were taken 4 years or more before *the date on which* the person ~~{enrolled}~~ *last attended a course* in a school of cosmetology.

Sec. 25. NAC 644A.240 is hereby amended to read as follows:

644A.240 An applicant for examination for a license as a cosmetologist, hair designer, *advanced esthetician*, esthetician ~~{}~~ *or* nail technologist ~~{or demonstrator of cosmetics}~~ pursuant to NRS 644A.300, 644A.315, *644A.328*, 644A.330 ~~{}~~ *or* 644A.345, ~~{or 644A.385,}~~ respectively, ~~{or for registration as a shampoo technologist or makeup artist pursuant to NRS 644A.375 or 644A.395, respectively,}~~ must provide:

1. A completed application on a form furnished by the Board.

2. ~~{Two photographs}~~ *A photograph* of the applicant ~~{. The photographs}~~ *which* must:

(a) ~~{Be identical;}~~

~~{(b)}~~ Have been taken not more than 90 days before the date of the submission of the application;

~~{(c) Be 2 inches by 2 inches in size;}~~ and

~~[(d)]~~ (b) Show the front view of the full face of the applicant in color against a plain white or off-white background and be otherwise substantially equivalent to a photograph suitable for use in a passport issued by the United States Government.

3. The applicable fees.

4. One of the following documents as proof of the ~~age~~ *identity* of the applicant:

(a) ~~A photocopy of the birth certificate of the applicant;~~

~~—(b)]~~ A copy of a current passport issued to the applicant; ~~for~~

~~(e)]~~ (b) A copy of a current driver's license or identification card, including a picture of the applicant, issued to the applicant by a state agency ~~];~~ *or*

(c) A copy of a valid, unexpired Permanent Resident Card issued by the United States Citizenship and Immigration Services of the Department of Homeland Security.

5. If the applicant provided his or her social security number on the application for examination for the license, a copy of the social security card of the applicant.

6. If the applicant provided an individual taxpayer identification number on the application for examination for the license, a copy of the document issued by the Internal Revenue Service to the applicant indicating the individual taxpayer identification number of the applicant.

Sec. 26. NAC 644A.250 is hereby amended to read as follows:

644A.250 1. The written verification of the completion of education required by paragraph (a) of subsection 1 of NRS 644A.415 must be a copy of the applicant's:

(a) High school or college diploma;

(b) Transcript of high school grades showing successful completion of the 12th grade;

(c) Nevada High School Equivalency Certificate; or

(d) General educational development certificate.

2. The written verification of prior experience required by paragraph (b) of subsection 1 of NRS 644A.415 must be in the form of:

(a) A statement signed by the employer or employers for whom the applicant was working at the time the experience was gained; or

(b) Federal tax returns of the applicant, including all applicable forms and schedules, ↪ which clearly show that the applicant has practiced as a full-time licensed cosmetologist, hair designer, esthetician, *advanced esthetician* or nail technologist for not less than 1 year.

3. The ~~photographs~~ *photograph* required to be submitted pursuant to paragraph (e) of subsection 1 of NRS 644A.415, *as amended by section 33 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 885*, must:

(a) ~~Be identical;~~

~~(b)~~ Have been taken not more than 90 days before the date of the submission of the application;

~~(c) Be 2 inches by 2 inches in size;~~ and

~~(d)~~ *(b)* Show the front view of the full face of the applicant in color against a plain white or off-white background and be otherwise substantially equivalent to a photograph suitable for use in a passport issued by the United States Government.

4. An applicant for a provisional license as an instructor shall provide the Board with proof that the applicant is enrolled in a licensed school of cosmetology and his or her enrollment form must be submitted to the Board.

5. An applicant for a provisional license as an instructor must hold a license to practice each branch of cosmetology for which the applicant is seeking provisional licensure as an instructor.

Sec. 27. NAC 644A.255 is hereby amended to read as follows:

644A.255 1. The written verification of the completion of education required by paragraph (a) of subsection 1 of NRS 644A.435 must be a copy of the applicant's:

- (a) High school or college diploma;
- (b) Transcript of high school grades showing successful completion of the 12th grade;
- (c) Nevada High School Equivalency Certificate; or
- (d) General educational development certificate.

2. The photographs required to be submitted pursuant to paragraph (e) of subsection 1 of NRS 644A.435 must:

- (a) ~~Be identical;~~
- ~~(b)~~ Have been taken not more than 90 days before the date of the submission of the application;
- ~~(c) Be 2 inches by 2 inches in size;~~ and
- ~~(d)~~ (b) Show the front view of the full face of the applicant in color against a plain white or off-white background and be otherwise substantially equivalent to a photograph suitable for use in a passport issued by the United States Government.

3. An applicant for a license as a student instructor shall provide the Board with proof that the applicant is enrolled in a licensed school of cosmetology and submit his or her enrollment form to the Board.

4. An applicant for a license as a student instructor must hold a license to practice each branch of cosmetology for which the applicant is seeking licensure as a student instructor.

Sec. 28. NAC 644A.260 is hereby amended to read as follows:

644A.260 1. An instructor may receive credit for the ~~{30}~~ hours of ~~{advanced training}~~ *continuing education required* in each 2-year period ~~{required}~~ pursuant to NRS 644A.420 ~~†~~ ~~644A.425 or 644A.430 if:†~~, as amended by section 34 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 885, for:

(a) ~~{The instructor has received 15 hours of instruction from professional classes or seminars, or both, on hair, skin and nail care, sponsored by a professionally recognized company or natural person approved by the Board;~~

~~—(b) The instructor has received 30 hours}~~ *Hours* of continuing education *received* in courses approved by the Board in any of the following areas:

- (1) Science;
- (2) Health;
- (3) Business;
- (4) Technology;
- (5) Education or teaching methodology;
- (6) Language; ~~{or}~~
- (7) Advanced cosmetology;

~~{(e) The instructor has received 30 hours} or~~

(8) Advanced esthetics;

(b) Hours of instruction *received* from courses offered at a university or community college in the areas specified in paragraph ~~{(b)}~~;

~~{(d) The instructor has received 30 hours} (a);~~

(c) Hours of instruction *received* from courses in the areas specified in paragraph ~~{(b)}~~ *(a)* that are sponsored by an organization or natural person that has been approved by the Board;

~~{(e) The instructor has received 30 hours}~~

(d) Hours of instruction received in in-service classes that have been approved by the Board;

~~for~~

~~—(f) The instructor has received}~~

(e) Receipt of a certificate of completion for a cardiopulmonary resuscitation or first-aid course that has been approved by the Board ~~H~~ ; *or*

(f) For an instructor of advanced esthetics, receipt of a certificate of completion for a laser safety officer training course that has been approved by the Board.

2. A school of cosmetology may conduct in-service classes for the purposes of this section.

3. All hours for credits for continuing education must be properly documented in written format, including, but not limited to, report cards, certificates of completion or letters which verify that the licensee attended the class and the number of hours earned. If the information documenting the hours taken is not clearly indicated on the documents provided to the Board, the documents will not be accepted. All documents submitted as evidence that the licensee has met the requirements for continuing education must be submitted during the period provided by the Board for the renewal of the license, together with the renewal slip and the required pictures and fees. The falsification of any such documents, or any information contained therein, is a ground for disciplinary action against the licensee.

Sec. 29. NAC 644A.270 is hereby amended to read as follows:

644A.270 1. When an applicant for licensure in any branch of cosmetology registers for the theory examination, he or she must submit to the Board:

(a) If the applicant attended a school of cosmetology that is located in this State, an original record of completion of the required courses of training and a copy of the final time record for the courses studied;

(b) If the applicant attended a school of cosmetology that is located outside of this State, including, without limitation, a school of cosmetology that is located outside of the United States, a letter or record from the governmental agency, if any, that regulates such schools in the appropriate jurisdiction which verifies that the student completed courses of training and attended a number of hours per subject that are comparable to the requirements in this State; or

(c) If the applicant received his or her training pursuant to NRS 644A.310, 644A.325, 644A.340 or 644A.355, and NAC 644A.300 to 644A.345, inclusive, as a cosmetologist's apprentice, hair designer's apprentice, esthetician's apprentice, *electrologist's apprentice* or nail technologist's apprentice, a copy of the final report submitted to the Board, pursuant to NAC 644A.325, by the licensed cosmetologist, hair designer, esthetician, *electrologist* or nail technologist who supervised and trained the apprentice.

2. Any hours taken at a school of cosmetology that is located outside of the United States are subject to the approval of the Board for the purposes of determining whether the training received is equivalent to the training which the applicant would have received at a school of cosmetology located in the United States.

3. The Board or its designee will send a written or electronic acceptance letter to each applicant for the theory examination. On the designated day and time of the theory or practical examination, the applicant must present ~~the acceptance letter and~~ his or her picture identification *and any other information required by the person conducting the examination* at

the location where the examination is being given for admittance into the examination. An applicant who fails to bring the ~~{acceptance letter and picture}~~ *required forms of* identification:

- (a) Will be denied entrance to the examination;
- (b) Forfeits any fees paid to take the examination; and
- (c) Must reregister before taking the examination.

4. The Board or its designee will notify the applicant ~~{and, if the applicant attended a school of cosmetology in this State, the school}~~ of the results of his or her theory examination and his or her percentage score not later than 3 weeks after the date of the theory examination or, if the examination is graded by a testing company, within 5 business days after the results are received from the testing company, whichever occurs later.

5. *An applicant who attended a school of cosmetology in this State, after receiving the results of his or her theory examination and his or her percentage score, may submit a request to the Board to notify the school of cosmetology of that information. The Board or its designee will, not later than 5 days after receipt of such a request, notify the school of cosmetology that the applicant attended of the results of his or her theory examination and his or her percentage score.*

6. Each applicant must be on time to take the examination. Any applicant who arrives late:
- (a) Will be denied entrance to the examination;
 - (b) Forfeits any fees paid to take the examination; and
 - (c) Must reregister before taking the examination.

~~{6.}~~ 7. Except as otherwise provided in subsection ~~{7.}~~ 8, each applicant for licensure as a nail technologist, cosmetologist, hair designer, electrologist, ~~{or}~~ esthetician *or advanced esthetician* must bring to the practical examination a model or mannequin and all equipment

required for the examination. The applicant must be able to complete the practical examination on the model or mannequin brought for the examination. An applicant who fails to bring a model or mannequin and all required equipment to the practical examination:

- (a) Will be denied entrance to the examination;
- (b) Forfeits any fees paid to take the examination; and
- (c) Must reregister before taking the examination.

~~f7-f~~ **8.** An applicant may rent a supply kit for the practical examination directly from a company that makes such kits. The Board will not set or accept any fees for renting supply kits.

~~f8-f~~ **9.** While taking an examination, each applicant must wear clean outer garments and adequate footwear.

Sec. 30. NAC 644A.275 is hereby amended to read as follows:

644A.275 The Board may dispense with the examination of a cosmetologist, hair designer, hair braider, nail technologist, esthetician, *advanced esthetician*, electrologist or instructor pursuant to subsection 3 of NRS 644A.525 if the person applying for restoration of his or her license provides proof of a current license in another state and certification of licensure directly from the appropriate board of that state that the license is in good standing.

Sec. 31. NAC 644A.280 is hereby amended to read as follows:

644A.280 An examination for licensure as a cosmetologist will include, but is not limited to, a test on:

1. Infection control and prevention;
2. The provisions of this chapter and chapter 644A of NRS;
3. Setup and client protection;
4. Thermal curling;

5. Haircutting;
6. Chemical waving;
7. Hair color;
8. Hair relaxer;
9. Basic facials; ~~and~~
10. Sculptured nails ~~+~~ ; *and*

11. Procedures to follow in the event of exposure to blood.

Sec. 32. NAC 644A.283 is hereby amended to read as follows:

644A.283 An examination for licensure as a hair designer will include, but is not limited to, a test on:

1. Infection control and prevention;
2. The provisions of this chapter and chapter 644A of NRS;
3. Setup and client protection;
4. Thermal curling;
5. Haircutting;
6. Chemical waving;
7. Hair color; ~~and~~
8. Hair relaxer ~~+~~ ; *and*

9. Procedures to follow in the event of exposure to blood.

Sec. 33. NAC 644A.285 is hereby amended to read as follows:

644A.285 An examination for licensure as an esthetician will include, but is not limited to, a test on:

1. Infection control and prevention;

2. The provisions of this chapter and chapter 644A of NRS;
3. Client preparation and setup of supplies;
4. Cleansing the face;
5. Exfoliating the face;
6. Massaging *or manipulating* the face;
7. Hair removal ; ~~by tweezing and simulated soft wax;~~
8. Facial masks;
9. Facial makeup; and
10. Procedures for exposure to blood.

Sec. 34. NAC 644A.290 is hereby amended to read as follows:

644A.290 The passing score for the examination of a cosmetologist, nail technologist, hair designer, esthetician , *advanced esthetician, hair braider* or electrologist is not less than 75 percent on the theory examination and a “Pass” on the practical examination.

Sec. 35. NAC 644A.293 is hereby amended to read as follows:

644A.293 An applicant for licensure as an instructor must successfully complete:

1. A ~~nationally recognized~~ theory examination, with a passing score of not less than 75 percent; and
2. A law examination consisting of ~~50~~ 25 multiple-choice questions on Nevada law relating to cosmetology, with a passing score of not less than 75 percent.

Sec. 36. NAC 644A.295 is hereby amended to read as follows:

644A.295 1. An applicant for examination shall indicate ~~on the face of his or her application;~~ *in writing not less than 45 days before the scheduled date of the examination* the language in which the applicant wishes to have the examination offered.

2. The written and practical portions of the examination will be offered in English or Spanish without additional expense to an applicant.

3. An applicant who wishes to take the examination in a language other than English or Spanish must:

(a) Pay all expenses for taking the examination in a language other than English or Spanish, including, without limitation, the costs for the development, preparation, administration, grading and evaluation of the examination.

(b) Not less than 45 days before the date of the examination, file a written notice with the Executive Director containing the name of the ~~interpreter~~ *translator* to be used in the examination and the name of the organization with which the ~~interpreter~~ *translator* is affiliated.

(c) At the time of the examination and at the applicant's own expense, provide ~~an interpreter~~ *a translator* who meets the qualifications set forth in subsection 4 to translate the written and practical portions of the examination. The Executive Director may allow more than one applicant to share the services of ~~an interpreter~~ *a translator* to reduce the expenses borne by those applicants.

4. To translate the written and practical portions of an examination pursuant to this section, ~~an interpreter~~ *a translator* must be:

(a) Affiliated with an organization that has been approved by the Board; ~~and~~

(b) Personally approved by the Executive Director ~~+~~ *; and*

(c) Approved by the owner of the examination vendor, if applicable.

5. The Executive Director shall:

(a) Maintain a list of the organizations that have been approved by the Board to provide ~~interpreters~~ *translators* for the examination; and

(b) Make the list available to applicants.

6. At the time of the examination, ~~{an interpreter}~~ *a translator* shall provide such identification as is necessary to establish the ~~{interpreter's}~~ *translator's* identity and the identity of the organization with which he or she is affiliated.

7. For purposes of this section, "examination" means the examination for licensure as a cosmetologist, hair designer, hair braider, esthetician, *advanced esthetician*, nail technologist or ~~{demonstrator of cosmetics.}~~ *electrologist*.

Sec. 37. NAC 644A.300 is hereby amended to read as follows:

644A.300 1. To receive a certificate of registration as a cosmetologist's apprentice, hair designer's apprentice, esthetician's apprentice, *electrologist's apprentice* or nail technologist's apprentice, an applicant must complete and submit to the Board a written or electronic application on the appropriate form provided by the Board.

2. In addition to the information specified in subsection 3 of NRS 644A.310, the form must be accompanied by:

(a) Proof satisfactory to the Board that the applicant:

(1) Is a resident of a county in this State whose population is less than 50,000;

(2) Is required to travel more than 60 miles from his or her place of residence to attend a licensed school of cosmetology;

(3) Is not less than 16 years of age at the time of application;

(4) Is of good moral character; and

(5) Has completed at least :

(I) For an applicant to receive a certificate of registration as a cosmetologist's apprentice, hair designer's apprentice, esthetician's apprentice or nail technologist's apprentice, the 10th grade ~~in high school or its equivalent;~~ ; or

(II) For an applicant to receive a certificate of registration as an electrologist's apprentice, the 12th grade;

(b) A copy of the applicant's birth certificate, passport or voter registration card issued pursuant to the provisions of NRS 293.517;

(c) ~~Two photographs~~ *A photograph* of the applicant that:

(1) ~~Are identical;~~

~~(2) Have~~ *Has* been taken not more than 90 days before the date of the submission of the application;

~~(3) Are 2 inches by 2 inches in size;~~ and

~~(4)~~ (2) Show the front view of the full face of the applicant in color against a plain white or off-white background and are otherwise substantially equivalent to a photograph suitable for use in a passport issued by the United States Government;

(d) A copy of the petition of the licensed cosmetologist, hair designer, esthetician or nail technologist, as appropriate, who will be supervising and training the applicant if he or she is approved to be an apprentice;

(e) A statement from the owner of the cosmetological establishment where the applicant will be trained which states that the owner has received written approval from the Board that the cosmetological establishment satisfies the requirements of NAC 644A.320; ~~and~~

(f) Proof of any name changes of the applicant, if applicable ~~;~~ ; *and*

(g) Any additional documents the Board requests.

Sec. 38. NAC 644A.305 is hereby amended to read as follows:

644A.305 The Board will review an application submitted pursuant to NAC 644A.300, including the ~~petition~~ *form* completed by the licensed cosmetologist, hair designer, *electrologist*, esthetician or nail technologist pursuant to NAC 644A.310, and approve or deny it within ~~30~~ *10 business* days after the date it is received by the Board. If approved, a certificate of registration will be issued and sent to the apprentice within 10 days after the date the Board approves the application.

Sec. 39. NAC 644A.310 is hereby amended to read as follows:

644A.310 1. To supervise and train an apprentice, a licensed cosmetologist, hair designer, *electrologist*, esthetician or nail technologist must complete ~~a petition on~~ the appropriate form provided by the Board. The applicant for a certificate of registration as a cosmetologist's apprentice, hair designer's apprentice, esthetician's apprentice, *electrologist's apprentice* or nail technologist's apprentice must obtain ~~this~~ *the* completed ~~petition~~ *form* and include it with his or her application submitted pursuant to NAC 644A.300.

2. The ~~petition~~ *form* must be accompanied by proof, satisfactory to the Board, that the ~~petitioner:~~ *supervisor:*

(a) Has been licensed by the Board to practice cosmetology *or any branch thereof* in this State for not less than 3 years immediately preceding the date of submittal of an application for a certificate of registration pursuant to NAC 644A.300;

(b) Has been in good standing with the Board during the 3-year period specified in paragraph (a);

(c) Resides in the same county of this State as the applicant for a certificate of registration as an apprentice whom he or she seeks to supervise; and

(d) Currently works in or operates a licensed cosmetological establishment:

(1) In which all the occupations of cosmetology which will be taught to an apprentice are practiced;

(2) Which is the same establishment referred to in the owner's statement of permission and the owner's statement that he or she has received written approval from the Board that were submitted with the application for a certificate of registration pursuant to subsection 3 of NRS 644A.310 and NAC 644A.300, respectively; and

(3) Which is located in the same county of this State in which the applicant for a certificate of registration as an apprentice resides.

Sec. 40. NAC 644A.315 is hereby amended to read as follows:

644A.315 1. A certificate of registration as a cosmetologist's apprentice, hair designer's apprentice, esthetician's apprentice, *electrologist's apprentice* or nail technologist's apprentice is valid for training only with the licensed cosmetologist, hair designer, esthetician, *electrologist* or nail technologist and the cosmetological establishment approved by the Board when the certificate of registration was issued.

2. Authorization of a licensed cosmetologist, hair designer, esthetician, *electrologist* or nail technologist to supervise and train an apprentice is valid only for the apprentice named in the certificate of registration and only for the period during which the apprentice holds the certificate of registration.

3. If an apprentice is unable to complete the number of hours of training required by NRS 644A.300, 644A.315, 644A.330, ~~644A.345~~ *or 644A.400, as amended by section 32 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 884*, as appropriate, with the licensed cosmetologist, hair designer, esthetician, *electrologist* or nail technologist or the

cosmetological establishment approved by the Board when the certificate of registration was issued:

(a) That certificate of registration is not valid for use with another supervising licensed cosmetologist, hair designer, esthetician , *electrologist* or nail technologist or cosmetological establishment; and

(b) The apprentice may apply for a new certificate of registration with a different supervising licensed cosmetologist, hair designer, esthetician , *electrologist* or nail technologist or a different cosmetological establishment named as the site for the training of the apprentice.

4. Except as otherwise provided in this subsection, the Board may allow an apprentice who applies for and receives a new certificate of registration pursuant to subsection 3 to apply training hours earned pursuant to his or her previous certificate of registration to the number of hours of training required pursuant to NRS 644A.300, 644A.315, 644A.330 , ~~644A.345~~ ~~or 644A.400~~, as amended by section 32 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 884, as appropriate. The Board will not allow the application of *incomplete* hours earned 4 years or more before the date that the apprentice applies for the new certificate of registration.

5. If the reason that an apprentice must apply for a new certificate of registration pursuant to subsection 3 is because the licensed cosmetologist, hair designer, esthetician , *electrologist* or nail technologist or the cosmetological establishment approved by the Board when the certificate of registration was issued refuses or is unable to complete the training, the Board may waive the application fee for that applicant.

Sec. 41. NAC 644A.320 is hereby amended to read as follows:

644A.320 1. Before an application for a certificate of registration as a cosmetologist's apprentice, hair designer's apprentice, esthetician's apprentice, *electrologist's apprentice* or nail technologist's apprentice may be approved by the Board, the owner of the cosmetological establishment where the applicant will be trained must contact the Board and request an oral review to determine whether the cosmetological establishment meets the requirements of this section. The Board will conduct an on-site inspection of the cosmetological establishment not later than 90 days after the date on which the certificate of registration is issued to the applicant.

2. A cosmetological establishment where a cosmetologist's apprentice will be trained must have available in a designated area for the use of the cosmetologist's apprentice:

- (a) One styling chair;
- (b) One shampoo bowl;
- (c) One handheld blow-dryer and one dryer that is equipped with a chair and a device that releases air onto the client's hair;
- (d) One table for administering a manicure;
- (e) Supplies for performing a process, that is acceptable to the Board, for the wet and dry disinfecting of instruments used in cosmetology through the use of disinfectants;
- (f) Equipment for hot work, consisting of:
 - (1) An electric heater;
 - (2) A pressing comb;
 - (3) A marcel curling iron; and
 - (4) Petroleum jelly for the protection of the ~~client's skin while hot work is being performed;~~ *client;*

- (g) A sufficient amount of equipment and supplies to block, wrap and complete one permanent cold wave, including rollers, rods, end papers and cotton;
- (h) Equipment and supplies for tinting, including one bowl, one brush and two bottles for the application of the tint;
- (i) Supplies, creams and lotions for performing a facial;
- (j) One head of a mannequin;
- (k) At least one standard textbook concerning cosmetology, a workbook for the theory of cosmetology and a workbook for the practice of cosmetology;
- (l) A copy of the provisions of this chapter and chapter 644A of NRS;
- (m) Combs and brushes for the performance of all services requiring combs and brushes;
- (n) Tapering shears;
- (o) Strips for protecting the neck of the client;
- (p) Scissors;
- (q) One razor and blade with a guard;
- (r) One plastic spray bottle;
- (s) Bandages;
- (t) Protective gloves;
- (u) Instruments for holding rollers in the hair, commonly referred to as “clippies”;
- (v) Equipment for hot waxing;
- (w) Oils and conditioners, consisting of:
 - (1) Pressing oils;
 - (2) Scalp conditioners, including at least one conditioner made without a soap base, especially for pressed hair;

(3) Hair conditioners made without a soap base, especially for pressed hair, such as petroleum jelly;

(4) Curling creams made with wax or petroleum jelly; and

(5) Dry, cleaning fluids for pressing hair, such as alcohol;

(x) One heated cap for the treatment of hair;

(y) A covered container for the storage of hairpins, clips, nets and similar items;

(z) One shampoo cape; and

(aa) Supplies for performing manicures and pedicures, including:

(1) Emery boards;

(2) Cream for cuticles;

(3) Base coat;

(4) Top coat;

(5) Nail polish;

(6) A bowl for water;

(7) Supplies for disinfecting instruments used to perform a manicure or pedicure;

(8) Single use instruments or other instruments that can be disinfected professionally for pushing back cuticles; and

(9) Tips, wraps, extensions and sculptured nails.

3. A cosmetological establishment where a hair designer's apprentice will be trained must have available in a designated area for the use of the hair designer's apprentice:

(a) One styling chair;

(b) One shampoo bowl;

(c) One handheld blow-dryer and one dryer that is equipped with a chair and a device that releases air onto the client's hair;

(d) Supplies for performing a process, that is acceptable to the Board, for the wet and dry disinfecting of instruments used in cosmetology through the use of disinfectants;

(e) Equipment for hot work, consisting of:

(1) An electric heater;

(2) A pressing comb;

(3) A marcel curling iron; and

(4) Petroleum jelly for the protection of the client's skin while hot work is being performed;

(f) A sufficient amount of equipment and supplies to block, wrap and complete one permanent cold wave, including rollers, rods, end papers and cotton;

(g) Equipment and supplies for tinting, including one bowl, one brush and two bottles for the application of the tint;

(h) One head of a mannequin;

(i) At least one standard textbook concerning cosmetology, a workbook for the theory of cosmetology and a workbook for the practice of cosmetology;

(j) A copy of the provisions of this chapter and chapter 644A of NRS;

(k) Combs and brushes for the performance of all services requiring combs and brushes;

(l) Tapering shears;

(m) Strips for protecting the neck of the client;

(n) Scissors;

(o) One razor and blade with a guard;

- (p) One plastic spray bottle;
 - (q) Bandages;
 - (r) Protective gloves;
 - (s) Instruments for holding rollers in the hair, commonly referred to as “clippies”;
 - (t) Oils and conditioners, consisting of:
 - (1) Pressing oils;
 - (2) Scalp conditioners, including at least one conditioner made without a soap base, especially for pressed hair;
 - (3) Hair conditioners made without a soap base, especially for pressed hair, such as petroleum jelly;
 - (4) Curling creams made with wax or petroleum jelly; and
 - (5) Dry, cleaning fluids for pressing hair, such as alcohol;
 - (u) One heated cap for the treatment of hair;
 - (v) A covered container for the storage of hairpins, clips, nets and similar items; and
 - (w) One shampoo cape.
4. A cosmetological establishment where an esthetician’s apprentice will be trained must have available in a designated area for the use of the esthetician’s apprentice:
- (a) One facial chair;
 - (b) One facial machine designed to perform esthetic procedures within the legal scope of services;
 - (c) One facial steamer;
 - (d) One towel warmer;
 - (e) One waxing unit;

- (f) One mannequin;
- (g) One tripod or mannequin clamp;
- (h) One kit which contains an adequate amount of facial supplies;
- (i) An adequate amount of skin care products to allow the apprentice to perform the tasks required by the curriculum; and
- (j) An adequate amount of wet disinfectants.

5. A cosmetological establishment where a nail technologist's apprentice will be trained must have available in a designated area for the use of the nail technologist's apprentice:

- (a) One manicure table with two chairs;
- (b) One pedicure chair with foot basin;
- (c) One mannequin hand or finger;
- (d) One mannequin hand clamp;
- (e) One kit which contains an adequate amount of implements and nail care supplies for manicures and pedicures;
- (f) An adequate amount of nail care products; and
- (g) An adequate amount of wet disinfectants.

6. A cosmetological establishment where an electrologist's apprentice will be trained must have available in a designated area for the use of the electrologist's apprentice:

- (a) One high-frequency generator or thermolysis machine, or one galvanic generator or electrolysis machine;***
- (b) Twelve needles ranging in size from .003 to .008 of an inch;***
- (c) One complete set of electrodes and connections with each machine;***
- (d) One stool, adjustable in height, for each apprentice;***

- (e) One table and one chair per patron;*
- (f) One utility stand per setup;*
- (g) One towel cabinet;*
- (h) One pair of fine pointed epilation forceps;*
- (i) One set of magnifying glasses;*
- (j) Covered containers for lotions, creams, ointments, soaps, disinfecting agents and cotton;*
- (k) Containers in which to immerse needles for disinfection;*
- (l) A covered container in which items such as instruments and needles may be kept disinfected; and*
- (m) A covered receptacle for waste.*

Sec. 42. NAC 644A.325 is hereby amended to read as follows:

644A.325 A licensed cosmetologist, hair designer, esthetician , *electrologist* or nail technologist who has been authorized by the Board to supervise and train an apprentice and who is supervising and training an apprentice shall, in addition to the duties specified in NRS 644A.535:

1. Specify, in the daily record of the training of the apprentice, the number of hours spent on each subject and the type of training that was administered;
2. Provide practical training and technical instruction in the subjects and for the hours listed below:
 - (a) For a cosmetologist's apprentice:
 - (1) Blow-drying, 160 hours;
 - (2) Dispensary, 50 hours;

- (3) Extensions and wrapping of nails, 40 hours;
 - (4) Facials, arching, skin care and makeup, 120 hours;
 - (5) Finger waving, 120 hours;
 - (6) Hair coloring, 400 hours;
 - (7) Haircutting, 450 hours;
 - (8) Manicuring, 150 hours;
 - (9) Miscellaneous practical and technical instruction, 180 hours;
 - (10) Modeling, 60 hours;
 - (11) The provisions of chapter 644A of NRS and the regulations adopted pursuant thereto,
40 hours;
 - (12) Pedicuring, 50 hours;
 - (13) Permanent waving and chemical straightening, 500 hours;
 - (14) Receptionist's duties, 50 hours;
 - (15) Salon management, 50 hours;
 - (16) Scalp treatment, 50 hours;
 - (17) Shampooing and rinses, 50 hours;
 - (18) Skipwaving, 120 hours;
 - (19) Theory, 410 hours;
 - (20) Thermal straightening, curling and marcelling, 300 hours;
 - (21) Wet hairdressing, 200 hours; and
 - (22) Wigs and hairpieces, 50 hours;
- (b) For a hair designer's apprentice:
- (1) Blow-drying, 115 hours;

- (2) Dispensary, 35 hours;
 - (3) Finger waving, 85 hours;
 - (4) Hair coloring, 280 hours;
 - (5) Haircutting, 420 hours;
 - (6) Miscellaneous practical and technical instruction, 130 hours;
 - (7) Modeling, 40 hours;
 - (8) The provisions of chapter 644A of NRS and the regulations adopted pursuant thereto,
30 hours;
 - (9) Permanent waving and chemical straightening, 375 hours;
 - (10) Receptionist's duties, 35 hours;
 - (11) Salon management, 35 hours;
 - (12) Scalp treatment, 35 hours;
 - (13) Shampooing and rinses, 35 hours;
 - (14) Skipwaving, 85 hours;
 - (15) Theory, 290 hours;
 - (16) Thermal straightening, curling and marcelling, 200 hours;
 - (17) Wet hairdressing, 140 hours; and
 - (18) Wigs and hairpieces, 35 hours;
- (c) For an esthetician's apprentice:
- (1) Facials, 400 hours;
 - (2) Facial machines, 500 hours;
 - (3) Hair removal, 400 hours;
 - (4) Infection control and prevention, 40 hours;

- (5) Makeup and eyelash application, 400 hours;
- (6) The provisions of chapter 644A of NRS and the regulations adopted pursuant thereto, 30 hours; and
- (7) Salon management, 30 hours; and
- (d) For a nail technologist's apprentice:
 - (1) Infection control and prevention, 40 hours;
 - (2) Nail services, 1,110 hours;
 - (3) The provisions of chapter 644A of NRS and the regulations adopted pursuant thereto, 30 hours; and
 - (4) Salon management, 20 hours;
- (e) For an electrologist's apprentice:*
 - (1) Electrology and thermology, 650 hours in the following subjects:*
 - (I) Sanitation and sterilization;*
 - (II) Protection of patrons, including draping;*
 - (III) Use of equipment and instruments;*
 - (IV) Insertion of instruments, single and multiple;*
 - (V) Precautionary measures before and after treatment;*
 - (VI) Immediate aftercare;*
 - (VII) Home care;*
 - (VIII) Destruction of the papilla;*
 - (IX) Observation of demonstrations; and*
 - (X) Observation of results of work with at least 60 percent of the hours in this subject spent in performing services on another person;*

(2) Theoretical and practical training, 20 hours in the following subjects:

(I) Ethics;

(II) Conduct;

(III) Courtesy;

(IV) Telephone etiquette;

(V) Neatness;

(VI) Salesmanship; and

(VII) Professional attitude in meeting the public;

(3) Instruction in theory, 250 hours in the following subjects:

(I) Sanitation and sterilization;

(II) Electricity;

(III) Electrology;

(IV) Thermology;

(V) Dermatology;

(VI) Trichology;

(VII) Bacteriology;

(VIII) The peripheral vascular system (capillaries);

(IX) The sensory nervous system (nerve endings); and

(X) The provisions of chapter 644A of NRS which are pertinent to the practice of electrology; and

(4) Modeling of electrology and thermology, 80 hours;

3. Administer monthly tests on the theory and the practice of the subjects specified in subsection 2;

4. Submit monthly reports to the Board, signed by the licensed cosmetologist, hair designer, esthetician , *electrologist* or nail technologist and by the apprentice, that summarize the apprentice's record of attendance, the training he or she has received during the previous month and his or her scores on any tests administered during the previous month;

5. Ensure that the apprentice wears, at all times that he or she is receiving training or performing work on the public, a clean outer garment that meets the requirements of NAC 644A.770 ; ~~and a badge pursuant to the requirements of NAC 644A.340;~~

6. Ensure that the certificate of registration of the apprentice is in plain view of the public at the position where he or she is being trained and performing work on the public;

7. Limit the training of the apprentice to not more than 40 hours per week , *not more than 10 hours per day* and not more often than 5 days out of every 7 consecutive days;

8. Not commence training until he or she has ensured that the apprentice has received a certificate of registration from the Board; and

9. Upon completion of the training of the apprentice, submit to the Board a final report that:

(a) Documents that the apprentice completed the number of hours of training required pursuant to NRS 644A.300 and the number of hours spent on each of the subjects specified in subsection 2;

(b) Summarizes the training provided to the apprentice; and

(c) ~~States whether~~ *Includes each score sheet completed by* the ~~apprentice is ready to take the theory examination~~ *apprentice's supervisor* for ~~a license as a cosmetologist, hair designer, esthetician or nail technologist, as appropriate.~~ *the apprentice's performance on the practical examination required by the Board.*

Sec. 43. NAC 644A.330 is hereby amended to read as follows:

644A.330 1. A licensed cosmetologist who has been authorized by the Board to supervise and train a cosmetologist's apprentice and who is supervising and training a cosmetologist's apprentice shall not accept compensation for the apprenticeship either directly or indirectly ~~from the apprentice.~~ *from the apprentice.*

2. The provisions of subsection 1 are not intended to prohibit a cosmetologist's apprentice or the licensed cosmetologist who is supervising and training the cosmetologist's apprentice from receiving compensation from patrons who receive services from the cosmetologist's apprentice.

Sec. 44. NAC 644A.335 is hereby amended to read as follows:

644A.335 An apprentice may not:

1. Commence training until his or her certificate of registration is placed in plain view of the public at the place where the apprentice is being trained and performing work on the public; or

2. Perform work on the public until he or she has received at least 300 hours of technical training for a cosmetologist's apprentice or hair designer's apprentice, *250 hours of training covering all phases of electrology for an electrologist's apprentice*, 150 hours of technical training for an esthetician's apprentice or 100 hours of technical training for a nail technologist's apprentice, with at least a portion of that time devoted to each of the subjects specified in subsection 2 of NAC 644A.325.

Sec. 45. NAC 644A.345 is hereby amended to read as follows:

644A.345 For the purposes of NRS 644A.850, the failure of a:

1. Cosmetologist's apprentice, hair designer's apprentice, esthetician's apprentice, *electrologist's apprentice* or nail technologist's apprentice to display properly his or her certificate of registration ; ~~for wear the badge required pursuant to NAC 644A.340;~~ and

2. Licensed cosmetologist, hair designer, esthetician , *electrologist* or nail technologist who is supervising and training an apprentice to ensure the proper display of the certificate of registration ~~{or the wearing}~~ of ~~{the badge by}~~ the apprentice,

↳ shall be deemed an unfair or unjust practice that constitutes grounds for disciplinary action by the Board.

Sec. 46. NAC 644A.358 is hereby amended to read as follows:

644A.358 ~~{No more than one permit will be granted to a person for instructing and supervising an electrologist's}~~ *The Board will not authorize a licensed cosmetologist, hair designer, electrologist, esthetician or nail technologist to supervise and train an apprentice ~~{~~ if, at the time the form is submitted pursuant to NAC 644A.310, the person is supervising and training another apprentice.*

Sec. 47. NAC 644A.505 is hereby amended to read as follows:

644A.505 The Board will interpret NRS 644A.625 , *as amended by section 50 of Senate Bill No. 249, chapter 165, Statutes of Nevada 2023, at page 893*, to mean that in a cosmetological establishment where:

1. More than one branch of cosmetology or makeup artistry is practiced, the establishment must at all times be under the immediate supervision of ~~{a licensed cosmetologist or}~~ a person *or persons* licensed in each branch of cosmetology practiced in the establishment at the time of service.

2. Only nail technology is practiced, the establishment must be under the immediate supervision of a licensed cosmetologist or licensed nail technologist.

3. Only electrology is practiced, the establishment must be under the immediate supervision of a licensed electrologist.

4. Only estheticians practice, the establishment must be under the immediate supervision of a licensed cosmetologist or licensed esthetician.

5. Only hair designing is practiced, the establishment must be under the immediate supervision of a licensed cosmetologist or licensed hair designer.

6. Only makeup artistry is practiced, the establishment must be under the immediate supervision of a licensed cosmetologist or licensed esthetician.

7. Only advanced esthetics is practiced, the establishment must be under the immediate supervision of a licensed advanced esthetician.

Sec. 48. NAC 644A.510 is hereby amended to read as follows:

644A.510 1. Except as otherwise provided in NRS 644A.615, if the operator of a cosmetological establishment leases space at his or her establishment to a person to engage in an activity that is not under the jurisdiction of the Board, including, without limitation, tattooing, body piercing and massage therapy, the leased space must:

(a) Be separated from the establishment by a door that can be locked and surrounding walls that are at least 6 feet high;

(b) Be located on a floor different from the floor on which the cosmetological establishment is located; ~~or~~

(c) Be otherwise ~~located~~ ***separated from*** and have sufficient signage to avoid creating the impression that the space is a part of the cosmetological establishment ~~or~~; ***or***

(d) Be operated by a person who holds both a license issued by the appropriate licensing authority to engage in the activity that is not under the jurisdiction of the Board and a license issued by the Board.

2. As used in this section, “space” has the meaning ascribed to it in NRS 644A.615.

Sec. 49. NAC 644A.515 is hereby amended to read as follows:

644A.515 1. A licensed cosmetologist, esthetician, *advanced esthetician, hair braider,* electrologist, hair designer, ~~{demonstrator of cosmetics,}~~ shampoo technologist, makeup artist, person who engages in the practice of threading or nail technologist who leases space from an operator of a cosmetological establishment shall comply with the applicable provisions of NAC ~~{644A.700}~~ *644A.705* to 644A.825, inclusive.

2. Each operator of a cosmetological establishment who leases space to a barber, any other professional, including, without limitation, a provider of health care, or any other person shall make the person aware of the requirements set forth in NAC ~~{644A.700}~~ *644A.705* to 644A.825, inclusive.

Sec. 50. NAC 644A.520 is hereby amended to read as follows:

644A.520 Any staff member of the Board assigned to perform inspections of cosmetological establishments may open, without limitation, any door, drawer or closure of any kind, with or without the permission of the owner, a supervisor or any employee of a cosmetological establishment, to inspect any area within the establishment. The staff member of the Board who performs such an inspection shall ~~{use his or her discretion to avoid entering a treatment room where a client requires privacy to receive a}~~ *perform the inspection during normal business hours regardless of any* cosmetology ~~{service allowed by law.}~~ *services being provided, including, without limitation, those being provided in closed or private rooms.* The refusal by an owner, supervisor or licensee to open any locked area within the licensed area of a cosmetological establishment is a ground for disciplinary action by the Board.

Sec. 51. NAC 644A.545 is hereby amended to read as follows:

644A.545 After the floor plan and application have initially been approved, the applicant must schedule an appointment to show the mobile cosmetological establishment to the Board for final approval. If ~~inspection~~ *the owner* of the establishment ~~is denied, or if~~ *denies* the *inspection of the* establishment ~~has been closed for 12 calendar months, by the Board,~~ the application will be denied.

Sec. 52. NAC 644A.560 is hereby amended to read as follows:

644A.560 1. The holder of a license to operate a mobile cosmetological establishment shall submit to the Board a monthly itinerary showing the dates, locations, and times of service to be provided throughout the State. The itinerary must be:

(a) Submitted to the Board ~~at least 15 days before~~ *within 48 hours after* the ~~beginning of each month;~~ *Board requests an itinerary;* and

(b) Accompanied by copies of work permits or approvals from each county and city of operation granting the owner of the establishment permission to conduct mobile cosmetological services within that county and city.

2. Changes in an itinerary must be called in to the Board's office and affirmed in writing. The written affirmation must be accompanied by copies of work permits or approvals from each county and city of operation granting the owner of the establishment permission to conduct mobile cosmetological services within that county and city.

Sec. 53. NAC 644A.600 is hereby amended to read as follows:

644A.600 1. Each school of cosmetology must:

(a) Have, if the school provides instruction to prepare students for the examination for:

(1) Cosmetologists, for each 25 such students in attendance, at least 5,000 square feet of floor space;

(2) Hair designers, for each 20 such students in attendance, at least 3,500 square feet of floor space;

(3) Estheticians, for each 20 such students in attendance, at least 3,500 square feet of floor space; ~~and~~

(4) Nail technologists, for each 20 such students in attendance, at least 2,500 square feet of floor space;

(5) Advanced estheticians, for each 20 such students in attendance, at least 3,500 square feet of floor space; and

(6) Electrologists, for each 10 such students in attendance, at least 1,000 square feet of floor space;

(b) Provide properly equipped lecture rooms of sufficient size to accommodate all students;

(c) Provide separate lockers with sufficient space to store the student's equipment; and

(d) Provide a document signed by the fire marshal who has jurisdiction over the location of the school stating that the placement of the equipment and the square footage provided for the maximum number of proposed students complies with all applicable laws, regulations and codes relating to protection from fire.

2. If a school of cosmetology applies for approval to provide instruction to prepare students for the examination for an additional branch of cosmetology, the school must have the additional square feet of floor space required pursuant to subsection 1 for that branch of cosmetology.

3. If a school of cosmetology which provides instruction to prepare students for the examination for electrologists is located within another school of cosmetology that provides

instruction to prepare students for the examination for cosmetologists, the structure in which the two schools are located must have:

(a) For each 25 students in attendance at the school that provides instruction to prepare students for the examination for cosmetologists, at least 5,000 square feet of floor space; and

(b) For each student in attendance at the school that provides instruction to prepare students for the examination for electrologists, 100 square feet of partitioned space.

4. In order to determine the total number of square feet of a school of cosmetology, the floor space must be measured from the interior walls.

Sec. 54. NAC 644A.603 is hereby amended to read as follows:

644A.603 Each school must have, at a minimum, the following working equipment:

1. Closed waste containers of sufficient size and in sufficient quantity to permit the disposal of all refuse and waste matter by the school and its students.

2. One device ~~approved~~ *deemed* by the Board *to be acceptable* for use by the students to record their hours of training at the school.

3. One chair and writing surface for each student in classes on theory.

4. ~~Mirrors, worktables and styling chairs~~ *Work stations* of sufficient number to accommodate the students enrolled.

5. At least one textbook per student in either physical or electronic format and adequate reference material, charts, teaching aids and other materials to support the instruction in the school.

6. Adequate and safe electrical outlets.

7. If the school provides instruction to prepare students for the examination for cosmetologists:

- (a) Twenty-five work stations with styling chairs.
- (b) Seven shampoo bowls.
- (c) Five hair dryers which may be portable or stationary.
- (d) Two facial ~~chairs~~ *treatment tables*.
- (e) Eight nail technology tables with two chairs per table.
- (f) One chair for each student in attendance.
- (g) One *desk or other fixed* writing surface for each student in attendance.
- (h) Two mannequins for each student in attendance.
- (i) One tripod or mannequin clamp for each student in attendance.
- (j) One kit for each student in attendance which contains an adequate number of blow dryers, shampoo capes, smocks or aprons, brushes, combs, haircutting implements, esthetic supplies and nail technology supplies.
- (k) An adequate number of marcelling irons, flat irons and curling irons to allow students to perform the tasks required by the curriculum.
- (l) An adequate amount of other supplies and instruments to allow students to perform the tasks required by the curriculum.
- (m) An adequate amount of wet disinfectants.

8. If the school provides instruction to prepare students for the examination for hair designers:

- (a) Twenty work stations.
- (b) Twenty styling chairs.
- (c) Seven shampoo bowls.
- (d) Five hair dryers which may be portable or stationary.

- (e) One chair for each student in attendance.
 - (f) One *desk or other fixed* writing surface for each student in attendance.
 - (g) Two mannequins for each student in attendance.
 - (h) One tripod or mannequin clamp for each student in attendance.
 - (i) One kit for each student in attendance which contains an adequate number of shampoo capes, smocks or aprons, brushes, combs and haircutting implements.
 - (j) An adequate number of marcelling irons, flat irons and curling irons to allow students to perform the tasks required by the curriculum.
 - (k) An adequate amount of other supplies and instruments to allow students to perform the tasks required by the curriculum.
 - (l) An adequate amount of wet disinfectants.
9. If the school provides instruction to prepare students for the examination for estheticians:
- (a) Five facial ~~chairs~~ *treatment tables*.
 - (b) Five facial machines designed to perform esthetic procedures within the legal scope of services.
 - (c) Five facial steamers.
 - (d) Five towel warmers.
 - (e) Five waxing units.
 - (f) One chair for each student in attendance.
 - (g) One *desk or other fixed* writing surface for each student in attendance.
 - (h) One mannequin for each student in attendance.
 - (i) One tripod or mannequin clamp for each student in attendance.

(j) One kit for each student in attendance which contains an adequate amount of facial supplies **†† and implements.**

(k) An adequate amount of skin care products to allow students to perform the tasks required by the curriculum.

(l) An adequate amount of wet disinfectants.

10. If the school provides instruction to prepare students for the examination for nail technologists:

(a) Ten manicure tables with two chairs per table.

(b) Five pedicure chairs with foot basins.

(c) One chair for each student in attendance.

(d) One **desk or other fixed** writing surface for each student in attendance.

(e) An adequate number of mannequin hands or fingers for each student in attendance.

(f) One mannequin hand clamp for each student in attendance.

(g) One kit for each student in attendance which contains an adequate amount of implements and nail care supplies for manicures and pedicures.

(h) An adequate amount of nail care products for each student in attendance.

(i) An adequate amount of wet disinfectants.

11. If the school provides instruction to prepare students for the examination for advanced estheticians:

(a) Five facial machines designed to perform esthetic services.

(b) At least one esthetic medical device of each modality including, without limitation, a radial shockwave device, cryotherapy device, device that emits radio frequencies, plasma device, intense pulsed light device, ultrasound device and microwave device. The requirements

of this paragraph may be satisfied by a device which performs the functions of multiple devices described by this paragraph.

(c) At least two different nonablative lasers which may include, without limitation, a diode laser, a pulsed dye laser, a neodymium:yttrium-aluminum-garnet laser or an alexandrite laser.

(d) Five microneedling machines or pens.

(e) Five facial steamers.

(f) Five towel warmers.

(g) Five waxing units.

(h) Five sterilizers.

(i) One chair for each student in attendance.

(j) One desk or other fixed writing surface for each student in attendance.

(k) One mannequin for each student in attendance.

(l) One tripod or mannequin clamp for each student in attendance.

(m) One kit for each student in attendance which contains an adequate amount of facial supplies and implements.

(n) An adequate amount of skin care products to enable students to perform the tasks required by the curriculum.

(o) An adequate amount of wet disinfectant.

(p) An adequate amount of sharps containers.

(q) An adequate amount of personal protective equipment including, without limitation, eye protection.

12. If the school provides instruction to prepare students for the examination for electrologists:

- (a) One high-frequency generator or thermalysis machine, or one galvanic generator or electrolysis machine.*
- (b) Twelve needles ranging in size from 0.003 to 0.008 of an inch.*
- (c) One complete set of electrodes and connections with each machine.*
- (d) One stool which is adjustable in height.*
- (e) One table or chair per patron.*
- (f) One utility stand per setup.*
- (g) One towel cabinet.*
- (h) One pair of fine-pointed epilation forceps.*
- (i) One set of magnifying glasses.*
- (j) Covered containers for lotions, creams, ointments, soaps, cleaning agents, disinfecting agents and cotton.*
- (k) Hospital-grade containers in which to immerse equipment for disinfection.*
- (l) Covered containers for keeping waste items such as instruments and needles clean.*
- (m) A covered receptacle for waste.*

Sec. 55. NAC 644A.605 is hereby amended to read as follows:

644A.605 With its initial application for licensure, when any change relating to the information on its license occurs and upon renewal of its license, a school of cosmetology must file with the Board:

1. A copy of its standard contract and its rules.
2. A notice of any changes made during the previous 12 months with respect to its contracts or rules.

3. A copy of all financial forms utilized by the school with respect to tuition, grants, scholarships and other methods of subsidizing tuition.

4. A copy of the proposed curriculum.

5. For a school providing instruction in advanced esthetics, the collaboration agreement required by section 12 of this regulation.

Sec. 56. NAC 644A.610 is hereby amended to read as follows:

644A.610 A school of cosmetology shall register each student with the Board within ~~45~~ **30** days after the student has enrolled in school. To register a student, the school shall submit a completed form provided by the Board that includes:

1. The name of the student;
2. The number of credit hours for which the student is enrolled;
3. If the student has transferred to the school of cosmetology and is requesting to receive credit for courses taken at another school of cosmetology, a copy of the letter issued by the Board verifying the number of hours for which the student has previously earned credit;
4. The written or electronic signature of an authorized representative of the school;
5. A statement that the school has a record of information about the student, including:
 - (a) A copy of the student's birth certificate, passport, driver's license or identification card containing a picture of the student;
 - (b) An affidavit that the student has successfully completed at least the 10th grade in high school or its equivalent;
 - (c) If applicable, proof of any name change of the student; and
 - (d) If applicable, a copy of the approval of foreign documentation relating to the training of the student which must be issued by the Board before the student enrolls in the school; and

6. Any other information required by the Board.

Sec. 57. NAC 644A.615 is hereby amended to read as follows:

644A.615 Each school of cosmetology shall appoint at least one of its employees to serve as registrar and shall file the name of the registrar with the Board. Each registrar shall:

1. Keep a daily record showing the attendance of each student.
2. Keep a record showing the training time for each student.
3. Ensure that the records are current, complete and accurate.
4. ~~Forward~~ *Except as otherwise provided in NAC 644A.625, forward* to the Board the final time record of a student within 15 days after the student's withdrawal from or completion of a course of training. ~~It~~ *Except as otherwise provided in NAC 644A.625, if* the student owes money to the school, ~~the registrar may~~ substitute a letter or an electronic form supplied on the Board's Internet website, in lieu of the final time record, which states that the final time record is being held for nonpayment of tuition or any fee owed to the school by the student.
5. Except as otherwise provided in subsection 4, provide any student who withdraws from the school copies of the final time record upon his or her request. These copies must be given to the student within 3 business days after the student's withdrawal from the school.

Sec. 58. NAC 644A.618 is hereby amended to read as follows:

644A.618 1. A school of cosmetology:

- (a) Shall maintain a staff of licensed instructors who are competent to give instruction in all subjects of its curriculum, including, without limitation, the subjects required by regulation of the Board.
- (b) Shall not use a licensed student instructor as a student operator ~~It~~ *on the clinic floor where services are provided to the public.*

2. Each student in cosmetology, esthetics, *advanced esthetics*, nail technology, electrology or hair designing shall wear a badge with the word “student” inscribed on it. This badge must be worn at all times when the student is in attendance at the school. The student may not work on the public until the student has completed a preliminary training period of 300 hours for students in cosmetology, *advanced esthetics* or hair design, 150 hours for students in esthetics or electrology and 100 hours for students in nail technology.

3. Except as otherwise provided in subsection 4, students shall not practice at home, ~~or~~ in a cosmetological establishment *or at any other location* and shall not give demonstrations other than those required of them by the school of cosmetology at the location of the school or while on a field trip supervised by the instructors of the school.

4. During a state of emergency or declaration of disaster proclaimed by the Governor or by resolution of the Legislature pursuant to NRS 414.070, the Board may, by affirmative vote, authorize students to complete practical training at home. Such practical training must be limited to practice on a mannequin.

5. No instructor in a licensed school of cosmetology may, during the hours in which he or she is on duty as an instructor, devote his or her time to the public or to the private practice of cosmetology for compensation. Each instructor shall devote the instructor’s full time during the hours he or she is on duty as an instructor to instructing students.

6. In each week, a school of cosmetology shall provide students with a minimum of 5 hours of instruction in theory per 40 hours of instruction. A student who fails to attend the minimum 5 hours of instruction in theory in a week may:

(a) Continue to attend the school of cosmetology for the remainder of that week; and

(b) If the student has completed the number of hours required by subsection 2, complete practical training.

7. A program for training students to be advanced estheticians shall have not fewer than one instructor present for every five students who are performing services on the public. For the purposes of this subsection, a person who holds a provisional license as an instructor granted pursuant to NRS 644A.415 shall be deemed to be an instructor.

Sec. 59. NAC 644A.625 is hereby amended to read as follows:

644A.625 1. A school of cosmetology shall:

(a) Prepare a final time record for each student not later than 15 days after the student completes or withdraws from a course of training. The final time record must:

(1) Be compiled from the student's original time records;

(2) Show the number of hours that the student has completed in each subject of training;

and

(3) Except as otherwise provided in this section, be signed by the registrar and the student.

(b) Provide each student an opportunity to review and sign the student's final time record. If the student fails to sign his or her final time record or refuses to sign the final time record because the student believes it to be in error, the school shall maintain the student's original time records for not less than 1 year after the student completes or withdraws from the course of study.

(c) Maintain each final time record for not less than 3 years after the student completes or withdraws from the course of study. The final time record must be readily available for inspection by the Board.

2. For the purposes of this section, a student shall be deemed to have withdrawn from a course of training if the school ceases to operate before the student completes the course of training.

3. If a school ceases to operate, the person to whom the license to operate the school was issued shall:

(a) Immediately provide to the Board and each student the final time record of the student, regardless of whether the student owes money to the school; and

(b) Maintain all final time records for at least 4 years after the date on which the school ceases to operate.

Sec. 60. NAC 644A.630 is hereby amended to read as follows:

644A.630 1. Each school of cosmetology must offer the following subjects for training barbers and students to be cosmetologists:

(a) Chemical hair services.

(b) Cosmetology theory, with a minimum of ~~13 percent of the total hours of training mandatory for students who are barbers and~~ 10 percent *and a maximum of 13 percent* of the total hours of training mandatory for all ~~other~~ students.

(c) Esthetic services.

(d) Field trips and modeling, with a maximum of 5 percent of the total hours of training optional for all students.

(e) Hair design and care.

(f) Haircutting.

(g) Infection control and prevention, with a minimum of 3 percent of the total hours of training mandatory for all students.

(h) Management of a cosmetological establishment.

(i) Nail technology services.

(j) The provisions of this chapter and chapter 644A of NRS, with a minimum of 2 percent of the total hours of training mandatory for all students.

2. A student may, after completing 10 percent of the total hours of training, earn credit for up to 5 percent of the total hours of training by attending field trips that are approved by the school. A field trip must be conducted under the direct supervision of a licensed instructor. The instructor shall accompany the student and be available to provide assistance or instruction to the student at all times during the field trip. The student must submit a time record, authenticated by the instructor, for each field trip.

3. ~~If a barber enrolls in a school of cosmetology, the school shall administer an examination to determine his or her areas of knowledge. The school may, if it deems it appropriate, excuse a barber from any of the subjects listed in subsection 1.~~

~~4.]~~ As used in this section ~~]:~~

~~(a) “Barber” means a licensed barber, as defined in subsection 6 of NRS 643.010, who is studying to become a cosmetologist.~~

~~(b) “Student”], “student”~~ means a person receiving instruction in a school of cosmetology.

Sec. 61. NAC 644A.632 is hereby amended to read as follows:

644A.632 1. A school of cosmetology must offer the following subjects for training hair designers:

(a) Chemical hair services.

(b) Field trips and modeling, with a maximum of 5 percent of the total hours of training optional for all students.

(c) Hair design and care.

(d) Hair design theory, with a minimum of 10 percent *and a maximum of 13 percent* of the total hours of training mandatory for all students.

(e) Haircutting.

(f) Infection control and prevention, with a minimum of 3 percent of the total hours of training mandatory for all students.

(g) Management of a cosmetological establishment.

(h) The provisions of this chapter and chapter 644A of NRS, with a minimum of 2 percent of the total hours of training mandatory for all students.

2. A student may, after completing 10 percent of the total hours of training, earn credit for up to 5 percent of the total hours of training by attending field trips that are approved by the school. A field trip must be conducted under the direct supervision of a licensed instructor. The instructor shall accompany the student and be available to provide assistance or instruction to the student at all times during the field trip. The student must submit to the school a time record, authenticated by the instructor, for each field trip.

Sec. 62. NAC 644A.634 is hereby amended to read as follows:

644A.634 1. Each school of cosmetology shall offer the following subjects for training students to be estheticians:

(a) Esthetic theory, with a minimum of 10 percent *and a maximum of 13 percent* of the total hours of training mandatory for all students.

(b) Facials.

(c) Facial machines **[+]** *and devices*.

(d) Field trips and modeling, with a maximum of 5 percent of the total hours of training optional for all students.

(e) Hair removal.

(f) Infection control and prevention, with a minimum of 3 percent of the total hours of training mandatory for all students.

(g) Makeup and eyelash application.

(h) Management of a cosmetological establishment.

(i) The provisions of this chapter and chapter 644A of NRS, with a minimum of 2 percent of the total hours of training mandatory for all students.

(j) Superficial exfoliation.

2. A student may, after completing 10 percent of the total hours of training, earn credit for up to 5 percent of the total hours of training by attending field trips that are approved by the school. A field trip must be conducted under the direct supervision of a licensed instructor. The instructor shall accompany the student and be available to provide assistance or instruction to the student at all times during the field trip. The student must submit to the school a time record, authenticated by the instructor, for each field trip.

Sec. 63. NAC 644A.636 is hereby amended to read as follows:

644A.636 1. The following subjects constitute the curriculum for nail technologists:

(a) Field trips and modeling, with a maximum of 5 percent of the total hours of training optional for all students.

(b) Infection control and prevention, with a minimum of 3 percent of the total hours of training mandatory for all students.

(c) Management of a cosmetological establishment.

(d) Nail services.

(e) Nail theory, with a minimum of 10 percent *and a maximum of 13 percent* of the total hours of training mandatory for all students.

(f) The provisions of this chapter and chapter 644A of NRS, with a minimum of 2 percent of the total hours of training mandatory for all students.

2. A student may, after completing 10 percent of the total hours of training, earn credit for up to 5 percent of the total hours of training by attending field trips that are approved by the school. A field trip must be conducted under the direct supervision of a licensed instructor. The instructor shall accompany the student and be available to provide assistance or instruction to the student at all times during the field trip. The student must submit a time record, authenticated by the instructor, for each field trip.

Sec. 64. NAC 644A.638 is hereby amended to read as follows:

644A.638 1. The following subjects constitute the curriculum for provisional instructors and student instructors:

(a) Teaching methods and techniques.

(b) Developing measurable objectives for performance.

(c) Lesson planning.

(d) Use of teaching aids.

(e) Use of questioning and problem-solving strategies.

(f) Classroom management.

(g) The provisions of this chapter and chapter 644A of NRS.

2. A school of cosmetology shall organize its curriculum to enable:

(a) A provisional instructor to complete at least 350 hours of the 500 hours of training that are required for licensure as an instructor pursuant to NRS 644A.420 in the subject of teaching methods and techniques.

(b) A student instructor to complete at least ~~700~~ 490 hours of the ~~1,000~~ 700 hours of training that are required for licensure as an instructor pursuant to NRS 644A.420 in the subject of teaching methods and techniques.

Sec. 65. NAC 644A.640 is hereby amended to read as follows:

644A.640 1. The number of credit hours that may be transferred from one course of study of cosmetology to another will be determined as follows:

(a) A student in cosmetology who transfers to nail technology will receive credit for the number of actual hours taken in courses in nail technology, up to a maximum of 150 hours.

(b) A student in cosmetology who transfers to esthetics *or advanced esthetics* will receive credit for the number of actual hours taken in courses in esthetics, up to a maximum of 160 hours.

(c) A student in nail technology who transfers to cosmetology will receive credit for the actual number of hours taken, up to a maximum of 150 hours.

(d) A student in esthetics who transfers to cosmetology will receive credit for the actual number of hours taken, up to a maximum of 160 hours.

(e) *A student in esthetics who transfers to advanced esthetics will receive credit for the actual number of hours taken, up to a maximum of 600 hours.*

(f) A student in hair designing who transfers to cosmetology will receive credit for the actual number of hours taken.

~~(f)~~ (g) For a student in cosmetology who transfers to hair designing, the number of hours earned by that student for courses in nail technology and esthetics and 20 percent of all hours earned for courses involving theory only will be deducted from the total number of hours earned by the student. The student will receive credit for any remaining hours.

2. A student who receives credit for hours taken upon transferring to a different course of study and who subsequently returns to the student's first course of study will receive credit for the original total number of hours earned in the first course of study.

3. Hours earned by a student while he or she is outside of this State, including, without limitation, hours earned by a student while he or she is outside of the United States, may be transferred only for credit for courses in cosmetology, electrology, *hair design*, esthetics, *advanced esthetics* and nail technology. To receive credit for such hours, the student must provide the Board with complete current documentation of the enrolled hours per subject. Such hours must be properly validated by the appropriate regulatory entity for the jurisdiction in which the hours were earned, if that entity provides such validations ~~(f)~~, *or such documentation requested by the Board.*

4. Except as otherwise provided in this section, hours earned by a student at a school of barbering will be accepted in their entirety as they apply to a desired field of cosmetology ~~(f)~~ *or hair design.* The Board will not give credit for courses in shaving or tonic applications.

5. A student receiving credit under subsection 4 will not receive credit for more than 20 percent of the credits earned in theory classes.

6. To receive credit under subsection 4, a student must have training in permanent waving and wet hair sculpting.

7. To receive credit for hours under subsection 4, a student must provide the Board with complete current documentation of the enrolled hours per subject. Such hours must be properly validated by the appropriate regulatory entity for the jurisdiction in which the hours were earned, if that entity provides such validations ~~+~~, *or such documentation requested by the Board.*

Sec. 66. NAC 644A.642 is hereby amended to read as follows:

644A.642 Each school of cosmetology shall require every student in attendance to:

1. Take one mandatory 30-minute lunch recess for every 7 hours of training time;
2. Take one mandatory 15-minute break for every 3 1/2 hours of training time; ~~and~~
3. Perform not more than 7 hours of service on the public in a day ~~+~~; *and*

4. Attend school for not more than:

(a) Forty regularly scheduled school hours in each week;

(b) Ten regularly scheduled school hours in any day; or

(c) Ten hours in a week to make up for regularly scheduled school hours that the student missed.

Sec. 67. NAC 644A.705 is hereby amended to read as follows:

644A.705 In each cosmetological establishment and school of cosmetology:

1. All chemical waste material must be deposited in a closed container and disposed of in a fire-retardant container at the close of business each day.
2. All other waste must be deposited immediately in waste disposal containers which, unless they are located near a reception desk or in an office or restroom, must be covered at all times.
3. Waste disposal containers must be kept clean.
4. Any disposable material which comes into contact with blood or other bodily fluids, such as discharge from pustules, pimples and sebaceous glands, must be disposed of in a sealable

plastic bag or in a manner that not only protects the licensee and the client but also others who may come into contact with the material in the future, such as sanitation workers.

5. To prevent the possible spread of any blood-borne disease or virus, any disposable sharp objects that come in contact with blood or other bodily fluids must be disposed of in a sealable rigid container that is strong enough to protect the licensee, clients and others who may come into contact with the materials in the future from accidental cuts or puncture wounds.

6. Regardless of exposure to blood or other bodily fluids, sharps, including, without limitation, blades, needles and lancets, must be disposed of in labeled sharps containers.

Sec. 68. NAC 644A.710 is hereby amended to read as follows:

644A.710 Each cosmetological establishment and school of cosmetology and each room or residence used as a cosmetological establishment must have a mechanical system for exhaust acceptable to the Board. ***The mechanical system for exhaust must comply with all applicable building codes, local ordinances and fire codes, the Nevada Occupational Safety and Health Act and the federal Occupational Safety and Health Act of 1970, as amended.***

Sec. 69. NAC 644A.715 is hereby amended to read as follows:

644A.715 1. Each cosmetological establishment or school of cosmetology must have fully operable toilets which are accessible to clients and employees. Each area in which a toilet is located must have a sink with an adequate and readily available supply of hot and cold running water at all times and a mechanical exhaust system for ventilation which completely circulates the air. If the restrooms for the cosmetological establishment are located outside of the cosmetological establishment, the restrooms must be:

(a) In plain view or clearly marked with appropriate signs, and

(b) Located within 100 feet of the entrance of the cosmetological establishment and under the same roof as the cosmetological establishment.

2. The floor covering in each restroom located in a cosmetological establishment or school of cosmetology must be made of a ~~flushable~~ material which is not porous or absorbent.

Sec. 70. NAC 644A.720 is hereby amended to read as follows:

644A.720 In each cosmetological establishment or school of cosmetology:

1. All floors in restrooms and areas where hair is cut, shampooed or styled must be of a ~~flushable~~ material which is not porous or absorbent. Carpeting is allowed in all other areas of the cosmetological establishment or school of cosmetology, including, without limitation, reception areas and areas for manicuring and esthetics.

2. All walls within a cosmetological establishment or school of cosmetology must be of a ~~flushable~~ material which is not porous or absorbent.

3. All walls, floors, woodwork, ceilings, furnishings, equipment and fixtures must be kept clean and in good repair.

4. Clippings of hair must not be allowed to accumulate and must be disposed of in a covered waste receptacle immediately after the hair is cut.

5. Refuse and waste must not be allowed to accumulate.

Sec. 71. NAC 644A.725 is hereby amended to read as follows:

644A.725 1. Each cosmetological establishment or school of cosmetology must have suitable permanent plumbing which provides an adequate and readily available supply of hot and cold running water at all times and is permanently connected for drainage of sewage and potable water within the areas where work is performed and supplies dispensed.

2. Each cosmetological establishment or school of cosmetology must contain a dispensary sink. *Each dispensary sink within a cosmetological establishment or school of cosmetology must:*

(a) Have permanent plumbing;

(b) Provide hot and cold running water for cleaning and handwashing;

(c) Be separate from any sink located in a restroom or any shampoo bowl; and

(d) Be accessible to licensees, registrants and students at all times while the cosmetological establishment or school of cosmetology is open.

3. *In addition to the permanent plumbing required by subsection 1, each cosmetological establishment or school of cosmetology may utilize a portable sink if:*

(a) The portable sink is capable of producing hot and cold running water, has a freshwater tank with a capacity of not more than 15 gallons and has a grey-water tank with a capacity of not more than 20 gallons; and

(b) The contents of the portable sink's grey-water tank are disposed of daily.

4. The floor coverings within a distance from all exposed sides of a sink, pedicure spa or dispensary sink that is the same distance as the width of the sink, pedicure spa or dispensary sink must be made of a **[washable]** material which is not porous or absorbent.

Sec. 72. NAC 644A.730 is hereby amended to read as follows:

644A.730 In each cosmetological establishment or school of cosmetology:

1. The headrest of each chair must be covered with a clean towel or paper sheet for each client.

2. The part of a shampoo bowl on which a client's neck rests must be covered with a clean towel during each shampoo. The bowls must be carefully washed and be disinfected with a

disinfectant that is registered with the United States Environmental Protection Agency, and all loose hair must be removed from the drains after each use.

3. After a towel or linen has been used once, it must be deposited in a receptacle provided for soiled towels and linens, must not be stored in any restroom, and must not be used again until properly laundered. All towels must be washed with detergent on the hot wash cycle and dried until hot to the touch after each use. After being washed, towels must be kept in closed, dust-free cabinets.

4. Sanitary neck strips or towels must be used between the neck of the client and the cape to prevent all coverings from coming into direct contact with the client. Proper draping of towels must be used for all services, except that single-use paper neck strips made specifically for such use may be used for dry services.

5. Treatment tables must be disinfected after each use with a disinfectant.

6. All *single-use* instruments and supplies, including, without limitation, neck strips, nail files and buffers, that come into direct contact with a client and cannot subsequently be disinfected must be disposed of in a waste receptacle immediately following their use.

7. ~~Neck dusters and all~~ *All instruments, implements and other nonporous tools including, without limitation, combs and* brushes used on a client must be maintained in a clean and disinfected condition.

Sec. 73. NAC 644A.735 is hereby amended to read as follows:

644A.735 A licensee who uses a foot spa for the delivery of cosmetology services must:

1. Before performing foot spa services:

(a) Check the condition of the client's feet and legs and, if open sores or skin wounds are present, including, without limitation, insect bites, scratches, scabbed-over wounds or any

condition that weakens the skin barrier, explain to the client why he or she should not use the foot spa; and

(b) Not perform any procedure that risks damage to a client's skin, including, without limitation, pedicures or waxing, before soaking the client's feet in the foot spa basin.

2. After performing foot spa services on a client, including, without limitation, ~~while feet are massaged, toes are painted~~ *after all foot spa services have been completed, between foot spa services* or any other time after the client's feet are out of the foot spa:

(a) Drain the water from the foot spa basin or bowl and remove any visible debris;

(b) Clean the surfaces of the foot spa with soap or detergent, rinse with clean water and drain;

(c) After cleaning the foot spa, disinfect the surfaces of the foot spa with a disinfectant according to the manufacturer's directions on the label of the disinfectant and ensure that the surfaces remain wet with the disinfectant for at least 10 minutes or the time stated on the label of the disinfectant, whichever is shorter;

(d) For whirlpool foot spas, air-jet basins, "pipe-less" foot spas and other circulating spas, disinfect the foot spa by filling the basin with clean water, adding the appropriate amount of liquid disinfectant and turning the unit on to circulate the disinfectant for the entire contact time; and

(e) After disinfecting the foot spa, drain and rinse the foot spa with clean water.

3. Nightly:

(a) For whirlpool foot spas, air-jet basins, "pipe-less" foot spas and other circulating spas:

(1) Remove the filter screen, inlet jets and all other removable parts from the basin and clean out any debris trapped behind or in the removed parts;

- (2) Using a brush, scrub the removed parts with soap or disinfectant following the appropriate cleaning directions for the soap or disinfectant;
 - (3) Rinse the removed parts with clean water and place the parts back into the basin;
 - (4) Fill the basin with clean water and add a disinfectant following the directions on the label of the disinfectant;
 - (5) Turn the unit on and circulate the system with the water and disinfectant for at least 10 minutes or the time stated on the label of the disinfectant, whichever is shorter; and
 - (6) After disinfection, drain, rinse and air dry the foot spa.
- (b) For simple basins with no circulation:
- (1) Drain the basin and remove any visible debris;
 - (2) Using a clean brush, scrub the bowl with soap or disinfectant following the appropriate cleaning directions for the soap or disinfectant;
 - (3) Rinse and drain;
 - (4) Disinfect the basin surfaces with a disinfectant according to the manufacturer's directions on the label of the disinfectant and ensure that the surfaces of the foot spa remain wet with the disinfectant for at least 10 minutes or the time stated on the label, whichever is shorter; and
 - (5) Drain the basin, rinse with clean water and let the foot spa air dry.

Sec. 74. NAC 644A.740 is hereby amended to read as follows:

644A.740 1. In each cosmetological establishment or school of cosmetology:

- (a) Disinfectants must be available for immediate use at all times.
- (b) All instruments, implements and other nonporous tools must be cleaned and disinfected in the following manner before each use:

(1) All hair and other adherent foreign material must be removed from the instrument, implement or other tool; and

(2) The instrument, implement or other tool must be:

(I) Thoroughly washed with soap and hot water;

(II) Rinsed in clear hot water;

(III) Thoroughly dried; and

(IV) Placed *with a disinfectant that is registered with the United States*

Environmental Protection Agency in a covered ~~{wet disinfectant}~~ *container* which is large enough for complete immersion of the instrument, implement or other tool, and which contains a disinfectant other than alcohol which is prepared and used as instructed on the manufacturer's label, including, without limitation, following safety precautions, requirements for dilution and contact time and requirements for proper disposal.

↪ Disinfectant solutions must be legibly labeled with the name of the disinfectant and the dilution of the disinfectant. Disinfectant solutions must be made daily and disposed of at the end of the day or immediately if visible debris is present. If concentrated disinfectants must be diluted with water, measuring devices must be readily available and used to ensure an effective solution is made. A concentrated disinfectant not in the original container must be legibly labeled with the name of the disinfectant and use instructions if the original container with instructions is not available.

(c) All disinfected instruments, implements and other tools that are not in use and not in the process of ~~{wet}~~ disinfection ~~{in a wet disinfectant}~~ must be stored in a clean, dry, closed container, drawer or storage unit that contains only disinfected instruments, implements and other tools.

(d) Any instrument, implement or other tool dropped on the floor or otherwise made unsanitary by use or other contamination must be deposited in a separate labeled container for soiled articles only and must not be used until it has been thoroughly disinfected as specified in paragraph (b). An original container for the disinfectant used that includes the manufacturer's label must be available at all times in the cosmetological establishment or school of cosmetology.

(e) All electrolysis instruments *and all applicable advanced esthetic instruments which are not disposed of after use* must be cleaned in the following manner after each use:

(1) All foreign matter must be removed from the instrument; and

(2) The instrument must be:

(I) Washed in soap and hot water; and

(II) Rinsed in hot water.

(f) After cleaning, all electrolysis instruments must be sterilized by one of the following methods:

(1) Use of a steam sterilizer; or

(2) Use of a dry sterilizer,

↳ which is registered and listed with the United States Food and Drug Administration, and is used according to the manufacturer's instructions.

(g) Sterilization equipment must be checked daily to ensure that it is reaching the temperature required by the manufacturer's instructions.

(h) All sterilized instruments and sanitary disposable articles must be stored in clean, closed containers, drawers or storage units which must be free of other articles.

(i) Single-use items must not be used on more than one client and must be disposed of after use on a client.

(j) All single-use items and other items that cannot be disinfected must be stored in closed containers at all times while not in use.

2. As used in this section, “single-use items” includes, without limitation, buffers, cotton balls, cotton strips and swabs, disposable gloves, emery boards, nail files, neck and muslin strips, paraffin liners, makeup applicators, mascara applicators, pedicure slippers, sleeves and sanders for electric files, foam buffer blocks, cushioned nail files, paper, sandpaper, wooden spatulas, cotton pads, gauze pads and toe separators or any other items made with paper, wood, foam or any porous materials.

Sec. 75. NAC 644A.755 is hereby amended to read as follows:

644A.755 In each cosmetological establishment or school of cosmetology:

1. Creams, lotions, cosmetics and other preparations used on clients must be kept in closed *and labeled* containers at all times when not in use.

2. Powder for the face must be kept in a closed *and labeled* container. The use of powder puffs is prohibited.

3. Lotions or liquids used on a client must be poured into a single-use or disinfected container and applied to the client using cotton or other type of applicator. *The container must be labeled to adequately disclose its contents.*

4. Creams or other semisolid substances must be dipped from the container with a single-use or disinfected instrument or spatula. Removing such substances with the fingers is prohibited.

5. Creams, lotions and other preparations must be removed by means of cotton, gauze, facial tissue or other single-use material.

6. Supplies used for service to clients must not be stored in any restroom.

7. Cosmetics used in the form of a pencil must be sharpened before each use. The sharpener must be cleaned and disinfected after each use.

8. All bottles and containers must be distinctly and correctly marked with a label which discloses its contents. All articles containing poisonous substances must be distinctly marked as such.

9. Readily accessible safety data sheets for each product used in the cosmetological establishment containing hazardous substances must be available to all licensees within the establishment at all times.

Sec. 76. NAC 644A.760 is hereby amended to read as follows:

644A.760 A cosmetological establishment using hot steamed towels in services must:

1. Wash the towels with detergent and bleach and dry the towels on the “hot” setting.
2. Ensure that any person who prepares towels for the warmers first washes his or her hands ~~. [or wears gloves.]~~
3. Freshly prepare wet towels used in services each day and remove and launder unused wet towels at the end of each day.
4. Disinfect the towel warmers daily.

Sec. 77. NAC 644A.780 is hereby amended to read as follows:

644A.780 In each cosmetological establishment or school of cosmetology:

1. A licensee shall not perform any service upon a surface of the skin or scalp of a client where such skin is inflamed, *infected, broken* or ~~where a skin infection or eruption is present.~~ *otherwise compromised.*

2. Licensees shall not perform any service on a client whose skin shows signs of secretion of any bodily fluids.

Sec. 78. NAC 644A.785 is hereby amended to read as follows:

644A.785 1. A cosmetologist or an esthetician may remove ~~the uppermost layers of the facial~~ *any portion of the* skin *that is at or above the stratum corneum* by any method or means if only ~~the uppermost layers of the~~ skin ~~are~~ *that is at or above the stratum corneum* is removed and the removal is for the purpose of beautification.

2. In removing the ~~uppermost layers of~~ skin *that is at or above the stratum corneum* pursuant to this section, a cosmetologist or an esthetician:

(a) May only use products *or implements* that are ~~commercially available~~ *intended for use by a practitioner of a branch of cosmetology* for the removal of ~~facial~~ skin for beautification; and

(b) Shall not mix or combine any such products unless the mixing or combining is required pursuant to the manufacturer's instructions for the products being mixed or combined.

3. A cosmetologist or an esthetician shall not use any techniques or practices for the removal of skin ~~that affect anything other than~~ *below* the ~~uppermost layers of the facial skin.~~ *stratum corneum.*

Sec. 79. NAC 644A.790 is hereby amended to read as follows:

644A.790 1. Except as otherwise provided in this section, a licensee shall not perform any invasive procedure that includes, without limitation:

(a) The application of electricity for ~~the sole~~ any purpose ~~of contracting a muscle;~~ *other than beautifying the skin;*

(b) The application of a topical lotion, cream or other substance *which is not intended for use by a practitioner of a branch of cosmetology for the purpose of beautifying the skin or* which affects anything ~~other than~~ *below* the ~~uppermost layers of the skin;~~ *stratum corneum;*

(c) The penetration of the skin by needles;

(d) The abrasion of the skin below the ~~uppermost layers of the skin; or~~ *stratum corneum;*

(e) The removal of a callus using an instrument, tool or other device that has a sharp edge, blade or point ~~it~~; *or*

(f) The injection or administration of any substance, including, without limitation, a controlled substance.

2. The provisions of paragraph (c) of subsection 1 do not apply to the use of electrolysis needles by a licensed electrologist.

3. *The provisions of paragraph (c) of subsection 1 do not apply to the use of needles by a licensed advanced esthetician for the purpose of microneedling, microchanneling or dermarolling if:*

(a) The gauge and penetration of the needles do not exceed 1.5 mm, unless the advanced esthetician is being directly supervised by a health care professional; and

(b) The needles are not used for an ablative esthetic medical procedure, to remove blood or to inject any substance including, without limitation, a controlled substance.

4. *The provisions of paragraph (d) of subsection 1 do not apply to a licensed advanced esthetician.*

5. The provisions of subsection 2 of NRS 644A.545 which prohibit an advanced esthetician from performing any ablative esthetic medical procedure apply regardless of whether the advanced esthetician is under the supervision of a health care professional and regardless of the delivery method, device or technology used, including, without limitation, radio frequency dissection, laser, scarlet or ablative microneedling or skin tag removal.

6. As used in this section, “invasive procedure” means an act that affects the structure or function of the skin ~~other than~~ *below* the ~~uppermost layers of the skin.~~ *stratum corneum that:*

(a) Is not within the scope of the licensee’s license to perform;

(b) Is not intended for the sole purpose of the beautification of the skin; and

(c) Excises, vaporizes, disintegrates or in any way removes living tissue.

Sec. 80. NAC 644A.805 is hereby amended to read as follows:

644A.805 1. Except for designated retail sales areas for the sale of products to the public, a licensed cosmetological establishment shall not have the following devices within the licensed areas of the cosmetological establishment:

(a) Skin cutting equipment, including razor-type callus shavers, credo blades ~~[, rasps]~~ or graters and other implements which are used to remove *skin, including, without limitation,* corns or calluses , by cutting below the skin surface;

(b) Methyl methacrylate liquid monomers, also known as MMA, and fumigants, formalin tablets or formalin liquids; or

(c) Any device that allows a licensee to perform a service outside of the scope of services of a person licensed, certified or registered pursuant to this chapter or chapter 644A of NRS.

2. If any device described in subsection 1 is found in a cosmetological establishment upon inspection by the staff of the Board, the device must be removed:

(a) Immediately from the premises if the device is not permanently mounted and is small enough to fit within the vehicle of the licensee; or

(b) Within 48 hours from the premises if the device must be uninstalled or is too large to fit in the vehicle of the licensee.

3. If a device described in subsection 1 is found in a cosmetological establishment, the owner of the cosmetological establishment is subject to ~~punishment~~ *disciplinary action* in accordance with NAC 644A.860.

Sec. 81. NAC 644A.810 is hereby amended to read as follows:

644A.810 1. Except as otherwise provided in this section and NAC 644A.815 ~~and~~ *section 15 of this regulation*, a person licensed to practice cosmetology may practice only in a currently licensed cosmetological establishment.

2. In the event of an emergency, a person so licensed may practice elsewhere as the circumstances warrant if the licensee notifies and receives approval from the Board before engaging in that practice. The notification to the Board must include:

- (a) The name of the person to receive the service;
- (b) A description of the type of service to be provided;
- (c) The address or the location at which the service will be provided;
- (d) The date and time when the service will be provided; and
- (e) The name, type of license and number of the license of the licensee.

3. A person may engage in emergency practice only if he or she *holds an active license in good standing to practice cosmetology in this State and* regularly operates or is employed in a cosmetological establishment. A person who engages in an emergency practice shall indicate in the appointment book of the establishment that the appointment is an out-call service.

~~{4.— A licensee may perform services outside of a licensed cosmetological establishment if the customer to receive the services has received a letter from his or her doctor which states that the customer is under the long-term care of the doctor and such services can be performed safely, in consideration of the medical condition of the customer. Services provided by a licensee to such a customer must be provided in compliance with this section.}~~

Sec. 82. NAC 644A.815 is hereby amended to read as follows:

644A.815 A cosmetologist, esthetician, *advanced esthetician*, hair designer or nail technologist licensed in Nevada may perform services outside a cosmetological establishment if the services are being donated to a charitable organization and prior written approval has been given by the Board. Every possible effort must be made to ensure that proper sanitation is maintained.

Sec. 83. NAC 644A.820 is hereby amended to read as follows:

644A.820 1. Cosmetology may be practiced in private residences only when the rooms used for the practice are completely separate from any rooms used for living quarters. The rooms used for the practice must be completely and permanently sealed off from the living quarters so that the only entrances to and exits from that portion of the residence used for the practice of cosmetology are from the street. A room used in a private residence for the practice of cosmetology must meet all requirements for cosmetological establishments in NAC ~~{644A.700}~~ *644A.705* to 644A.825, inclusive, and must:

- (a) Have a ceiling that is not less than 8 feet in height;
- (b) Be equipped to give proper service to clients;
- (c) Have toilets which are separate from any toilets used by residents; and

(d) Have a sign outside of the building denoting the name of the cosmetological establishment.

2. A private residence in which cosmetology is practiced must be located in a geographical area in which the practice of cosmetology is allowed by local zoning ordinances. If the private residence is not located in such an area, the owner must receive a variance from the appropriate local governing body before applying to the Board for a license for the cosmetological establishment.

Sec. 84. NAC 644A.825 is hereby amended to read as follows:

644A.825 1. Except as otherwise provided in this section, a person who holds a limited license issued pursuant to NRS 644A.455 shall not engage in the practice of cosmetology unless the services are performed in a licensed cosmetological establishment.

2. A person who holds a limited license issued pursuant to NRS 644A.455 may:

(a) Practice cosmetology only at:

(1) A resort hotel;

(2) A location at which a wedding is being officiated;

(3) ~~At~~ *The private home of the person receiving the cosmetology services;*

(4) A convention center;

(5) A fair;

(6) A festival; ~~or~~

(7) A commercial, public or private building ~~or~~; *or*

(8) Any area that the Executive Director has preapproved.

(b) Offer only the following services:

(1) Techniques which result in tension on hair strands such as twisting, wrapping, weaving, extending, locking or braiding of the hair by hand and which do not include the application of dyes, reactive chemicals or other preparations to alter the color or to straighten, curl or alter the structure of the hair;

(2) The nonpermanent manipulation of the hair, such as styling, wrapping, arranging, braiding, twisting, weaving, extending, fusing, dressing, curling, setting or straightening;

(3) The application of cosmetic products and hair-arranging services which:

(I) Do not include shampooing, haircutting, hair coloring, permanent waving of the hair, hair relaxing or the removal of hair; and

(II) Are provided using either disposable hair-arranging implements or a wet or dry disinfecting system approved by the United States Environmental Protection Agency;

(4) Application of makeup to the skin;

(5) Application of false eyelashes; or

(6) Removal of existing nail polish from and application of nail polish to the nails.

3. A person who engages in the practice of cosmetology pursuant to subsection 2 shall record the name of the client and the address at which services are performed in an appointment book or system which must remain at the cosmetological establishment or permanent place of business and be made available upon request to any investigator or inspector of the Board.

4. Nothing in this section shall be construed to prohibit a person who holds a limited license issued pursuant to NRS 644A.455 from engaging in the practice of cosmetology within the scope of their valid license to practice cosmetology within a licensed cosmetological establishment.

Sec. 85. NAC 644A.860 is hereby amended to read as follows:

644A.860 1. The Board adopts the following schedule of fines for any violation of the provisions listed:

Violation	First Offense	Second Offense	Third Offense
COSMETOLOGICAL ESTABLISHMENT			
Operating an establishment without a license.....	\$1,000	\$1,500	\$2,000
Operating an establishment with an expired license.....	200	500	1,000
Allowing a licensee to work with an expired license (per person)	200	500	1,000
Failure to display license in place of business	200	500	1,000
Allowing an unlicensed person to work in an establishment	1,000	1,500	2,000
Operating an establishment without supervision by a licensed person	200	500	1,000
Operating an establishment with an animal on the premises	200	500	1,000
Refusal to allow staff of the Board to inspect any licensed space.....	1,000	2,000	5,000
<i>Failure to display a sign pursuant to NRS 644A.615 or section 11 of this regulation</i>	<i>100</i>	<i>200</i>	<i>500</i>
<i>Having on the premises or using a cosmetic product in violation of NAC 644A.800.....</i>	<i>1,000</i>	<i>1,500</i>	<i>2,000</i>
<i>Having on the premises a prohibited device in violation of NAC</i>	<i>1,000</i>	<i>1,500</i>	<i>2,000</i>

Violation	First Offense	Second Offense	Third Offense
<i>644A.805</i>			
COSMETOLOGIST OR OTHER LICENSED OR REGISTERED			
NATURAL PERSON			
Practicing with an expired license or registration	200	500	1,000
Failure to display license or registration at a work station.....	200	500	1,000
Failure to practice in a cosmetological establishment, unless the person holds a limited license to do so <i>except as authorized by the provisions of this chapter</i>	500	1,000	2,000
Failure to comply with NAC 644A.790.....	200	500	1,000
Using advertisements which contain knowingly false or deceptive statements or otherwise engaging in acts described in subsection 2 of NAC 644A.870.....	100	200	500
<i>For an advanced esthetician, performing a nonablative esthetic medical procedure without the proper supervision of a health care professional.....</i>	<i>1,000</i>	<i>1,500</i>	<i>2,000</i>
APPRENTICE			
Failure to display a certificate of registration in plain view	100	500	1,000
Failure to wear a badge while working.....	100	500	1,000

Violation	First Offense	Second Offense	Third Offense
Working on the public without a supervising cosmetologist, hair designer, esthetician, nail technologist or electrologist, as appropriate, present	500	1,000	2,000
 SUPERVISOR OF AN APPRENTICE			
Allowing an apprentice to work if his or her certificate of registration is not displayed in plain view.....	100	500	1,000
Allowing an apprentice to work if the apprentice is not wearing his or her badge	100	500	1,000
Allowing an apprentice to work on the public without being present to supervise the apprentice	500	1,000	2,000
Failure to comply with NAC 644A.330.....	500	1,000	
 SUPERVISOR OF AN ELECTROLOGIST'S APPRENTICE			
Failure to comply with NAC 644A.360.....	500	1,000	
 MAKEUP ARTIST			
Failure to meet a requirement to engage in the practice of makeup artistry in this State	200	500	1,000

Violation	First Offense	Second Offense	Third Offense
SCHOOL OF COSMETOLOGY			
Failure to comply with NRS 644A.735, subsection 1 of NRS 644A.740, paragraph (b) of subsection 2 of NRS 644A.740 or NAC 644A.603			
	200	500	1,000
<i>Failure to comply with NRS 644A.715.....</i>	<i>100</i>		
<i>Providing instruction in a branch of cosmetology for which the school does not hold the appropriate license issued pursuant to chapter 644A of NRS</i>	<i>1,000</i>	<i>1,500</i>	<i>2,000</i>
<i>Having on the premises or using a cosmetic product in violation of NAC 644A.800.....</i>	<i>1,000</i>	<i>1,500</i>	<i>2,000</i>
ANY PERSON			
Practicing without a license or certificate			
	1,000	1,500	2,000
Copying or altering a license or certificate for purposes of fraud, deception, misrepresentation or other illegal purpose			
	200	500	1,000
Using a copied or altered license or certificate for purposes of fraud, deception, misrepresentation or other illegal purpose			
	1,000	2,000	5,000
<i>Providing instruction in a branch of cosmetology for which the person does not hold the appropriate license issued pursuant to chapter 644A of NRS</i>	<i>1,000</i>	<i>1,500</i>	<i>2,000</i>

2. A licensee who violates a provision of NAC 644A.510 , [. 644A.515 ~~[, 644A.520]~~ or ~~[644A.700]~~ **644A.705** to 644A.770, inclusive, will be fined \$100 for each violation unless, in the judgment of the Executive Director, the violation warrants a disciplinary hearing before the Board.

3. A person who violates a provision of this chapter or chapter 644A of NRS for which this section does not provide a specific fine, including, without limitation, a second or subsequent violation, may be:

- (a) Ordered to appear at a disciplinary hearing before the Board; and
- (b) Punished by the Board as set forth in NRS 644A.850.

Sec. 86. NAC 644A.870 is hereby amended to read as follows:

644A.870 A licensee is subject to disciplinary action if the licensee:

- 1. Engages in unfair or unjust practices, methods or dealings, including, without limitation:
 - (a) Copying or altering a license for the purposes of fraud, deception, misrepresentation or other illegal purpose in violation of NRS 644A.930.
 - (b) Using a license that has been copied or altered for the purposes of fraud, deception, misrepresentation or other illegal purpose.
 - (c) Misrepresenting his or her qualifications to the public.
 - (d) Performing or offering to perform the functions of a licensee under a false or assumed name or social security number.
 - (e) Selling or offering to sell his or her license.
 - (f) Failing to cooperate with an investigation conducted by the Board.
 - (g) Failing to respond to communications from the Board.

(h) Providing false information to the Board.

2. ~~Uses~~ *Except as otherwise provided in this subsection, uses* advertisements which contain knowingly false or deceptive statements, including, without limitation, using the terms “expert,” “advanced” or “medical” in connection with any description of a licensee’s practice in any branch of cosmetology or otherwise holding the licensee out to the public as an expert, advanced or medical practitioner of any branch of cosmetology. *This subsection does not prohibit a licensed advanced esthetician from using the term “advanced” in connection with his or her practice of advanced esthetics or from holding himself or herself out to the public as an advanced esthetician.*

Sec. 87. NAC 644A.940 is hereby amended to read as follows:

644A.940 A person may petition to appear and be heard on any matter within the jurisdiction of the Board, as follows:

1. The petitioner must submit the petition to the Board in writing on a form prescribed by the Board. The petition must contain a brief summary of the subject matter and contain the reasons for bringing the matter before the Board.

2. The petition must be received by the Board at least 30 business days before the meeting at which the petitioner wishes to be heard, but the Executive Director may waive this time requirement.

3. Upon receipt of the petition, the Executive Director or his or her designee or any member of the Board may make an initial evaluation to determine whether the subject of the petition is within the jurisdiction of the Board.

4. ~~If the Executive Director, his or her designee or a member of the Board determines that the petition submitted pursuant to subsection 1 presents grounds for a disciplinary action~~

~~involving a fine, the revocation or suspension of a license, or the probation of a licensee, the Executive Director will deny the petition and instruct the petitioner to file a formal complaint. The Executive Director shall notify the petitioner of the requirements for making the complaint.~~

~~—5.1~~ If the Executive Director, his or her designee or a member of the Board determines that there is no possibility for a fine, the revocation or suspension of a license, or the probation of a licensee, and if the item is a subject within the jurisdiction of the Board, the matter stated in the petition will be placed on the agenda as an item of new business for discussion and action.

Sec. 88. NAC 644A.975 is hereby amended to read as follows:

644A.975 1. Except as otherwise provided in ~~subsection~~ **subsections 2 ~~1~~ and 3**, upon receiving a petition for a declaratory order or an advisory opinion, the Board will place the matter on the agenda for discussion at the next regularly scheduled meeting of the Board.

2. If the petition is received within 30 days before the next regularly scheduled meeting, the petition may be placed on the agenda for discussion at the next meeting after that meeting.

3. ***The Board will not consider any petition concerning a decision of the Board which is received by the Board more than 30 days after the decision was issued.***

4. At a meeting at which a petition has been placed on the agenda for discussion, the Board will consider any information relevant to the petition, including, without limitation:

- (a) Oral or written testimony; and
- (b) Any other evidence.

~~4.1~~ **5.** After consideration of the information relevant to the petition, the Board will grant or deny the petition.

~~5.1~~ **6.** If the Board denies the petition, no further action will be taken.

7. If a petition is granted or denied, the petitioner shall not petition the Board again on the same matter.

Sec. 89. NAC 644A.980 is hereby amended to read as follows:

644A.980 1. If the Board grants a petition pursuant to subsection ~~4~~ 5 of NAC 644A.975, the Board will issue a declaratory order or advisory opinion. The President or other presiding officer shall assign one member of the Board to write the declaratory order or advisory opinion. The member so assigned has 30 days within which to submit to the Board the final draft, after reviewing comments by all members of the Board on the issue, researching the issue and seeking the assistance of the Attorney General, if necessary. Upon completing his or her draft of the declaratory order or advisory opinion, the assigned member shall submit it to the Board for final approval at the next regularly scheduled meeting of the Board. The declaratory order or advisory opinion must be approved by a majority of the members of the Board who are present at the meeting.

2. After the Board renders its declaratory order or advisory opinion, the Board will give notice of it to the petitioner.

Sec. 90. NAC 644A.065, 644A.225, 644A.340, 644A.350, 644A.355, 644A.360, 644A.365, 644A.370, 644A.375, 644A.378, 644A.380, 644A.385, 644A.390, 644A.395, 644A.660, 644A.663, 644A.668, 644A.670, 644A.673, 644A.678, 644A.680, 644A.685, 644A.688, 644A.690 and 644A.700 are hereby repealed.

TEXT OF REPEALED SECTIONS

644A.065 “School of electrology” defined. (NRS 644A.275) “School of electrology” means a licensed establishment accepting compensation for instruction in electrology.

644A.225 Hours of training required for student enrolled at licensed school of cosmetology. (NRS 644A.275)

1. Except as otherwise provided in this subsection, a student in cosmetology who is enrolled at a licensed school of cosmetology in this State who initially commenced instruction at any licensed school of cosmetology before August 1, 2015, is required to complete 1,800 hours of training. The Executive Director may, for good cause shown, reduce this requirement to 1,600 hours of training if a student in cosmetology has not been enrolled at a licensed school of cosmetology for a period of at least 12 months before August 1, 2016.

2. A student in cosmetology who is enrolled at a licensed school of cosmetology in this State who initially commenced instruction on or after August 1, 2015, and on or before September 30, 2015, may choose to complete a course of instruction which includes 1,800 hours of training or 1,600 hours of training.

3. A student in cosmetology who is enrolled at a licensed school of cosmetology in this State who initially commenced instruction on or after October 1, 2015, is required to complete 1,600 hours of training.

644A.340 Requirement to wear badge. (NRS 644A.275, 644A.535) Each apprentice shall construct and wear, at all times when receiving training or performing work on the public, a badge which contains the name and photograph of the apprentice, his or her certificate of registration number and the name of the licensed cosmetologist, hair designer, esthetician or nail technologist who is supervising and training him or her.

644A.350 Application for registration. (NRS 644A.275, 644A.400, 644A.410) Each person wishing to become an electrologist's apprentice must apply to the Board on a form prescribed by the Board and show that the person:

1. Resides in Nevada;
2. Is 18 years of age or over;
3. Is of good moral character and temperate habits;
4. Has completed the 12th grade in school or its equivalent;
5. Has submitted two photographs of the person that:
 - (a) Are identical;
 - (b) Have been taken not more than 90 days before the date of the submission of the application;
 - (c) Are 2 inches by 2 inches in size; and
 - (d) Show the front view of the full face of the applicant in color against a plain white or off-white background and are otherwise substantially equivalent to a photograph suitable for use in a passport issued by the United States Government;
6. Has a birth certificate, passport or voter registration card issued pursuant to the provisions of NRS 293.517; and

7. Is prepared to undertake a training program for at least 1,000 hours, extending over 5 consecutive months.

644A.355 Petition to supervise and instruct apprentice. (NRS 644A.275, 644A.400)

Every person wishing to supervise and instruct an electrologist's apprentice must petition the Board on a form prescribed by the Board. The petition must show that the petitioner:

1. Is a licensed electrologist and has been licensed and has practiced continuously for at least 2 years before the date of the petition.

2. Resides in Nevada.

3. Works in or operates a cosmetological establishment licensed by the Board.

4. Understands that:

(a) Before the petitioner commences to train an electrologist's apprentice, the cosmetological establishment must be inspected and approved by the Board as a suitable place for conducting such training, and that the establishment must have the supplies and equipment set forth in NAC 644A.663 to be deemed suitable.

(b) Only after the petitioner has been approved to instruct the electrologist's apprentice and the cosmetological establishment has been approved for such training will a permit be issued allowing the program to commence.

5. Believes that the electrologist's apprentice:

(a) At the time to commence training will be 18 years or more;

(b) Is of good moral character and temperate habits;

(c) Is a resident of Nevada; and

(d) Has completed the 12th grade in school or its equivalent.

6. Is fully able to prepare the electrologist's apprentice for examination by:

- (a) Providing him or her at least 5 consecutive months of direct supervision in a licensed cosmetological establishment in which all the occupations of electrology are practiced;
- (b) Supervising him or her during a course of training extending for 1,000 hours or more; and
- (c) Providing training in the subjects which the Board requires to be taught.

7. Understands that monthly reports of the attendance and training of the electrologist's apprentice, signed by the petitioner as supervisor and countersigned by the electrologist's apprentice, must be filed with the Board.

8. Agrees to:

(a) Submit to the Board, upon the completion of training, a final report which summarizes the monthly reports, and is accompanied by the application of the electrologist's apprentice for examination; and

(b) Give the electrologist's apprentice tests in theory and practice, enter the results of the tests on the monthly reports to the Board, and submit the reports by the first day of each month.

9. Understands that the electrologist's apprentice may not be allowed to practice electrology:

(a) Outside the licensed establishment where the training is being conducted.

(b) Unless he or she is under the direct supervision of the person in charge of training.

10. Understands that the electrologist's apprentice must:

(a) Wear a clean, washable garment at all times and a badge denoting him or her as an electrologist's apprentice; and

(b) Post the permit of the electrologist's apprentice, which indicates that he or she is currently in training, in full view of all the patrons in the establishment.

11. Agrees:

(a) That the petitioner is responsible for the activities of the electrologist's apprentice under his or her supervision and instruction, and the Board is not liable for those activities; and

(b) To provide sufficient malpractice insurance to protect all persons involved against acts of the electrologist's apprentice.

12. Understands that any failure on the petitioner's part to abide by this chapter is a ground for the revocation or suspension of his or her license.

644A.360 Compensation to supervise and train apprentice prohibited; exceptions.

(NRS 644A.275)

1. A licensed electrologist who has been authorized by the Board to supervise and train an electrologist's apprentice and who is supervising and training an electrologist's apprentice shall not accept compensation for the apprenticeship either directly or indirectly.

2. The provisions of subsection 1 are not intended to prohibit an electrologist's apprentice or the licensed electrologist who is supervising and training the electrologist's apprentice from receiving compensation from patrons who receive services from the electrologist's apprentice.

644A.365 Approval of apprenticeship by owner of cosmetological establishment or other licensed person. (NRS 644A.275, 644A.400) Before commencing to train an electrologist's apprentice, the petitioner must supply evidence to the Board that the owner of the cosmetological establishment or person licensed pursuant to chapter 644A of NRS in charge of it has approved the training of the apprentice within his or her establishment.

644A.370 Inspection of premises on which training to be conducted; required equipment at cosmetological establishment. (NRS 644A.275, 644A.400) Before the commencement of a training program for an electrologist's apprentice, the inspector for the Board shall inspect the premises on which the training program is to be conducted. To receive

approval for such a program, the cosmetological establishment must have the following equipment:

1. One high-frequency generator or thermalysis machine, or one galvanic generator or electrolysis machine;
2. Twelve needles ranging in size from .003 to .008 of an inch;
3. One complete set of electrodes and connections with each machine;
4. One stool, adjustable in height, for each apprentice;
5. One table and chair per patron;
6. One utility stand per setup;
7. One towel cabinet;
8. One pair of fine-pointed epilation forceps;
9. One set of magnifying glasses;
10. Covered containers for lotions, creams, ointments, soaps, disinfecting agents and cotton;
11. Containers in which to immerse needles for disinfection;
12. A covered container in which items such as instruments and needles may be kept disinfected; and
13. A covered receptacle for waste.

644A.375 Display of permit. (NRS 644A.275, 644A.400) No person may commence training or serve as an electrologist's apprentice until his or her permit has been placed in full view of the patrons.

644A.378 Requirement to wear badge. (NRS 644A.275, 644A.400) Each electrologist's apprentice shall wear, at all times while training, a badge which contains:

1. His or her name and permit number;

2. His or her supervisor's name; and
3. His or her photograph.

644A.380 Requirements for practical training and technical instruction. (NRS 644A.275, 644A.400)

1. Each supervisor of an electrologist's apprentice must offer the practical training and technical instruction in the subjects and for the hours shown below:

(a) Electrology and thermology, 650 hours in the following subjects:

- (1) Sanitation and sterilization;
- (2) Protection of patrons, including draping;
- (3) Use of equipment and instruments;
- (4) Insertion of instruments, single and multiple;
- (5) Precautionary measures before and after treatment;
- (6) Immediate aftercare;
- (7) Home care;
- (8) Destruction of the papilla;
- (9) Observation of demonstrations; and
- (10) Observation of results of work. At least 60 percent of the hours in this subject must

be spent in performing services on another person.

(b) Theoretical and practical training, 20 hours in the following subjects:

- (1) Ethics;
- (2) Conduct;
- (3) Courtesy;
- (4) Telephone etiquette;

- (5) Neatness;
 - (6) Salesmanship; and
 - (7) Professional attitude in meeting the public.
- (c) Instruction in theory, 250 hours in the following subjects:
- (1) Sanitation and sterilization;
 - (2) Electricity;
 - (3) Electrology;
 - (4) Thermology;
 - (5) Dermatology;
 - (6) Trichology;
 - (7) Bacteriology;
 - (8) The peripheral vascular system (capillaries);
 - (9) The sensory nervous system (nerve endings); and
 - (10) The provisions of chapter 644A of NRS which are pertinent to the practice of electrology.
- (d) Modeling for electrology and thermology, 80 hours.
2. The supervisor of an electrologist's apprentice shall directly supervise the apprentice whenever the apprentice is engaged in the practical training and technical instruction set forth in this section.

644A.385 Minimum training required before apprentice may work on patrons. (NRS 644A.275, 644A.400, 644A.745) Before commencing work on patrons, an electrologist's apprentice must have received at least 250 hours of training covering all phases of electrology.

644A.390 Maximum number of hours and days of training allowed per week. (NRS 644A.275, 644A.400) Supervisors may permit only 40 hours of training per week, or 5 days out of every 7.

644A.395 Misrepresentation of apprentice to public; advertising. (NRS 644A.275, 644A.400)

1. A misrepresentation to the public of the activities of an electrologist's apprentice is cause for revocation of the permit of the electrologist's apprentice and where circumstances warrant, for revocation of the supervisor's license.

2. A supervisor's failure to display the permit of the electrologist's apprentice properly or to have the electrologist's apprentice wear his or her badge properly shall be deemed a misrepresentation to the public.

3. Cosmetological establishments and supervisors of the electrologist's apprentice are accountable for all advertising of the services of the electrologist's apprentice. The advertising must not mislead the public about the nature and extent of the services of the electrologist's apprentice provided by the salon. A finding of false or misleading advertising regarding services of an electrologist's apprentice is a sufficient cause to warrant revocation or suspension of the permit of the electrologist's apprentice, the license of the supervisor or the license of the cosmetological establishment.

644A.660 Minimum requirements for space and accommodations. (NRS 644A.275, 644A.700) Each school of electrology must have:

1. At least 1,000 square feet of floor space for the first 10 students enrolled and 100 square feet for each additional student.

2. If it is within a school of cosmetology, 100 square feet of partitioned space for each student of electrology. This requirement is in addition to the initial 5,000 square feet required for the school of cosmetology.

3. Properly equipped lecture rooms of sufficient size to accommodate all students.

4. Separate lockers with sufficient space to store equipment.

644A.663 Minimum requirements for equipment. (NRS 644A.275, 644A.280, 644A.700) Each school must have the following working equipment for each student:

1. One high-frequency generator or thermalysis machine, or one galvanic generator or electrolysis machine;

2. Twelve disposable needles ranging in size from 0.003 to 0.008 inches;

3. One complete set of electrodes and connections with each machine;

4. One stool which is adjustable in height;

5. One table or chair per patron;

6. One utility stand per setup;

7. One towel cabinet;

8. One pair of fine-pointed epilation forceps;

9. One set of magnifying glasses;

10. Covered containers for lotions, creams, ointments, soaps, cleaning agents, disinfecting agents and cotton;

11. Hospital-grade containers in which to immerse equipment for disinfection;

12. Covered containers for keeping items such as instruments and needles clean; and

13. A covered receptacle for waste.

644A.668 Filing of standard contract, rules and financial forms with Board. (NRS

644A.275) Each school of electrology shall file with the Board:

1. A copy of its standard contract and rules, upon renewal of its license.
2. A statement of any changes made throughout the year with respect to its contract or rules.
3. A copy of each financial form used by it with respect to tuition, grants, scholarships or any other method of subsidizing tuition.

644A.670 Registration of students with Board. (NRS 644A.275, 644A.740) A school of electrology shall register each student with the Board within 45 days after the student has enrolled in the school. To register a student, the school shall submit a completed form provided by the Board that includes:

1. The name of the student;
2. The number of credit hours for which the student is enrolled;
3. If the student has transferred to the school of cosmetology and is requesting to receive credit for courses taken at another school of cosmetology, a copy of the letter issued by the Board verifying the number of hours for which the student has previously earned credit;
4. The signature of an authorized representative of the school;
5. A copy of the student's birth certificate, passport or voter registration card issued pursuant to the provisions of NRS 293.517;
6. An affidavit stating that the student has successfully completed at least the 10th grade in high school or its equivalent;
7. If applicable, proof of any name change of the student;
8. If applicable, a copy of the validation of foreign documentation required under subsection 3 of NAC 644A.640; and

9. Any other information required by the Board.

644A.673 Registrar: Appointment; duties. (NRS 644A.275, 644A.740) Each school of electrology shall appoint at least one of its employees to serve as a registrar and file the name of the registrar with the Board. The registrar shall:

1. Keep a daily record of the attendance of each student.
2. Keep a record of training time.
3. Send to the Board on the 15th day of each month a copy of the record of attendance and training time, and furnish a copy to each student upon request. The school shall keep the original for its own records. The record must be signed by the registrar, instructor and student.
4. Maintain each student's file for the duration of his or her attendance. At the completion of training, the registrar shall send to the Board the original record of the completion and a copy of the final time record.
5. Ensure that the records are accurate.
6. Send the student's record of withdrawal or completion to the Board within 15 days after the student has withdrawn or completed the student's course. Each such record must be signed by the student, if available, and the registrar.
7. Provide each student who withdraws from the school copies of the record of the withdrawal and the student's time records, upon his or her request. These records must be given to the student within 3 business days after withdrawal from school if such a request has been made.

644A.678 Instruction of students by licensed instructors; requirement for students to wear badges; limitation on practice by students. (NRS 644A.275, 644A.735, 644A.740)

1. A school of electrology shall maintain a staff of licensed instructors competent to give instruction in all subjects of the curriculum, including the subjects required by this chapter to be taught at the school.

2. Students must be given at least 1 hour of instruction in theory each day before working on patrons that day. Any student who fails to attend the instruction on theory shall remain in school for the duration of the day and receive training in another facet of electrology not related to the participation of patrons.

3. Initially, each student must be identified by wearing a badge with the word “freshman” inscribed on it. This badge may not be removed until the completion of a preliminary training period of 160 hours or an equivalent of 20 days.

4. No instructor in a licensed school of electrology may apply his or her time to the public or private practice of cosmetology or electrology for compensation during the hours the instructor is on duty as an instructor. Every instructor shall devote his or her full time during the hours that he or she is on duty as an instructor to instructing students.

5. Students shall not practice electrology at home or in a cosmetological establishment, or give demonstrations other than those required of them by the school of electrology.

644A.680 Administration and maintenance of time records. (NRS 644A.275, 644A.740)

Each school of electrology must have a time clock, computer or other device approved by the Board that generates a time record. Such devices, and the records generated by those devices, used in schools of electrology must be administered and maintained in the same manner as in schools of cosmetology.

644A.685 Permissible to be located within school of cosmetology. (NRS 644A.275, 644A.700) Schools of electrology may be located within schools of cosmetology.

644A.688 Advertising; display of sign stating services performed by students. (NRS 644A.275)

1. A school of electrology which advertises the availability of services in electrology shall designate the services as services by students. Advertising must not be false, misleading or deceptive.

2. No such school may advertise that its students earn commissions, salaries or other pay, except gratuities, for services rendered.

3. In the reception room of the school, a sign must be posted which contains the words "School of Electrology, Work Done Exclusively by Students," or words of similar substance, in letters large enough to be read the length of the room. The sign must be displayed in full view of all patrons, students and instructors in the school.

644A.690 Requirements for practical examination. (NRS 644A.275) In taking a practical examination, an applicant must appear in a clean, washable garment and furnish such supplies, model and equipment as may be designated by the Board.

644A.700 Drinking cups and facilities. (NRS 644A.275, 644A.280) Each cosmetological establishment or school of cosmetology shall provide disposable cups, where applicable, for the use of patrons and employees. Drinking fountains, coolers and refreshment centers must be located in a clean and sanitary place and must not be located in the restrooms.