

SENATE BILL NO. 372—SENATOR SCHNEIDER

MARCH 17, 2003

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to cosmetology.
(BDR 54-886)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: No.

~

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

AN ACT relating to cosmetology; authorizing certain providers of health care to practice in a cosmetological establishment under certain circumstances; eliminating the authority of the State Board of Cosmetology to inspect cosmetological establishments; requiring a city, county or district board of health to inspect cosmetological establishments and report any violations to the State Board of Cosmetology; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 644.090 is hereby amended to read as follows:
2 644.090 The Board shall:
3 1. Hold examinations to determine the qualifications of all
4 applicants for a license, except as otherwise provided in this chapter,
5 whose applications have been submitted to it in proper form.
6 2. Issue licenses to such applicants as may be entitled thereto.
7 3. License cosmetological establishments and schools of
8 cosmetology.
9 4. Report to the proper prosecuting officers all violations of
10 this chapter coming within its knowledge.
11 5. Inspect schools of cosmetology ~~and cosmetological~~
12 ~~establishments~~ to ensure compliance with the statutory
13 requirements and adopted regulations of the Board. This authority
14 extends to any member of the Board or its authorized employees.



1 **Sec. 2.** NRS 644.360 is hereby amended to read as follows:
2 644.360 1. Every holder of a license issued by the Board to
3 operate a cosmetological establishment shall display the license in
4 plain view of members of the general public in the principal office
5 or place of business of the holder.

6 2. ~~[[The]]~~ *Except as otherwise provided in subsection 3, the*
7 operator of a cosmetological establishment shall lease space to or
8 employ only licensed manicurists, electrologists, aestheticians, hair
9 designers, demonstrators of cosmetics and cosmetologists at his
10 establishment to provide cosmetological services.

11 3. *The operator of a cosmetological establishment may lease*
12 *space at his cosmetological establishment to a provider of health*
13 *care for the purpose of providing health care within the scope of*
14 *his practice. The provider of health care shall not use the leased*
15 *space to provide such health care at the same time a cosmetologist*
16 *uses that space to engage in the practice of cosmetology.*

17 4. *As used in this section, "provider of health care" means a*
18 *person who is licensed, certified or otherwise authorized by the*
19 *law of this state to administer health care in the ordinary course of*
20 *business or practice of a profession.*

21 **Sec. 3.** NRS 644.477 is hereby amended to read as follows:

22 644.477 ~~[[It]]~~ *Except as otherwise provided in NRS 644.360, it*
23 is unlawful for the operator of a cosmetological establishment to
24 practice or allow the practice of any profession other than
25 cosmetology in that establishment.

26 **Sec. 4.** NRS 439.350 is hereby amended to read as follows:

27 439.350 The county board of health shall:

28 1. Oversee all sanitary conditions of the county in which the
29 board is created.

30 2. *Inspect each cosmetological establishment located in the*
31 *county to ensure compliance with the provisions of chapter 644 of*
32 *NRS and the regulations adopted by the State Board of*
33 *Cosmetology and report any violation of those provisions to the*
34 *State Board of Cosmetology.*

35 3. Adopt such regulations as may be necessary for the
36 prevention, suppression and control of any contagious or infectious
37 disease dangerous to the public health, which regulations take effect
38 immediately upon approval by the State Board of Health.

39 ~~[[3-]]~~ 4. File a copy of all of its adopted regulations with the
40 county clerk.

41 **Sec. 5.** NRS 439.460 is hereby amended to read as follows:

42 439.460 The city board of health shall:

43 1. Oversee all sanitary conditions of the city in which the board
44 is created.



- 1 2. *Inspect each cosmetological establishment located in the*
2 *city to ensure compliance with the provisions of chapter 644 of*
3 *NRS and the regulations adopted by the State Board of*
4 *Cosmetology and report any violation of those provisions to the*
5 *State Board of Cosmetology.*
6 3. Adopt such regulations as may be necessary for the
7 prevention, suppression and control of any contagious or infectious
8 disease dangerous to the public health, which regulations take effect
9 immediately upon approval by the State Board of Health.
10 ~~3.~~ 4. File a copy of all of its adopted regulations with the city
11 clerk.
12 **Sec. 6.** This act becomes effective on July 1, 2003.

