

As Amended by House Committee

Session of 2013

HOUSE BILL No. 2154

By Committee on Health and Human Services

1-30

1 AN ACT concerning the board of cosmetology; relating to licensure and
2 renewal; amending K.S.A. 65-1904a and **K.S.A. 2012 Supp. 65-1904b**
3 and repealing the existing ~~section~~ **sections**.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 65-1904a is hereby amended to read as follows: 65-
7 1904a. (a) Any licensed cosmetologist, esthetician, electrologist,
8 manicurist, or person desiring to establish a salon or clinic shall make
9 application, on a form provided, to the Kansas state board of cosmetology,
10 accompanied by the new salon or clinic license fee established under
11 K.S.A. 65-1904, and amendments thereto. Upon filing of the application,
12 the board shall inspect the equipment as to safety and sanitary condition of
13 the premises and if the equipment and premises are found to comply with
14 the rules and regulations of the secretary of health and environment and
15 the rules and regulations of the Kansas state board of cosmetology, the
16 board shall issue a new salon or clinic license.

17 (b) Nothing herein contained shall be construed as preventing any
18 licensed cosmetologist, manicurist, esthetician or electrologist from
19 practicing in the field for which licensed in such licensee's private home or
20 residence if the home or residence complies with rules and regulations of
21 the secretary and the state board. A licensed cosmetologist, manicurist,
22 esthetician or electrologist may provide services in the field in which
23 licensed in a place other than the licensed salon or clinic or a private home
24 or residence of the licensed cosmetologist, manicurist, esthetician or
25 electrologist. Excluding services provided by a licensed cosmetologist,
26 manicurist, esthetician or electrologist in a health care facility, hospital or
27 nursing home or in the residence of a person requiring home care arising
28 from physical or mental disabilities, in order to provide such services, such
29 licensed cosmetologist, manicurist, esthetician or electrologist shall be
30 employed in a salon or clinic or in the licensed cosmetologist's,
31 manicurist's, esthetician's or electrologist's private home or residence for at
32 least 51% of the total hours per week employed; and shall attest by
33 affidavit that such cosmetology, manicuring, esthetics or electrology
34 services shall be provided only in the residence or office of the person
35 receiving services.

36 (c) Licensed salons and clinics may be reinspected in accordance with

1 a schedule determined by the board by rules and regulations or upon a
2 complaint made to the board that such salon or clinic is not being
3 maintained in compliance with rules and regulations of the board. ~~The~~
4 ~~license shall expire on June 30 following its issuance. Any such license~~
5 ~~may be renewed upon application accompanied by the salon or clinic~~
6 ~~license renewal fee made to the board before July 1 of the year in which~~
7 ~~the license expires~~ *The license shall expire one year from the last day of*
8 *the month of its issuance. Any such license may be renewed upon*
9 *application accompanied by the salon or clinic license renewal fee made*
10 *to the board prior to the expiration date of the license.* Any license may be
11 renewed by the applicant within 60 days after the date of expiration of the
12 last license upon payment of ~~a~~ *the annual renewal fee plus the delinquent*
13 *renewal fee.*

14 *(d) On or after July 1, 2013, salon and clinic renewal application*
15 *fees will be prorated to reflect an expiration date one year from the last*
16 *day of the month of the initial issuance of the license.*

17 **Sec. 2. K.S.A. 2012 Supp. 65-1904b is hereby amended to read as**
18 **follows: 65-1904b. (a) Upon application to the Kansas state board of**
19 **cosmetology on a form provided for application for a cosmetologist,**
20 **esthetician or electrologist license, accompanied by the application fee,**
21 **a person practicing as a cosmetologist, esthetician or electrologist**
22 **under the laws of another state or jurisdiction shall be granted a**
23 **license entitling the person to practice in this state if:**

24 **(1) The person is not less than 17 years of age and a graduate of**
25 **an accredited high school, or equivalent thereof, or the person has held**
26 **a current license in another state or jurisdiction in the area of practice in**
27 **which the person seeks a license for not less than 10 years prior to the**
28 **date of application;**

29 **(2) the person submits to the board verification of date of birth;**
30 **and**

31 **(3) the person holds a current license in another state in the area**
32 **of practice in which the person seeks a license and meets at least one**
33 **of the following criteria:**

34 **(A) The person passes a written and a practical examination**
35 **administered by the board relating to the area of practice in which the**
36 **person seeks a license; or**

37 **(B) the person has the number of hours of training required for**
38 **licensure in this state and passes the written examination administered**
39 **for license renewal under subsection (a) of K.S.A. 65-1904, and**
40 **amendments thereto.**

41 **(b) The renewal of a license issued pursuant to this section shall**
42 **be in the manner provided in K.S.A. 65-1904, and amendments**
43 **thereto.**

1 ~~Sec. 2.~~ **3.** K.S.A. 65-1904a ~~is~~ **and K.S.A. 2012 Supp. 65-1904b are**
2 hereby repealed.

3 ~~Sec. 3.~~ **4.** This act shall take effect and be in force from and after its
4 publication in the statute book.