

As Amended by House Committee

Session of 2013

HOUSE BILL No. 2155

By Committee on Health and Human Services

1-30

1 AN ACT concerning cosmetology; relating to licensure and renewal;
2 amending K.S.A. 2012 Supp. **65-1905**, 65-1943, 65-1945 and 65-1950
3 and repealing the existing sections.
4

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

6 **Section 1.** K.S.A. 2012 Supp. **65-1905** is hereby amended to read
7 as follows: **65-1905. (a)** All examinations held or conducted by the
8 board shall be in accordance with rules and regulations adopted by
9 the board. The examinations shall include a written test administered
10 at the completion of 1,000 hours of training. If the applicant has
11 attended a licensed school electing to base the course of instruction
12 and practice on credit hours as provided in K.S.A. 65-1903, and
13 amendments thereto, the written test shall be administered at the
14 completion of the credit hours which are the equivalent of 1,000 clock
15 hours under the formula for conversion used by the licensed school. A
16 practical test may be administered prior to licensure. Examinations to
17 qualify for an instructor's license shall be limited to written tests.

18 (b) Each applicant for licensure by examination shall:

19 (1) Be at least 17 years of age;

20 (2) be a graduate of an accredited high school, or equivalent
21 thereof. The provisions of this paragraph shall not apply to any
22 applicant who was at least 25 years of age and licensed as an
23 apprentice on May 21, 1998;

24 (3) submit to the board verification of date of birth; and

25 (4) have served as an apprentice for the period of time provided
26 by K.S.A. 65-1912, and amendments thereto.

27 (c) Any person making application who ~~apparently~~ possesses the
28 necessary qualifications to take an examination provided herein, upon
29 application and payment of the nonrefundable temporary permit fee,
30 may be issued a temporary permit by the board to practice
31 cosmetology until the next regular examination conducted by the
32 board.

33 **Sec. 2.** K.S.A. 2012 Supp. 65-1943 is hereby amended to read as
34 follows: 65-1943. (a) An applicant for licensure shall pay a non-refundable
35 fee established by rules and regulations adopted by the board and shall
36 show to the satisfaction of the board that the applicant:

- 1 (1) Has complied with the provisions of this act and the applicable
- 2 rules and regulations of the secretary;
- 3 (2) is not less than 18 years of age;
- 4 (3) has a high school diploma or equivalent education;
- 5 (4) has submitted evidence of completion of education or training
- 6 prescribed and approved by the board as follows:
- 7 (A) A training program under the direct supervision of a licensed
- 8 tattoo artist, cosmetic tattoo artist or body piercer approved and licensed as
- 9 a trainer by the board, or another state, in the area of practice in which the
- 10 person seeks licensure;
- 11 (B) has performed at least 50 completed procedures;
- 12 (C) pays a non-refundable application fee set by the board;
- 13 (D) provides verification of training;
- 14 (E) completes eight hours of continuing education, approved by the
- 15 board, in infection control and blood-borne pathogens, in addition to the
- 16 infection control curriculum requirement; and
- 17 (F) has successfully completed an examination approved,
- 18 administered or recognized by the board.
- 19 (b) *An applicant for apprentice licensure shall be required to pay a*
- 20 *non-refundable fee established by rules and regulations adopted by the*
- 21 *board and shall submit an application to the board showing to the*
- 22 *satisfaction of the board that the applicant:*
- 23 (1) *Is not less than 18 years of age;*
- 24 (2) *has a high school diploma or equivalent education; and*
- 25 (3) *will be studying under a trainer approved by the board.*
- 26 (c) *Any applicant who—~~apparently~~ possesses the necessary*
- 27 *qualifications to take an examination, as determined by the board, upon*
- 28 *application and payment of a non-refundable fee established by rules and*
- 29 *regulations adopted by the board, may be issued a temporary permit by*
- 30 *the board to practice cosmetic tattooing, tattooing; or body piercing until*
- 31 *the next regular examination conducted by the board.*
- 32 (d) As a condition of ~~annual~~ **biennial** license renewal, licensees shall
- 33 complete five hours of continuing education, approved by the board, in
- 34 infection control and blood-borne pathogens, in addition to paying any
- 35 non-refundable renewal fee set by the board. Successfully completing the
- 36 exam is not a substitute for continuing education requirements.
- 37 (e) (e) If an applicant seeks renewal within six months after the
- 38 expiration of the practitioner's license, the license may be renewed by
- 39 submitting, within the six month late renewal period:
- 40 (1) The non-refundable renewal fee;
- 41 (2) the non-refundable delinquent fee; and
- 42 (3) documentation of completion of eight hours of continuing
- 43 education, approved by the board, in infection control and blood-borne

1 pathogens.

2 ~~(f)~~ (f) If an applicant seeks renewal more than six months after the
3 expiration of a practitioner's license, the license may be renewed by
4 submitting:

5 (1) The application and application fee;

6 (2) the renewal fee;

7 (3) the delinquent fee; and

8 (4) documentation of completion of eight hours of continuing
9 education, approved by the board, in infection control and blood-borne
10 pathogens. The continuing education hours shall have been obtained
11 within two months of the submission of the application and fees.

12 ~~(g)~~ (g) An applicant seeking a license as a trainer shall:

13 (1) Pay any fees set by the board;

14 (2) concurrently maintain a practitioner's license;

15 (3) have no more than one apprentice at any time; and

16 (4) maintain direct supervision of the apprentice.

17 ~~(h)~~ (h) All application, renewal and delinquent fees shall be non-
18 refundable.

19 ~~Sec. 2.~~ **3.** K.S.A. 2012 Supp. 65-1945 is hereby amended to read as
20 follows: 65-1945. (a) Except as otherwise provided in this section, a
21 license issued under K.S.A. 65-1950, and amendments thereto, expires ~~one~~
22 *year two years* after the date of issue unless renewed by payment of the
23 required non-refundable renewal fee. If payment is transmitted by postal
24 service, the envelope must be postmarked on or before the expiration of
25 the license.

26 (b) All tattoo artists, cosmetic tattoo artists and body piercers must
27 participate in continuing education, with guidelines and effective date to
28 be established by rules and regulations of the board.

29 ~~Sec. 3.~~ **4.** K.S.A. 2012 Supp. 65-1950 is hereby amended to read as
30 follows: 65-1950. (a) The board shall assess, by rules and regulations
31 adopted by the board, such non-refundable fees as are necessary to carry
32 out the provisions of this act.

33 (b) The board shall license each applicant, without discrimination,
34 who proves to the satisfaction of the board, fitness for such licensure as
35 required by this act and upon payment of a non-refundable fee established
36 by the board under this section. Except as provided in K.S.A. 65-1945, and
37 amendments thereto, the board shall issue to the applicant a license that
38 expires ~~one year~~ *two years* after the date of issuance.

39 (c) The board shall establish all fees under this act. The fees and
40 charges established under this section shall not exceed the cost of
41 administering the regulatory program under this act pertaining to the
42 purpose for which the fee or charge is established.

43 ~~Sec. 4.~~ **5.** K.S.A. 2012 Supp. ~~65-1905~~, 65-1943, 65-1945 and 65-1950

1 are hereby repealed.

2 Sec.~~5~~ **6**. This act shall take effect and be in force from and after its
3 publication in the statute book.