

2019 -- S 0292 SUBSTITUTE A

LC001516/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- ELECTROLYSIS

Introduced By: Senators Gallo, and Ciccone

Date Introduced: February 13, 2019

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. The title of Chapter 5-32 of the General Laws entitled "Electrolysis" is
2 hereby amended to read as follows:

3 ~~CHAPTER 5-32~~

4 ~~Electrolysis~~

5 CHAPTER 5-32

6 ELECTROLYSIS AND LASER HAIR REMOVAL

7 SECTION 2. Sections 5-32-1, 5-32-2, 5-32-3 and 5-32-4 of the General Laws in Chapter
8 5-32 entitled "Electrolysis" are hereby amended to read as follows:

9 ~~5-32-1. "Electrolysis" defined.~~ Definitions.

10 As used in this chapter:

11 (1) "Electrologist" means a person who is licensed by the department of health to perform
12 electrolysis and/or laser hair removal.

13 ~~(2) For the purposes of this chapter, electrolysis is defined as~~ "Electrolysis" means the
14 method of removing hair from the human body by the application of an electrical current or any
15 form of energy to the hair-papilla or hair germination by means of a needle or ~~needles~~ any other
16 instrument or device to cause decomposition, ~~or~~ coagulation, of the hair papilla and thus
17 ~~permanently remove the hair~~ dehydration or other form of tissue destruction, to permanently
18 disable the hair follicle from producing hair.

19 (3) "Laser" means the acronym for light amplification by stimulated emission of

1 [radiation.](#)

2 [\(4\) "Laser hair removal" means using laser light to perform hair removal or reduction or](#)
3 [electrolysis performed with laser light.](#)

4 [\(5\) "Laser light" means an intense, coherent, directional beam of light produced by](#)
5 [stimulated emission of photons.](#)

6 [\(6\) "Medical director" means a Rhode Island licensed physician.](#)

7 **5-32-2. Penalty for unlicensed practice.**

8 Every person who subsequently engages in the practice of electrolysis in this state
9 without being licensed by the board of examiners in electrolysis is practicing illegally and, upon
10 conviction, shall be fined not more than ~~twenty five dollars (\$25.00)~~ [one hundred dollars \(\\$100\)](#)
11 and every day of the continuation of illegal practice is a separate offense.

12 **5-32-3. Certificates -- Applications -- Penalty for violations.**

13 The division of professional regulation of the department of health shall issue certificates
14 to practice electrolysis [and laser hair removal](#), as defined in this chapter, to any persons that
15 comply with the provisions of this chapter. Any person who desires to engage in that practice
16 shall submit, in writing, in any form that is required by the board, an application for a certificate
17 to engage in that practice. The application shall be accompanied by a fee as set forth in § 23-1-54.
18 Any person, firm, corporation or association violating any of the provisions of this chapter
19 commits a misdemeanor and, upon conviction, shall be punished by a fine not to exceed two
20 hundred dollars (\$200), or imprisoned for a period not to exceed three (3) months, or both the fine
21 and imprisonment.

22 **5-32-4. Qualifications of applicants.**

23 Licenses to engage in the practice of electrolysis [and laser hair removal](#) shall be issued to
24 the applicants who comply with the following requirements:

25 (1) Are citizens or legal residents of the United States.

26 (2) Have attained the age of eighteen (18) years.

27 (3) Have graduated from a high school or whose education is the equivalent of a high
28 school education.

29 (4) Have satisfactorily completed a course of training and study in electrolysis, as a
30 registered apprentice under the supervision of a licensed Rhode Island electrologist who is
31 qualified to teach electrolysis to apprentices as prescribed in § 5-32-20, or has graduated from a
32 school of electrolysis after having satisfactorily completed a program consisting of not less than
33 six hundred fifty (650) hours of study and practice in the theory and practical application of
34 electrolysis. That apprenticeship includes at least six hundred and fifty (650) hours of study and

1 practice in the theory and practical application of electrolysis within a term of nine (9) months;
2 provided, that the apprentice registers with the division of professional regulation of the
3 department of health upon beginning his or her course of instruction, and the licensed person with
4 whom they serve that apprenticeship keeps a record of the hours of that instruction, and, upon the
5 completion of that apprenticeship, certifies that fact to the board of examiners in electrolysis.

6 (5) Is of good moral character.

7 (6) Passes an examination approved by the department of health.

8 SECTION 3. Chapter 5-32 of the General Laws entitled "Electrolysis" is hereby amended
9 by adding thereto the following section:

10 **5-32-21. Practice of laser hair removal.**

11 (a) A person licensed as an electrologist before July 1, 2019, who has practiced laser hair
12 removal under the supervision of a medical director for not less than two (2) years and has
13 conducted at least one thousand (1,000) laser hair removal treatments, whichever is later, with no
14 disciplinary complaints that were found to be actionable by the department resulting in the
15 suspension of a license, shall be permitted to practice electrology and laser hair removal without
16 medical director oversight. The department may reinstate the requirement to perform laser hair
17 removal under the supervision of a medical director for a period of two (2) years as part of a
18 disciplinary settlement; provided, however, that the department shall not require the medical
19 director to be located on-site, but shall be available for consultation.

20 (b) A person licensed as an electrologist after July 1, 2019, shall practice laser hair
21 removal only under the supervision of a medical director, who shall not be required to be located
22 on-site, but who shall be available for consultation. A licensed electrologist, upon completion of
23 two (2) years of practice under the supervision of a medical director, may submit an application
24 to the department certifying the following:

25 (1) Completion of two (2) years of laser hair removal treatment of patients under the
26 oversight of a medical director;

27 (2) Completion of one thousand (1,000) patient laser hair removal treatments; and

28 (3) American Electrology Association Board certification.

29 An electrologist meeting the foregoing criteria shall be exempt from the requirement to
30 practice laser hair removal under the supervision of a medical director. The department may
31 reinstate the requirement to perform laser hair removal under the supervision of a medical
32 director for a period of two (2) years as part of a disciplinary settlement; provided, however, that
33 the medical director shall not be required to be located on-site, but shall be available for
34 consultation.

1 (c) All equipment used for laser hair removal shall comply with all applicable rules and
2 regulations of the United States Food and Drug Administration.

3 (d) An electrologist shall maintain a complete record of receipt, transfer, and disposal for
4 each device used for electrolysis and laser hair removal, which shall be in writing or capable of
5 reproduction in written form, and shall, at a minimum, contain the following data:

6 (1) Manufacturer's name;

7 (2) Model and serial number of the device;

8 (3) Date of the receipt, transfer, or disposal;

9 (4) Name and address of the person the device was received from, transferred to, or to
10 whom the device was transferred for disposal; and

11 (5) Name of the person recording the information.

12 SECTION 4. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- ELECTROLYSIS

- 1 This act would establish the requirements for licensure and regulation of electrologists
- 2 performing electrolysis and/or laser hair removal.
- 3 This act would take effect upon passage.

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