

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

H.B. 479  
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HOUSE PRINCIPAL CLERK

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HOUSE DRH30253-LUF-44 (01/30)

Short Title: Amend Electrolysis Practice Act/Fees. (Public)

Sponsors: Representative R. Brown.

Referred to:

A BILL TO BE ENTITLED

AN ACT AMENDING THE ELECTROLYSIS PRACTICE ACT TO AUTHORIZE THE BOARD OF ELECTROLYSIS EXAMINERS TO HOLD AND USE FUNDS, TO CLARIFY CONTINUING EDUCATION REQUIREMENTS, TO MAKE OTHER CONFORMING CHANGES, AND TO AFFECT CERTAIN FEES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 88A-7 is repealed.

**SECTION 2.** G.S. 88A-8 reads as rewritten:

"§ 88A-8. ~~The Board may accept contributions, etc.~~ Custody and use of funds; contributions.

(a) All fees payable to the Board shall be deposited by the executive director or treasurer in a bank or other financial institution authorized by the Board. The bank or other financial institution shall have deposit insurance and be authorized to do business in this State. Funds received pursuant to this section and any interest earned on those funds shall be held and expended under the supervision of the Board and shall be used to pay all expenses incurred by the Board in carrying out the provisions of this Chapter.

(b) The Board may accept grants, contributions, devises, and gifts that shall be kept in the same account as the funds deposited in accordance with ~~G.S. 88A-7~~ subsection (a) of this section and shall be used to carry out the provisions of this Chapter."

**SECTION 3.** G.S. 88A-9 reads as rewritten:

"§ 88A-9. **Expenses and fees.**

(a) All salaries, compensation, and expenses incurred or allowed for the purpose of carrying out the purposes of this Chapter shall be paid by the Board exclusively out of the fees received by the Board as authorized by this Chapter, or funds received pursuant to ~~G.S. 88A-7~~ G.S. 88A-8. No salary, expense, or other obligations of the Board may be charged against the General Fund of the State. Neither the Board nor any of its officers or employees may incur any expense, debt, or other financial obligation binding upon the State.

(b) All fees may be calculated by the Board in amounts sufficient to pay the costs of administration of this act, but in no event may they exceed the following:

...		
(1b)	Examination <del>or reexamination</del> .....	125.00
(1c)	<u>Reexamination</u> .....	<u>100.00</u>
...		
(5)	Application for certification as a Board-approved school of electrology .....	<del>500.00</del> <u>250.00</u>
...		



1 (5e) Application for certification as a Board-approved school of  
 2 laser, light source, or pulsed-light treatments ..... 500.00250.00  
 3 ...  
 4 (10) Duplicate license or certification ..... 25.00. 25.00  
 5 (11) Checks refused by the payor depository institution  
 6 or from an account with insufficient funds.....25.00."

7 **SECTION 4.** G.S. 88A-11.1(c) reads as rewritten:

8 "(c) Each laser hair practitioner shall practice laser, light source, or pulsed-light  
 9 treatments under the supervision of a physician licensed under Article 1 of Chapter 90 of the  
 10 General Statutes. The physician shall be readily available, but not required to be on site when  
 11 the laser, light source, or pulsed-light treatments are being performed. However, the authority  
 12 to regulate laser ~~clinicians/practitioners~~ shall remain with the Board."

13 **SECTION 5.** G.S. 88A-13 reads as rewritten:

14 **"§ 88A-13. Continuing education.**

15 (a) The Board shall ~~determine the number of hours and subject matter of~~ approve all  
 16 continuing education required as a condition of license renewal. The Board may offer  
 17 continuing education to the licensees under this act.

18 (b) Upon request, the Board may grant approval to a continuing education program or  
 19 course upon finding that the program or course offers an educational experience designed to  
 20 enhance the practice of ~~electrology-electrology~~ or laser hair removal under this Chapter.

21 (c) The Board shall maintain and distribute, as appropriate, records of the educational  
 22 course work successfully completed by each licensee, including the subject matter and the  
 23 number of hours of each course.

24 (d) Laser hair ~~practitioners/practitioners~~, electrologists, or persons licensed in both  
 25 practice areas are required to complete a ~~minimum~~ total of 10 hours of continuing education  
 26 annually to maintain their licenses pursuant to rules adopted by the Board. Of the 10 continuing  
 27 education hours required in this section, laser hair practitioners shall complete at least one hour  
 28 in the subject matter of laser, light source, or pulsed-light treatments."

29 **SECTION 6.** G.S. 88A-15 reads as rewritten:

30 **"§ 88A-15. Exemptions from licensure.**

31 The following individuals shall be permitted to practice electrology without a license:

- 32 (1) Any physician licensed in accordance with Article 1 and Article 11 of
- 33 Chapter 90 of the General Statutes.
- 34 (2) A student at an approved school of electrology when electrolysis is
- 35 performed in the course of study.
- 36 (3) A person demonstrating on behalf of a manufacturer or distributor any
- 37 electrolysis equipment or supplies, if such demonstration is performed
- 38 without charge.
- 39 (4) An employee of a hospital licensed under Chapter 131E of the General
- 40 Statutes and working under the supervision of a physician licensed under
- 41 Article 1 of Chapter 90 of the General Statutes who is certified by the
- 42 American Board of ~~Dermatology~~ Dermatology or the American Board of
- 43 Medicine."

44 **SECTION 7.** G.S. 88A-17.1(a) reads as rewritten:

45 **"§ 88A-17.1. Requirements for licensure as a laser hair practitioner instructor.**

46 (a) Any person who desires licensure as a laser practitioner instructor pursuant to this  
 47 Chapter shall meet the following requirements:

- 48 (1) Submit an application on a form approved by the Board.
- 49 (2) Be an electrologist licensed under this Chapter or a physician licensed under
- 50 Article 1 of Chapter 90 of the General Statutes.

- 1           (3)    Have practiced ~~laser and light-based~~ laser, light source, and pulsed-light  
2            treatments actively for at least five years immediately before applying for  
3            ~~licensure~~. licensure or been deemed qualified by the Board to be an instructor  
4            upon providing adequate documentation to the Board that the person has had  
5            experience, prior to October 1, 2007, as a laser or light-based hair removal  
6            educator.
- 7           (4)    Have at least 100 hours of training in ~~laser and light-based~~ laser, light source,  
8            and pulsed-light treatments."

9           **SECTION 8.** This act becomes effective October 1, 2013.