

# **CHAPTER 387\***

## **HAIRDRESSERS AND COSMETICIANS, ESTHETICIANS, EYELASH TECHNICIANS AND NAIL TECHNICIANS**

**Sec. 20-250. Definitions.** As used in this chapter, unless the context otherwise requires:

(1) “Board” means the Connecticut Examining Board for Barbers, Hairdressers and Cosmeticians established under section 20-235a;

(2) “Commissioner” means the Commissioner of Public Health;

(3) “Department” means the Department of Public Health;

(4) “Hairdressing and cosmetology” means the art of dressing, arranging, curling, waving, weaving, cutting, singeing, bleaching and coloring the hair and treating the scalp of any person, and massaging, cleansing, stimulating, manipulating, exercising or beautifying with the use of the hands, appliances, cosmetic preparations, antiseptics, tonics, lotions, creams, powders, oils or clays and doing similar work on the face, neck and arms for compensation, removing hair from the face or neck using manual or mechanical means, excluding esthetics, as defined in section 20-265a or any of the actions listed in this subdivision performed on the nails of the hands or feet, provided nothing in this subdivision shall prohibit an unlicensed person from performing shampooing or braiding hair;

(5) “Registered hairdresser and cosmetician” means any person who (A) has successfully completed the ninth grade, and (B) holds a license to practice as a registered hairdresser and cosmetician; and

(6) “Student” means any person who is engaged in learning or acquiring a knowledge of hairdressing and cosmetology at a school approved in accordance with the provisions of this chapter who has successfully completed ninth grade or its equivalent. The provisions of this subdivision shall not apply to schools conducted by the State Board of Education.

**Sec. 20-251. Department of Health Services to supervise hairdressing and cosmetology.** Section 20-251 is repealed.

**Sec. 20-252. Licenses. Examinations.** (a) No person shall engage in the occupation of registered hairdresser and cosmetician without having obtained a license from the department. Persons desiring such licenses shall apply in writing on forms furnished by the department. No license shall be issued, except a renewal of a license, to a registered hairdresser and cosmetician unless the applicant has shown to the satisfaction of the department that the applicant has complied with the laws and the regulations administered or adopted by the department. No applicant shall be licensed as a registered hairdresser and cosmetician, except by renewal of a license, until the applicant has made written application to the department, setting forth by affidavit that the applicant has (1) (A) successfully completed the ninth grade, (B) completed a course of not less than fifteen hundred hours of study in a school approved in accordance with the provisions of this chapter or in a school teaching hairdressing and cosmetology under the supervision of the State Board of Education, or, if trained outside of Connecticut, in a school teaching hairdressing and cosmetology whose requirements are equivalent to those of a Connecticut school, and (C) passed a written examination satisfactory to the department, or (2) if the applicant is an apprentice, (A) successfully completed the eighth grade, (B) completed an apprenticeship approved by the Labor Department and conducted in accordance with sections 31-22m to 31-22u, inclusive, and (C) passed a written examination satisfactory to the

Department of Public Health. Examinations required for licensure under this chapter shall be prescribed by the department with the advice and assistance of the board. The department shall establish a passing score for examinations with the advice and assistance of the board which shall be the same as the passing score established in section 20-236.

(b) No person applying for licensure as a hairdresser and cosmetician under this chapter shall be required to submit to a state or national criminal history records check as a prerequisite to licensure.

**Sec. 20-252a. Credit for out-of-state training.** Section 20-252a is repealed, effective October 1, 2004.

**Sec. 20-253. License and examination fees. Display of license. Renewal.** License or examination fees shall be paid to the department at the time of application as follows: (1) For examination as a registered hairdresser and cosmetician, the sum of one hundred dollars; and (2) for renewal of any hairdresser and cosmetician license, the sum of one hundred dollars. Each person engaged in the occupation of registered hairdresser and cosmetician shall, at all times, conspicuously display such person's license within the place where such occupation is being conducted. All hairdresser and cosmetician licenses, except as otherwise provided in this chapter, shall be renewed once every two years and shall expire in accordance with the provisions of section 19a-88. No person shall carry on the occupation of hairdressing and cosmetology after the expiration of such person's license until such person has made application to the department for the renewal of such license. Such application shall be in writing, addressed to the department and signed by the person applying for such renewal. The department may renew any hairdresser and cosmetician license if application for such renewal is received by the department within ninety days after the expiration of such license.

**Sec. 20-254. License without examination.** (a) Any person who holds a license at the time of application as a registered hairdresser and cosmetician, or as a person entitled to perform similar services under different designations in any other state, in the District of Columbia, or in a commonwealth or territory of the United States, and who was issued such license on the basis of successful completion of a program of education and training in hairdressing and cosmetology and an examination shall be eligible for licensing in this state and entitled to a license without examination upon payment of a fee of one hundred dollars. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint.

(b) If the issuance of such license in any other state, in the District of Columbia, or in a commonwealth or territory of the United States did not require an examination, an applicant who has legally practiced cosmetology for at least five years in a state outside of Connecticut shall be eligible for licensure under this section if the applicant submits to the commissioner evidence of education and experience that is satisfactory to the commissioner and upon payment of a fee of one hundred dollars. Evidence of experience shall include, but not be limited to, (1) an original certification from the out-of-state licensing agency demonstrating at least five years of licensure, (2) correspondence from the applicant's former employers, coworkers or clients that describes the applicant's experience in the state for at least five years, and (3) a copy of tax returns that indicate cosmetology as the applicant's occupation. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint in the context of providing services as a cosmetician.

**Sec. 20-255. Examinations for out-of-state licensees.** Section 20-255 is repealed.

**Sec. 20-255a. Guest permit to operate at educational show.** Any person who is licensed to perform hairdressing or cosmetology services under similar or different designations in any other state or territory or in the District of Columbia or any foreign country may be granted a temporary guest permit by the Department of Public Health to operate at a hairdressing or cosmetology educational show or demonstration

limited to hairdressers and cosmetologists licensed by the state of Connecticut. Such permit shall be for the duration of such educational show or demonstration and shall not exceed a period of one week. Each such person shall pay a permit fee of twenty-five dollars therefor and an admission fee to such show or demonstration may be charged.

**Sec. 20-256. Renewal of licenses of persons in armed forces.** Any person who held a license to practice hairdressing and cosmetology in this state in October, 1940, or who has obtained a license since that time, and who has not renewed his license to practice hairdressing and cosmetology because of service in the armed forces, shall notify the Department of Public Health in writing of his intention to resume practice, shall set forth by affidavit such information as the department requires and shall be issued the same type of license he last held in this state and may resume practice. In such cases the renewal fee of five dollars shall be waived for the first license issued following discharge from the armed forces.

**Sec. 20-257. License not to be loaned. Aiding unlicensed practitioner.** Any registered hairdresser and cosmetician licensed under the provisions of this chapter, who rents, loans or allows the use of such license to any person, or who aids or abets the practice of hairdressing and cosmetology by an unlicensed person, shall be fined not more than one hundred dollars and shall forfeit such license.

**Sec. 20-258. Inspection of shops. Requirement for operation of shop.** All hairdressing shops shall be inspected regarding their sanitary condition by the department whenever the department deems it necessary, and any authorized representative of the department shall have full power to enter and inspect any such shop during usual business hours. If any hairdressing shop, upon such inspection, is found to be in an unsanitary condition, the commissioner, or the commissioner's designee, shall make written order that such shop be placed in a sanitary condition. No person, other than a person operating a hairdressing shop on May 17, 1982, may operate any hairdressing shop unless such person has been licensed as a registered hairdresser and cosmetician for not less than two years.

**Sec. 20-259. Management of establishments.** Each hairdressing shop, store or place shall be under the management of a registered hairdresser and cosmetician.

**Sec. 20-260. Practice by unlicensed person.** No person may engage in the cutting, styling or arranging of hair in any hairdressing shop, store or place without a license issued under the provisions of this chapter.

**Sec. 20-261. Licenses for manicuring.** Section 20-261 is repealed.

**(Sec. 20-262. Schools for instruction. Approval. Change of location or ownership. Minimum curriculum requirements. Election to instruct in certain occupations.** (a) Schools for instruction in hairdressing and cosmetology may be established in this state. All applicants for a license as a registered hairdresser shall have graduated from a school of hairdressing approved by the board with the consent of the Commissioner of Public Health. All hairdressing schools may be inspected regarding their sanitary conditions by the Department of Public Health whenever the department deems it necessary and any authorized representative of the department shall have full power to enter and inspect the school during usual business hours. If any school, upon inspection, is found to be in an unsanitary condition, the commissioner or his designee shall make written order that such school be placed in a sanitary condition.

(b) (1) Schools for instruction in hairdressing and cosmetology shall obtain approval pursuant to this section prior to commencing operation. In the event that an approved school undergoes a change of ownership or location, such approval shall become void and the school shall apply for a new approval pursuant to this section. Applications for such approval shall be on forms prescribed by the commissioner. In the event that a school fails to comply with the provisions of this subsection, no credit toward the fifteen

hundred hours of study required pursuant to section 20-252 shall be granted to any student for instruction received prior to the effective date of school approval.

(2) The Commissioner of Public Health, in consultation with the Connecticut Examining Board for Barbers, Hairdressers and Cosmeticians, shall adopt a curriculum and procedures for the approval of hairdressing and cosmetology schools. The commissioner shall post such curriculum on the Department of Public Health's Internet web site.

(c) Any approved school for instruction in hairdressing and cosmetology may elect to provide instruction in the occupation of esthetician, nail technician or eyelash technician, as such terms are defined in section 20-265a, provided such school has notified the Department of Public Health of such election prior to commencing such instruction.

**Sec. 20-263. Disciplinary action; grounds.** The commissioner or a representative designated by the commissioner may investigate any alleged violation of the provisions of this chapter and, if there appears to be reasonable cause therefor, on reasonable notice to any person accused of any such violation, may refer the matter to the board for hearing; may make complaint to the prosecuting authority having jurisdiction of any such complaint or may examine into all acts of alleged abuse, fraud, or incompetence. The board may suspend the license of any registered hairdresser and cosmetician, and may revoke the hairdresser and cosmetician license of any person convicted of violating any provision of this chapter or any regulation adopted under this chapter or take any of the actions set forth in section 19a-17 for any of the following reasons: (1) The employment of fraud or deception in obtaining a license; (2) abuse or excessive use of drugs, including alcohol, narcotics or chemicals; (3) engaging in fraud or material deception in the course of professional services or activities; (4) physical or mental illness, emotional disorder or loss of motor skill, including, but not limited to, deterioration through the aging process; or (5) illegal, incompetent or negligent conduct in the course of professional activities. The commissioner may order a license holder to submit to a reasonable physical or mental examination if the physical or mental capacity of the license holder to practice safely is the subject of an investigation. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17. No license issued pursuant to this chapter shall be revoked or suspended under this section until the licensee has been given notice and opportunity for hearing as provided in the regulations adopted by the commissioner.

**Sec. 20-264. Appeal.** Section 20-264 is repealed.

**Sec. 20-265. Penalty.** Any person who violates any provision of sections 20-252 to 20-263, inclusive, for the violation of which no other penalty is provided, shall, for a first offense, be fined not more than one hundred dollars and, for any subsequent offense, be guilty of a class D misdemeanor.

**(Sec. 20-265a. Definitions.** As used in this section and sections 20-265b to 20-265i, inclusive:

- (1) "Commissioner" means the Commissioner of Public Health;
- (2) "Department" means the Department of Public Health;
- (3) "Esthetician" means a person who, for compensation, performs esthetics;

(4) "Esthetics" means services related to skin care treatments, (A) including, but not limited to, cleansing, toning, stimulating, exfoliating or performing any similar procedure on the human body while using cosmetic preparations, hands, devices, apparatus or appliances to enhance or improve the appearance of the skin; makeup application; beautifying lashes and brows; or removing unwanted hair using manual and

mechanical means, and (B) excluding the use of a prescriptive laser device; the performance of a cosmetic medical procedure, as defined in section 19a-903c; any practice, activity or treatment that constitutes the practice of medicine; makeup application at a rented kiosk located in a shopping center or the practice of hairdressing and cosmetology by a hairdresser and cosmetician licensed pursuant to this chapter that is within such licensee's scope of practice;

(5) "Eyelash technician" means a person, who for compensation performs individual eyelash extensions, eyelash lifts or perms and eyelash color tints;

(6) "Nail technician" means a person who for compensation cuts, shapes, colors, cleanses, trims, polishes or enhances the appearance of the nails of the hands or feet, excluding any practice, activity or treatment that constitutes the practice of medicine;

(7) "Salon" and "spa" include any shop, store, day spa or other commercial establishment at which the practice of barbering, as described in section 20-234, hairdressing and cosmetology, as defined in section 20-250, or the services of an esthetician, nail technician or eyelash technician, or any combination thereof, is offered and provided; and

(8) "Shopping center" means a grouping of retail businesses and service establishments on a single site with common parking facilities and containing at least twenty-five thousand square feet of gross building floor area.

**Sec. 20-265b. License or permit as an esthetician. Requirements. Exemptions. Disciplinary action.** (a) On and after July 1, 2020, except as provided in subsection (g) of this section, no person may practice as an esthetician without obtaining a license or temporary permit from the Department of Public Health under this section or section 20-265f.

(b) On and after January 1, 2020, each person seeking an initial license as an esthetician shall apply to the department on a form prescribed by the department, accompanied by an application fee of one hundred dollars and evidence that the applicant (1) has completed a course of not less than six hundred hours of study and received a certification of completion from a school approved under section 20-265g or section 20-26 or in a school outside of the state whose requirements are equivalent to a school approved under section 20-265g, or (2) (A) if applying before January 1, 2022, has practiced esthetics continuously in this state for a period of not less than two years prior to July 1, 2020, and (B) is in compliance with the infection prevention and control plan guidelines prescribed by the department under section 19a-231 in the form of an attestation.

(c) The department may grant a license under this section to any person who is licensed at the time of application as an esthetician or entitled to perform similar services under a different designation in another state of the United States, the District of Columbia or a commonwealth or territory subject to the laws of the United States and who submits evidence satisfactory to the commissioner of (1) a current license in good standing to practice as an esthetician from such other state, district, commonwealth or territory, and (2) licensed practice in such state, district, commonwealth or territory for a period of at least two years immediately preceding the application. Pending approval of the application for a license, the commissioner may issue a temporary permit to such applicant upon receipt of a completed application, the application fee in accordance with subsection (b) of this section and a copy of the current license from such other state, district, commonwealth or territory. Such temporary permit shall be valid for a period not exceeding one hundred twenty calendar days and shall not be renewable.

(d) Any license issued under this section shall expire in accordance with the provisions of section 19a-88 and may be renewed every two years, for a fee of one hundred dollars. No person shall carry on the

occupation of esthetician after the expiration of such person's license until such person has applied to the department for a renewal of such license.

(e) No person shall use the title “esthetician” or similar title unless the person holds a license or temporary permit issued under this section.

(f) The provisions of this section shall not apply to a physician; an advanced practice registered nurse rendering service in collaboration with a physician; a registered nurse executing the medical regimen under the direction of a licensed physician, dentist or advanced practice registered nurse; a physician assistant rendering service under the supervision, control and responsibility of a physician or a student enrolled in a program at a school in the Technical Education and Career System established under section 10-95.

(g) A person may practice temporarily as an esthetician in this state without a license or temporary permit if such person, at an event such as a professional course, seminar, workshop, trade show, or product demonstration, (1) provides instruction on techniques related to being an esthetician, or (2) participates in the demonstration of the practice of being an esthetician or a product related to such practice as part of such event, provided such person (A) is licensed or certified in the state, territory or possession of the United States or foreign country where such person primarily practices as an esthetician if such licensure or certification is required by such state, territory, possession or foreign country; (B) practices as an esthetician under the direct supervision of a licensed esthetician; (C) does not receive compensation for practicing as an esthetician in this state, other than for providing instruction for such practice to persons in attendance at the course, seminar, workshop, trade show or other event; and (D) provides instruction or demonstrates techniques or services related to practicing as an esthetician only for persons enrolled in the course, seminar or workshop or attending the trade show or other event at which such person provides instruction, demonstrates a product or offers such services. Any person or organization that holds or produces a course, seminar, workshop, trade show or other event at which estheticians without a license or temporary permit provide instruction, participate in a demonstration or offer services related to the practice of an esthetician shall ensure compliance with the provisions of this subsection.

(h) No license or temporary permit shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint in any state or jurisdiction.

(i) The Commissioner of Public Health may deny an application of an individual or take any disciplinary action set forth in section 19a-17 against an esthetician for failure to conform to the accepted standards of the profession, including, but not limited to: (1) Conviction of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the license holder's ability to safely or competently practice as an esthetician, (B) information pertaining to the degree of rehabilitation of the license holder, and (C) the time elapsed since the conviction or release; (2) fraud or deceit in obtaining or seeking reinstatement of a license to practice as an esthetician; (3) fraud or deceit in the practice of an esthetician; (4) negligent, incompetent or wrongful conduct in professional activities; (5) physical, mental or emotional illness or disorder resulting in an inability to conform to the accepted standards of the profession; or (6) abuse or excessive use of drugs, including, alcohol, narcotics or chemicals. The commissioner may order a license holder to submit to a reasonable physical or mental examination if his or her physical or mental capacity to practice safely is the subject of an investigation. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17. The commissioner shall give notice and an opportunity to be heard on any contemplated action under section 19a-17.

(j) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of this section.



(k) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a certificate issued or conferred by the commissioner pursuant to this section based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a certificate issued pursuant to this section.

(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

**Sec. 20-265c. License or permit as an eyelash technician. Requirements. Exemptions. Disciplinary action.** (a) On and after July 1, 2020, except as provided in subsection (f) of this section, no person may practice as an eyelash technician without obtaining a license or temporary permit from the department under this section or section 20-265f.

(b) On and after January 1, 2020, each person seeking an initial license as an eyelash technician shall apply to the department on a form prescribed by the department, accompanied by an application fee of one hundred dollars and evidence that the applicant (1) has completed a course of not less than fifty hours of study and received a certificate of completion from a school approved under section 20-265g or section 20-262 or in a school outside of the state whose requirements are equivalent to a school approved under section 20-265g, or (2) (A) if the applicant is applying on or before January 1, 2022, has practiced as an eyelash technician continuously in this state for a period of not less than two years prior to July 1, 2020, and (B) is in compliance with the infection prevention and control plan guidelines prescribed by the department under section 19a-231 in the form of an attestation.

(c) The department may grant a license under this section to any person who is licensed at the time of application as an eyelash technician or entitled to perform similar services under a different designation in another state of the United States, the District of Columbia or a commonwealth or territory subject to the laws of the United States and who submits evidence satisfactory to the commissioner of (1) a current license in good standing to practice as an eyelash technician from such other state, district, commonwealth or territory, and (2) licensed practice in such state, district, commonwealth or territory for a period of at least two years immediately preceding the application. Pending approval of the application for a license, the commissioner may issue a temporary permit to such applicant upon receipt of a completed application, the application fee in accordance with subsection (b) of this section and a copy of the current license from such other state, district, commonwealth or territory. Such temporary permit shall be valid for a period not exceeding one hundred twenty calendar days and shall not be renewable.

(d) Any license issued under this section shall expire in accordance with the provisions of section 19a-88 and may be renewed every two years, for a fee of one hundred dollars. No person shall carry on the occupation of eyelash technician after the expiration of such person's license until such person has applied to the department for a renewal of such license.

(e) No person shall use the title “eyelash technician” or similar title unless the person holds a license or temporary permit issued under this section.

(f) A person may practice temporarily as an eyelash technician in this state without a license or temporary permit if such person, at an event such as a professional course, seminar, workshop, trade show or product demonstration, (1) provides instruction on techniques related to being an eyelash technician, or (2) participates in the demonstration of the practice of being an eyelash technician or a product related to such practice as part of such event, provided such person (A) is licensed or certified in the state, territory or possession of the United States or foreign country where such person primarily practices as an eyelash technician if such licensure or certification is required by such state, territory, possession or foreign country; (B) practices as an eyelash technician under the direct supervision of a licensed eyelash technician; (C) does not receive compensation for practicing as an eyelash technician in this state, other than for providing instruction for such practice to persons in attendance at the course, seminar, workshop, trade show or other event; and (D) provides instruction or demonstrates techniques or services related to practicing as an eyelash technician only for persons enrolled in the course, seminar or workshop or attending the trade show or other event at which such person provides instruction, demonstrates a product or offers such services. Any person or organization that holds or produces a course, seminar, workshop, trade show or other event at which eyelash technicians without a license or temporary permit provide instruction, participate in a demonstration or offer services related to the practice of an eyelash technician, shall ensure compliance with the provisions of this subsection.

(g) The provisions of this section shall not apply to a student enrolled in a program at a school in the Technical Education and Career System established under section 10-95.

(h) No license or temporary permit shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint in any state or jurisdiction.

(i) The Commissioner of Public Health may deny an application of an individual or take any disciplinary action set forth in section 19a-17 against an eyelash technician for failure to conform to the accepted standards of the profession, including, but not limited to: (1) Conviction of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the license holder's ability to safely or competently practice as an eyelash technician, (B) information pertaining to the degree of rehabilitation of the license holder, and (C) the time elapsed since the conviction or release; (2) fraud or deceit in obtaining or seeking reinstatement of a license to practice as an eyelash technician; (3) fraud or deceit in the practice of an eyelash technician; (4) negligent, incompetent or wrongful conduct in professional activities; (5) physical, mental or emotional illness or disorder resulting in an inability to conform to the accepted standards of the profession; or (6) abuse or excessive use of drugs, including, alcohol, narcotics or chemicals. The commissioner may order a license holder to submit to a reasonable physical or mental examination if his or her physical or mental capacity to practice safely is the subject of an investigation. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17. The commissioner shall give notice and an opportunity to be heard on any contemplated action under section 19a-17.

(j) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of this section.

(k) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a certificate issued or conferred by the commissioner pursuant to this section based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the



duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a certificate issued pursuant to this section.

(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the commissioner determines that the individual's criminal conviction differs from the information presented in the determination request.

**Sec. 20-265d. License or permit as a nail technician. Requirements. Exemptions. Disciplinary action.** (a) On and after January 1, 2021, except as provided in subsection (g) of this section, no person may practice as a nail technician without obtaining a license or temporary permit from the department under this section or section 20-265f or a nail technician trainee license under section 20-265e.

(b) On and after October 1, 2020, each person seeking an initial license as a nail technician shall apply to the department on a form prescribed by the department, accompanied by an application fee of one hundred dollars and evidence that the applicant (1) has completed a course of not less than one hundred hours of study and received a certificate of completion from a school approved under section 20-265g or section 20-262 or in a school outside of the state whose requirements are equivalent to a school approved under section 20-265g, or (2) (A) if the applicant is applying on or before January 1, 2022, has practiced as a nail technician continuously in this state for a period of not less than two years prior to January 1, 2021, and is in compliance with the infection prevention and control plan guidelines prescribed by the department under section 19a-231 in the form of an attestation, or (B) has obtained a license as a nail technician trainee and a statement signed by the applicant's supervisor at the spa or salon where the licensed nail technician trainee is employed documenting completion of the minimum requirements specified in section 20-265e. If an applicant employed as a nail technician on or after September 30, 2020, does not have evidence satisfactory to the commissioner of continuous practice as a nail technician for not less than two years, such applicant may apply to the department for a nail technician trainee license, under section 20-265e, provided such person applies for an initial trainee license not later than January 1, 2021.

(c) The department may grant a license under this section to any person who is licensed at the time of application as a nail technician or entitled to perform similar services under a different designation in another state of the United States, the District of Columbia or a commonwealth or territory subject to the laws of the United States and who submits evidence satisfactory to the commissioner of (1) a current license in good standing to practice as a nail technician from such other state, district, commonwealth or territory, and (2) licensed practice in such state, district, commonwealth or territory for a period of at least two years immediately preceding the application. Pending approval of the application for a license, the commissioner may issue a temporary permit to such applicant upon receipt of a completed application, the application fee in accordance with subsection (b) of this section and a copy of the current license from such other state, district, commonwealth or territory. Such temporary permit shall be valid for a period not exceeding one hundred twenty calendar days and shall not be renewable.

(d) Any license issued under this section shall expire in accordance with the provisions of section 19a-88 and may be renewed every two years, for a fee of one hundred dollars. No person shall carry on the

occupation of nail technician after the expiration of such person's license until such person has applied to the department for a renewal of such license.

(e) No person shall use the title “nail technician” or similar title unless the person holds a license or temporary permit issued under this section.

(f) The provisions of this section shall not apply to a physician; an advanced practice registered nurse rendering service in collaboration with a physician; a registered nurse executing the medical regimen under the direction of a licensed physician, dentist or advanced practice registered nurse; a physician assistant rendering service under the supervision, control and responsibility of a physician; a podiatrist or a student enrolled in a program at a school in the Technical Education and Career System established under section 10-95.

(g) A person may practice temporarily as a nail technician in this state without a license or temporary permit if such person, at an event such as a professional course, seminar, workshop, trade show or product demonstration, (1) provides instruction on techniques related to being a nail technician, or (2) participates in the demonstration of the practice of being a nail technician or a product related to such practice as part of such event, provided such person (A) is licensed or certified in the state, territory or possession of the United States or foreign country where such person primarily practices as a nail technician if such licensure or certification is required by such state, territory, possession or foreign country; (B) practices as a nail technician under the direct supervision of a licensed nail technician; (C) does not receive compensation for practicing as a nail technician in this state, other than for providing instruction for such practice to persons in attendance at the course, seminar, workshop, trade show or other event; and (D) provides instruction or demonstrates techniques or services related to practicing as a nail technician only for persons enrolled in the course, seminar or workshop or attending the trade show or other event at which such person provides instruction, demonstrates a product or offers such services. Any person or organization that holds or produces a course, seminar, workshop, trade show or other event at which nail technicians without a license or temporary permit provide instruction, participate in a demonstration or offer services related to the practice of a nail technician shall ensure compliance with the provisions of this subsection.

(h) No license or temporary permit shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint in any state or jurisdiction.

(i) The Commissioner of Public Health may deny an application of an individual or take any disciplinary action set forth in section 19a-17 against a nail technician for failure to conform to the accepted standards of the profession, including, but not limited to: (1) Conviction of a felony, provided any action taken is based upon (A) the nature of the conviction and its relationship to the license holder's ability to safely or competently practice as a nail technician, (B) information pertaining to the degree of rehabilitation of the license holder, and (C) the time elapsed since the conviction or release; (2) fraud or deceit in obtaining or seeking reinstatement of a license to practice as a nail technician; (3) fraud or deceit in the practice of a nail technician; (4) negligent, incompetent or wrongful conduct in professional activities; (5) physical, mental or emotional illness or disorder resulting in an inability to conform to the accepted standards of the profession; or (6) abuse or excessive use of drugs, including, alcohol, narcotics or chemicals. The commissioner may order a license holder to submit to a reasonable physical or mental examination if his or her physical or mental capacity to practice safely is the subject of an investigation. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17. The commissioner shall give notice and an opportunity to be heard on any contemplated action under section 19a-17.

(j) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of this section.

(k) (1) Any individual who has been convicted of any criminal offense may request, at any time, that the commissioner determine whether such individual's criminal conviction disqualifies the individual from obtaining a license issued or conferred by the commissioner pursuant to this section based on (A) the nature of the conviction and its relationship to the individual's ability to safely or competently perform the duties or responsibilities associated with such license, (B) information pertaining to the degree of rehabilitation of the individual, and (C) the time elapsed since the conviction or release of the individual.

(2) An individual making such request shall include (A) details of the individual's criminal conviction, and (B) any payment required by the commissioner. The commissioner may charge a fee of not more than fifteen dollars for each request made under this subsection. The commissioner may waive such fee.

(3) Not later than thirty days after receiving a request under this subsection, the commissioner shall inform the individual making such request whether, based on the criminal record information submitted, such individual is disqualified from receiving or holding a license issued pursuant to this section.

(4) The commissioner is not bound by a determination made under this section, if, upon further investigation, the department determines that the individual's criminal conviction differs from the information presented in the determination request.

**Sec. 20-265e. License as a nail technician trainee.** (a) Any person employed as a nail technician on or after September 30, 2020, who does not have evidence satisfactory to the commissioner of continuous practice as a nail technician for not less than two years prior to said date, may apply to the department for a nail technician trainee license, provided such person applies for an initial trainee license not later than January 1, 2021.

(b) Each person seeking an initial license as a nail technician trainee shall apply to the department on a form prescribed by the department, accompanied by an application fee of fifty dollars. Such application shall include the name and address of the spa or salon where such person is employed and the licensed nail technician who will be the applicant's supervisor. Upon the granting of a license under this section, the licensee may practice as a nail technician full-time or part-time under the supervision of a nail technician licensed under section 20-265d, at a spa or salon managed by a person described in section 20-265h. Such license shall be valid for one year, and shall be renewable once for an additional year, for a fee of fifty dollars. No person shall hold such a license for more than two years.

(c) Any person who has held a nail technician trainee license for at least one year and has obtained a statement signed by the supervising nail technician documenting such nail technician trainee has completed a minimum of twenty hours per week of training in the techniques associated with the licensure of a nail technician and infection prevention and control plan guidelines pursuant to section 19a-231 may apply for a nail technician license under section 20-265d.

**Sec. 20-265f. Combination license as an esthetician, an eyelash technician or a nail technician.** (a) On and after January 1, 2020, in lieu of applying under section 20-265b, 20-265c or 20-265d for an initial individual license or renewal thereof, a person may apply to the Department of Public Health for a combination license for the practice of two or three of the following occupations: Esthetician, eyelash technician and nail technician. Any such applicant shall apply to the department on a form prescribed by the department, accompanied by (1) either a fee of one hundred dollars if applying for the practice of two of such occupations or two hundred dollars if applying for the practice of three of such occupations, and

(2) evidence that the applicant satisfies the applicable requirements set forth in section 20-265b, 20-265c or 20-265d.

(b) Any combination license issued under this section shall expire in accordance with the provisions of section 19a-88 and may be renewed every two years, for a fee of one hundred dollars. No person shall carry on the occupation of esthetician, eyelash technician or nail technician, as applicable, after the expiration of such person's license.

(c) No license issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint in any state or jurisdiction.

(d) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of this section.

**Sec. 20-265g. Schools for instruction for estheticians, nail technicians or eyelash technicians.** (a) Schools for instruction in services provided by estheticians, nail technicians or eyelash technicians may be established in this state. All such schools may be inspected regarding their sanitary conditions by the department whenever the department deems it necessary and any authorized representative of the department may enter and inspect the school during usual business hours. If any school, upon inspection, is found to be in an unsanitary condition, the commissioner or a designee shall make a written order that such school be placed in a sanitary condition.

(b) Any school for instruction in the occupations of estheticians, nail technicians or eyelash technicians, other than a hairdressing and cosmetology school approved under section 20-262 shall obtain approval pursuant to this section prior to commencing operation. Any such school established prior to January 1, 2020, shall apply for such approval not later than July 1, 2020. In the event that an approved school undergoes a change of ownership or location, such approval shall become void and the school shall apply for a new approval pursuant to this section. Applications for such approval shall be on forms prescribed by the commissioner. In the event that a school fails to comply with the provisions of this subsection, no credit toward the hours of study required pursuant to section 20-265b, 20-265c, 20-265d or 20-265f shall be granted to any student for instruction received prior to the effective date of the school's approval.

(c) Any instructor employed at a school approved under this section shall have at least two years' experience in the occupation being taught and shall possess a license in such occupation under section 20-265b, 20-265c, 20-265d or 20-265f, as applicable, or a license to practice such occupation from another state of the United States, the District of Columbia or a commonwealth or territory subject to the laws of the United States.

(d) The provisions of this section shall not apply to any school in the Technical Education and Career System established under section 10-95.

**Sec. 20-265h. Requirements for management of spas or salons.** (a) On and after July 1, 2021, each spa or salon that employs hairdressers and cosmeticians, estheticians, eyelash technicians, nail technicians or massage therapists shall be under the management of a hairdresser and cosmetician registered under this chapter, an esthetician licensed under section 20-265b or 20-265f, an eyelash technician licensed under section 20-265c or 20-265f, a nail technician licensed under section 20-265d or 20-265f or a massage therapist licensed under chapter 384a.

(b) Any such spa or salon shall be in compliance with the provisions of title 34 if applicable, and any applicable state law concerning the maintenance of payroll records, the classification of employees and the provision of workers' compensation coverage.

**Sec. 20-265i. Construction of chapter re practice of hairdressing and cosmetology or barbering.** Nothing in sections 20-265a to 20-265h, inclusive, shall be construed to require a person to obtain a license as an esthetician, a nail technician or an eyelash technician in order to practice hairdressing and cosmetology, as defined in section 20-250, or barbering, as defined in section 20-234.

**Sec. 20-266. Fair practices.** Section 20-266 is repealed.

**Secs. 20-266a to 20-266f. Nail technicians, generally.** Sections 20-266a to 20-266f, inclusive, are repealed, effective July 1, 2001.

**Secs. 20-266g to 20-266m.** Reserved for future use.