

By Mr. Murphy of Peabody, petition of John E. Murphy, Jr., relative to further defining and regulating the Board of Electrology. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-One.

AN ACT FURTHER REGULATING THE BOARD OF ELECTROLOGY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 87EEE of chapter 112 of the General
2 Laws is hereby amended by striking out the definition of "Electrol-
3 ysis" as amended by chapter 154 of the acts of 1976, and inserting in
4 place thereof the following four definitions: —

5 "Electrology", the practice of hair removal by means of instru-
6 ments or devices that employ any form of energy.

7 "Electrologist", one who is licensed by the state to practice
8 electrology.

9 "Electrolysis", a method of electrology that permanently re-
10 moves hair from the human body by insertion of a needle or
11 needles into the hair follicle using electric current, high frequency
12 radio waves, or any other form of energy that leads to the perma-
13 nent destruction of the hair regeneration process.

14 "Non-Needle Method", is a method of electrology that removes
15 hair from the human body by using instruments or devices which
16 are held on the skin or hair using electrical current, high frequency
17 radio waves, or any other form of energy that leads to the removal
18 of hair.

1 SECTION 2. Said chapter 112 is hereby further amended by
2 striking out section 87FFF, as appearing in section 2 of chapter 625
3 of the acts of 1958, and inserting in place thereof the following
4 section: —

5 *Section 87FFF.* No person shall engage in the practice of elec-

6 trology or hold himself out as a practitioner of, or being able to
7 practice, electrology unless he is duly licensed by the board or is a
8 qualified physician registered under the laws of the common-
9 wealth. Whoever violates any provision of this section shall be
10 punished by a fine of not more than \$1,000.00.

1 SECTION 3. Said chapter 112 is hereby further amended by
2 striking out, as most recently amended by chapter 328 of the acts of
3 1970, section 87GGG, as most recently amended by chapter 328 of
4 the acts of 1970, and inserting in place thereof the following
5 section: —

6 *Section 87GGG.* Any person desiring to engage in the practice of
7 electrology shall make application upon a form furnished by the
8 board, which application shall be signed and sworn to by the
9 applicant. Each application shall be accompanied by a fee of
10 twenty-five dollars. Each applicant who shall furnish the board
11 with satisfactory proof that he is nineteen years of age or over, of
12 good moral character and a citizen of the United States or has filed
13 a declaration of intention to become a citizen of the United States
14 and that he possesses (1) the education qualifications required for
15 graduation from an accredited high school, (2) a certificate or
16 diploma of graduation from an electrology school licensed under
17 section eighty-seven LLL, or a certificate or diploma from an
18 electrology school in any other state or foreign country, which state
19 or foreign country has standards equivalent to those required for
20 licensing schools under section eighty-seven LLL, and (3) a basic
21 knowledge of histology, bacteriology and sterilization, electricity,
22 hair structure, dermatology, physiology, hygiene and equipment
23 necessary for the practice of electrology shall be examined by the
24 board, by a written and practical examination only, the results of
25 said examination to be made known to each applicant within six
26 weeks after the date of the examination, and, if he passes such
27 examination, shall be licensed as a qualified electrologist and
28 granted a certificate signed by the chairman and secretary of the
29 board in testimony thereof. Such license shall be valid until August
30 first of the next odd year and may be renewed for a two year period
31 upon application therefor on blank forms to be furnished by the
32 board. The fee for each such renewal shall be thirty dollars.

33 Any person who has been licensed as a qualified electrologist or

34 a qualified instructor, or any person to whom a license to conduct a
35 school of electrology has been issued, who fails to renew such
36 license upon its expiry date, may renew the same upon application
37 therefor and payment of the regular renewal fee at any time within
38 two years after said expiry date; if he fails to renew his license prior
39 to the expiration of said two-year period, he shall be required to
40 register as for an original license, take the required examination
41 and pay the appropriate fee.

42 The board shall conduct examinations of applicants desiring to
43 engage in the practice of electrology semiannually in the months of
44 March and September.

1 SECTION 4. Said chapter 112 is hereby further amended by
2 striking out section 87HHH, as appearing in section 2 of chapter
3 624 of the acts of 1958, and inserting in place thereof the following
4 section: —

5 *Section 87HHH.* Every person to whom a license has been
6 issued under section eighty-seven GGG shall cause the same to be
7 recorded in the office of the clerk of the town where he principally
8 practices electrology and if he moves his principal office he shall,
9 before engaging in practice at a new address, notify the board in
10 writing of the place where he is to engage in practice. If such
11 removal is to another town, he shall obtain from the clerk of the
12 town where his license is recorded a certified copy thereof and file it
13 with the clerk of such other town. The fee for recording such license
14 or certified copy thereof shall be one dollar.

15 Every licensed electrologist shall display his license in a conspic-
16 uous place in the principal office wherein he practices electrolysis,
17 and shall, whenever required, exhibit it to the board or its author-
18 ized representative.

19 The practice of electrology shall be engaged in only in a fixed
20 place or establishment, which place or establishment shall be pro-
21 vided with such instruments, implements and equipment, and
22 subject to such sanitary regulations and inspection, as said board
23 may prescribe.

24 Nothing in the preceding paragraph, or in any statute, ordi-
25 nance, provision of law, rule or regulation shall be construed to
26 prohibit the practice of electrology and the maintenance of an
27 electrology office, in the licensee's home or residence; provided, the
28 licensee complies with the conditions outlined above.

1 SECTION 5. Said chapter 112 is hereby further amended by
2 striking out section 87KKK, as amended by section 8 of chapter
3 508 of the acts of 1978, and inserting in place thereof the following
4 section:—

5 *Section 87KKK.* No electrologist may advertise, either directly
6 or by implication, that he uses the electrolysis method unless he
7 employs a needle or needles which, when inserted into the hair
8 follicle, leads to the permanent destruction of the hair regeneration
9 process. No licensed electrologist shall include in any advertising
10 or publish, issue or make any misrepresentation, false, fraudulent
11 or misleading statements through the press, circulation of advertis-
12 ing matter, radio, television, display signs or otherwise.

1 SECTION 6. Said chapter 112 is hereby further amended by
2 striking out section 87LLL, as most recently amended by chapter
3 782 of the acts of 1973, and inserting in place thereof the following
4 section:—

5 *Section 87LLL.* The board shall, upon the application of any
6 school desiring to teach electrology in the commonwealth, inspect
7 such school and notify the governing body thereof in writing if said
8 school is approved by the board, or if not, what action said school
9 must take in order to be licensed by the board. Such application
10 shall be on a form furnished by the board, which application shall
11 be signed and sworn to by the applicant. Each application shall be
12 accompanied by a fee of fifty dollars. Such license shall be valid for
13 a period of two years from its date of issue and may be renewed for
14 a like period upon application therefor on blank forms to be
15 furnished by the board. The fee for each such renewal shall be fifty
16 dollars. The board and the commissioner of public health, acting in
17 an advisory capacity, shall further establish standards to be met by
18 said electrolysis school and shall require the school to maintain the
19 prescribed course of study. When in the opinion of the board such
20 standards have been met by said school, a license of approval shall
21 be awarded to it. No school, not so licensed, may teach electrology.
22 Instructors in licensed schools shall be licensed by the board and
23 shall devote their time, exclusively, while on school premises, to
24 teaching the theory and practice of electrology. No persons, not so
25 licensed may instruct in any electrology school in the common-
26 wealth. If at any time an approved school has, in the opinion of the

27 board, lowered its standards below those established by the board,
28 such license, after notice and hearing, may be revoked by the
29 board. Any applicant aggrieved by the refusal of the board to
30 approve an electrology school shall be entitled to have the reasona-
31 bleness of such refusal reviewed by a justice of the superior court
32 whose decision shall be final.

33 Any licensed electrologist, desiring to instruct in the practice and
34 theory of electrology in a school licensed under this section, shall
35 make application upon a form furnished by the board. Such appli-
36 cation shall be signed and sworn to by the applicant, and shall be
37 accompanied by a fee of twenty-five dollars. Each applicant, who
38 shall furnish the board with satisfactory proof that for at least five
39 years he has been actively engaged in the practice of electrology
40 and that he possesses the qualifications to instruct students in the
41 theory and practice of electrology shall be given an examination by
42 the board, and, if he passes such examination, shall be licensed as a
43 qualified instructor, and granted a license signed by the chairman
44 and the secretary of the board in testimony thereof. Such license
45 shall be valid for a period of two years from the date of its issue, and
46 may be renewed for a like period upon application therefor on
47 blank forms to be furnished by the board. The fee for each such
48 renewal shall be ten dollars. Such license shall be valid only when
49 instructing in an electrology school licensed under this section.

1 SECTION 7. Said chapter 112 is hereby further amended by
2 striking out section 87000, as most recently amended by section
3 29 of chapter 925 of the acts of 1973, and inserting in place thereof
4 the following section: —

5 *Section 87000.* The board may, upon the payment of a fee of
6 twenty-five dollars, grant, without examination, a license to prac-
7 tice electrology and issue a certificate, to any person licensed or
8 registered under the laws of any other state, which state, in the
9 opinion of the board, shall require a degree of competency equal to
10 that required of applicants for licensure as electrologists in this
11 commonwealth, and which extends a like courtesy to electrologists
12 licensed in this commonwealth.

13 The board shall, upon the payment of a fee of fifty dollars,
14 examine any person who makes application, upon a form fur-
15 nished by the board, for a license to practice electrology, provided

16 such applicant furnishes the board with satisfactory proof that he is
17 twenty-one years of age or over, of good moral character, and a
18 citizen of the United States or has filed a declaration of intention to
19 become a citizen of the United States, and furnishes the board with
20 documentary proof that he has been actively engaged in the
21 practice of electrolysis in another state for not less than ten years
22 immediately preceding the date of his application. If such person
23 passes such examination, the board shall grant him a license to
24 practice electrology and shall issue him a certificate signed by the
25 chairman and secretary of the board in testimony thereof. Such
26 license shall be valid until August first of the next odd year and may
27 be renewed for a two year period upon application thereof upon a
28 form furnished by the board. The fee for such renewal shall be
29 thirty dollars.

... ..

The Government of ...

...

...

...

...

...

...

...

...

...

...

...

...

