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Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part XXXV. Electrologists

Chapter 1. General Provisions

§101. Source of Authority: Title

A. The rules and regulations herein contained constitute, comprise and shall be known as the "Rules and Regulations of the Louisiana State Board of Electrolysis Examiners." These rules and regulations are adopted and promulgated pursuant to the authority granted to, and imposed upon the said board under the provisions of R.S. 37:3051-3077.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:329 (April 1984), repromulgated LR 11:534 (May 1985), repromulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

§103. General Definitions

A. There is incorporated herein by reference all of the definitions set forth and contained in R.S. 37:3051 and R.S. 49:951. The following words and terms, when used in these rules and regulations, shall have the following meaning unless the text hereof or the definitions contained in the above-cited statutes clearly indicate otherwise.

Apprentice—an individual engaged in learning the theory and practice of electrology in an electrologist apprenticeship program.

Board—State Board of Electrolysis Examiners.

Electrologist—any person who for compensation practices electrolysis for the permanent removal of hair, except a physician licensed to practice medicine who performs electrolysis in his practice or a person who engages, on behalf of a manufacturer or distributor, solely in demonstrating the use of any machine or other article for the purpose of sale, without charge to the person who is the subject of the demonstration.

Electrologist Apprenticeship Program—an establishment which teaches or offers to teach the theory and practice of electrology and which teaches or offers to teach instructors the theory and practice of teaching electrology, without financial remuneration from the apprentice or the student instructor.

Electrologist Technician—an individual who for compensation practices electrolysis for the permanent removal of hair under the direct supervision of a licensed electrologist and who has completed a 200-hour course of instruction at an approved electrology school or electrologist apprenticeship program.

Electrology—the art and practice of removing hair from the normal skin of the body by the application of an electric current to the hair papilla by means of a needle or needles so as to cause growth inactivity of the hair papilla and thus permanently remove hair.

Electrolysis—the process by which hair is removed from the normal skin by the application of an electric current to the hair root by means of a needle or needles being inserted into the hair follicle, whether the process employs direct electric current or short wave alternating electric current.

School, School of Electrology, or Electrology School—an establishment which teaches or offers to teach students the theory and practice of electrology and which teaches or offers to teach student instructors the theory and practice of teaching electrology, for financial remuneration from the student, student instructor, or both.

Student—an individual engaged in learning the theory and practice of electrology at a school of electrology.

Student Instructor—an individual learning the theory and practice of teaching electrology in an electrology school or an electrologist apprenticeship program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:329 (April 1984), amended LR 11:534 (May 1985), repromulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993), amended LR 27:193 (February 2001), LR 30:792 (April 2004).

§105. Exceptions and Rights

A. The provisions of these rules and regulations shall not authorize the use of roentgen rays and radium for diagnostic and therapeutic purposes or the use of electricity for surgical purposes, including cauterization, removal of warts, moles, or skin deformities of any kind.

B. Electrolysis treatment shall not be performed in areas of high bacterial colonization, such as the ear canals and nostrils, nor shall treatment be performed on moles or to remove eyelashes, except in special instances after consultation with a physician. Areas of the body not to be treated are the mucous membranes, inclusive of the vermilion border of the lip and the external auditory canal of the ear, the areola of the breast, and the tissue of the nostrils. Conditions of the skin not to be treated are warts, moles, cutaneous papillomas (skin tags), any type of skin eruptions, eyelids, vascular spider (spider nevus), and any type of infected or inflamed areas. Ingrown eyelashes shall

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only be treated by written authorization of the patient's attending physician.

C. A health history shall be completed on each patient prior to any treatment. No patient with a history of diabetes and no cardiac patient with a pacemaker shall be treated without the consent of a physician. Persons suspected of having a communicable disease shall not be treated without first having been examined by a physician. No electrologist, electrologist technician, instructor, apprentice, or student shall knowingly treat a person who is infected with impetigo, any contagious disease, skin malignancy, or any disease dangerous to the public.

D. A new unopened presterile disposable type probe shall be used for each client treatment. Techniques of sterilization of other instruments shall be the same as is used in hospitals, using pressure heat, dry heat, or any other method of sterilization deemed appropriate by the board.

E. Operation of Other Business or Trade

1. No other business or trade shall be allowed in treatment rooms while electrolysis is being performed, however, a licensed physician may perform electrolysis in his private office or clinic.

2. If a person or business conducting electrolysis before July 1, 1983, moves to a different location, that person or business shall be required to comply with the terms of this Subsection.

3. Further, any person or person conducting electrolysis that accedes to the common office suites, treatment rooms, and reception or waiting rooms used for the performance of any other business or trade, including schools of electrology and apprenticeship programs, shall be required to comply with the terms of the Subsection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:330 (April 1984), amended LR 11:534 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993), LR 27:193 (February 2001), LR 30:793 (April 2004).

§107. Advertising

A. Advertising is prohibited which offers gratuitous goods or services or discounts in connection with electrolysis services unless the electrologist provides a disclosure statement to be signed by the client which explains:

1. when there will be a charge for goods and services;
2. when the services have been completed, and that any additional services the patient requests are subject to charge; or
3. when the discount has been exhausted and any additional services will be subject to full charge; provided, that this rule shall not be construed to relate to the negotiation of fee between electrologist and clients or to

prohibit the rendering of electrologist services for which no fee is charged (R.S. 37:3063.A and C).

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), repromulgated LR 19:1144 (September 1993).

§109. Unprofessional Conduct

A. It shall be considered unprofessional conduct for any electrologist to enter into a contract which would obligate a client to pay for services to be rendered in the future unless the contract provides that the client is entitled to a complete refund for any service not received (R.S. 37:3063.C and R.S. 37:3062.E). Should any electrologist be found in violation of this Section he shall be punished in accordance with the board's current rules and regulations consistent with state law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), repromulgated LR 19:1144 (September 1993).

§111. Notification of Address

A. Every licensed electrologist, upon commencing to practice, shall immediately notify the board of his office address or addresses including business telephone number and shall immediately notify the board of any address or telephone number changes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), amended LR 19:1144 (September 1993).

Chapter 3. Board Composition, Conflict Provision and Reimbursement

§301. Composition

A. The State Board of Electrolysis Examiners is created within the Department of Health and Hospitals. It shall be composed of five members, all to be appointed by the governor to serve at his pleasure. Four members shall be licensed electrologists who have been engaged in the practice of electrology for at least the five years prior to their appointment. Of these four, two members shall be appointed from a list of four names submitted to the governor by the Louisiana Electrologist Association and two members shall be appointed from a list of four names submitted to the governor by Regional Electrologists Association of Louisiana. One member shall be appointed from a list of three physicians licensed to practice in this state and recommended by the Louisiana State Medical Society. If the governor determines that the nominees of the Louisiana Electrologist Association, the Regional Electrologists Association of Louisiana, or of the Louisiana State Medical Society are not suitable, he may decline to appoint from the list submitted and shall call upon the associations or the

society to nominate an additional list of persons. He may repeat such call until a list containing a qualified person or persons meeting his approval is submitted. If the Louisiana State Medical Society does not submit a list of physicians to the governor within 30 days of any such request, the governor may appoint an additional nominee of either the Louisiana Electrologist Association or the Regional Electrologists Association of Louisiana in lieu of the licensed physician. Members serving on the board shall remain in office until their successors are appointed and take office. Members of the board shall be residents of this state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:330 (April 1984), amended LR 11:535 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993), LR 30:793 (April 2004).

§303. Vacancy

A. A vacancy occurring in the membership of the board shall be filled for the unexpired term in the manner provided in §301 of this Part for appointment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:330 (April 1984), repromulgated LR 11:535 (May 1985), repromulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

§305. Financial Interest

A. No member of the board shall have any direct or indirect financial interest in the manufacture or sale of equipment or supplies used in the practice of electrology, nor shall any member have any connection with the management or ownership of a school of electrology or apprenticeship program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:330 (April 1984), repromulgated LR 11:535 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

§307. Reimbursement

A. Each member of the board shall receive a per diem fixed by the board at not more than \$50 per day for each day in actual attendance at its meetings. Each member shall be reimbursed for his actual travel, clerical, and incidental expenses necessarily incurred while engaged in the discharge of his official duties as determined by the board. The per diem and expenses shall be paid out of the board's funds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:330 (April 1984), repromulgated LR 11:535 (May 1985),

repromulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

Chapter 5. Organization of Board, Quorum, Meetings, Records

§501. Officers

A. Within 14 days after the appointment of its initial members, the board shall hold a meeting for the purpose of organization and shall elect officers from its membership. Officers shall be elected for terms of one year, or until the successor of each is elected. Thereafter, the board shall annually and in like manner elect its officers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:330 (April 1984), repromulgated LR 11:535 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

§503. Meetings

A. The board shall hold regular meetings at least four times each year for the purpose of examining applicants and any other time the board or its chairman deems necessary, at a time and place designated by the chairman. Special meetings may be called by the chairman upon giving at least 72 hours notice thereof by registered or certified mail to the post office address of each member of the board and of persons who previously have indicated that they have business before the board. Any board member who misses three consecutive meetings without just cause may be removed from the board by an affirmative vote of three board members, and replaced by the governor on the board's initiation. All meetings of the board shall be conducted in accordance with *Roberts Rules of Order*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:330 (April 1984), repromulgated LR 11:535 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), LR 19:1144 (September 1993), LR 30:793 (April 2004).

§505. Quorum

A. A majority of the total membership of the board shall constitute a quorum for the transaction of business, including the granting, suspending, or revoking of a certificate or license to practice electrology.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:330 (April 1984), repromulgated LR 11:535 (May 1985), repromulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

§507. Records of Proceedings

A. The board shall keep a record of its proceedings, and a register of all applicants for certificates or licenses, which

shall contain the name and location of the institution which granted the applicant a diploma, the date granted, and information as to whether a license has been granted or refused. The record and register shall be prima facie evidence of all matters recorded therein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:330 (April 1984), repromulgated LR 11:535 (May 1985), repromulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

Chapter 7. General Powers and Duties of the Board

§701. Issuance of Licenses

A. The board shall be the sole and exclusive authority in the state to issue licenses to practice electrolysis and to administer the provisions of R.S. 37:3051 et seq. The board shall have authority to examine for, grant, deny, approve, revoke, suspend and renew the licenses of electrologists and shall review applications for licenses of electrologists at least four times each calendar year. It may conduct hearings on charges for the revocation or suspension of a license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:330 (April 1984), repromulgated LR 11:535 (May 1985), repromulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993), amended LR 30:794 (April 2004).

§703. Promulgate Rules

A. The board is authorized to promulgate such rules and regulations as are necessary and reasonable for enforcement of R.S. 37:3051 et seq., for the establishment, operation, and approval of any electrology schools and electrology apprenticeship programs in Louisiana, and for requiring each school of electrology and electrology apprenticeship program to establish and maintain in force a bond to be determined by the board, but not to exceed the sum of \$10,000 in favor of the state, with surety by a corporation bonding company authorized to do business in this state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:330 (April 1984), amended LR 11:535 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

§705. Licenses to Schools

A. The board is authorized to issue licenses to approved schools. No school may operate without a license issued by the board. The fee for such license shall be \$500 payable at the time the school makes application for a license. The annual renewal fee shall be \$300 which shall be due on or before July 1 of each year. Each license for an electrology

school in this state shall be renewed on or before July 1 of each year upon application and payment of renewal fee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:331 (April 1984), repromulgated LR 11:535 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

§707. Licenses to Apprenticeship Programs

A. The board is authorized to issue licenses to approved apprenticeship programs. No apprenticeship program may operate without a license issued by the board. The fee for such license shall be \$200 payable at the time the apprenticeship program makes application for a license. The annual renewal fee shall be \$100 which shall be due on or before July 1 of each year. Each license for an apprenticeship program in this state shall be renewed on or before July 1 of each year upon application and payment of renewal fee.

B. No apprenticeship program approved by the board may receive monetary compensation from an apprentice or student instructor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, 19:1144 (September 1993), amended LR 30:794 (April 2004).

§709. Prosecution

A. The board shall initiate an action for the prosecution of any person who violated any provision of this Part and may apply to any court having jurisdiction for an injunction to restrain and enjoin violations thereof. It shall keep a record of all proceedings relating thereto.

B. Exemptions to particular requirements may be considered by the board under certain circumstances. If a licensee feels that there is a situation that merits such consideration, he may request in writing to appear before the board and present justification why such an exemption should be made. The board, after consideration, may vote to grant an exemption. Such exemption shall not be valid for more than 12 months.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:331 (April 1984), repromulgated LR 11:535 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

§711. Employing Counsel

A. The board is authorized to employ counsel to carry out the provisions of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:331 (April 1984), repromulgated LR 11:535 (May 1985),

amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

Chapter 9. Licensure of Electrologists and Instructors

§901. License Required

A. No person shall engage or attempt to engage in the practice of electrology in the state who does not hold a valid license issued by the board in accordance with the provisions of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:331 (April 1984), repromulgated LR 11:535 (May 1985), repromulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

§903. Licensure of Electrologists

A. The board shall license and issue an appropriate certificate to any person who files a verified application, accompanied by the appropriate application fee, with evidence, verified under oath and satisfactory to the board, that he is at least 18 years of age, of good moral character, has graduated from an accredited high school or equivalent (has submitted proof of G.E.D.), and has successfully completed a course in practical training of electrolysis in a school of electrology which maintains the standards established and approved by the board or that he has completed a like number of hours in the subject areas specified in an apprenticeship program approved by the board; at the time of certification is free of any infectious disease; has successfully completed the written and practical test, and is current with all fees owed to the board, and has completed at least 450 hours of clinical experience, 150 hours of academic study in a board approved school or apprenticeship program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:331 (April 1984), amended LR 11:535 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), LR 19:1144 (September 1993), LR 27:194 (February 2001).

§905. Licensure of Instructor

A. The board may issue a license to any person as an instructor of electrology, subject to the restrictions provided herein and rules promulgated pursuant to R.S. 37:3051-3077. No person shall teach or instruct electrology or its allied courses who does not hold both a valid license to practice electrology and a valid instructor's license issued by the board in accordance with the provisions of R.S. 3051-3077.

B. The board shall not license as an instructor of electrology any person who does not file with it a verified application thereof, accompanied by the appropriate

application fee required, together with evidence verified by oath and satisfactory to the board, that the applicant:

1. meets all the requirements to practice electrology in this state and holds a current license to practice electrology in this state;

2. has practiced as a licensed electrologist for at least five years.

C. The board shall not issue an instructor's license to any person seeking initial licensure on or after August 1, 1999, who does not possess the following qualifications:

1. possesses the applicant qualifications required in §905.A and §905.B.1 and 2;

2. has successfully completed the curriculum for instructor training in electrolysis in an instructor training program that maintains the standards established and approved by the board and is part of either an approved school of electrology or an approved apprenticeship program. Such curriculum shall be under the supervision of a licensed instructor of electrology, shall include a course of study and practice over a period of not less than four months and shall include 125 hours of teaching skills, 75 hours of facilitating/managing skills, and 150 hours of clinic-supervised practice teaching;

3. successfully achieves a minimum test score on an examination administered and approved by the board. The examination shall be given four times each calendar year at such time and place and under such supervision as the board determines and specifically at such other times as in the opinion of the board the number of applicants warrants. The board shall designate the date, time, and place of examination and give public notice thereof and, in addition, shall notify each person who has made application for examination to the board.

D. Within 10 days after each examination, the official in charge shall deliver the question and answer papers to the board. The board shall examine and rate the answers and shall transmit an official report to each applicant for license stating the rating of the candidate in each subject and whether or not the board approves the candidate for a license. If a candidate fails one or more parts of an examination, the candidate may take the parts which he has failed in a subsequent examination upon payment of a fifteen-dollar examination fee. If after two attempts the examination is not satisfactorily completed, the candidate thereafter shall be required to repeat and take the entire examination within one year of the date of the original examination.

E. An instructor training program may grant credit for the 125 hours of teaching skills and 75 hours of facilitating/managing skills to an individual who possesses a valid teaching certificate.

F. The board may provide by rule for granting credit for all or part of the 125 hours of teaching skills, the 75 hours of facilitating/managing skills, or any combination thereof for

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college-level courses in teaching skills and facilitating/managing skills.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:331 (April 1984), repromulgated LR 11:536 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), LR 19:1144 (September 1993), LR 27:194 (February 2001), LR 30:794 (April 2004).

§907. Notification by Board

A. After investigation of the applicant and other evidence submitted, the board shall notify each applicant that the application and evidence submitted for consideration is satisfactory and accepted, or unsatisfactory and rejected. If an applicant is rejected, the notice shall state the reasons for the rejection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:331 (April 1984), repromulgated LR 11:536 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

§909. Examination Schedule

A. The examination shall be given at least four times each year at a time and place as is determined by the board. Should the number of applicants warrant, additional examinations may be scheduled at the discretion of the chairman and public notice shall be given.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:331 (April 1984), repromulgated LR 11:536 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993), LR 30:794 (April 2004).

§911. Examination Form

A. The examination form is the sole property of the board and any unauthorized use is prohibited.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), repromulgated LR 19:1144 (September 1993).

Chapter 11. Examination Requirements for Electrologists

§1101. Receipt of Application

A. All applications for the State Board Examination must be received by the board at least 30 days prior to the date of said examination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:331 (April 1984), repromulgated LR 11:536 (May 1985), repromulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

§1103. Examination

A. Each applicant shall provide his subject for the practical and a consultation demonstration. Instructors or persons who have been or are affiliated with a school or apprenticeship program of electrology shall not be present during any part of the licensure examination. Within 30 days after the examination, the official in charge shall deliver the test results to the board. Applicant will be notified by mail of test results. If a candidate fails one or more parts of an examination, he may take the parts in which he has failed in a subsequent examination upon payment of a \$15 examination fee. If after two attempts the examination is not satisfactorily completed, the candidate thereafter shall be required to repeat and take the entire examination within one year of original examination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:331 (April 1984), repromulgated LR 11:536 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), LR 19:1144 (September 1993).

Chapter 13. Schools, Offices, Apprenticeship Programs; Apprenticeship Program Practitioners Premises

§1301. Requirements for Licensure of Schools of Electrolysis

A. Each applicant for a license to conduct a school of electrolysis shall submit the following to the board:

1. a fully completed written application form;
2. the required application fee; and
3. a surety bond approved by the board in the amount of \$1,000 per student, or a sum amount not to exceed \$10,000 per school in favor of the state of Louisiana.

B. Before a school license can be renewed, proof of an up-to-date bond must be submitted.

C. The following documents must be submitted prior to approval of a license for any school:

1. a detailed projected floor plan;
2. a copy of the planned school curriculum;
3. a true copy of the student contract used;
4. a true copy of the student's permission to receive electrolysis treatment;
5. a true copy of the school manual;

6. names and qualifications of the instructors and lecturers in accordance with the board regulations.

D. Every electrolysis school shall be open for inspection to any board member or any investigator of the board during regular business hours.

E. When an inspection of an electrolysis school is made by a member or investigator of the board, the owner or person in charge shall sign an inspection slip. Any violations shall be corrected within one month. If all violations are not corrected within three months, license will be revoked by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:331 (April 1984), repromulgated LR 11:536 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993), LR 30:794 (April 2004).

§1303. Sanitary Requirements for Schools, Apprenticeship Programs, and Electrology Offices,

A. Every electrolysis school, apprenticeship program and electrology office shall be adequately lighted, well ventilated and kept in a clean and sanitary condition at all times.

B. In compliance with recommendations of the Centers for of Disease Control (CDC), all electrology schools, apprenticeship programs, and electrology offices shall be equipped with either a dry heat sterilizer or steam heat autoclave to be used in accordance with the manufacturer's instructions. A new unopened presterile disposable type probe shall be used for each client treatment. Techniques of sterilization of other instruments shall be the same as is used in hospitals, using pressure heat, dry heat, or any other method of sterilization deemed appropriate by the board. All other instruments must be thoroughly cleansed with soap and water and then wiped clean with 70 percent alcohol solution before being placed in one of the following sterilization units. The instruments must then be sterilized following the manufacturer's proper sterilization procedures. These temperatures must be maintained during the complete sterilization cycle:

1. saturated steam, 250° F, 15 psi, 30 minutes; and
2. dry heat, 340° F for 60 minutes or 320° F for 120 minutes.

C. All probes must be discarded in a Contamination Waste Box (red box), then discarded or collected in accordance with State Biomedical Hazardous Waste Disposal Procedures.

D. Vinyl, latex, or any other protective medical examination gloves shall be used while attending electrology procedures. Hands shall be thoroughly washed with soap and water after removal of gloves. Unused gloves shall be used for each patient procedure and discarded after each use or if practitioner leaves patient's side or touches anything.

E. Clean tissues, paper towels or freshly laundered towels shall be used for each patient. Before any patient is permitted to recline in a chair or on a table, said object shall be covered with a clean professional size towel or drape or a clean professional type tissue and shall be disposed of or laundered after each use.

F. The skin area to be treated must first be cleaned with 70 percent alcohol.

G. Every patient must be treated on a professional treatment table or chair, which shall be used for the purpose of electrolysis treatment only. The exception to the preceding is if the patient is physically handicapped; the patient may be treated in a wheelchair, stretcher, medical bed, chair or table.

H. All treatment shall be given in privacy within an enclosed area.

I. The electrolysis treatment room shall be provided with a separate entrance, but not leading directly from the exterior of the house or building. One must not pass through any part of the living quarters in order to reach the treatment room.

J. The treatment room shall be closed from adjacent rooms by walls or doors. During treatment, such doors shall remain closed.

K. Every office shall have hand washing facilities with operating hot and cold water in the treatment room or adjacent room which can be reached without passing through any part of the living quarters. Such hand washing facilities shall not be located in the bathroom, or public restroom.

L. No electrologist, electrologist technician, instructor, apprentice or student in an apprenticeship program or school shall knowingly treat a person who is infected with impetigo, any contagious disease, skin malignancy, or any disease dangerous to the public.

M. No electrologist, electrologist technician, instructor, apprentice or student in an apprenticeship program or school shall treat a diabetic person without written authorization of the patient's treating physician.

N. All electrologists, electrologist technicians, instructors, apprentices and students, must place probe in holder of epilator when not in use.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:331 (April 1984), amended LR 11:536 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), LR 19:1144 (September 1993), LR 27:194 (February 2001), LR 30:795 (April 2004).

§1305. Additional Requirements for Schools

A. Every school shall prominently display its license near the entrance. Licensure of the school is for one location only. Each location must apply separately. Every

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electrologist shall display his license and renewal certificate in a conspicuous place in his principal office. Every electrologist who maintains more than one office shall display in a conspicuous place in every branch office a duplicate license, per §1901.A.9, provided by the board.

B. Every school shall furnish to each student upon enrollment a true signed copy of the school contract and a copy of the school manual text covering the complete school curriculum as approved by the board.

C. Within 10 days after each student's enrollment every school shall furnish the board with:

1. the name, address, date of enrollment, telephone number and specification of day or evening class of each student, recorded on the board's record of enrollment form;

2. a certificate signed by a licensed physician stating that the student is free of contagious or communicable disease;

3. a signed copy of the student's permission to receive electrolysis treatment, and any restrictions thereof.

D. Every school shall provide each student with adequate storage space for the student's clothes and effects.

E. School quarters shall be large enough to accommodate the student body, lecturers and practical demonstrations and shall have proper and sufficient equipment for practical work.

F. The school shall have available for students different types of epilators for electrolysis using all modalities.

G. Every school shall provide and maintain adequate professional and necessary modern equipment for the student body. All epilators must have attached probe holders. A list of equipment shall be submitted to the board for its approval and any additions or subtractions from this list must be reported to the state board.

H. Only FCC approved types of epilators which conform to the Federal FDA Rules and Regulations shall be used by each school in training students.

I. Every school shall maintain one complete set of reference books for each 12 students enrolled. These reference books must be approved by the board.

J. Every school shall keep a daily record of the attendance of every student and record of the time devoted by every student to each subject of study; shall establish credits and shall hold examinations before issuing diplomas. These records or any part of the information contained therein shall be available to any member or investigator of the board at any time upon request. Each school shall submit to the board in writing every three months a record of the time completed by every student in practical and theoretical work, due on the first day of January, April, July and October.

K. No practical work may be done by students except within the school premises and under the direct supervision of a licensed instructor.

L. Each group of 12 students or less engaged in practical work simultaneously shall have at least one licensed instructor in attendance at all times, and necessary equipment will be provided at all times for each student.

M. No school shall directly or indirectly accept any remuneration or make any charge for services rendered by its students at said school for practice work but a school may make a reasonable nominal charge to cover expenses of equipment and materials used.

N. Any student who leaves school for any reason shall be reimbursed according to the school contract.

O. No student shall be an instructor for another student.

P. No student, upon graduation from school and pending the state board examination, may engage in the performance or practice of electrolysis charging a fee to the patient while on the school premises.

Q. Every school shall provide the student with an office, properly equipped, and with enough space for the student to properly take a history in confidence and in private.

R. A professional lamp will be focused on the treatment area at all times.

S. Every school shall comply with Louisiana statutes and applicable ordinances regarding public health and safety standards for treating patients which conform to the board's rules and regulations.

T. Smoking is prohibited by electrologists, electrologist technicians, instructors, students, lecturers or patients during treatment.

U. All electrologists, electrologist technicians, instructors, and students shall wear appropriate clothing, with clean fingernails, clean stockings and clean uniform, or clean smock or clean laboratory jackets.

V. Professional type forceps shall be used in the treatment of patients.

W. Before treatments are administered, the electrologist, instructor, or student must explain the following matters to the patient:

1. the procedure;
2. treatment;
3. after care treatment;
4. possible effects of treatment; and
5. treatment fee.

X. Smoking is prohibited by electrologists, instructors, students, lecturers or patients during treatment.

Y. All electrologists, instructors, and students shall wear appropriate clothing, with clean fingernails, clean stockings and clean uniform, or clean smock or clean laboratory jackets.

Z. A complete case history of each patient's electrolysis treatment shall be maintained, which shall include the following data:

1. name, address, telephone number, sex and date of birth;
2. types of hair and of skin, if other than normal;
3. patient's medical history and physical condition;
4. date of each treatment;
5. area of treatment;
6. patient's reaction before and after treatment;
7. skin reaction to treatment;
8. duration of treatment;
9. setting of equipment for area being treated;
10. allergies; and
11. have attached any letters or other data concerning the patient.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:332 (April 1984), amended LR 11:537 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), LR 19:1144 (September 1993), LR 30:795 (April 2004).

§1306. Curriculum Regulations for Electrolysis Schools

A. All electrolysis schools shall maintain the following course of studies for their students.

1. Every school teaching electrolysis shall maintain a course of study of not less than 600 hours, extending over a period of not less than six months. Each course shall include 150 hours of academic study and 450 hours of clinical experience.

2. No student shall devote more than five days a week and no more than six hours a day to formal training in electrolysis including clinical experience.

3. The 450 hours of clinical experience shall involve epilation whereby the licensed instructor demonstrates how to proceed on each area to be treated, namely the legs, body, arms, face (including hairline and eyebrow shaping and all other areas not specifically prohibited in §105.B).

4. The 150 hours of academic study shall include the following:

a. histology of hair and skin structure	35
b. bacteriology, sterilization and hygiene (basic fundamentals)	27
c. electricity (principles of electricity, its effects and uses)	20
d. basic dermatology	21
e. physiology (emphasis on endocrinology)	25
f. equipment (approved electrolysis epilators and necessary equipment for an electrolysis office)	10

g. professional conduct and office management including Chapter 40 statutes and rules and regulations

TOTAL

12
150 Hours

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:333 (April 1984), amended LR 11:538 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), LR 19:1144 (September 1993).

§1307. Additional Requirements for Offices

A. Every electrology office shall have a separate entrance away from residential rooms.

B. Separate toilet facilities must be made available without entering residential rooms.

C. Separate facilities for hand washing shall be provided separate from residential rooms.

D. Every office of electrolysis shall comply with Louisiana statutes and applicable ordinances regarding public health and safety standards for treating patients which conform to the board's rules and regulations.

E. Every office shall be provided with such instruments, implements, or equipment that are pertinent to the practice of electrolysis.

F. All devices, instruments, and epilators, shall conform to the Federal FDA Rules and Regulations relating to such devices as amended, May 29, 1976, and shall be FCC approved.

G. A professional lamp will be focused on the treatment area at all times.

H. Professional type forceps shall be used in the treatment of patients.

I. Before treatments are administered, the electrologist, instructor, or student must explain the following matters to the patient:

1. the procedure;
2. treatment;
3. after care treatment;
4. possible effects of treatment; and
5. treatment fee.

J. Smoking is prohibited by electrologists, electrologist technicians, instructors, apprentices, students, lecturers or patients during treatment.

K. All electrologists, electrologist technicians, instructors, apprentices, and students shall wear appropriate clothing, with clean fingernails, and clean uniform, smock, or laboratory jacket.

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L. A complete case history of each patient's electrolysis treatment shall be maintained, which shall include the following data:

1. name, address, telephone number, sex and date of birth;
2. types of hair and of skin, if other than normal;
3. patient's medical history and physical condition;
4. date of each treatment;
5. area of treatment;
6. patient's reaction before and after treatment;
7. skin reaction to treatment;
8. duration of treatment;
9. setting of equipment for area being treated;
10. allergies; and
11. attached letters or other data concerning the patient.

M. Every electrology office shall be open for inspection to any board member or any investigator of the board during regular business hours.

N. When an inspection of an electrology office is made by a member or investigator of the board, the owner or person in charge shall sign an inspection slip. Any violation shall be corrected within one month. If all violations are not corrected within three months, license will be revoked by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:333 (April 1984), repromulgated LR 11:537 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), LR 19:1144 (September 1993), LR 30:795 (April 2004).

§1309. Regulations for Apprenticeship Programs

A. "Apprentice" is a person who is engaged in learning electrolysis within an electrology office or clinic, under the supervision of a licensed electrologist instructor.

B. The petition for approval must show that:

1. the apprentice shall be provided with equipment necessary to learn all phases of electrology;
2. the apprentice shall be provided at least six consecutive months of direct supervision during a course of training; and
3. the owner is responsible for the activities of the electrologist's apprentice under his supervision and instruction:
 - a. the owner shall provide proof of a surety bond approved by the board in the amount of \$1,000 per student, or a sum not to exceed \$10,000 per apprenticeship program in favor of the state of Louisiana;

b. understands that failure on the owner's part to abide by these rules is a ground for revocation or suspension of license; and

c. each supervisor or instructor of an apprenticeship program must offer 450 hours of training in clinical experience and 150 hours of academic study as specified in these rules and regulations.

C. The 150 hours of academic study shall include the following:

1. histology of hair and skin structure	35
2. bacteriology, sterilization and hygiene (basic fundamentals)	27
3. electricity (principles of electricity, its effects and uses)	20
4. basic dermatology	21
5. physiology (emphasis on endocrinology)	25
6. equipment (approved electrolysis epilators and necessary equipment for an electrolysis office)	10
7. professional conduct and office management including Chapter 40 statutes and rules and regulations	<u>12</u>
TOTAL	150 Hours

D. Each supervisor of an electrologist apprentice shall furnish the apprentice with a signed copy of the contract and a copy of the text to be used.

E. Within 10 days after commencement of an apprenticeship program, each supervisor shall furnish the board with:

1. the name, current address, date of enrollment, telephone number, and specification day or evening class of each apprentice recorded on the board's record of enrollment form;

2. a certificate signed by a licensed physician stating the apprentice is free of contagious or communicable disease;

3. a signed copy of the apprentice's permission to receive electrolysis treatment, and any restrictions thereof;

4. a daily record of the apprentice's attendance, and a record of the time devoted to each subject shall be kept. These records shall be available for inspection to any member or investigator of the board at any time upon request.

F. Each supervisor or instructor must file reports of attendance and training of each apprentice every 90 days. Said reports must be signed by the supervisor and countersigned by the apprentice.

G. No instructor shall supervise more than two electrolysis apprentices at one time.

H. No practical work may be done by an apprentice except under the direct supervision of his supervisor or instructor.

I. Any applicant for licensure through reciprocity who seeks credit for out-of-state or foreign country training shall submit proof of eligibility in the form of an affidavit

specifying when, where, how much and what kind of training from the board; certifying agency; school; or other authorized body of the state or country in which the applicant is currently licensed by that state or country. There shall be sufficient proof of no less than 600 hours of training. The applicant shall be required to take the board's examination.

J. An applicant for licensure in the state of Louisiana who has received an electrolysis training of no less than 600 hours may receive credit for such training by sufficient proof of apprenticeship program certificate issued by a licensed state or licensed country. The applicant shall be required to take the board's examination.

K. An applicant from any state or country which requires fewer than 600 hours of study and who is licensed by that state or country shall complete additional hours of study so that he has a total of 600 hours. Upon completion of the 600 hours of study, the applicant shall be required to take the board's examination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:333 (April 1984), amended LR 11:538 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), LR 19:1144 (September 1993), LR 30:795 (April 2004).

§1313. Additional Requirements for Apprenticeship Programs

A. Every apprenticeship program shall display prominently the license of the instructor near the entrance. Licensure of the apprenticeship program is for one location only. Each location must apply separately.

B. Every apprenticeship program shall furnish to each apprentice upon enrollment a true signed copy of the apprentice contract and a copy of the apprenticeship program manual text covering the complete apprenticeship program.

C. Within 10 days after each apprentice enrollment, the apprenticeship program shall furnish the board with:

1. the name, current address, date of enrollment, telephone number, and specifications of day or evening classes of each apprentice, as recorded on the board's record of enrollment form;

2. a certificate signed by a licensed physician stating that the apprentice is free of contagious or communicable disease;

3. a signed copy of the apprentice's permission to receive electrolysis treatment, and restrictions thereof.

D. Every apprenticeship program shall provide each apprentice with adequate storage space for the apprentice's clothes and effects.

E. Apprenticeship quarters shall be large enough to accommodate the apprentice, lecturers, and practical

demonstrations, and shall have proper and sufficient equipment for practical work.

F. The apprenticeship program shall include the knowledge of all modalities of electrolysis.

G. Every apprenticeship program shall provide and maintain adequate professional and necessary modern equipment for the apprentice. All epilators must have attached probe holders. A list of equipment shall be submitted to the board for its approval and any additions or subtractions from this list must be reported to the state board.

H. Only FCC approved types of epilators which conform to the Federal Food and Drug Administration (FDA) Rules and Regulations shall be used by each apprenticeship program in training apprentices.

I. Every apprenticeship program shall maintain one complete set of reference books for each two apprentices enrolled. These reference books must be approved by the board.

J. Every apprenticeship program shall keep a daily record of attendance of every apprentice to each subject of study; establish credits and hold examinations before issuing diplomas. These records or any part of the information contained herein shall be available to any member of investigator of the board at any time upon request. Each apprenticeship program shall submit to the board in writing every three months (the first day of January, April, July and October) a record of the time completed by every apprentice in practical and theoretical work.

K. No practical work may be done by apprentices except within the apprenticeship program premises and under the direct supervision of a licensed instructor.

L. Each group of two apprentices or less, engaged in practical work simultaneously shall have at least one licensed instructor in attendance at all times, and necessary equipment will be provided at all times for each apprentice.

M. No apprenticeship program shall directly or indirectly accept any remuneration or make any charge for services rendered by its apprentices at said apprenticeship program for practice work, but an apprenticeship program may make a reasonable nominal charge to cover expenses of equipment and materials used.

N. An apprenticeship program may advertise as such and each patient shall sign a statement verifying that he is aware of being treated by a student in training, and may be charged only a nominal fee to cover expenses of equipment and materials used.

O. No apprentice shall be an instructor for another apprentice.

P. No apprentice, upon graduation from apprenticeship program and pending state board examination, may engage in the practice of electrolysis other than on the apprenticeship premises until issued a valid license by the board, and each patient shall sign a statement verifying that

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he is aware of being treated by a student in training, and may be charged a nominal fee to cover expenses of equipment and materials used.

Q. Every apprenticeship program shall provide the student with an office, properly equipped, and with enough space for the apprentice to properly take a history in confidence, and in private.

R. Separate toilet facilities must be made without entering residential rooms.

S. Separate facilities for handwashing shall be provided on the premises of the office separate from residential facilities.

T. Every office of electrolysis shall comply with Louisiana statutes and ordinances and be subject to Public Health and Safety standards for treating patients.

U. Every office shall be provided with such instruments, implements, or equipment that are pertinent to the practice of electrolysis.

V. All devices, instruments, and epilators shall conform to the Federal FDA Rules and Regulations relating to such devices as amended, May 29, 1976 and shall be FCC approved.

W. A professional lamp will be focused on the treatment area at all times.

X. Professional type forceps shall be used in the treatment of patients.

Y. Smoking is prohibited by electrologists, electrologist technicians, instructors, apprentices, students, lecturers, or patients during treatment.

Z. All electrologists, electrologist technicians, instructors, apprentices, and students shall wear appropriate clothing, with clean fingernails, clean stockings and clean uniform, or clean smock or clean laboratory jackets.

AA. All electrologists, instructors, and students shall wear appropriate clothing, with clean fingernails, clean stockings and clean uniform, or clean smock or clean laboratory jackets.

BB. A complete case history of each patient's electrolysis treatment shall be maintained, which shall include the following data:

1. name, address, telephone number, sex and date of birth;
2. types of hair and of skin, if other than normal;
3. patient's medical history and physical condition;
4. date of each treatment;
5. area of treatment;
6. patient's reaction before and after treatment;
7. skin reaction to treatment;
8. duration of treatment;

9. setting of equipment for area being treated;
10. allergies; and
11. attached letters or other data concerning the patient.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:333 (April 1984), amended LR 11:538 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), LR 19:1144 (September 1993), LR 30:796 (April 2004).

§1315. Curriculum Regulations for Electrolysis Apprenticeship Program

A. All electrolysis apprenticeship programs shall maintain the following courses of study for their apprentices.

1. Every apprenticeship program teaching electrolysis shall maintain a course of study of not less than 600 hours, extending over a period of not less than six months. Each course shall include 150 hours of academic study and 450 hours of practical training.

2. No apprentice shall devote more than five days a week and no more than six hours a day to formal training in electrolysis including clinical experience.

3. The 450 hours of practical training shall involve epilation whereby the licensed instructor demonstrates how to proceed on each area to be treated, namely the legs, arms, body, face, (including hairline and eyebrow shaping and all other areas not specifically prohibited in §105.B.

4. The 150 hours of academic study shall include the following.

a. histology of hair and skin structure	35
b. bacteriology, sterilization and hygiene (basic fundamentals)	27
c. electricity (principles of electricity, its effects and uses)	20
d. basic dermatology	21
e. physiology (emphasis on endocrinology)	25
f. equipment (approved electrolysis epilators and necessary equipment for an electrolysis office)	10
g. professional conduct and office management including Chapter 40 statutes and rules and regulations	<u>12</u>
TOTAL	150 Hours

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:333 (April 1984), amended LR 11:538 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), LR 19:1144 (September 1993).

Chapter 14. Electrologist Technician

§1401. Licensure of Electrologist Technician

A. The board shall license and issue an appropriate certificate to any person who files a verified application, accompanied by the appropriate application fee, with evidence, verified under oath and satisfactory to the board, that he is at least 18 years of age, of good moral character, has graduated from an accredited high school or equivalent (has submitted proof of G.E.D.), and has successfully completed a course in practical training of electrolysis in a school of electrology which maintains the standards established and approved by the board or that he has completed a like number of hours in the subject areas specified in an apprenticeship program approved by the board, at the time of certification is free of infectious disease, has successfully completed the written and practical test, and is current with all fees owed to the board, and has completed at least 110 hours of clinical experience, 90 hours of lectures on insertion techniques, modalities, healing, regrowth problems, and office management.

B. Application fee for an electrologist technician shall be the same as provided in the R.S. 37:3072.A(1).

C. The board may license any person as an electrologist technician who has successfully completed the provisions of R.S. 37:3063.C(2) and passes the appropriate written and practical examinations. The electrologist technician must work under the direct supervision of a licensed electrologist or licensed electrologist instructor and provide the name of the supervising electrologist to the board. A licensed electrologist technician may upgrade his license to that of an electrologist by completing the additional theory and practical hours in school or an electrologist apprenticeship program and by passing the appropriate board examination.

D. If a student fails one or more parts of an examination, the student may take the parts in which he has failed in a subsequent examination upon payment of a \$15 examination fee. If, after two attempts, the examination is not satisfactorily completed, the student thereafter shall be required to repeat and take the entire examination within one year of the date of the original examination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 27:195 (February 2001).

§1403. Requirements for Electrologist Technician

A. Each licensed electrologist technician may provide services only under the direct supervision of a licensed electrologist or a licensed instructor of electrology and provide the name, address, and license number of the supervising electrologist to the board.

B. The licensed electrologist technician shall comply with the current regulations for sanitary requirements, proper sterilization, license renewals, and professional conduct in the boards rules and regulations.

C. The electrologist technician shall not give formal consultations by phone or in the office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 27:195 (February 2001).

§1405. Requirements for Instructor of Electrologist Technician

A. No instructor shall devote more than five days a week and no more than six hours a day to formal training in electrolysis including practical experience and extending over a period of not less than two months.

B. Electrologist technician students shall submit to the board in writing every month a record of the time completed by every electrologist technician student in practical and theoretical work.

C. No electrologist technician student may be supervised by another student or apprentice.

D. The board approved school or apprenticeship program shall provide an identification badge to each student. The badge shall include the student's name, picture, and school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 27:195 (February 2001).

§1407. Requirements of Supervising Electrologists

A. Each supervising licensed electrologist shall be responsible for the activities of the electrologist technician under his/her direct supervision.

B. Have on file each patient's signed statement verifying that he/she is aware of being treated by a licensed electrologist technician which may be checked upon inspection by the board.

C. The supervising licensed electrologist shall furnish the board with the name, address, and license number of the electrologist technician under their supervision. The board must be contacted if the electrologist technician ceases to be under the direct supervision of the licensed electrologist.

D. Each licensee must display his or her license in the treatment room. Each duplicate license will be provided by the board after payment of a \$25 duplicate license fee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 27:195 (February 2001).

§1409. Curriculum Regulations for the Electrologist Technician

A. The 110 hours of clinical experience shall involve epilation whereby the licensed instructor demonstrates how to perform electrolysis on areas to be treated on the face and

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body not specifically prohibited in §105.B of the rules and regulations.

B. The 90 hours of academic study shall include the following.

1. histology of hair and skin structure	30
2. bacteriology and sterilization	20
3. electricity and equipment	15
4. basic dermatology	15
5. professional conduct and hygiene (including statutes and state board rules and regulations)	<u>10</u> 90

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 27:196 (February 2001).

Chapter 15. License

§1501. License

A. After notice and an opportunity for hearing, the board may suspend or revoke any license or certificate issued to any electrologist for any of the following causes:

1. conviction of a crime;
2. fraud, deceit, or perjury in obtaining a diploma or certificate of licensure;
3. habitual drunkenness;
4. habitual use of morphine, opium, cocaine, or other drugs having similar effect;
5. deceiving or defrauding or attempting to deceive or defraud the public;
6. obtaining or attempting to obtain payment for electrolysis services by fraud, deceit, or perjury;
7. incompetency, gross negligence, or gross misconduct in professional activities;
8. intentional violation of federal, state or municipal laws or regulations relative to contagious and infectious diseases or other public health matters.

B. Nothing in this Section shall be construed to prevent a licensed practitioner from mailing educational material to his patients or his dissemination of educational material approved by electrolysis societies or associations and the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:333 (April 1984), repromulgated LR 11:538 (May 1985), repromulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

§1503. Renewal of License

A. Each license to practice electrology in this state shall be renewed annually on or before December 1 of each year upon application thereof accompanied by the renewal fee

prescribed in R.S. 37:3072.A and, beginning December 31, 1999, proof that the applicant has completed at least three hours of continuing education approved by the board.

B. Continuing Education Guidelines

1. The board may grant an extension of up to six months for completion of the continuing education requirements to any person who applies to the board in writing for an extension and shows good cause.

2. In addition to the continuing education requirements of §1503.A and B.1, license renewal for an instructor's license shall include completion of an additional two hours of continuing education approved by the board. The board may grant an extension of up to six months for completion of the continuing education requirements to any person who applies to the board in writing for an extension and shows good cause.

C. Failure to Register

1. When any electrologist, instructor, electrolysis school, or electrologist apprenticeship program licensed hereunder fails to register and pay the annual registration fee within 30 days after the registration fee becomes due, the license or certificate of such person, school, or electrologist apprenticeship program shall be revoked automatically at the expiration of 30 days after the registration was required, without further notice or hearing. However, any person, school, or electrologist apprenticeship program whose license or certificate is automatically revoked as provided herein may, within three years of the date of revocation, make application in writing to the board for the reinstatement of such license or certificate and, upon good cause being shown, the board in its discretion may reinstate such license or certificate upon payment of all past due renewal fees and the payment of an additional sum of \$50. The board may require as a condition of reinstatement that the person complete all or some of the past continuing education requirements within 12 months of reinstatement of the license.

2. Any person, electrolysis school, or electrologist apprenticeship program who fails within three years after revocation of a license or certificate to make written application to the board for reinstatement must reapply to the board and pay all fees required under the provisions of the rules and regulations adopted pursuant thereto. Any electrologist, instructor, or electrologist technician who fails within three years after revocation to make written application for reinstatement must successfully complete a written and practical examination prior to reinstatement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:335 (April 1984), repromulgated LR 11:540 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), LR 19:1144 (September 1993), LR 27:196 (February 2001), LR 30:796 (April 2004).

Chapter 17. Complaints and Hearing Procedure

§1701. Due Process Procedure for Ethics Violations

A. Unethical conduct shall be determined on the basis of the provisions of the rules and regulations of the State Board of Electrolysis Examiners, Ethical Standards of Electrologists, and other provisions included in the R.S. 37:3051-3077, specifically if an electrologist:

1. has been convicted of a felony or any offense involving moral turpitude; or including mind or mood altering drugs or substances;

2. is using any narcotic or any alcoholic beverage, to an extent or in a manner dangerous to himself, or any other person, or the public, or to an extent that such use impairs his ability to perform the work of a professional electrologist with safety for the public welfare; or

3. has impersonated another person holding a license as an electrologist or allowed another person to use his license; or

4. has used fraud or deception in applying for a license or in taking an examination provided for in the Act; or

5. has accepted commissions or rebates or other forms of remuneration for referring clients to other persons; or

6. has allowed his name or license issued under the Act to be used in connection with any person or persons who perform electrolysis services outside of the area of their training, experience, or competence; or

7. has willfully or negligently violated any of the provisions of the Act by licensed electrologists.

NOTE: The board will answer complaints regarding the ethical practices of non-licensed persons by making referrals elsewhere when appropriate; agencies, private legal counsel, or the district attorney of the appropriate judicial district.

B. Complaints may be initiated by any citizen of the state, another licensed electrologist or by the board on its own initiative.

C. The board may issue a declaratory statement in response to a request for clarification of the effect of rules and regulations of R.S. 37:2801 et seq.

1. A request for a declaratory statement is made in the form of a petition to the board. The petition should include at least:

a. the name, current address and telephone number of the petitioner;

b. specific reference to statute or rules and regulations to which the petition relates; and

c. a concise statement of the manner in which the petitioner is aggrieved by the rules or statute or by its potential application to him, or in which he is uncertain of its effect.

2. Said petition shall be considered by the board at its next regularly scheduled meeting provided that the petition has been filed at least 20 days prior to said meeting; and

3. The declaratory statement of the board on said petition shall be in writing and be mailed to petitioner at the last address furnished to the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), repromulgated LR 19:1144 (September 1993).

§1703. Complaints and Inquiries

A. Upon receipt of complaints or inquiries, the board will take immediate action.

1. Anonymous letters of complaint against individuals shall not be recognized as a basis for formal action.

2. If the information in the complaint is insufficient, the board may request further information by either written correspondence or an informal hearing.

B. All complaints received shall be assigned a sequentially ordered complaint code number which shall be utilized in all official references. Any code number shall indicate the month and year received.

C. At its next regularly scheduled meeting, the board shall officially receive and act upon all complaints and/or inquiries received.

D. Upon official receipt of the complaint, the board shall determine if the complaint refers to an ethical and/or legal issue(s).

E. The identity of all parties to a complaint shall be revealed to the involved parties except if contrary to law.

F. The board shall inform the complainant of the initial determination:

1. no action;
2. informal inquiry;
3. informal hearing;
4. formal hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), repromulgated LR 19:1144 (September 1993).

§1705. Conduct of an Informal Inquiry/Hearing

A. Informal Inquiry (Non-Adversarial) Procedures

1. The licensee shall be provided adequate prior notice of the informal inquiry and possible hearing of the issues to be discussed. Adequate notice includes:

a. informing the licensee in writing that a complaint has been filed;

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b. a short and plain statement of the nature of the complaint;

c. a reference to the particular sections of the statutes, rules, and/or ethical standards of the board which appear to have been involved;

d. copies of the law and the rules and regulations of the board; and

e. a request for the licensee's cooperation in obtaining a full understanding of the circumstances which led to the allegation.

2. The licensee is requested to provide, within 30 days, a written statement providing the licensee's statement of opinion, comments, discussion and/or position which is the subject of the complaint so that the board may be cognizant of all relevant aspects of the case.

3. Evaluating the Findings of the Informal Inquiry. Upon receipt of a reply from the licensee, the board shall review the information and determine if a violation may have occurred, and if so, what standard(s) have been violated.

a. If the determination of the board is that the issues raised by the complainant would constitute a violation of standards, the board shall then determine whether:

i. further investigation by correspondence is indicated;

ii. further investigation by an informative hearing is indicated; or

iii. institution of formal hearing procedures is indicated.

B. Informal Hearing Procedures

1. The board shall conduct informal hearings in executive session in accordance with R.S. 42:6 and 42:6.1:

a. to discuss the character, professional competence or physical and mental health of a licensee;

b. investigative proceedings regarding allegations of misconduct;

c. witnesses may be called, but are not placed under oath and no subpoenas are issued;

d. statements made at the informal hearing may not be introduced at a formal hearing unless all parties consent; and

e. no transcript of the informal hearing is made.

C. Evaluating the Findings of the Informal Hearing

1. If the board decides that the subject of the complaint is a violation of the standards, and the disciplinary proceedings are warranted, the board shall then determine whether:

a. the violation merits informal disposition; or

b. a formal hearing will be held.

2. The board, in determining for informal disposition, shall order actions such as:

a. a resolution settlement between the person making the complaint and the licensee. This settlement shall be written, signed by the licensee and the complainant and submitted to the board within 30 days of the informal hearing;

b. a consent order describing the disciplinary action which will be taken. A consent order shall be signed by the licensee, the chairman and the vice-chairman of the board.

D. Refusal to Respond or Cooperate with the Board

1. If the licensee does not respond to the original inquiry within 30 days, a follow-up letter shall be sent to the licensee by registered or certified mail, return receipt requested.

2. If the licensee refuses to reply to the board's inquiry or otherwise cooperate with the board, the board shall continue its investigation. The board shall record the circumstances of the licensee's failure to cooperate and shall inform the licensee that the lack of cooperation may result in action which could eventually lead to suspension or revocation of license, or other appropriate legal action under the law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), repromulgated LR 19:1144 (September 1993).

§1707. Withdrawal of a Complaint

A. If the complainant wishes to withdraw the complaint, the inquiry is terminated, except in cases where the board finds the issues to be of such significance as to warrant completing the investigation in its own right and in the interest of the public welfare.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), repromulgated LR 19:1144 (September 1993).

§1709. Emergency Action

A. If, at any point in the informal proceedings described above, the board finds that public health, safety, or welfare requires emergency action, and incorporates a finding to that effect in its order, the board is hereby given authority to obtain a restraining order from a judge of the appropriate court to suspend the license pending formal hearing proceedings for revocation of license or other disciplinary action. This formal hearing shall be promptly instituted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), repromulgated LR 19:1144 (September 1993).

§1711. Conduct of Formal Hearings

A. Initiating the Process

1. The board initiates a formal hearing by issuing full written notice of the hearing. A formal hearing may be the result of a complaint made by any manner specified in the informal procedures.

2. Once full written notice of the hearing has been served, no board member or officially designated hearing officer may communicate with any party to a formal hearing or to that party's representative concerning any issue of fact or law involved in that formal hearing.

3. Full Notice. The written notice shall recite specific acts which the licensee is alleged to have committed and shall assert that those acts violate a Louisiana Statute or other ordinances or rules of the board.

a. Notice shall include:

i. a statement of the date, time, place and nature of the hearing;

ii. a statement of the legal authority and jurisdiction under which the hearing is to be held;

iii. a reference to the particular sections of the statutes, rules or ethical standards involved;

iv. a short and plain statement of the matters asserted which shall be the subject of the hearing; and

v. a statement of the rights of the parties.

b. Notice shall be given to all parties 30 days in advance of the proceedings to allow a reasonable opportunity for preparation.

c. The notice shall be delivered by registered or certified mail, return receipt requested. If the licensee cannot be found by this or other reasonable methods, the board may hold a hearing in the licensee's absence through a contradictory proceeding with a curator appointed to represent the absentee licensee.

NOTE: It is the licensee's obligation to keep the board informed of his whereabouts.

d. The content of the notice limits the scope of the hearing and of the evidence which may be introduced.

e. If the agency or other party is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved. Thereafter, upon application, a more definite and detailed statement shall be furnished.

4. Designation of Hearing Officer

a. The hearing officer is responsible for ensuring that the hearing is orderly, fair and that it progresses in an expeditious manner. This officer is empowered to prepare written findings of fact and conclusions which shall be recommended to the board.

b. The board shall designate a hearing officer by affirmative vote of a simple majority of its members.

c. The hearing officer shall be unbiased and qualified to preside over the case. A designated hearing

officer shall withdraw when that officer cannot afford a fair, just and impartial hearing or consideration.

d. Any party may request the disqualification of a hearing officer on the grounds of inability to give fair, just and impartial hearing by filing an affidavit (which states the specific grounds) within three days of receipt of notice of the designation of the hearing officer. The issue shall be determined by the board.

e. The hearing officer shall not be a present or former member of the board.

B. Discovery

1. Depositions and interrogatories of witnesses may be taken and shall be admissible in the proceedings.

2. Evidence which was not made available to both parties at least 10 days in advance may be barred from introduction.

3. Evidence not within the scope of the notice may be excluded.

4. When the interest of their parties will not be substantially prejudiced, any part of the evidence may be received in written form.

5. Documentary evidence in possession of the board may be received in the form of copies of excerpts, or by incorporation by reference.

6. Official notice may be taken of recognized technical or scientific facts. However, parties shall be offered an opportunity to contest any material so noticed.

C. Subpoenas. The Louisiana Department of Justice Disciplinary Action Manual for Occupational Licensing Boards by William J. Guste, Jr., Attorney General, Section 10.2

Subpoena Authority. Boards are empowered by statute to issue subpoenas, and in Louisiana, the statutes allow the board to issue a subpoena when requested in writing by any party in a contested case.

Either side in a contested hearing may request that a subpoena be issued. It is generally required that the information called for by a subpoena must be reasonable in terms of the amount required and that it must relate to the matter under consideration. A subpoena duces tecum should be reasonable in scope and should be limited to documentary material that is relevant to the proceeding.

1. The board, or its designated hearing officer, may sign and issue subpoenas when requested in writing by any party to a contested case.

2. The information called for by subpoena shall be responsive and shall relate to the matter under consideration.

3. Investigative subpoenas are issued at the discretion of the hearing officer.

4. If the person fails to comply with a subpoena, the board may apply to the judge of the appropriate district court for a contempt attachment or other appropriate order.

D. Motions

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1. A request to the board or the hearing officer by a party for a particular action should be made in the form of a motion.

2. A motion may be made at any time after proceedings have been filed and before its commencement, during the hearing, or after the hearing.

3. All motion must be made at an appropriate time.

4. Motions made before or after the hearing shall be made in writing. Motions made during the course of the hearing may be written or oral.

5. Motions are directed to the hearing officer who shall appropriately and lawfully dispose of them.

6. A party may not submit written proposed findings of fact.

7. The hearing officer may refer a motion to the board for determination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), repromulgated LR 19:1144 (September 1993).

§1713. Formal Hearing Procedures

A. Conduct of the Hearing

1. The members of the board shall be present for the hearing.

2. The hearing shall be conducted in accordance with the Administrative Procedure Act, R.S. 49:955-966.

a. Opportunity shall be afforded all parties to respond and present evidence on all facts relating to the issues involved; and opportunity for argument on all issues of law, fact and policy involved; and to conduct such cross-examination as may be required for a full and true disclosure of facts.

b. Objections to evidentiary offers shall be made at the time of the hearing and shall be noted in the record.

3. The hearing will be open to the public.

B. Order of Proceedings

1. The hearing officer calls the session to order, identifies the case, subject of the case and cites the authority for holding the hearing.

2. The hearing officer asks the parties to identify themselves and their counsel.

3. All testimony shall be given under oath, such oath to be administered by the hearing officer.

4. Customary orders of the proceedings should be followed at the discretion of the hearing officer.

C. Evidence

1. In determining the admissibility of evidence, the hearing officer must follow the rules governing administrative hearings in Louisiana.

2. Constitutional guarantees of due process and equal protection give the licensee a right to a decision based on evidence presented at the hearing or officially noted in the record.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), repromulgated LR 19:1144 (September 1993).

§1715. Final Decision of the Board

A. The board must determine whether the facts in the case support the charges brought against the licensee. It must determine whether the charges are a violation of R.S. 37:3051-3077 the Ethical Standards of Electrologist or other rules and regulations of the board.

B. The board accepts a proposed order from the hearing officer setting for the findings of facts and conclusions in whole or in part. Any board member not present at the hearing must revise the record prior to such decision.

C. The decision must be accompanied by a statement of the reasons for the decisions and must dispose individually of each issue of fact or law necessary from the hearing officer.

D. The board's decision shall be based on the evidence and the proposed decision from the hearing officer.

E. The vote of the board shall be recorded and made a part of the decision. A simple majority vote must be obtained in order for an ethics violation to be judged to have occurred.

F. The board determines the sanctions appropriate and consistent with the law. The board may decide rather than to revoke or suspend a license, to censure the licensee. The vote for censure is a simple majority vote.

G. The final decision of the board shall be delivered to each party by registered or certified mail, return receipt requested.

H. The final decision of the board shall be delivered within 30 days of the close of the hearing.

I. The final decision of the board shall become effective 15 days after the receipt of notification of all parties, provided that there is no appeal. Publication shall be withheld until that date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), repromulgated LR 19:1144 (September 1993).

§1717. Appeal of Board Decision

A. A petition by a party for reconsideration of hearing must be in writing and filed with the board within 15 days after receipt of the board's decision. The petition must set forth the grounds for rehearing which must be one of the following:

1. the board's decision is clearly contrary to the law and the evidence; or
2. there is newly discovered material evidence, which was not available to the licensee at the time of the hearing and which may be sufficient to reverse the board's action; or
3. there is a showing that issues not previously considered ought to be examined in order to render a decision which is just and fair; or
4. it would be in the public interest to further consider the issues and the evidence; or
5. in the interest of justice and fairness, consideration of the issue must be reheard.

B. If a petition for reconsideration (appeal) is denied, a party may proceed to seek judicial review of the decision.

C. Judicial review may be initiated by filing a petition in the appropriate district court within 30 days after mailing of notice of the decision of the hearing or rehearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), repromulgated LR 19:1144 (September 1993).

§1719. Case Record

A. A complete case record shall be maintained for each formal hearing.

B. The record shall be retained until the time for any appeal has expired, or until all appeals have been concluded.

C. The case record shall be composed of all material officially noted.

AUTHORITY NOTE: Promulgated in accordance with R.S.37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), repromulgated LR 19:1144 (September 1993).

§1721. Notification of Final Action

A. Upon completion of the final decision, or expiration of the time for any appeal or conclusion of appeals, the board shall notify the following of its action:

1. all licensed electrologists;
2. all affected parties; and
3. all affected professional organizations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), repromulgated LR 19:1144 (September 1993).

Chapter 19. Fees

§1901. Limits

A. The board shall fix and collect uniform fees, which shall not exceed the following amounts for each type of fee and which shall not be refundable.

1. Application fee for license to practice electrology	\$200
2. Application fee for certificate of annual renewal of license to practice electrology	\$100
3. Application fee for license of electrology school (each location)	\$500
4. Application fee for certificate of annual renewal of license of electrology school (each location)	\$300
5. Application fee for license of apprenticeship program (each location)	\$200
6. Application fee for certificate of annual renewal of apprenticeship school (each location)	\$100
7. Application fee for instructor's license	\$150
8. Application fee for certificate of annual renewal of instructor's license	\$100
9. Application fee for issuing annual duplicate certificate of licenses (each location)	\$ 25
10. Delinquency fee for renewal of any license	\$ 50
11. Re-testing fee	\$ 15

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:335 (April 1984), amended LR 11:539 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), LR 19:1144 (September 1993).

§1903. Deposit of Fees and Fines

A. All fees received by the board and all fines collected under the provision of these rules shall be deposited in the State Board of Electrolysis Examiners' account. The board shall have authority to expend the funds in said account for the operating expenses of the board and for other expenses incurred in the administration and enforcement of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:335 (April 1984), repromulgated LR 11:540 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 17:778 (August 1991), LR 19:1144 (September 1993).

Chapter 21. Penalty

§2101. Penalty

A. Whoever violates any provision of this Part, upon conviction shall be fined not less than \$300 or more than \$500, and/or be imprisoned for not more than six months, or both. Each day of violation shall constitute a separate offense.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3051.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Electrolysis Examiners, LR 10:335 (April 1984), repromulgated LR 11:540 (May 1985), amended by the Department of Health and Hospitals, Board of Electrolysis Examiners, LR 19:1144 (September 1993).

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