



128446

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/02/2018	.	
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The Committee on Appropriations (Grimsley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 478.42, Florida Statutes, is amended to
read:

478.42 Definitions.—As used in this chapter, the term:

(1) "Board" means the Board of Medicine.

~~(2) "Council" means the Electrolysis Council.~~

(2)~~(3)~~ "Department" means the Department of Health.



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11 ~~(3)~~⁽⁴⁾ "Electrologist" means a person who engages in the
12 practice of electrolysis.

13 ~~(4)~~⁽⁵⁾ "Electrolysis or electrology" means the permanent
14 removal of hair ~~by destroying the hair-producing cells of the~~
15 ~~skin and vascular system,~~ using equipment and devices approved
16 by the board which have been cleared by and registered with the
17 United States Food and Drug Administration and that are used
18 pursuant to protocols approved by the board.

19 Section 2. Section 478.43, Florida Statutes, is amended to
20 read:

21 478.43 Board of Medicine; powers and duties.—

22 (1) The board, ~~with the assistance of the Electrolysis~~
23 ~~Council,~~ is authorized to establish minimum standards for the
24 delivery of electrolysis services and to adopt rules pursuant to
25 ss. 120.536(1) and 120.54 to implement the provisions of this
26 chapter.

27 (2) The board may administer oaths, summon witnesses, and
28 take testimony in all matters relating to its duties under this
29 chapter.

30 ~~(3) The board may delegate such powers and duties to the~~
31 ~~council as it may deem proper.~~

32 ~~(3)~~⁽⁴⁾ The board, ~~in consultation with the council,~~ shall
33 ~~recommend proposed rules,~~ and the board shall adopt rules for a
34 code of ethics for electrologists and rules related to the
35 curriculum and approval of electrolysis training programs,
36 sanitary guidelines, the delivery of electrolysis services,
37 continuing education requirements, and any other area related to
38 the practice of electrology.

39 Section 3. Section 478.44, Florida Statutes, is repealed.



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40 Section 4. Subsections (2), (3), and (6) of section 478.45,
41 Florida Statutes, are amended to read:

42 478.45 Requirements for licensure.—

43 (2) Each applicant for licensure must ~~shall~~ successfully
44 pass a written examination developed by the department or a
45 national examination that has been approved by the board. The
46 examinations must ~~shall~~ test the applicant's knowledge relating
47 to the practice of electrology, including the applicant's
48 professional skills and judgment in the use of electrolysis
49 techniques and methods, and any other subjects that ~~which~~ are
50 useful to determine the applicant's fitness to practice.

51 (3) The department, upon approval of the board, may adopt a
52 national examination in lieu of any part of the examination
53 required by this section. The board, ~~with the assistance of the~~
54 ~~council~~, shall establish standards for acceptable performance.

55 (6) The department may not issue a license to any applicant
56 who is under investigation in another jurisdiction for an
57 offense that ~~which~~ would be a violation of this chapter, until
58 such investigation is complete. Upon completion of such
59 investigation, if the applicant is found guilty of such offense,
60 the board shall apply the applicable provisions of s. 478.52.

61 Section 5. Section 478.49, Florida Statutes, is amended to
62 read:

63 478.49 License required.—

64 (1) A person may not ~~No person may~~ practice electrology or
65 hold herself or himself out as an electrologist in this state
66 unless she or he ~~the person~~ has been issued a license by the
67 department and holds an active license pursuant to ~~the~~
68 ~~requirements of~~ this chapter.



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69 (2) A licensee shall display her or his license in a
70 conspicuous location in her or his place of practice and provide
71 it to the department or the board upon request.

72 (3) A licensee who uses a laser or pulsed-light device in a
73 laser hair removal or reduction procedure must be certified by a
74 nationally recognized electrology organization in the use of
75 such device.

76 Section 6. Subsection (4) of section 478.50, Florida
77 Statutes, is amended to read:

78 478.50 Renewal of license; delinquent status; address
79 notification; continuing education requirements.-

80 (4) (a) An application for license renewal must be
81 accompanied by proof of the successful completion of 20 hours of
82 continuing education courses or proof of successfully passing a
83 reexamination for licensure within the immediately preceding
84 biennium which meets the criteria established by the board. Both
85 the continuing education and reexamination shall contain
86 education on blood-borne diseases.

87 (b) ~~The board, with the assistance of the council,~~ shall
88 approve criteria for, and content of, electrolysis training
89 programs and continuing education courses required for licensure
90 and renewal as set forth in this chapter.

91 (c) Continuing education programs shall be approved by the
92 board. Applications for approval shall be submitted to the board
93 not less than 60 days or ~~not~~ more than 360 days before they are
94 held.

95 Section 7. Paragraph (t) of subsection (1) and subsection
96 (4) of section 478.52, Florida Statutes, is amended to read:

97 478.52 Disciplinary proceedings.-



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98 (1) The following acts constitute grounds for denial of a
99 license or disciplinary action, as specified in s. 456.072(2):

100 (t) Practicing or attempting to practice any permanent hair
101 removal except as described in s. 478.42(4) ~~s. 478.42(5)~~.

102 (4) The board, ~~with the assistance of the council,~~ may, by
103 rule, establish guidelines for the disposition of disciplinary
104 cases involving specific types of violations. The guidelines may
105 include minimum and maximum fines, periods of supervision on
106 probation, or conditions upon probation or reissuance of a
107 license.

108 Section 8. Subsection (6) of section 478.53, Florida
109 Statutes, is amended to read:

110 478.53 Penalty for violations.—It is a misdemeanor of the
111 first degree, punishable as provided in s. 775.082 or s.
112 775.083, to:

113 (6) Practice or attempt to practice any permanent hair
114 removal except as described in s. 478.42(4) ~~s. 478.42(5)~~.

115 Section 9. This act shall take effect October 1, 2018.

117 ===== T I T L E A M E N D M E N T =====

118 And the title is amended as follows:

119 Delete everything before the enacting clause
120 and insert:

121 A bill to be entitled
122 An act relating to laser hair removal or reduction;
123 amending s. 478.42, F.S.; revising definitions;
124 repealing s. 478.44, F.S., relating to the
125 Electrolysis Council; amending s. 478.49, F.S.;
126 providing certification requirements for licensed



127 electrologists who perform laser hair removal or
128 reduction; amending ss. 478.43, 478.45, 478.50,
129 478.52, and 478.53, F.S.; conforming provisions to
130 changes made by the act; providing an effective date.