



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 965 (2018)

Amendment No.

17 ~~skin and vascular system,~~ using equipment and devices approved  
18 by the board which have been cleared by and registered with the  
19 United States Food and Drug Administration and that are used  
20 pursuant to protocols approved by the board.  
21

22 Section 2. Section 478.43, Florida Statutes, is amended to  
23 read:

24 478.43 Board of Medicine; powers and duties.—

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

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

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

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

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 Section 478.44, Florida Statutes, is repealed.

43 Section 4. Section 478.45, Florida Statutes, is amended to  
44 read:

45 478.45 Requirements for licensure.—

46 (1) An applicant applying for licensure as an  
47 electrologist shall file a written application, accompanied by  
48 the application for licensure fee prescribed in s. 478.55, on a  
49 form provided by the board, showing to the satisfaction of the  
50 board that the applicant:

51 (a) Is at least 18 years old.

52 (b) Is of good moral character.

53 (c) Possesses a high school diploma or a high school  
54 equivalency diploma.

55 (d) Has not committed an act in any jurisdiction which  
56 would constitute grounds for disciplining an electrologist in  
57 this state.

58 (e) Has successfully completed the academic requirements  
59 of an electrolysis training program, not to exceed 120 hours,  
60 and the practical application thereof as approved by the board.

61 (2) Each applicant for licensure must ~~shall~~ successfully  
62 pass a written examination developed by the department or a  
63 national examination that has been approved by the board. The  
64 examinations must ~~shall~~ test the applicant's knowledge relating  
65 to the practice of electrology, including the applicant's  
66 professional skills and judgment in the use of electrolysis

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67 techniques and methods, and any other subjects that ~~which~~ are  
68 useful to determine the applicant's fitness to practice.

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

73 (4) The department shall issue a license to practice  
74 electrology to any applicant who passes the examination, pays  
75 the licensure fee as set forth in s. 478.55, and otherwise meets  
76 the requirements of this chapter.

77 (5) The department shall conduct licensure examinations at  
78 least two times a year. The department shall give public notice  
79 of the time and place of each examination at least 60 days  
80 before it is administered and shall mail notice of such  
81 examination to each applicant whose application is timely filed,  
82 pursuant to board rule.

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

89 Section 5. Section 478.49, Florida Statutes, is amended to  
90 read:

91 478.49 License required.—

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

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

100 (3) A licensee who uses a laser or pulsed-light device in  
101 a laser hair removal or reduction procedure must be certified by  
102 a nationally recognized electrology organization in the use of  
103 these devices.

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

106 478.50 Renewal of license; delinquent status; address  
107 notification; continuing education requirements.—

108 (4) (a) An application for license renewal must be  
109 accompanied by proof of the successful completion of 20 hours of  
110 continuing education courses or proof of successfully passing a  
111 reexamination for licensure within the immediately preceding  
112 biennium which meets the criteria established by the board. Both  
113 the continuing education and reexamination shall contain  
114 education on blood-borne diseases.

115 (b) The board, ~~with the assistance of the council,~~ shall  
116 approve criteria for, and content of, electrolysis training

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117 programs and continuing education courses required for licensure  
118 and renewal as set forth in this chapter.

119 (c) Continuing education programs shall be approved by the  
120 board. Applications for approval shall be submitted to the board  
121 not less than 60 days or ~~not~~ more than 360 days before they are  
122 held.

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

125 478.52 Disciplinary proceedings.—

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

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

130 (4) The board, ~~with the assistance of the council,~~ may, by  
131 rule, establish guidelines for the disposition of disciplinary  
132 cases involving specific types of violations. The guidelines may  
133 include minimum and maximum fines, periods of supervision on  
134 probation, or conditions upon probation or reissuance of a  
135 license.

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

138 478.53 Penalty for violations.—It is a misdemeanor of the  
139 first degree, punishable as provided in s. 775.082 or s.  
140 775.083, to:

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

143 Section 9. This act shall take effect October 1, 2018.  
144

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146 **T I T L E A M E N D M E N T**

147 Remove everything before the enacting clause and insert:  
148 An act relating to laser hair removal or reduction; amending s.  
149 478.42, F.S.; revising definitions; repealing s. 478.44, F.S.,  
150 relating to the Electrolysis Council; amending s. 478.49, F.S.;  
151 providing certification requirements for licensed electrologists  
152 who perform laser hair removal or reduction; amending ss.  
153 478.43, 478.45, 478.50, 478.52, and 478.53, F.S.; conforming  
154 provisions to changes made by the act; providing an effective  
155 date.  
156