

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on **Public Health and Welfare** recommends **HB 2125**, As Amended by House Committee of the Whole, be amended on page 3, following line 33, by inserting:

"Sec. 4. K.S.A. 65-1904a is hereby amended to read as follows: 65-1904a. (a) Any licensed cosmetologist, esthetician, electrologist, manicurist, or person desiring to establish a salon or clinic shall make application, on a form provided, to the Kansas state board of cosmetology, accompanied by the new salon or clinic license fee established under K.S.A. 65-1904, and amendments thereto. Upon filing of the application, the board shall inspect the equipment as to safety and sanitary condition of the premises and if the equipment and premises are found to comply with the rules and regulations of the secretary of health and environment and the rules and regulations of the Kansas state board of cosmetology, the board shall issue a new salon or clinic license. An adult care home, as defined in K.S.A. 39-923, and amendments thereto, or a long-term care unit of a medical care facility, as defined in K.S.A. 65-425, and amendments thereto, shall be exempted from the provisions of this section.

(b) Nothing herein contained in this section shall be construed as preventing any licensed cosmetologist, manicurist, esthetician or electrologist from practicing in the field for which licensed in such licensee's private home or residence if the home or residence complies with rules and regulations of the secretary and the state board. A licensed cosmetologist, manicurist, esthetician or electrologist may provide services in the field in which licensed in a place other than the licensed salon or clinic or a private home or residence of the licensed cosmetologist, manicurist, esthetician or electrologist. Excluding services provided by a licensed

cosmetologist, manicurist, esthetician or electrologist in a ~~health care~~ healthcare facility, hospital or ~~nursing home~~ adult care home or in the residence of a person requiring home care arising from physical or mental disabilities, in order to provide such services, such licensed cosmetologist, manicurist, esthetician or electrologist shall:

(1) Be employed in a salon or clinic or in the licensed cosmetologist's, manicurist's, esthetician's or electrologist's private home or residence for at least 51% of the total hours per week employed; and ~~shall~~

(2) attest by affidavit that such cosmetology, manicuring, esthetics or electrology services shall be provided only in the residence or office of the person receiving services.

(c) Licensed salons and clinics may be reinspected in accordance with a schedule determined by the board by rules and regulations or upon a complaint made to the board that such salon or clinic is not being maintained in compliance with rules and regulations of the board. The license shall expire one year from the last day of the month of its issuance. Any such license may be renewed upon application accompanied by the salon or clinic license renewal fee made to the board prior to the expiration date of the license. Any license may be renewed by the applicant within 60 days after the date of expiration of the last license upon payment of the annual renewal fee plus the delinquent renewal fee.

(d) ~~On or after July 1, 2014, Salon and clinic renewal application fees will~~ shall be prorated to reflect an expiration date one year from the last day of the month of the initial issuance of the license.";

On page 4, following line 30, by inserting:

"Sec. 7. K.S.A. 74-1807 is hereby amended to read as follows: 74-1807. (a) Upon presentation of proper credentials, any member of the board, the administrative officer or the board's inspectors shall have the authority to enter, inspect and enforce rules and regulations

pertaining to barber shops, barber schools or barber colleges at any time during business hours.

(b) The provisions of this section shall not include or apply to an adult care home, as defined in K.S.A. 39-923, and amendments thereto, or a long-term care unit of a medical care facility, as defined in K.S.A. 65-425, and amendments thereto.";

Also on page 4, in line 31, after "K.S.A." by inserting "65-1904a,"; also in line 31, by striking "and" and inserting a comma; also in line 31, after "65-1946" by inserting "and 74-1807";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "health and healthcare; relating to the practice of cosmetology and barbering; powers, duties and functions of"; also in line 1, by striking all after the semicolon; in line 2, by striking all before "requiring"; in line 10, after the semicolon by inserting "exempting adult care homes from statutes governing cosmetology and barbering facilities;"; also in line 10, after "K.S.A." by inserting "65-1904a,"; also in line 10, by striking "and" and inserting a comma; in line 11, after "65-1946" by inserting "and 74-1807"; and the bill be passed as amended.

Chairperson