



General Assembly

January Session, 2019

**Committee Bill No. 6742**

LCO No. 6262



Referred to Committee on GOVERNMENT ADMINISTRATION  
AND ELECTIONS

Introduced by:  
(GAE)

**AN ACT CONCERNING HUMAN TRAFFICKING AND STATE  
CONTRACTS AND THE LICENSING OF ESTHETICIANS, NAIL  
TECHNICIANS AND EYELASH TECHNICIANS.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. (*Effective from passage*) (a) The Commissioner of  
2 Administrative Services, in consultation with the Chief State's  
3 Attorney, the Attorney General, the Secretary of the Office of Policy  
4 and Management, the Commissioner of Emergency Services and  
5 Public Protection, the Labor Commissioner, the Commissioner of  
6 Social Services and the Commissioner of Children and Families, shall  
7 examine the federal Executive Order 13627 Strengthening Protections  
8 Against Trafficking in Persons in Federal Contracts for the purpose of  
9 adapting and implementing similar provisions for contracts entered  
10 into by this state. The commissioner shall immediately implement any  
11 adapted provisions that may be implemented administratively.

12 (b) Not later than January 1, 2020, the commissioner shall report, in  
13 accordance with section 11-4a of the general statutes, to the joint  
14 standing committees of the General Assembly having cognizance of

15 matters relating to government administration and the judiciary any  
16 recommendations for legislation necessary to carry out the provisions  
17 of subsection (a) of this section.

18 Sec. 2. (NEW) (*Effective July 1, 2019*) As used in this section:

19 (1) "Commissioner" means the Commissioner of Public Health;

20 (2) "Department" means the Department of Public Health;

21 (3) "Esthetician" means a person who, for compensation, performs  
22 esthetics;

23 (4) "Esthetics" means services related to skin care treatments, (A)  
24 including, but not limited to, cleansing; toning; massage movements;  
25 stimulating, exfoliating or performing any similar procedure on the  
26 human body, face or scalp while using cosmetic preparations, hands,  
27 devices, apparatus or appliances to enhance or improve the  
28 appearance of the skin; makeup application; beautifying lashes and  
29 brows; removing unwanted hair using manual and mechanical means  
30 and performing cosmetic medical procedures, as defined in section  
31 19a-903c of the general statutes, and (B) excluding the use of a  
32 prescriptive laser device or any practice, activity or treatment that  
33 constitutes the practice of medicine;

34 (5) "Nail technician" means a person who for compensation cuts,  
35 shapes, colors, cleanses, trims, polishes or enhances the appearance of  
36 the nails of the hands or feet or massages the hands and feet,  
37 including, but not limited to, applying artificial nails, applying lotions  
38 and oils in paraffin wax in individual containers, filing without the use  
39 of electronics, applying shellac polish and nail art such as gems, jewels,  
40 glitter and acrylic; applying hard gels, gel acrylic, liquid and powdered  
41 acrylic, curing lights; reflexology; hand and arm massage; foot and leg  
42 massage and upper shoulder and neck massage, but excluding any  
43 practice, activity or treatment that constitutes the practice of medicine;

44 (6) "Eyelash technician" means a person, who for compensation

45 performs individual eyelash extensions, eyelash lifts or perms and  
46 eyelash color tints; and

47 (7) "Salon" and "spa" include any shop, store, day spa or other  
48 commercial establishment at which the practice of barbering, as  
49 described in section 20-234 of the general statutes, hairdressing and  
50 cosmetology, as defined in section 20-250 of the general statutes or the  
51 services of an esthetician, nail technician or eyelash technician, or any  
52 combination thereof, is offered and provided.

53 Sec. 3. (NEW) (*Effective July 1, 2019*) (a) On and after July 1, 2020,  
54 except as provided in subsection (g) of this section, no person may  
55 practice as an esthetician, a nail technician or an eyelash technician  
56 without obtaining a license or temporary permit from the Department  
57 of Public Health under this section.

58 (b) (1) On or before January 1, 2020, each person seeking an initial  
59 license as an esthetician, a nail technician or an eyelash technician shall  
60 apply to the department on a form prescribed by the department,  
61 accompanied by an application fee of one hundred dollars and  
62 evidence that the applicant has a high school diploma or the  
63 equivalent.

64 (2) Each person seeking such an initial license after January 1, 2020,  
65 shall apply to the department on a form prescribed by the department,  
66 accompanied by an application fee of one hundred dollars and  
67 evidence that the applicant has a high school diploma or the  
68 equivalent and (A) for an esthetician, (i) completed not less than six  
69 hundred hours of practical training and experience under the personal  
70 supervision and instruction of an esthetician and completion of an  
71 exam, or (ii) practiced esthetics continuously in this state for a period  
72 of not less than two years prior to January 1, 2020, (B) for a nail  
73 technician, (i) completed not less than three hundred hours of practical  
74 training and experience under the personal supervision and  
75 instruction of a nail technician and completion of an exam, or (ii)  
76 practiced as a nail technician continuously in this state for a period of

77 not less than two years prior to January 1, 2020, or (C) for an eyelash  
78 technician, (i) completed not less than two hundred hours of practical  
79 training and experience under the personal supervision and  
80 instruction of an eyelash technician and completion of an exam, or (ii)  
81 practiced as an eyelash technician continuously in this state for a  
82 period of not less than two years prior to January 1, 2020.

83 (c) The department may grant a license under this section to any  
84 person who is licensed at the time of application as an esthetician, a  
85 nail technician or an eyelash technician or entitled to perform similar  
86 services under a different designation, in another state of the United  
87 States, the District of Columbia or a commonwealth or territory subject  
88 to the laws of the United States and who submits evidence satisfactory  
89 to the commissioner of (1) a current license in good standing to  
90 practice as an esthetician, a nail technician or an eyelash technician  
91 from such other state, district, commonwealth or territory, and (2)  
92 licensed practice in such state, district, commonwealth or territory for a  
93 period of at least two years immediately preceding the application.  
94 Pending approval of the application for a license, the commissioner  
95 may issue a temporary permit to such applicant upon receipt of a  
96 completed application, the application fee in accordance with  
97 subsection (b) of this section, a copy of the current license from such  
98 other state, district, commonwealth or territory and a notarized  
99 affidavit attesting the license is valid and belongs to the person  
100 requesting notarization. Such temporary permit shall be valid for a  
101 period not exceeding one hundred twenty calendar days and shall not  
102 be renewable.

103 (d) Any license issued under this section may be renewed every two  
104 years, for a fee of one hundred dollars.

105 (e) No person shall use the title "esthetician", "nail technician" or  
106 "eyelash technician" or similar title unless the person holds a license  
107 issued under this section.

108 (f) The provisions of this section shall not apply to a physician, an

109 advanced practice registered nurse rendering service in collaboration  
110 with a physician, a registered nurse executing the medical regimen  
111 under the direction of a licensed physician, dentist or advanced  
112 practice registered nurse or a physician assistant rendering service  
113 under the supervision, control and responsibility of a physician.

114 (g) A person may practice temporarily as an esthetician, a nail  
115 technician or an eyelash technician in this state without a license or  
116 temporary permit if such person is an instructor, or a participant in an  
117 event, trade show or product demonstration in accordance with this  
118 subsection. A person who (1) provides instruction on techniques  
119 related to being an esthetician, a nail technician or an eyelash  
120 technician, or (2) participates in the demonstration of the practice of  
121 being an esthetician, a nail technician or an eyelash technician or a  
122 product related to such practice as part of a professional course,  
123 seminar, workshop, trade show or other event, may do so without a  
124 license or permit provided such person (A) is licensed or certified in  
125 the state, territory or possession of the United States or foreign country  
126 where such person primarily practices as an esthetician, a nail  
127 technician or an eyelash technician if such licensure or certification is  
128 required by such state, territory, possession or foreign country; (B)  
129 practices as an esthetician, a nail technician or an eyelash technician  
130 under the direct supervision of a licensed esthetician, nail technician or  
131 eyelash technician, (C) does not receive compensation for practicing as  
132 an esthetician, a nail technician or an eyelash technician, other than for  
133 providing instruction for such practice to persons in attendance at the  
134 course, seminar, workshop, trade show or event, and (D) provides  
135 instruction or demonstrates techniques or services related to practicing  
136 as an esthetician, a nail technician or an eyelash technician only for  
137 persons enrolled in the course, seminar or workshop or attending the  
138 trade show or event at which such person provides instruction,  
139 demonstrates a product or offers such services. Any person or  
140 organization that holds or produces a course, seminar, workshop,  
141 trade show or other event at which nonlicensed estheticians, nail  
142 technicians or eyelash technicians provide instruction, participate in a

143 demonstration or offer services related to the practice of an esthetician,  
144 a nail technician or an eyelash technician, shall ensure compliance with  
145 the provisions of this subsection.

146 (h) No license or temporary permit shall be issued under this section  
147 to any applicant against whom professional disciplinary action is  
148 pending or who is the subject of an unresolved complaint in any state  
149 or jurisdiction.

150 (i) Each salon or spa shall be under the management of a person  
151 who holds a license under this section or chapter 387 of the general  
152 statutes. Any such person shall file with the Secretary of the State in  
153 accordance with title 34 of the general statutes, maintain payroll  
154 records and classify employees according to state law and provide  
155 workers compensation coverage if required under any provision of the  
156 general statutes.

157 (j) The commissioner may adopt regulations, in accordance with the  
158 provisions of chapter 54 of the general statutes, to implement the  
159 provisions of this section.

160 Sec. 4. Section 19a-231 of the general statutes is repealed and the  
161 following is substituted in lieu thereof (*Effective July 1, 2019*):

162 [(a) As used in this section:

163 (1) "Salon" includes any shop, store, day spa or other commercial  
164 establishment at which the practice of barbering, as described in  
165 section 20-234, hairdressing and cosmetology, as defined in section 20-  
166 250, or the services of a nail technician, or any combination thereof, is  
167 offered and provided; and

168 (2) "Nail technician" means a person who, for compensation, cuts,  
169 shapes, polishes or enhances the appearance of the nails of the hands  
170 or feet, including, but not limited to, the application and removal of  
171 sculptured or artificial nails.]

172 [(b)] The director of health for any town, city, borough or district  
173 department of health, or the director's authorized representative, shall,  
174 (1) on an annual basis, inspect all salons within the director's  
175 jurisdiction regarding their sanitary condition, (2) on or before July 1,  
176 2020, issue health guidelines and standards to safeguard the health  
177 and well-being of the customers and employees of salons, that salons  
178 shall comply with, and (3) include on the department's Internet web  
179 site a list of every salon in the district, including the name, address,  
180 phone number, Internet web site, date of last inspection, inspection  
181 letter grade and contact information for customers to report suspected  
182 health code violation. The director of health, or the director's  
183 authorized representative, shall have full power to enter and inspect  
184 any such salon during usual business hours. If any salon, upon such  
185 inspection, is found to be in an unsanitary condition according to the  
186 guidelines and standards issued by the director under this section, the  
187 director of health shall make a written order that such salon be placed  
188 in a sanitary condition. The director of health may collect from the  
189 operator of any such salon a reasonable fee, not to exceed [one] two  
190 hundred fifty dollars, for the cost of conducting any annual inspection  
191 of such salon pursuant to this section. Notwithstanding any municipal  
192 charter, home rule ordinance or special act, any fee collected by the  
193 director of health pursuant to this section shall be used by the town,  
194 city, borough or district department of health for conducting  
195 inspections pursuant to this section.

196 Sec. 5. Subsection (c) of section 19a-14 of the general statutes is  
197 repealed and the following is substituted in lieu thereof (*Effective July*  
198 *1, 2019*):

199 (c) No board shall exist for the following professions that are  
200 licensed or otherwise regulated by the Department of Public Health:

201 (1) Speech and language pathologist and audiologist;

202 (2) Hearing instrument specialist;

- 203 (3) Nursing home administrator;
- 204 (4) Sanitarian;
- 205 (5) Subsurface sewage system installer or cleaner;
- 206 (6) Marital and family therapist;
- 207 (7) Nurse-midwife;
- 208 (8) Licensed clinical social worker;
- 209 (9) Respiratory care practitioner;
- 210 (10) Asbestos contractor, asbestos consultant and asbestos training  
211 provider;
- 212 (11) Massage therapist;
- 213 (12) Registered nurse's aide;
- 214 (13) Radiographer;
- 215 (14) Dental hygienist;
- 216 (15) Dietitian-Nutritionist;
- 217 (16) Asbestos abatement worker;
- 218 (17) Asbestos abatement site supervisor;
- 219 (18) Licensed or certified alcohol and drug counselor;
- 220 (19) Professional counselor;
- 221 (20) Acupuncturist;
- 222 (21) Occupational therapist and occupational therapist assistant;
- 223 (22) Lead abatement contractor, lead consultant contractor, lead  
224 consultant, lead abatement supervisor, lead abatement worker, lead



225 training provider, lead inspector, lead inspector risk assessor and lead  
226 planner-project designer;

227 (23) Emergency medical technician, advanced emergency medical  
228 technician, emergency medical responder and emergency medical  
229 services instructor;

230 (24) Paramedic;

231 (25) Athletic trainer;

232 (26) Perfusionist;

233 (27) Master social worker subject to the provisions of section 20-  
234 195v;

235 (28) Radiologist assistant, subject to the provisions of section 20-74tt;

236 (29) Homeopathic physician;

237 (30) Certified water treatment plant operator, certified distribution  
238 system operator, certified small water system operator, certified  
239 backflow prevention device tester and certified cross connection  
240 survey inspector, including certified limited operators, certified  
241 conditional operators and certified operators in training;

242 (31) Tattoo technician;

243 (32) Genetic counselor; [and]

244 (33) Behavior analyst;

245 (34) Esthetician;

246 (35) Nail technician; and

247 (36) Eyelash technician.

248 The department shall assume all powers and duties normally vested

249 with a board in administering regulatory jurisdiction over such  
250 professions. The uniform provisions of this chapter and chapters 368v,  
251 369 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, 400a  
252 and 400c, including, but not limited to, standards for entry and  
253 renewal; grounds for professional discipline; receiving and processing  
254 complaints; and disciplinary sanctions, shall apply, except as otherwise  
255 provided by law, to the professions listed in this subsection.

|   |                     |             |
|---|---------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                     |             |
| Section 1   | <i>from passage</i> | New section |
| Sec. 2  | <i>July 1, 2019</i> | New section |
| Sec. 3  | <i>July 1, 2019</i> | New section |
| Sec. 4  | <i>July 1, 2019</i> | 19a-231     |
| Sec. 5  | <i>July 1, 2019</i> | 19a-14(c)   |

**Statement of Purpose:**

To require the Commissioner of Administrative Services, in conjunction with other state agency officials, to study and implement federal Executive Order 13627 for state contracting practices and to require the licensing of estheticians, nail technicians and eyelash technicians.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. MORIN, 28th Dist.; REP. COOK, 65th Dist.  
REP. ELLIOTT, 88th Dist.; REP. MICHEL, 146th Dist.

H.B. 67422