



General Assembly

February Session, 2006

Raised Bill No. 5472

LCO No. 1652

01652_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING THE LICENSING OF NAIL TECHNICIANS.

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

1 Section 1. (NEW) (*Effective October 1, 2006*) As used in sections 2 to 5,
2 inclusive, of this act "nail technician" means a person who, for
3 compensation, cuts, shapes, polishes or enhances the appearance of the
4 nails of the hands or feet. The term includes, but is not limited to, the
5 application and removal of sculptured or artificial nails.

6 Sec. 2. (NEW) (*Effective October 1, 2006*) (a) Except as provided in
7 subsection (c) of this section, no person may practice as a nail
8 technician unless licensed pursuant to section 3 of this act.

9 (b) No person may use the title "licensed nail technician", " licensed
10 nail specialist" or "licensed manicurist" or make use of any designation
11 that may reasonably be confused with licensure as a nail technician
12 unless licensed pursuant to section 3 of this act.

13 (c) No license as a nail technician is required of: (1) A person
14 licensed as a barber under chapter 386 of the general statutes or as a
15 hairdresser and cosmetician under chapter 387 of the general statutes;

16 (2) a person licensed or certified by any agency of this state and
17 performing services within the scope of practice for which licensed or
18 certified; or (3) a student, intern or trainee pursuing a course of study
19 as a nail technician, barber or hairdresser and cosmetician in an
20 accredited educational institution, provided the activities that would
21 otherwise require a license as a nail technician are a part of a course of
22 study and are performed under the supervision of a person licensed or
23 otherwise authorized to practice as a nail technician.

24 Sec. 3. (NEW) (*Effective October 1, 2006*) The Commissioner of Public
25 Health shall grant a license as a nail technician to any applicant who
26 furnishes evidence satisfactory to the commissioner that the applicant
27 has met the requirements of section 4 of this act. The commissioner
28 shall develop and provide application forms. The initial license
29 application fee shall be fifty dollars. The license may be renewed
30 pursuant to section 19a-88 of the general statutes, as amended by this
31 act, for a fee of twenty-five dollars.

32 Sec. 4. (NEW) (*Effective October 1, 2006*) (a) Except as provided in
33 subsections (b) and (c) of this section, an applicant for a license as a
34 nail technician shall submit evidence satisfactory to the Commissioner
35 of Public Health of having: (1) Completed a course of study acceptable
36 to the commissioner in the theoretical and practical components of nail
37 care of not less than one hundred fifty hours of study that included
38 coursework in anti-fungal techniques, blood-borne diseases and clean
39 air requirements, and (2) passed an examination prescribed by the
40 commissioner.

41 (b) An applicant for a license as a nail technician through reciprocity
42 or by endorsement may, in lieu of the requirements set forth in
43 subsection (a) of this section, submit evidence satisfactory to the
44 commissioner that the applicant is licensed or certified as a nail
45 technician, or as a person entitled to perform similar services under a
46 different designation, in another state or jurisdiction whose
47 requirements for practicing in such capacity are substantially similar to

48 or higher than those of this state and that there are no disciplinary
49 actions or unresolved complaints pending against the applicant.

50 (c) Prior to March 31, 2007, an applicant for a license as a nail
51 technician may, in lieu of the requirements set forth in subsection (a) of
52 this section, submit evidence satisfactory to the commissioner of
53 having practiced as a nail technician for a minimum of one year within
54 the three-year period immediately preceding application.

55 Sec. 5. (NEW) (*Effective October 1, 2006*) The Commissioner of Public
56 Health may, after giving notice and an opportunity to be heard, take
57 any disciplinary action set forth in section 19a-17 of the general
58 statutes against a nail technician for any of the following reasons: (1)
59 Failure to conform to the accepted standards of the profession; (2)
60 conviction of a felony; (3) fraud or deceit in obtaining or seeking
61 reinstatement of a license to practice as a nail technician; (4) fraud or
62 deceit in the practice as a nail technician; (5) negligent, incompetent or
63 wrongful conduct in professional activities; (6) physical, mental or
64 emotional illness or disorder resulting in an inability to conform to the
65 accepted standards of the profession; (7) alcohol or substance abuse; or
66 (8) violation of any provision of sections 2 to 4, inclusive, of this act, or
67 any regulation adopted pursuant to section 6 of this act. The
68 commissioner may order a license holder to submit to a reasonable
69 physical or mental examination if the person's physical or mental
70 capacity to practice safely is the subject of an investigation. The
71 commissioner may petition the superior court for the judicial district of
72 Hartford to enforce such order or to enforce any action taken pursuant
73 to section 19a-17 of the general statutes.

74 Sec. 6. (NEW) (*Effective October 1, 2006*) The Commissioner of Public
75 Health may adopt regulations, in accordance with the provisions of
76 chapter 54 of the general statutes, to further the purposes of sections 2
77 to 5, inclusive, of this act.

78 Sec. 7. Subsection (e) of section 19a-88 of the 2006 supplement to the
79 general statutes is repealed and the following is substituted in lieu

80 thereof (*Effective October 1, 2006*):

81 (e) (1) Each person holding a license or certificate issued under
82 section 20-74s, 20-195cc or 20-206ll and chapters 370 to 373, inclusive,
83 375, 378 to 381a, inclusive, 383 to 383c, inclusive, 384, 384b, 384d, 385,
84 393a, 395, 399 or 400a and section 20-206n, [or] 20-206o or section 3 of
85 this act shall, annually, during the month of such person's birth, apply
86 for renewal of such license or certificate to the Department of Public
87 Health, giving such person's name in full, such person's residence and
88 business address and such other information as the department
89 requests.

90 (2) Each person holding a license or certificate issued under section
91 19a-514 and chapters 384a, 384c, 386, 387, 388 and 398 shall apply for
92 renewal of such license or certificate once every two years, during the
93 month of such person's birth, giving such person's name in full, such
94 person's residence and business address and such other information as
95 the department requests.

96 (3) Each person holding a license or certificate issued pursuant to
97 section 20-475 or 20-476 shall, annually, during the month of such
98 person's birth, apply for renewal of such license or certificate to the
99 department.

100 (4) Each entity holding a license issued pursuant to section 20-475
101 shall, annually, during the anniversary month of initial licensure,
102 apply for renewal of such license or certificate to the department.

103 (5) Each person holding a license issued pursuant to section 20-162s
104 shall, annually, during the month of such person's birth, apply for
105 renewal of such license to the Department of Public Health, upon
106 payment of a fee of two hundred fifty dollars, giving such person's
107 name in full, such person's residence and business address and such
108 other information as the department requests.

109 Sec. 8. Subsection (e) of section 19a-88 of the 2006 supplement to the

110 general statutes, as amended by section 9 of public act 00-226, is
111 repealed and the following is substituted in lieu thereof (*Effective on*
112 *and after the later of October 1, 2000, or the date notice is published by the*
113 *Commissioner of Public Health in the Connecticut Law Journal indicating*
114 *that the licensing of athletic trainers and physical therapist assistants is being*
115 *implemented by the commissioner):*

116 (e) (1) Each person holding a license or certificate issued under
117 section 19a-514, 20-65k, 20-74s, 20-195cc or 20-206ll and chapters 370 to
118 373, inclusive, 375, 378 to 381a, inclusive, 383 to 383c, inclusive, 384,
119 384b, 384d, 385, 393a, 395, 399 or 400a and section 20-206n, [or] 20-206o
120 or section 3 of this act shall, annually, during the month of such
121 person's birth, apply for renewal of such license or certificate to the
122 Department of Public Health, giving such person's name in full, such
123 person's residence and business address and such other information
124 as the department requests.

125 (2) Each person holding a license or certificate issued under section
126 19a-514 and chapters 384a, 384c, 386, 387, 388 and 398 shall apply for
127 renewal of such license or certificate once every two years, during the
128 month of such person's birth, giving such person's name in full, such
129 person's residence and business address and such other information as
130 the department requests.

131 (3) Each person holding a license or certificate issued pursuant to
132 section 20-475 or 20-476 shall, annually, during the month of such
133 person's birth, apply for renewal of such license or certificate to the
134 department.

135 (4) Each entity holding a license issued pursuant to section 20-475
136 shall, annually, during the anniversary month of initial licensure,
137 apply for renewal of such license or certificate to the department.

138 (5) Each person holding a license issued pursuant to section 20-162s
139 shall, annually, during the month of such person's birth, apply for
140 renewal of such license to the Department of Public Health, upon

141 payment of a fee of two hundred fifty dollars, giving such person's
 142 name in full, such person's residence and business address and such
 143 other information as the department requests.

144 Sec. 9. Section 19a-231 of the general statutes is repealed. (*Effective*
 145 *October 1, 2006*):

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	New section
Sec. 2	<i>October 1, 2006</i>	New section
Sec. 3	<i>October 1, 2006</i>	New section
Sec. 4	<i>October 1, 2006</i>	New section
Sec. 5	<i>October 1, 2006</i>	New section
Sec. 6	<i>October 1, 2006</i>	New section
Sec. 7	<i>October 1, 2006</i>	19a-88(e)
Sec. 8	<i>on and after the later of October 1, 2000, or the date notice is published by the Commissioner of Public Health in the Connecticut Law Journal indicating that the licensing of athletic trainers and physical therapist assistants is being implemented by the commissioner</i>	19a-88(e)
Sec. 9	<i>October 1, 2006</i>	Repealer section

Statement of Purpose:

To require the licensing of nail 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.]