

## CHAPTER 33-03-11 ELECTRONIC HAIR REMOVAL TECHNICIAN

### Section

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### **33-03-11-01. Definitions.**

Words defined in North Dakota Century Code chapter 43-38 have the same meaning in this chapter, and in addition:

1. "Aseptic technique" means practices that render and keep the skin site and instruments free from all micro-organisms or contamination.
2. "Department" means the state department of health and consolidated laboratories.
3. "Initial license" means the first license.
4. "Person" means an individual human being.
5. "Relicensure" means any license issued after the initial license.

**History:** Effective September 25, 1979; amended effective February 1, 1992; May 1, 1994.

**General Authority:** NDCC 43-38-03

**Law Implemented:** NDCC 43-38-01

### **33-03-11-02. License required - Fees.**

1. A person may not hold oneself out to the public as an electronic hair removal technician without a license issued by the department.
2. A license may not be sold, assigned, or transferred.
3. The license shall expire midnight on December thirty-first of the year issued. License renewal shall be on a calendar year basis renewable on January first of each year.
4. The license shall be displayed in a conspicuous place easily viewable by the persons treated.
5. The license fee shall be thirty dollars each for an initial license for the first year or part of a year.
6. The relicensure fee shall be twenty-five dollars each per year or part of a year.
7. Licenses shall be issued and license fees will be collected on a calendar year basis. License fees will not be prorated for a partial year.

**History:** Effective September 25, 1979; amended effective February 1, 1992; May 1, 1994.

**General Authority:** NDCC 43-38-03

**Law Implemented:** NDCC 43-38-03

### **33-03-11-03. Application for license.**

Application for a license shall be made to the department on forms prescribed by the department.

**History:** Effective September 25, 1979; amended effective May 1, 1994.

**General Authority:** NDCC 43-38-03

**Law Implemented:** NDCC 43-38-03

### **33-03-11-04. Issuance and renewal of licenses.**

1. The state health council shall delegate to the department the authority to manage and implement the electronic hair removal technician licensure program.
2. Upon receipt of an initial or relicensure application, the department shall evaluate the applicant's qualifications.
3. If minimum standards described in section 33-03-11-05 are met, the department shall issue a license.

**History:** Effective September 25, 1979; amended effective May 1, 1994.

**General Authority:** NDCC 43-38-03

**Law Implemented:** NDCC 43-38-02

### **33-03-11-05. Minimum standards for licensure.**

1. An applicant for licensure must meet the minimum standards prescribed by this subsection.
  - a. The applicant must be at least eighteen years of age.
  - b. The applicant must have a general education equivalent to the completion of four years of high school or certificate of general educational development.
  - c. An electronic hair removal technician must have successfully completed a course in an electrolysis school which meets the minimum standards as set forth in section 33-03-11-08 in electronic hair removal in the technique of removing hair other than through the use of the electric needle. The applicant must provide one letter of recommendation for the issuance of a technician license from one instructor knowledgeable in the electronic hair removal process without the use of an electric needle.
  - d. Written procedures for aseptic techniques acceptable to the department must be developed and implemented by the licensee.
2. Electronic hair removal technicians practicing or holding a license to practice from the North Dakota board of hairdressers and cosmetologists on June 30, 1979, will be deemed qualified and will be issued their licenses upon certification from the board as to the existence of such licenses. All other applicants for a license must document their qualifications for licensure in accordance with this section.
3. A licensed electronic hair removal technician is not permitted to remove hair with the use of the electric needle, but is permitted to practice any other method of hair removal.

**History:** Effective September 25, 1979; amended effective February 1, 1992; May 1, 1994.

**General Authority:** NDCC 43-38-03

**Law Implemented:** NDCC 43-38-03

### **33-03-11-06. Denial, suspension, or revocation of license.**

The department may deny, suspend, or revoke a license for noncompliance with this chapter.

**History:** Effective September 25, 1979; amended effective May 1, 1994.

**General Authority:** NDCC 43-38-03

**Law Implemented:** NDCC 43-38-03

### **33-03-11-07. Department - Administration of program.**

The department shall administer the licensing program in North Dakota pursuant to subsection 5 of North Dakota Century Code section 43-38-03.

**History:** Effective September 25, 1979; amended effective February 1, 1992; May 1, 1994.

**General Authority:** NDCC 43-38-03

**Law Implemented:** NDCC 23-01-05, 43-38-03

### **33-03-11-08. Recognition of curriculum.**

1. The department will recognize an applicant for a license as eligible for a license when the applicant has graduated from a school which has provided at a minimum two hundred hours of training in the following curriculum areas taught by instructors:

- a. Practical training in the following branches of electrolysis:

Sanitation and sterilization as applied to electrology

Patron protection

Universal precautions

Use of the electrical currents

Use of equipment and instruments

Precautionary measures to observe before and after treatment

Immediate aftercare

Home care (patron instruction in home care)

Destruction of the papilla

Observation (demonstration and result of work)

Note: At least two-thirds of the hours in this subject shall be in actual performance of services on another person.

- b. Theoretical and practical training in the following:

Ethics, professional conduct

Optional and unassigned hours

- c. Theory covering the following subjects:

Sanitation and sterilization as applied to electrology

Universal precautions

Electricity

Dermatology

Trichology

Bacteriology

Study of the peripheral vascular system (capillaries)

Study of the sensory nervous system (nerve endings)

Hygiene

Provisions of the electrolysis law and regulations pertinent to the practice of electrolysis.

2. Students enrolled in North Dakota are prohibited to do practical work on patrons outside of school premises. Practical work may be done by students within the school premises and under the direct supervision of an instructor.
3. Cosmetology schools in North Dakota teaching the theory of electrolysis to their cosmetology students as part of the cosmetology curriculum are exempt from the provisions of this chapter. However, such instructions on electrolysis in a cosmetology school will not be credited toward the number of hours required in an electrolysis school for licensure purposes.

**History:** Effective September 25, 1979; amended effective February 1, 1992; May 1, 1994.

**General Authority:** NDCC 43-38-03

**Law Implemented:** NDCC 43-38-03

### **33-03-11-09. Curriculum substitution.**

In lieu of the course requirements listed in section 33-03-11-08, operators of depilatron and removatron-type hair removal machines shall be required to complete forty hours of coursework in an acceptable program designed specifically for the machines which they will be operating. Such coursework shall be submitted to the department and approved on a case-by-case basis prior to operator licensure. In addition to these requirements, an operator of a depilatron or removatron-type hair removal machine shall be a licensed cosmetologist in accordance with North Dakota Century Code chapter 43-11.

**History:** Effective February 1, 1983; amended effective May 1, 1994.

**General Authority:** NDCC 43-38-03

**Law Implemented:** NDCC 43-38-03