

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 107

H. P. 66

House of Representatives, January 7, 1971

Referred to Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Hewes of Cape Elizabeth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Regulating the Use of Electrolysis for the Removal of Hair.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 32, c. 18, additional. Title 32 of the Revised Statutes is amended by adding a new chapter 18 to read as follows:

CHAPTER 18
ELECTROLOGISTS

§ 1211. Definition

1. Electrolysis. "Electrolysis" shall mean the method of removing hair from the human body by the application of an electrical current to the hair-papilla by means of a needle or needles to cause decomposition, coagulation or dehydration of the hair-papilla and thus permanently remove the hair.

§ 1212. Registration required

No person shall engage in the practice of electrolysis or hold himself out as a practitioner of, or being able to practice, electrolysis unless he is duly licensed by the Commissioner of Health and Welfare. Whoever violates this section shall be punished by a fine of not more than \$100.

§ 1213. Application; qualifications

An applicant for a license to practice electrolysis shall submit to the Commissioner of Health and Welfare written evidence, verified by oath, that the applicant:

1. Character. Is of good moral character; and

2. Age. Is 20 years of age or older; and
3. Residence. Is a resident of Maine; and
4. High school. Has completed an approved 4-year high school course of study; and
5. Training. Has graduated from an electrolysis school and has satisfactorily completed at least 500 hours of academic study and 600 hours of practical study in electrolysis; and
6. Knowledge. Has a basic knowledge of histology, bacteriology and sterilization, electricity, hair structure, dermatology, physiology, hygiene and equipment necessary for the practice of electrolysis.

Each application shall be accompanied by a fee of \$30.

§ 1213. Examination; license; fee; renewals

Such applicant shall be required to pass a written examination in such subjects deemed by the Commissioner of Health and Welfare necessary to determine the fitness of the applicant to practice electrolysis. Upon successfully passing such examination a license to practice electrolysis shall be issued and such license shall expire 2 years from date of issue and may be renewed for a 2-year period upon the payment of a fee of \$30.

§ 1214. Location

The practice of electrolysis shall be engaged only in a fixed place or establishment, which place or establishment shall be provided with such instruments, implements and equipment, and subject to such sanitary regulations and inspections, as the Commissioner of Health and Welfare may prescribe.

Nothing in this section, or in any statute, ordinance, provision of law, rule and regulation shall be construed to prohibit the practice of electrolysis and the maintenance of an electrolysis office in the licensee's home or residence, provided the licensee complies with the conditions of this chapter.

§ 1215. Advertising

No licensed electrologist shall include in any advertising fees for performing or rendering any service, or publish, issue or make any misrepresentation, false, fraudulent or misleading statements through the press, circulation of advertising matter, radio, television, display signs or otherwise.

§ 1216. Suspension or revocation

The Commissioner of Health and Welfare may refuse to issue or refuse to renew, or the Administrative Hearing Commissioner, as designated by Title 5, chapters 301 to 307, may suspend or revoke any license for any one or more of the following causes:

1. Involving moral turpitude. Conviction of a crime involving moral turpitude;
2. Unprofessional conduct. Conviction of a crime involving unprofessional conduct, which is defined to include:

- A. Misrepresentation or fraud in the conduct of his practice, and**
- B. False, fraudulent or misleading advertising, and**
- C. Fraud or misrepresentation in obtaining a license.**

Sec. 2. Saving clause. Any person who on the effective date of this Act has attained the age of 20 and who has been actively engaged in the practice of electrolysis for one year during the 3 years immediately preceding said effective date shall, upon application, accompanied by a fee of \$30, be granted a license to engage in the practice of electrolysis by the Commissioner of Health and Welfare, without examination, provided he makes such application on or before October 1, 1972.

Sec. 3. R. S., T. 5, § 2301, sub-§ 1, ¶ H, additional. Subsection 1 of section 2301 of Title 5 of the Revised Statutes as amended, is further amended by adding a new paragraph H under the heading, Department of Health and Welfare, to read as follows:

- H. Electrolysis.**

STATEMENT OF FACT

The purpose of this bill is to regulate the practice of electrolysis.