

Adopt Chapter Plc 500 to read as follows:

CHAPTER Plc 500 ELECTROLOGISTS

PART 501 LICENSING

Plc 501.01 Purpose. These rules establish licensing requirements and regulate the practices of electrologists pursuant to RSA 314.

Plc 501.02 Definitions.

- (a) “Advisory committee” means the electrology advisory committee created pursuant to RSA 314:2-a.
- (b) “ANSI” means the American National Standards Institute.
- (c) “Biological indicator test” means a commercially prepared device with a known population of highly resistant bacterial spores to test the method of sterilization being monitored.
- (d) “Blend” means electrolysis that combines alternating current and direct current.
- (e) “Cooperate” means to disclose information requested by the executive director to enable him or her to determine compliance with RSA 314 and Plc 500.
- (f) “Didactic” means an instructor-led, live program.
- (g) “Electrologist” means “electrologist” as defined in RSA 314:1, III, namely “any person who engages in electrology for compensation, except the following persons: (a) A physician licensed to practice medicine in this state who performs electrology in such practice. (b) A person who engages on behalf of a manufacturer or distributor solely in demonstrating the use of any machine or other article for the purpose of sale, without charge to the person who is the subject of such demonstration.”
- (h) “Electrology” means “electrology” as defined in RSA 314:1, IV, namely “the process by which hair is removed from the normal skin by the application of an electronic current to the hair root by means of a needle or needles, whether the process employs direct electric current or shortwave alternating electric current.” The term includes “galvanic”.
- (i) “Electrolysis” means “electrolysis” as defined in RSA 314:1, IV, namely “the process by which hair is removed from the normal skin by the application of an electronic current to the hair root by means of a needle or needles, whether the process employs direct electric current or shortwave alternating electric current.”
- (j) “Epilation” means removal of the hair.
- (k) “Executive Director” means the executive director of the office of professional licensure and certification.
- (l) “Galvanic” means electrolysis by direct current.
- (m) “Good standing” means that an electrologist has had no deficiencies for which an acceptable plan of correction has not been received and that no administrative action such as imposition of administrative fines, denial of application, suspension or revocation of license has occurred or is pending.

(n) “Impetigo” means a superficial skin infection caused by bacteria, either staphylococci, streptococci, or both.

(o) “Intense Pulsed Light Device” or “IPL Device” means a photo-epilation hair-reduction method using flashes of light and different wavelengths; an intense pulse of electromagnetic radiation.

(p) “Office” means “office” as defined in RSA 314:1, V.

(q) “Plan of correction” means a written representation of a revised policy or practice that reflects how an electrologist will come into compliance with a violation of Plc 500 or RSA 314.

(r) “Reciprocity” means the recognition of the validity of another state's licensing requirements as being equivalent to or greater than that of RSA 314:3, and in accordance with Plc 502.02.

(s) “Electrology School” means an institution of learning which has for its purpose the teaching of the theory, practice, and modalities of electrolysis.

(t) “Skin tags” means tiny benign protrusions of the skin on the neck, armpits, upper trunk and body folds.

(u) “Spider veins” means a branch growth of dilated capillaries on the skin resembling a spider.

(v) “Thermolysis” means electrolysis by alternating current.

(w) “Treatment” means electrology or IPL services.

Plc 501.03 Advisory Committee.

(a) The executive director shall appoint 3 licensed electrologists to serve on the advisory committee in accordance with RSA 314:2-a.

(b) Each of the licensed electrologists appointed to the advisory committee shall have at least 3 consecutive years experience and currently licensed as an electrologist in New Hampshire.

(c) The executive director shall call at least 2 meetings of the advisory committee each year.

(d) The advisory committee shall advise the executive director on the technical aspects of electrolysis.

(e) The advisory committee shall administer and grade the practical examination.

(f) The advisory committee shall conduct inspections as directed by the executive director in accordance with RSA 314:2, V.

(g) If requested by the executive director pursuant to Plc 208.01, members of the advisory committee shall sit as part of a panel for an adjudicatory hearing.

(g) Each advisory committee member shall be appointed to serve for a 3 year term.

(h) Each advisory committee member shall not be appointed for more than 3 consecutive terms.

(i) Each advisory committee member shall not practice electrology from the same office as other current advisory committee members.

Plc 501.04 Exemptions. Pursuant to RSA 314:1, III, the following individuals shall be exempt from licensing:

- (a) A physician licensed to practice medicine in this state who performs electrology in such practice; and
- (b) A person who engages on behalf of a manufacturer or distributor solely in demonstrating the use of any machine or other article for the purpose of sale, without charge to the person who is the subject of such demonstration.

Plc 501.05 Licenses.

- (a) Each license to practice electrolysis issued by the executive director shall specify:
 - (1) The name of the licensee;
 - (2) The effective dates of the license; and
 - (3) The license number.
- (b) The current license shall be displayed in a manner that is visible to the clients in the office.
- (c) The licensee shall not practice electrolysis outside of an office approved by the advisory committee.

PART 502 INITIAL LICENSURE

Plc 502.01 Initial License Application Submission.

- (a) Any person who wishes to engage in the practice of electrolysis shall file an application for an electrologist license.
- (b) Applicants for licensure as an electrologist shall submit an application for licensure which includes the following information:
 - (1) The type of application by indicating whether it is for a new or reciprocal license;
 - (2) The applicant's first, middle and last name;
 - (3) The applicant's home and mailing address;
 - (4) The applicant's home telephone number;
 - (5) A recent 2" x 2" photograph of the applicant's face;
 - (6) A notarized copy of a high school diploma or equivalency certificate;
 - (7) The name and address of the electrology school attended, dates attended and the hours of instruction received;
 - (8) A notarized copy of the diploma or certificate received from the electrology school;
 - (9) Verification that the applicant has completed 1,100 hours of education pursuant to Plc 506.01, including, but not limited to, transcripts from the electrology school in which he or she graduated from;

(10) At least 2 affidavits of professional character from professional associates or, if the applicant graduated less than one year from the time of application, faculty members from the electrology school;

(11) The name of each state where the applicant has held a license or certificate to practice electrolysis and the number of years the applicant has practiced in each state;

(12) If the applicant has ever been denied a license to practice electrolysis or has had a license revoked or suspended;

(13) The name, address and telephone number of the office the applicant intends to work;

(14) The applicant's date of birth;

(15) The applicant's social security number as required by RSA 161-B:11, VI-a; and

(16) Applicant's signature and date signed.

(c) The completed application shall be:

(1) Submitted to the executive director; and

(2) Accompanied by:

a. The initial license fee and the application fee as set forth in Plc 507.01; and

b. Unless the applicant is applying under reciprocity, the examination fee as set forth in Plc 507.01.

(d) If the application is denied in accordance with (j) below the application and examination fee shall not be refunded to the applicant.

Plc 502.02 Licensure By Reciprocity Application Submission.

(a) An applicant who holds a license or registration from another state whose licensing requirements are equivalent to or greater than those specified by RSA 314 and Plc 500 may apply for licensure by reciprocity.

(b) An applicant for licensure by reciprocity shall submit an application for licensure by reciprocity which includes the following information:

(1) The information required by Plc 502.01(b);

(2) A written statement from the state in which the applicant is licensed or registered to practice electrolysis verifying that the applicant is licensed in that state and that the license is in good standing; and

(3) Proof that the applicant passed a written examination and a practical examination, administered by the state in which the applicant is licensed, which are equivalent to the examinations described under Plc 502.04.

(c) The completed application shall be submitted to the executive director and be accompanied by the application fee and the initial license fee as set forth in Plc 507.01.

(d) If the applicant meets the requirements of (a) through (c) above, the applicant shall be exempt from:

- (1) The examinations required by Plc 502.04; and
- (2) The examination fee required by Plc 507.01.

Plc 502.03. Processing of Applications and Issuance of Licenses.

(a) Within 30 days of receipt of an application submitted pursuant of Plc 501.04 or 501.05, the executive director or designee shall either accept the application as being complete or notify the applicant in writing that the application is incomplete, specifying what the applicant needs to submit to complete the application.

(b) Upon accepting an application, the executive director or designee shall notify the applicant in writing of his or her acceptance of the application as complete and that a license will be issued upon the applicant's complying with the examination requirements of Plc 502.04, unless the applicant is exempted from the examination requirements pursuant to Plc 501.05(d).

(c) The executive director shall grant a license to any person who:

- (1) Has submitted an application that meets the requirements of either Plc 501.04 or Plc 501.05 above;
- (2) Has complied with the examination requirements of Plc 501.04, unless exempted from the examination requirements pursuant to Plc 501.05(d);
- (3) Has not engaged in an action that would result in denial pursuant to RSA 314:6; and
- (4) Has demonstrated good professional character as required by RSA 314:3, III(e), as evidenced by the answers to the questions listed in either Plc 501.04(b)(10)–(12) or Plc 501.05(b)(2).

(d) The executive director shall deny any application if the applicant:

- (1) Has not met all of the requirements of RSA 314:3 and either Plc 501.03 or Plc 501.05;
- (2) Has engaged in behavior justifying denial under RSA 314:6; or
- (3) Has not demonstrated good professional character as required by RSA 314:3, III(e), as evidenced by the answers to the questions listed in either Plc 501.04(b)(10)–(12) or Plc 501.05(b)(2).

(e) The executive director or designee shall send the license, or a written decision to deny the application, to the address shown on the application.

(d) Licenses issued by the executive director shall be effective for 2 years.

(e) Notification of denials shall be in accordance with RSA 314:7.

(m) Applicants who fail the written and or practical examinations and wish to reapply shall reapply for initial license in accordance with Plc 501.04.

(n) Initial licensees shall permit an office inspection conducted by the advisory committee, as directed by the executive director, prior to opening an electrology office to ensure compliance with Plc 505.01 through Plc 505.03.

Plc 502.04 Examination For License.

(a) Each applicant applying for an initial license as an electrologist shall take and pass a written and practical examination.

(b) The written examination shall cover the following topics:

(1) Anatomy and physiology of skin and hair;

(2) Infection control:

a. Handwashing and use of gloves;

b. Cleaning and sterilization of instruments;

c. Cleaning and disinfection of items, and other safety precautions;

d. Environmental control and housekeeping;

e. Patient considerations;

f. Hepatitis B (HBV) vaccination;

g. Follow-up procedures for potential exposures to HBV, HIV, and other bloodborne pathogens; and

h. Transmittable diseases;

(3) Clinical observation and applications, including:

a. Health history;

b. Evaluation and assessment;

c. Explanation of infection control and electrology procedures;

d. Treatment plan/referral;

e. Informed consent;

f. Patient/client concerns/anxieties;

g. Sensitivity/tolerance level;

h. Positioning, draping, lighting/magnification;

i. Skin preparation;

j. Selection of modality, instruments, needle, and forceps;

k. Insertions;

- l. Balancing time and intensity;
- m. Post-treatment;
- n. Antisepsis of treated area;
- o. Home-care instruction; and
- p. Documentation;

(4) Electrical operations, including:

- a. Electrolysis by galvanic, direct current/DC;
- b. Thermolysis by shortwave, high frequency, alternating current/AC; and
- c. Blend by combination of DC/AC;

(5) Equipment and supplies, including:

- a. Proper use and maintenance of equipment; and
- b. Basic principles of electricity; and

(6) Professional, ethical, and legal considerations.

(c) The written examination shall be administered by a professional testing corporation, a school of electrology, the executive director, or by OPLC office staff.

(d) A passing score on the written examination shall be at least a 70.

(e) The practical examination shall be administered by the licensed electrologists on the advisory committee, by a professional testing corporation, or by a school of electrology.

(f) The applicant shall provide his or her subject on which to demonstrate the electrolysis treatment for the practical examination.

(g) The applicant shall provide electrology equipment required for practical testing.

(h) The applicant shall choose the modality of electrolysis treatment used on the subject.

(i) Each applicant shall be observed twice throughout the examination by each member of the advisory committee in the performance of an electrolysis treatment on his/her subject.

(j) Each applicant shall receive a 30 minute block of time for being tested.

(k) Together, the examiners shall watch the set up, after treatment and, the breakdown of equipment and materials for each applicant.

(l) The practical examination shall test each skill as set forth in Table 13.1 below:

Table 13.1 Practical Examination Skills	
Category	Skill
STANDARD PRACTICES	Washing or sanitizing of hands and wearing gloves in good condition in accordance with Plc 505.02 (f) through (i)
	Completed case/medical history card available for review
	Provides eye shields
	Uses pillow and table coverings appropriately
	Disposes of hair in sanitary way once removed from follicle
	Proper disposal and/or cleaning of treatment items in accordance with Plc 505.02 (p) through (t).
NEEDLES	Uses appropriate needle size for facial/body area and hair type
	Needle kept clean and in good condition in accordance with Plc 505.02 (j) and (k).
INSERTION	Demonstrates proper stretching
	Does not pierce the skin
	Is at a proper angle and depth
INTENSITY/TIMING/EPILATION RESULTS	Current set to prevent any damage to the surface of the skin
	Current set strong enough to release hair with bulb intact
	Timing set properly for hair and bulb to be removed intact
	No signs of hair being pulled out

(m) The skills demonstrated by each applicant, as set forth in Table 13.1 above, shall be evaluated and scored as follows:

- (1) Each skill demonstrated with consistent accuracy shall be scored with 6 points;
- (2) Each skill demonstrated without consistent accuracy shall be scored with 4 points;
- (3) Each skill demonstrated incorrectly shall be scored with 2 points; and
- (4) Each skill demonstrated with potential for harming the client, or not demonstrated at all, shall be scored with 0 points.

(n) A passing score on the practical examination shall be at least 74, out of a possible 90 points.

(o) The applicant's final score of the practical examination shall be an average of the total scores given by each examiner.

(p) The written and practical examinations shall be administered as needed, with a 30 day's notice.

PART Plc 503 RENEWALS AND CONTINUED STATUS

Plc 503.01 Renewal of Electrologists Licenses.

(a) An electrologist who wishes to maintain his/her license shall submit an application for renewal to the executive director in accordance with RSA 314:5.

(b) At least 60 days prior to the expiration of a license, the executive director or designee shall:

- (1) Notify, in writing, the licensees whose licenses are expiring that their licenses are due to expire; and
- (2) Include with the written notice an application for renewal of license.

(c) At least 30 days prior to the expiration of a license, the licensee shall submit to the executive director:

(1) An application that contains the following:

- a. The applicant's first, middle and last name;
- b. The applicant's home mailing address;
- c. The applicant's home telephone number;
- d. The name of each electrolysis business at which the applicant practices;
- e. The electrolysis business addresses and telephone numbers;
- f. Whether the applicant is an employee, a subtenant subletting space, an independent contractor, or the owner of the electrolysis business;
- g. Out of state license numbers, if any;
- h. Information on disciplinary action taken, if any, in any other state regarding applicant's activities as an electrologist; and
- i. Signature of applicant and date signed;

(2) Documentation of having met the continuing education requirements of Plc 503.04 on a form provided by the executive director as follows:

- a. The name of course, lecture, workshop, presentation or published professional electrology article or book;
- b. The date the applicant completed or attended the course, lecture, workshop, presentation or published professional electrology article or book;
- c. The location of course, lecture, workshop or presentation;
- d. The name and address of the sponsor of the event;
- e. The number of continuing education hours; and

- f. Photocopies of certificates provided at each course, lecture, or workshop;
 - (3) Copies of the results of each biological indicator test, as required by Plc 505.04, obtained throughout the licensing period; and
 - (4) The renewal fee required by Plc 507.01.
- (d) The renewal fee shall not be refundable.
- (e) The executive director shall accept the application as being complete or notify the applicant in writing that the application is incomplete, specifying what the applicant needs to submit to complete the application.
- (f) Applications for renewal shall be approved if:
- (1) The application contains all the information required by (c) above;
 - (2) The applicant is in compliance with Plc 500 and RSA 314;
 - (3) The applicant has not engaged in an act that would result in denial pursuant to RSA 314:6; and
 - (4) The applicant has demonstrated good professional character as required by RSA 314:3, III(e), as evidenced by the answers to the questions listed in (c)(1) above.
- (g) A renewal license shall be effective for 2 years from the date of expiration of the prior license.
- (h) The executive director shall deny any application in accordance with RSA 314:6 if the applicant:
- (1) Has not met all of the requirements of RSA 314:5, RSA 314:10 and this section;
 - (2) Has engaged in behavior justifying denial under RSA 314:6; or
 - (3) Has not demonstrated good professional character as required by RSA 314:3, III(e), as evidenced by the answers to the questions listed in (c)(1) above.
- (i) Notification of denial for renewal shall be in accordance with RSA 314:7.

Plc 503.02 Lapsed License.

- (a) An electrologist whose license has lapsed shall not practice electrolysis until he or she has obtained a license in accordance with RSA 314 and Plc 501.
- (b) An electrologist who has allowed his or her license to lapse for more than one year, and wishes to reapply for a license, shall reapply for an initial electrologist license in accordance with Plc 501.03, including retaking the written and practical examinations required by Plc 502.04.

Plc 503.03 Change of Address and Timely Submission of Application.

- (a) Licensees shall notify the executive director within 30 days when a change of home or office address occurs.

(b) Failure to receive an application for renewal of the current license sent by the executive director shall not excuse the electrologist from the obligation to submit an application for renewal at least 30 days prior to the expiration of the current license in accordance with Plc 502.01(c).

Plc 503.04 Continuing Education.

(a) Licensed electrologists shall be required to complete a minimum of 10 hours of continuing education, 5 hours of which shall be in didactic, live courses, during each licensing period in accordance with RSA 314:5.

(b) At least 2 hours of the required 5 hours of didactic, live continuing education shall be earned during each licensing period in any one or more of the following topics:

- (1) Infection control;
- (2) Blood-borne pathogens and communicable diseases;
- (3) Universal precautions;
- (4) HIV/AIDS;
- (5) Sanitation or sterilization;
- (6) Infectious skin diseases; or
- (7) Bacteriology.

(c) In addition to (b) above, at least 2 hours of the required 5 hours of didactic, live continuing education hours shall be obtained in any one or more of the following topics:

- (1) Electrology theory including:
 - a. Dermatology;
 - b. Endocrinology;
 - c. Electricity;
 - d. Histology;
 - e. Neurology; or
 - f. Angiology;
- (2) Technical and clinical aspects of electrolysis, including:
 - a. Galvanic;
 - b. Thermolysis;
 - c. Blend;
 - d. Tools and equipment; or
 - e. Electrology related products;

- (3) Electrology research;
- (4) Ethical or legal aspects of practicing electrolysis; or
- (5) Electrolysis consultation and case history.

(d) In addition to (b) and (c) above, the remaining one hour, if any, of the 5 required didactic hours of continuing education shall be obtained in any one or more of the following topics:

- (1) Anatomy;
- (2) Physiology;
- (3) Transgender issues;
- (4) Health issues of practitioners;
- (5) Health issues of clients;
- (6) Successful completion of a cardiopulmonary resuscitation (CPR) course given by an American Heart Association or American Red Cross qualified instructor with a maximum of 3 hours to be granted per licensing period;
- (7) Management, administration, and supervision of a business practice, with a maximum of 3 hours to be granted per licensing period, which:
 - a. Relates directly to the operation of an electrolysis business; and
 - b. Does not include instruction on computer skills; or
- (8) The proper use of IPL devices.

(e) Individualized and home study continuing education activities shall be as follows:

- (1) Home study electrology courses including professional journals which require the successful completion of a written examination;
- (2) Electrology audio-visual cassette programs which require the successful completion of a written examination;
- (3) Authorship of a published professional electrology article or book to which credit for contact hours shall be considered by the advisory committee on an individual basis; or
- (4) An original presentation by the licensee of a paper, essay, or formal lecture relating to electrology to a group of fellow professionals to which the presenter shall receive 2 hours for each hour of presentation.

(f) Except for (d)(6) and (e)(3) above, all continuing education programs specified in (b) through (e) above shall be sponsored by:

- (1) The American Electrology Association;
- (2) The New Hampshire Electrolysis Association;
- (3) A hospital or physician;
- (4) An electrology school; or

- (5) A college or post-secondary institution accredited by a regional or professional agency recognized by the U.S. Secretary of Education.
- (g) Continuing education requirements shall be completed prior to the expiration date of the license.
- (h) Certificates and documents of evidence of continuing education hours shall be retained by the licensee for a period of 4 years.
- (i) Certificates and documents of evidence of continuing education hours shall be subject to inspection by the executive director or an authorized inspector appointed by the executive director.
- (j) Excess continuing education hours earned throughout the licensing period shall not be carried forward into the next licensing period.

PART Plc 504 PRACTICE AND PROCEDURE, PROCEDURES FOR IMPOSING DISCIPLINARY SANCTIONS, AND SCHEDULE OF DISCIPLINARY FINES

Plc 504.01 Rules of Practice and Procedure. The Plc 200 rules shall govern with regards for:

- (a) the receipt of misconduct complaints and the investigation thereof;
- (b) the conduct of disciplinary hearings;
- (c) rulemaking petitions and disposition of rulemaking petitions;
- (d) public comment hearings;
- (e) declaratory rulings;
- (f) explanation of adopted rules; and
- (g) voluntary surrender of licenses.

Plc 504.02 Procedures for Imposing Discipline and Schedule of Administrative Fines.

- (a) After notice and an opportunity for a hearing, the executive director may impose disciplinary action in any one or more of the following ways:
 - (1) by reprimand;
 - (2) by imposing administrative fines pursuant to RSA 314:13, following the fine schedule in (c) below;
 - (3) By requiring the person to participate in a program of continuing education in the area or areas in which the person has been found deficient;
 - (4) By suspension of a license pursuant to RSA 314:6; or
 - (5) by revocation of a license pursuant to RSA 314:6.

(b) If a person waives the right to a hearing and chooses to pay any imposed fine, the fine shall be paid and received by the executive director within 30 days of receipt of the notice of fine by the applicant or licensee.

(c) Fines for violation of the provisions of RSA 314 and Plc 500 shall be imposed in accordance with the following schedule:

- (1) For submitting false or fraudulent information on or with an application, the fine shall be \$500.00;
- (2) For falsification of a license to practice electrology, the fine shall be \$500.00;
- (3) For failure to practice electrology within the confines of the office or offices approved by the commissioner, the fine shall be \$500.00;
- (4) For any violation of Plc 505.05, the fine shall be \$500.00 per violation;
- (5) For practicing electrology without a license, the fine shall be \$500.00;
- (6) For failure to notify the executive director within 30 days of a change in home or office address in accordance with Plc 503.03, the fine shall be \$250.00;
- (7) For failure to submit to an electrology office inspection, the fine shall be \$750.00;
- (8) For failure to make available the original continuing education records, in accordance with Plc 503.04(i), the fine shall be \$250.00;
- (9) For failure to make available the original results of each biological indicator test, in accordance with Plc 505.04(f) or (g), the fine shall be \$250.00;
- (11) For failure to perform semiannual biological indicator tests on each sterilizer, in accordance with Plc 505.04(a) and (b), the fine shall be \$100.00 for each test missed;
- (12) For failure to correct a biological indicator test failure within 30 days, in accordance with Plc 505.04(c) and (d), the fine shall be \$500.00; and
- (13) For failure to cooperate during an investigation, the fine shall be \$750.00.

PART Plc 505 OFFICE, SCHOOL, AND SANITATION REQUIREMENTS

Plc 505.01 Office and School Requirements.

(a) All offices and schools shall provide the following:

- (1) A treatment table or chair with a non-porous surface, have no rips or tears, and be cleaned after each use;
- (2) Uncontaminated hot and cold water under pressure piped to a lavatory bowl or sink located in or within 15 feet of the treatment room;
- (3) Single use, disposable eyeshields for each client or sanitized and disinfected reusable eyeshields;

- (4) Toilet and lavatory facilities, ventilated and readily available;
 - (5) A separate and private treatment room that is completely closed off from another room or waiting area that provides opportunity for confidential conversation that is non-audible to others;
 - (6) A closed cabinet or drawer for clean towels and linens;
 - (7) Single use, disposable needles; and
 - (8) Forceps.
- (b) All storage cabinets and work areas shall be constructed of such material to afford proper sanitation.
- (c) All offices and schools shall be:
- (1) Heated to at least 68 degrees Fahrenheit;
 - (2) Ventilated in a manner that exposes the office to fresh air;
 - (3) Sanitary so that there is no visible dirt, dust or mildew;
 - (4) Orderly so that furniture, equipment and records are arranged in a pattern that does not interfere with the client's and the licensee's ability to move around the office without obstacle; and
 - (5) Electrical lighting that is sufficient enough for the electrologist to perform an electrolysis treatment.
- (d) All electrolysis or IPL equipment shall be kept in safe working order and be either ANSI certified or approved by the FDA
- (e) Astringents, creams, lotions, cleaning and sterilizing solutions shall be labeled as to their contents.
- (f) No animals, except seeing eye or hearing dogs, shall be allowed in an office or school.
- (g) All offices and schools must be in compliance with all applicable local building, electrical, plumbing, and fire codes.

Plc 505.02 Procedural and Sanitation Requirements.

- (a) Electrologists shall obtain and maintain a complete record of each client's treatment.
- (b) Records of treatment to be obtained prior to treatment shall include a case history of each client, including the client's:
 - (1) Name, address, telephone number and date of birth; and
 - (2) Medical history and physical condition which shall be updated every 6 months and include any allergies and any condition specified under Plc 505.05.
- (c) Records of treatment to be maintained, whether electrolysis or IPL, shall include:

- (1) Month, day, and year of each treatment;
 - (2) Area being treated;
 - (3) All settings and modality used;
 - (4) Duration of each treatment; and
 - (5) After-treatment preparations applied on each date of treatment.
- (d) Records of treatment shall be kept confidential.
- (e) Prior to treatment, an electrologist shall explain the following to the client:
- (1) The procedure;
 - (2) After treatment care; and
 - (3) Possible side-effects of treatment.
- (f) Immediately prior to and after each treatment, electrologists shall wash their hands with:
- (1) Soap and water; or
 - (2) An alcohol-based handrub which contains at least 60% alcohol.
- (g) If the electrologist's hands are visibly soiled, the electrologist shall wash his or her hands with soap and water.
- (h) Electrologists shall use a fresh, single use pair of nonsterile disposable examination gloves during the performance of any electrology treatment.
- (i) If a treatment is interrupted, gloves shall be removed and discarded, hands shall be washed and a fresh pair of gloves used.
- (j) Electrologists shall utilize only single-use, pre-sterilized, disposable needles.
- (k) Electrologists shall utilize needle caps during each treatment.
- (l) The treatment table or chair shall be clean at all times.
- (m) The headrest or pillow on the treatment table or chair shall be covered with fresh linen, paper towel, or other disposable paper drape prior to use by each client.
- (n) If any part of the body other than the face is being treated, the treatment table or chair shall be covered with fresh linen or disposable paper drape prior to use by each client.
- (o) Prior to treatment, the skin site shall be cleansed with an antiseptic solution.
- (p) All comfort accessories shall be cleaned after each use.
- (q) After each use, client reusable eyeshields shall be cleaned with detergent and water, then rinsed and dried.
- (r) Soiled disposable items shall be discarded into a covered container lined with a plastic bag, securely fastened when ready for disposal, and disposed daily into the regular trash.

(s) Disposable or damaged needles and forceps shall be placed in puncture resistant containers for disposal in accordance with Env-Sw 904.

(t) All metallic instruments that come in contact with a client shall be sterilized in accordance with Plc 504.03 after each use and placed in a sanitary environment such as a closed cabinet or storage drawer for storage.

(u) All equipment and materials utilized by an electrologist shall be in safe and sanitary order and so maintained and operated as to preclude any physical danger or hazard to client or electrologist.

(v) Soiled linens shall be placed in a separate container or hamper.

Plc 505.03 Equipment Sterilization.

(a) Prior to equipment sterilization, the surfaces of all instruments shall be cleansed of organic material by an ultrasonic cleaning device, rinsed and dried.

(b) Forceps and caps shall be soaked in a protein dissolving solution after each treatment, prior to cleaning with the ultrasonic cleaning device.

(c) Sterilization of instruments shall be accomplished by any one of the following:

(1) An autoclave sterilizer, which shall be set and operated according to the standard cycle for the specific autoclave sterilizer utilized; or

(2) A dry heat sterilizer oven, which shall have a temperature monitoring device as part of the sterilizer.

(d) The dry heat sterilizer shall be utilized by placing instruments individually in dry heat wrappers or un packaged in small multiples in cleaned, dried stainless steel or heat tempered glass containers which have well-fitting lids and then placed into the sterilizer for:

(1) At least 2 hours at 320 degrees Fahrenheit;

(2) At least one and one half hours at 335 degrees Fahrenheit; or

(3) At least one hour at 340 degrees Fahrenheit.

(e) If instruments are un packaged, they shall be utilized within 24 hours, or the licensee shall re sterilize them.

(f) Cold chemical, gas and bead sterilizers shall not be used.

(g) Any instrument which becomes contaminated shall not be used until sterilized in accordance with (a) through (f) above.

(h) If an IPL device is used, it shall be disinfected using an EPA registered disinfectant according to the manufacturer's direction.

Plc 505.04 Biological Indicator Testing.

(a) Biological indicator tests shall be performed semiannually on each sterilizer.

- (b) Biological indicator testing shall be performed at least 4 months apart.
- (c) Biological indicator test failures shall be corrected within 30 days.
- (d) Documentation of (b) above shall be a biological indicator test with a passing result.
- (e) The original results of each biological indicator test, passing or failing, shall be kept on file in the electrology office where each sterilizer is located and retained for 4 years.
- (f) The original results of all biological indicator tests shall be subject to inspection by the executive director or an authorized inspector appointed by the executive director.
- (g) The original documentation of all biological test failures and the test corrections required by (c) above shall be sent to the executive director within 30 days of receipt of the corrected test.

Plc 505.05 Electrolysis Prohibited.

- (a) Electrologists shall not perform electrolysis or IPL on the following areas of the body:
 - (1) Mucous membranes; and
 - (2) Breasts of a woman who is nursing.
- (b) Electrologists shall not treat the following conditions:
 - (1) Warts;
 - (2) Ingrown eyelashes;
 - (3) Spider veins; and
 - (4) Skin tags.
- (c) Electrologists shall not perform electrolysis or IPL on areas with the following conditions:
 - (1) Herpes in its active stage;
 - (2) Skin malignancy; and
 - (3) Any type of infected or inflamed area other than an ingrown hair.
- (d) Electrologists shall not perform electrolysis or IPL on a person with impetigo or any other contagious skin disease.
- (e) Electrologists shall not perform electrolysis or IPL on a client with any of the following conditions, except upon receipt of written authorization from the client's physician:
 - (1) Diabetes;
 - (2) Cardiac disorders treated with a pacemaker;
 - (3) Coagulation disorders;
 - (4) Disorders treated with drugs that have anticoagulant effects;
 - (5) Moles for which the client is requesting treatment;

(6) Cochlear implants; and

(7) Pregnancy.

(f) Notwithstanding (e)(7) above, shortwave electrolysis shall be the only modality utilized on a pregnant woman.

(g) Any licensee who has not had training on IPL devices as part of their school curriculum who wishes to use IPL shall take and pass at least a 30 hour course specific to IPL. Proof of the curriculum or course shall be submitted to the board prior to using IPL therapy.

PART Plc 506 SCHOOL REQUIREMENTS

Plc 506.01 Schools of Electrology Curriculum.

(a) Electrology schools approved by the executive director shall provide and maintain a course of study of at least 1,100 hours extending over a period of not less than 10 months.

(b) The 1,100 hour course of study shall include 500 hours of academic study and 600 hours of practical training.

(c) The 500 hours of academic study shall comply with the requirements specified in Table 13.2 as follows:

Table 13.2 Academic Curriculum

<u>Subject</u>	<u>Hours</u>
Histology and hair structure with special consideration given to hair and skin	75 hours
The basic fundamentals of bacteriology, sterilization and hygiene	100 hours
The principles of electricity and its effects and uses	25 hours
Basic dermatology	100 hours
Physiology, with special consideration given to endocrinology	125 hours
Machines and equipment for an electrolysis office	25 hours
Professional conduct and office management	50 hours

(d) The 600 hours of practical training shall include epilation whereby the instructor teaches thermolysis, galvanic, and the blend treatment of the face, including the hair line and eyebrows and all areas of the body that are not prohibited by Plc 505.05, by demonstration and student hands-on participation.

(e) If an electrology school elects to teach IPL, it shall teach a minimum of 30 hours on the subject.

Plc 506.02 Requests for School Approval.

(a) Schools requesting approval from the executive director shall submit to the executive director the following information:

- (1) The owner’s name, address, telephone number and letter stating the owner’s intent of opening an electrology school;
- (2) The name, address and telephone number of the school;
- (3) A list of all electrology and sterilization equipment, including the type and manufacturer, that the school will utilize;
- (4) The maximum number of students the school intends to instruct at any one time;
- (5) The owner’s signature and date signed;
- (6) A copy of the curriculum the school shall use; and
- (7) The names, addresses and license numbers of each instructor.

(b) If the information is complete in accordance with (a) above and the curriculum meets the requirements of Plc 505.01, the executive director shall grant school approval.

(c) If the executive director determines that the school curriculum does not meet the requirements of Plc 505.01, approval shall not be granted.

(d) After notice and an opportunity for a hearing, the executive director shall revoke the approval if the school is no longer in compliance with Plc 505.

Plc 506.03 General School Provisions.

(a) School approvals shall only be valid for the location named on the application and shall not be transferable to a new owner or new location.

(b) The owner of a school shall notify the executive director, in writing within 30 days, of any change in the curriculum.

(c) The owner of the school shall notify the executive director, in writing within 30 days, upon any change in instructors.

(d) All instructors shall be licensed electrologists in accordance with RSA 314:3.

PART Plc 507 FEES

Plc 507.01 Fees. The fees shall be as shown in Table 13.3 below:

Table 13.3 Fees

<u>Type</u>	<u>Fee</u>
Application fee	\$25.00
Initial license fee	\$110.00

Examination fee	\$100.00
License renewal fee	\$110.00
Duplicate license fee	\$25.00

APPENDIX

Rule	Statute
Plc 501.01	RSA 541-A:16, I
Plc 501.02	RSA 314:8
Plc 501.03	RSA 314:8, RSA 314:2-a
Plc 501.04	RSA 314:1, III
Plc 502.01	RSA 314:2, I; RSA 314:3; RSA 314:8,I,II,& XIII
Plc 502.02	RSA 314:2, I; RSA 314:3, IV; RSA 314:8, V & XIII
Plc 502.03	RSA 314:2, I; RSA 314:3; RSA 314:8, I, II, V, & XIII
Plc 502.04	RSA 314:3, III, (d) and RSA 314:8, III
Plc 503.01	RSA 314:2, II, RSA 314:5, and RSA 314:8, IV & XIII
Plc 503.02	RSA 314:5 and RSA 314:8, IV
Plc 503.03	RSA 314:8, I
Plc 503.04	RSA 314:5
Plc 504.01	RSA 541-A:16, I; RSA 310-A:1-d, I(h)(2)
Plc 504.02	RSA 314:2, VII; RSA 314:8, X & XI; RSA 314:13
Plc 505.01	RSA 314:1, V, and RSA 314:8, VII & XVI
Plc 505.02	RSA 314:8, VII, and RSA 314:8, VIII
Plc 505.03	RSA 314:8, VIII
Plc 505.04	RSA 314:8, VIII
Plc 505.05	RSA 314:8, VII, and RSA 314:8, VIII
Plc 506.01	RSA 314:3, III (c), and RSA 314:8, XVI
Plc 506.02	RSA 314:8, XVI
Plc 506.03	RSA 314:8, XVI
Plc 507.01	RSA 314:3, III (b), RSA 314:5, RSA 314:8, VI, and RSA 314:10