

216-RICR-40-05-29

## TITLE 216 – DEPARTMENT OF HEALTH

### CHAPTER 40 – PROFESSIONAL LICENSING AND FACILITIES REGULATION

#### SUBCHAPTER 05 – PROFESSIONAL LICENSING

##### PART 29 – Practice of Electrolysis

### 29.1 Authority and Purpose

These regulations are promulgated pursuant to the authority conferred under [R.I. Gen. Laws Chapter 5-32](#), and are adopted for the purpose of establishing minimum standards for the practice of electrolysis in this state.

### 29.2 Incorporated Materials

- A. These regulations hereby adopt and incorporate the American Electrology Association "[Standards of Practice](#)" (2017) by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these Regulations.
- B. These regulations hereby adopt and incorporate the American Electrology Association "[Infection Prevention Standards for the Practice of Electrolysis](#)" (2016) by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these Regulations.
- C. These regulations hereby adopt and incorporate the Occupational Safety and Health Administration (OSHA) "[Blood borne Pathogen Standards](#)" [29 C.F.R. 1910.1030](#) (2012) by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these Regulations.

### 29.3 Definitions

- A. Wherever used in these rules and regulations, the following terms shall be construed as follows:

1. "Act" means [R.I. Gen. Laws Chapter 5-32, as amended](#), entitled "Electrolysis."
2. "AEA" means the American Electrology Association.
3. "Department" means the Rhode Island Department of Health
4. "Electrolysis" means 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 or coagulation of the hair-papilla and thus permanently remove the hair.
5. "Licensure" and "certification" shall be synonymous for the purposes of these Regulations.
6. "R.I. Gen. Laws" means the General Laws of Rhode Island, as amended.
7. "These Regulations" means all parts of the Rhode Island Rules and Regulations Related to the Practice of Electrolysis.

## **29.4 General License Requirements**

License Required. No person can practice as an electrologist or represent himself or herself as being able to practice as an electrologist in Rhode Island unless the person is licensed in accordance with the requirements of the Act and these Regulations.

## **29.5 Qualification for Licensure**

- A. In addition to the requirements of R.I. Gen. Laws § 5-32-4 an applicant for licensure must submit to the Department evidence that the applicant: Has passed the AEA examination in electrology.
- B. Endorsement. In addition to the requirements of R.I. Gen. Laws § 5-32-7 an applicant for licensure by endorsement must submit evidence that the applicant:
  1. Has passed the AEA examination in electrology.

### **29.5.1 Apprenticeship**

- A. The apprenticeship must include at least six hundred and fifty (650) hours of study and practice in the theory and practical application of electrolysis within a term of nine (9) months. The six hundred fifty (650) hour apprenticeship must include instruction and training as stipulated in the "Instruction and Training Requirements for Electrology Apprenticeships" chart below:

Instruction and Training Requirements for Electrology Apprenticeships	
Histology	50 hours
Bacteria, sterilization, and hygiene	100 hours
Dermatology	75 hours
Principles of electricity	25 hours
Anatomy, physiology, and endocrinology	75 hours
Magnification, lighting, and equipment	75 hours
Professional ethics, human relations, and office management	25 hours
Practical training	275 hours
TOTAL	650 hours

- B. Apprenticeships require the following:
- 1 The apprentice must register with the Department upon beginning his or her course of instruction;
  2. The licensed electrologist who supervises the apprentice must keep a record of the hours of instruction;
  3. Upon completion of the apprenticeship, the instructor shall certify the apprenticeship on forms provided by the Department.

#### **29.5.2 Qualifications for Teaching Electrolysis.**

In order to qualify for a license as an instructor or teacher of electrolysis to apprentices, an applicant must meet the requirements of R.I Gen. Laws § 5-32-20.

## **29.6 Application for License and Fee**

- A. Application for License. In order to apply for a license as an electrologist an applicant must submit the following on forms furnished by the Department:
  - 1. Completed application including but not limited to name, address, date of birth, social security number, telephone number and email address.
  - 2. Application fee as defined in Part 10-05-2 of this Title, Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health. The fee is non-refundable and non-returnable.
  - 3. Results of the AEA examination sent directly to the Department by the AEA.
  - 4. An affidavit signed by the licensed electrology instructor who supervised the apprentice attesting to the completion of the hours of instruction required in § 29.5.1(A) of this Part.
- B. Application for License by Endorsement. In order to apply for a license as an electrologist by endorsement an applicant must submit the following on forms furnished by the Department:
  - 1. Completed application including but not limited to name, address, date of birth, social security number, telephone number and email address.
  - 2. Application fee as defined in Part 10-05-2 of this Title, Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health. The fee is non-refundable and non-returnable.
  - 3. Verification that applicant has passed the AEA examination sent directly to the Department by the AEA.
- C. Application for Instructor License. In order to apply for a license as an electrology instructor an applicant must submit the following on forms furnished by the Department:

1. Completed application including but not limited to name, address, date of birth, social security number, telephone number and email address.
2. Application fee as defined in Part 10-05-2 of this Title, Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health. The fee is non-refundable and non-returnable.
3. Verification that applicant has passed the Instructor Examination approved by the Department.
4. Verification that applicant has been actively licensed as an electrologist in good standing for a minimum of five (5) years.

## **29.7 Issuance of License**

- A. A license to practice electrolysis will be issued to any person that meets the requirements of the Act and these Regulations.
  1. Every license issued in accordance with these Regulations shall specify the name of the person to whom it was issued and must be displayed prominently in the place of business or employment.

## **29.8 Expiration and Renewal of Licenses**

- A. Expiration. All licenses will expire on the thirtieth (30th) day of April of each year.
- B. Renewal. In order to renew a license the licensee must file a renewal application with the Department together with a renewal fee as defined in the rules and regulations pertaining to the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part 10-05-2 of this Title) on or before the thirtieth (30th) day of April of each year, as required by these Regulations. The renewal license is effective on the first (1st) day of May and expires on the thirtieth (30) day of April of each year.
- C. Late Renewal. In order to renew an expired license, an applicant must file a renewal application with the Department together with a renewal fee as defined in the rules and regulations pertaining to the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part 10-05-2 of this Title).

## **29.9 Practice of Electrolysis**

- A. The practice of electrolysis shall be engaged pursuant to R.I. Gen. Laws § 5-32-9.
- B. Licensed electrologists are subject to the AEA ["Standards of Practice for Electrologists" incorporated by reference above at § 29.2\(A\) of these Regulations.](#)

## **29.10 Infection Control Standards**

- A. Any person licensed to practice electrolysis shall conduct his/her practice in such a manner as to prevent the transmission of communicable diseases and blood borne pathogens in accordance with the standards of the AEA ["Infection Prevention Standards for the Practice of Electrolysis"](#) incorporated above at § 29.2(B) of this Part. These standards include follow-up procedures for potential exposures to HBV, HIV and other blood borne pathogens.
- B. Persons engaged in the practice of electrolysis shall comply with the Occupational Safety and Health Administration's (OSHA) Blood borne Pathogen Standards of 29 C.F.R. 1910.1030 incorporated above at § 29.2(C) of this Part in order to protect themselves (and any employees) against occupational exposure to blood borne pathogens.

## **29.11 Sanctions and Penalties**

- A. Any person, firm, corporation or association violating any of the provisions of the Act or these Regulations commits a misdemeanor and upon conviction shall be punished by a fine not to exceed two hundred dollars (\$200), or imprisoned for a period not to exceed three (3) months, or both the fine and imprisonment.
- B. Every person who engages in the practice of electrolysis in Rhode Island without being licensed by the Department is subject to the provisions of R.I. Gen. Laws § 5-32-2.
- C. The Department shall have power to revoke or suspend any license issued in accordance with these Regulations for gross unprofessional misconduct as defined in [R.I. Gen. Laws § 5-32-11](#).

## **29.12 Rules Governing Practices and Procedures**

All hearings and reviews required under the provisions of [R.I. Gen. Laws Chapter 5-32](#) shall be held in accordance with the “Rules and Regulations Pertaining to Practices and Procedures Before the Rhode Island Department of Health” and “Rules and Regulations Pertaining to Access to Public Records of the Rhode Island Department of Health.”

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Type of Filing: Amendment

Effective Date: 02/08/2018

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