

As of 11/1/13

**STATE OF OKLAHOMA
REGISTERED ELECTROLOGIST ACT
Title 59 O.S., Sections 536.1 - 536.11**

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536.1. Short title

Sections 1 through 11 of this act shall be known and may be cited as the "Registered Electrologist Act".

Added by Laws 1985, c. 151, § 1, operative July 1, 1985.

536.2. Definitions

As used in the Registered Electrologist Act:

1. "Board" means the State Board of Medical Licensure and Supervision;
2. "Committee" means the Advisory Committee of Registered Electrologists;
3. "Electrolysis" means the practice of using an electrosurgical apparatus to accomplish permanent hair removal by inserting electric current into the hair follicle thereby destroying living tissue and germinative hair cells; and
4. "Registered Electrologist" means a person licensed to practice electrolysis pursuant to the Registered Electrologist Act.

Added by Laws 1985, c. 151, § 2, operative July 1, 1985. Amended by Laws 1987, c. 118, § 40, operative July 1, 1987.

536.3. Transfer of funds, records, etc.

On or before August 1, 1985, all monies, funds, records, equipment, furniture and fixtures, files and supplies now subject to the jurisdiction and control of the State Board of Electrology are hereby transferred to the State Board of Medical Licensure and Supervision. Any other outstanding obligation or function remaining to be performed by the State Board of Electrology shall be performed by the State Board of Medical Licensure and Supervision.

Added by Laws 1985, c. 151, § 3, operative July 1, 1985. Amended by Laws 1987, c. 118, § 41, operative July 1, 1987.

536.4. Board - Powers and duties

The Board, acting upon the advice of the Committee, shall issue all licenses required by the Registered Electrologist Act, and shall exercise the following powers and duties:

1. To make rules and regulations deemed necessary to implement the provisions of the Registered Electrologist Act;
2. To prescribe application forms for license applicants, license certificate forms and such other forms as necessary to implement the provisions of the Registered Electrologist

- Act;
3. To establish a curriculum of study for licensure in the practice of electrolysis in this state;
 4. To prepare and conduct an examination for applicants for licensure pursuant to the Registered Electrologist Act;
 5. To keep a complete record of all licensed Electrologists and to prepare an official listing of the names and addresses of all licensed electrologists which shall be kept current. A copy of such listing shall be available to any person requesting it upon payment of a copying fee established by the Board;
 6. To keep a permanent record of all proceedings pursuant to the Registered Electrologist Act;
 7. To employ and establish the duties of clerical personnel necessary to carry out the provisions of the Registered Electrologist Act;
 8. To conduct hearings to deny, revoke, suspend or refuse renewal of licenses under the Registered Electrologist Act, and to issue subpoenas to compel witnesses to testify or produce evidence at such hearings in accordance with the Administrative Procedures Act; and
 9. To set the fees imposed by the provisions of the Registered Electrologist Act in amounts that are adequate to collect sufficient revenue to meet the expenses necessary to perform their duties without accumulating an unnecessary surplus.

Added by Laws 1985, c. 151, § 4, operative July 1, 1985.

536.5. Advisory Committee of Registered Electrologists

- A. There is hereby created the Advisory Committee of Registered Electrologists. The Committee shall consist of three (3) members appointed by the Board. The Board may appoint the Committee members from a list of six (6) persons submitted annually by the Oklahoma State Electrologists' Association. Said persons shall have been licensed electrologists for more than three (3) years, and at the time, residents of this state and actively engaged in the practice of electrolysis as herein defined. No person shall be appointed to the Committee who has been convicted of any felony or any crime involving moral turpitude.
- B. The terms of the members shall be for three (3) years and until their successors are appointed and qualify. Provided however, of those first appointed, one shall serve for one (1) year, one shall serve for two (2) years, and one shall serve for three (3) years. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only. The Board, after notice and opportunity for hearing, may remove any member of the Committee for neglect of duty, incompetence, revocation or suspension of his electrolysis license, or other dishonorable conduct.
- C. No member of the Committee shall be a stockholder in or a member of the faculty or

board of trustees of any school teaching electrolysis or engaged in the training of electrologists.

- D. Members of the Committee shall elect from their number a chairperson. Special meetings of the Committee shall be called by the Chairperson on the written request of any three (3) members. The Committee may recommend to the Board the adoption of rules necessary to govern its proceedings and implement the purposes of the Registered Electrologist Act.
- E. Each member of the Committee shall be reimbursed for his reasonable and necessary expenses as provided for in the State Travel Reimbursement Act.

Laws 1985, c. 151, § 5, operative July 1, 1985.

536.6. Use of titles and abbreviations

- A. No person shall practice electrolysis or hold himself out as an electrologist, or use the title "Electrologist", or "Registered Electrologist", or the initials "R.E." or "L.E.", in this state, unless he is licensed in accordance with the provisions of the Registered Electrologist Act. No other person shall in any way, orally or in writing, in print, or by sign or transmission of sound or sight, directly or by implication, represent himself as an electrologist. Such misrepresentation, upon conviction, shall constitute a misdemeanor and shall be punishable as provided in the Registered Electrologist Act.
- B. Nothing in the Registered Electrologist Act shall prohibit any person in the healing arts in this state under any other act from engaging in the practice for which he is duly licensed.

Added by Laws 1985, c. 151, § 5, operative July 1, 1985.

536.7. Qualifications for licensure - Evidence - Examination - Nonresidents - Continuing education - Renewal of license

- A. On and after July 1, 1985, a licensed electrologist shall consist of all persons who are currently licensed by the State Board of Electrology, and all persons over twenty-one (21) years of age who are of good moral character, and who have satisfactorily passed all examinations before the State Board of Medical Licensure and Supervision, as herein created. On and after July 1, 1985, all applicants for licensure as electrologists shall be required to furnish to the Board the following evidence:
 - 1. Have successfully completed a curriculum of study established by the Board; and
 - 2. Have completed an internship or preplanned professional experience program approved by the Board.

- B. To qualify for a license, an applicant shall pass an examination prepared by the Board. The examination, as authorized by the Registered Electrologist Act, shall be in the English language. The examination shall include the subjects required in subsection A of this section as well as dermatology, hygiene, sterilization, electricity and electrolysis (theory and practice).
- C. If based on rules and criteria established by the Board, the examinee successfully passes the examination, the examinee shall be entitled to receive from the Board a license to practice electrolysis for the remainder of that calendar year. Each license shall be signed by the chairperson of the Committee or his designee and the secretary-treasurer of the Board and shall bear the seal of the Board.
- D. The Board may issue a license to an applicant from another state who has met the requirements established by the Registered Electrologist Act. The applicant to be licensed in this state shall provide proof of licensure in good standing in another state at the time of making application for licensure in this state.
- E. The Board may establish continuing education requirements to facilitate the maintenance of current practice skills of all persons licensed pursuant to the Registered Electrologist Act.
- F. The Board shall meet at least three (3) times per calendar year for the purpose of examining applicants for licensure and training, and transacting other business as may be necessary. The meetings shall be held at the office of the Board.
- G. Every person licensed pursuant to the Registered Electrologist Act who desires to continue the practice of electrolysis shall annually, on or before the 31st day of December of each year, make application for renewal of the license and shall pay fees established by the Board.
- H. If any person fails to renew his or her license within thirty (30) days from the date same becomes due, the license of such person shall become inactive and, in order to have such license reinstated, it shall be necessary for such person to apply to the Board as provided in the Registered Electrologist Act and to meet the requirements established by the Board for reinstatement.

Added by Laws 1985, c. 151, § 7, operative July 1, 1985; Amended by Laws 1987, c. 118, § 42, operative July 1, 1987; Amended by Laws 2002, HB 1353, c. 166, § 1, emerg. eff. May 6, 2002.

536.8. Registration of license - Display - Surrender

- A. Every person who is licensed pursuant to the provisions of the Registered Electrologist Act and who is licensed to practice electrolysis in this state shall register the license with the county clerk of the county in which said person has legal residence. The county clerk

to whom such license is presented shall register the name and address of the person designated in the license, together with the date and the number inscribed thereon, which record shall be open to the public, and shall file with the Board annually, during the month of February, a notice of the record so made.

- B. Every person who is licensed pursuant to the provisions of the Registered Electrologist Act to practice electrolysis in this state shall keep said license displayed in his place of business as long as he is engaged in the practice of electrolysis. The receipt for the annual renewal of license shall be kept at such person's place of business and shall be shown to any person requesting to see the same. The licensee shall keep the Board informed of his current address. A license issued by the Board is the property of the Board and shall be surrendered on demand of the Board.

Added by Laws 1985, c. 151, § 8, operative July 1, 1985.

536.9. Suspension or revocation of license

- A. The Board may suspend or revoke the license of any person authorized to practice electrolysis pursuant to the provisions of the Registered Electrologist Act upon proof that the licensee:
 - 1. Has used fraud or deception in applying for a license or in passing the examination provided for in the Registered Electrologist Act;
 - 2. Has been guilty of unprofessional conduct defined by the rules established by the Board or has violated the Code of Ethics adopted by the Board;
 - 3. Has been guilty of fraud or deceit in connection with services rendered as an electrologist;
 - 4. Has been grossly negligent in the practice of his profession; or
 - 5. Has willfully violated any of the provisions of the Registered Electrologist Act or any regulation adopted hereunder.
- B. No suspension or revocation shall be made until such person appears before the Board for a hearing. Proceedings for the suspension or revocation of a license are governed by rules and regulations of the Board and by the Administrative Procedures Act.

Added by Laws 1985, c. 151, § 9, operative July 1, 1985.

536.10. Personnel and facilities

- A. The basic personnel and necessary facilities which are required to administer the Registered Electrologist Act shall be the personnel and facilities of the Board. The Board personnel shall act as agents of the Committee. If necessary for the

administration or implementation of the Registered Electrologist Act, the Board may secure and provide for compensation for services that the Board considers necessary and may employ and compensate within available resources professional consultants, technical assistants, and employees on a full-time or part-time basis.

- B. The Board shall maintain the records of all licensed electrologists, process all applications for licensure for review by the Committee, and investigate all complaints deemed to be appropriate allegations of violations of the Registered Electrologist Act.
- C. The Board shall employ such staff, equipment, and supplies as are necessary to carry out administrative and investigative functions required to maintain and support the objectives of the Committee in exercising its duties as prescribed by the Registered Electrologist Act.

Laws 1985, c. 151, § 10, operative July 1, 1985.

536.11. Violation of act - Penalties

On and after July 1, 1985, any person who practices electrolysis in violation of the provisions of the Registered Electrologist Act, upon conviction, shall be guilty of a misdemeanor punishable by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00) and costs. Each day of such violation shall constitute a separate offense.

Added by Laws 1985, c. 151, § 11, operative July 1, 1985.