

OCCUPATIONAL CODE (EXCERPT)
Act 299 of 1980

***** 339.1210.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT
OF THE 2024 REGULAR SESSION SINE DIE *****

339.1210.amended Esthetician; qualifications; permitted services.

Sec. 1210. (1) The department shall issue a license as an esthetician to an individual who fulfills all of the following requirements:

- (a) Is not less than 17 years of age.
- (b) Is of good moral character.
- (c) Has had an education equivalent to the completion of the ninth grade.

(d) Has completed not less than 400 hours of training or, for an individual who begins training on or after July 1, 2024, not less than 750 hours of training, either in a licensed school of cosmetology or as an apprentice for not less than 6 months in a licensed cosmetology establishment where skin care services are rendered. The training must include a minimum number of practical applications as prescribed in rules promulgated by the department.

(e) If an examination is available, has passed an examination prescribed by the department in consultation with the board.

(2) Subject to subsection (3), an esthetician or a cosmetologist may perform the following skin care services or combination of skin care services:

(a) Beautifying the skin of the body of an individual by using cosmetic preparations, antiseptics, tonics, lotions, or creams, including body wrapping.

(b) Cleansing or stimulating the skin of the body of an individual by using the hands, devices, apparatus, noninvasive light, or appliances, with or without using cosmetic preparations, antiseptics, tonics, lotions, or creams.

(c) The temporary removal of hair from the body of an individual by using hands-only techniques in combination with depilatories, waxes, razors, scissors, clippers, thread, or tweezers.

(d) Facials, applying removable makeup, eyelashes, or any other application of a preparation or beauty enhancement to the body of an individual, not including permanent makeup or the use of tanning equipment, except for spray tan equipment.

(e) Exfoliating only the dead skin cells of an individual, including, but not limited to, in the performance of dermaplaning or microdermabrasion. An esthetician or cosmetologist may use a product, chemical, mechanical device, electrical service, or class 1 medical device to exfoliate the dead skin cells.

(f) Nonmedical grade hydrodermabrasion. An individual who was issued an esthetician license or cosmetologist license before the effective date of the amendatory act that added this subdivision shall not perform a nonmedical grade hydrodermabrasion unless the individual has documented training to perform a nonmedical grade hydrodermabrasion.

(g) Applying a nonmedical grade chemical peel.

(h) High-frequency treatment.

(i) Eyebrow services, including lamination and tinting. Eyebrow tinting must be performed with a product that does not last for more than 6 weeks.

(j) Eyelash services, including extensions and tinting.

(k) Facial cupping.

(3) As applicable, a skin care service described in subsection (2) must be limited to an individual's stratum corneum.

(4) An esthetician or cosmetologist who performs a skin care service shall comply with part 138 of the public health code, 1978 PA 368, MCL 333.13801 to 333.13832, for the disposal of medical waste. "Medical waste" means that term as defined in section 13805 of the public health code, 1978 PA 368, MCL 333.13805.

(5) An esthetician or cosmetologist who performs a light therapy service shall use only noninvasive light therapy that meets both of the following requirements:

(a) Is approved by the United States Food and Drug Administration.

(b) Is intended to not penetrate into an individual's layers of living skin.

(6) Not later than 18 months after the effective date of the amendatory act that added this subsection, the department shall promulgate rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to implement this section.

(7) As used in this section:

(a) "Class 1 medical device" means a low-risk device that requires minimal regulatory oversight and is

used for basic aesthetic procedures, including, but not limited to, LED light therapy and noninvasive skin care tools, such as galvanic current at not less than 0.1 and not more than 0.5 milliamperes for a duration of not more than 20 minutes, and microcurrent that does not cause visible contractions.

(b) "High-frequency treatment" means a skin care service that uses an electrical current of not less than 5 megahertz to treat various conditions, including, but not limited to, acne, wrinkles, and skin renewal.

(c) "Nonmedical grade" means a product or material that is not certified for medical use only.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1997, Act 97, Imd. Eff. Aug. 7, 1997;—Am. 2024, Act 78, Imd. Eff. July 8, 2024;—Am. 2024, Act 160, Eff. (sine die).

Popular name: Act 299