

Committee Report

CONSENT CALENDAR

February 1, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Executive Departments and Administration to which was referred HB 70,

AN ACT authorizing certification for the microblading of eyebrows. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. Jaci Grote

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Executive Departments and Administration
Bill Number:	HB 70
Title:	authorizing certification for the microblading of eyebrows.
Date:	February 1, 2021
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This bill authorizes the Office of Professional Licensing and Certification, as advised by the Advisory Board of Body Art Practitioners, to approve courses, train, and certify licensed cosmetologists or estheticians to perform microblading. Microblading, often used for eyebrows, is a permanent makeup technique, that is a form of tattoo. It currently requires a tattoo license to perform this service with a year's apprenticeship. This bill will allow those in the cosmetology and skin care professions, with the proper training, to expand this service to the public. The hygiene concerns raised in the hearing will be addressed in rules developed by the advisory board and the Joint Legislative Committee on Administrative Rules.

Vote 19-0.

Rep. Jaci Grote
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Executive Departments and Administration

HB 70, authorizing certification for the microblading of eyebrows. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. This bill authorizes the Office of Professional Licensing and Certification, as advised by the Advisory Board of Body Art Practitioners, to approve courses, train, and certify licensed cosmetologists or estheticians to perform microblading. Microblading, often used for eyebrows, is a permanent makeup technique, that is a form of tattoo. It currently requires a tattoo license to perform this service with a year's apprenticeship. This bill will allow those in the cosmetology and skin care professions, with the proper training, to expand this service to the public. The hygiene concerns raised in the hearing will be addressed in rules developed by the advisory board and the Joint Legislative Committee on Administrative Rules. **Vote 19-0.**

Original: House Clerk

Cc: Committee Bill File

Archived: Tuesday, April 20, 2021 9:15:16 AM
From: [Miriam Simmons](#)
Sent: Tuesday, April 20, 2021 9:11:07 AM
To: [Miriam Simmons](#)
Subject: HB 70 CR
Response requested: No
Importance: Normal

From: Carol McGuire <mcguire4house@gmail.com>
Sent: Tuesday, February 2, 2021 8:40 PM
To: Miriam Simmons <miriam.simmons@leg.state.nh.us>; Pam Smarling <Pam.Smarling@leg.state.nh.us>
Subject:

HOUSE COMMITTEE REPORT

HB 70 – authorizing certification for the microblading of eyebrows

2/1/2021 Consent – yes

OTP – 19-0

Committee Vote

This bill authorizes the Office of Professional Licensing and Certification, as advised by the Board of Body Art, to approve courses, train, and certify licensed cosmetologists or estheticians to perform microblading. Microblading, often used for brows, is a permanent makeup technique, aka a tattoo, that currently requires a tattoo license with a year's apprenticeship. This bill will allow those in the cosmetology and skin care professions, with the proper training, to expand this service to the public. The hygiene concerns raised in the hearing will be addressed in rules by the Body Art board and the Joint Legislative Committee on Administrative Rules.

REPRESENTATIVE GROTE for the committee

Voting Sheets

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 70

BILL TITLE: authorizing certification for the microblading of eyebrows.

DATE: February 1, 2021

LOB ROOM: Remote / Hybrid

MOTIONS: **OUGHT TO PASS**

Moved by Rep. Grote

Seconded by Rep. McGuire

Vote: 19-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John Sytek, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS & ADMINISTRATION

EXECUTIVE SESSION on Bill # EMA 70

BILL TITLE: AUTHORIZATION CERTIFICATION FOR MICROBLADING OF EYEBROWS

DATE: 2-1-21

LOB ROOM: 206-208

MOTION: (Please check one box)

OTP ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. GROTE Seconded by Rep. McGUIRE Vote: 19-0

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

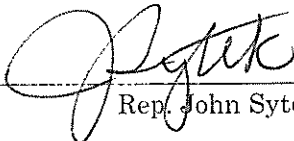
MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: YES NO

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted:  _____
Rep. John Sytek, Clerk



2021 SESSION

Executive Departments and Administration

Bill #: 70 Motion: OTP AM #: _____ Exec Session Date: 2-1-21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Roy, Terry Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Jeudy, Jean L.	X		
Schmidt, Peter B.	X		
Schultz, Kristina M.	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J.	X		
Grote, Jaci L.	X		
O'Brien, Michael B.	X		
TOTAL VOTE:			

19-0

Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 70

BILL TITLE: authorizing certification for the microblading of eyebrows.

DATE: February 1, 2021

LOB ROOM: LOB Hybrid **Time Public Hearing Called to Order:** 11:10 a.m.

Time Adjourned: noon

Committee Members: Reps. McGuire, Roy, Sytek, S. Pearson, Yakubovich, Lekas, Alliegro, Bailey, Lanzara, Santonastaso, P. Schmidt, Schultz, Goley, Jevdy, Schuett, Fellows, Fontneau, Grote, M. O'Brien

Bill Sponsors:

Rep. McGuire

Rep. T. Lekas

Rep. Pitre

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

***1. Rep. McGuire, bill sponsor, introduced the bill -**

Rep. McGuire said that HB 70 was a consent calendar bill last year which was tabled due to COVID. She described microblading as a simplified tattooing procedure. At present, it requires a complete body art license with 1000 hours of apprenticeship. However, the sanitizing techniques required for proper, safe microblading were already part of a cosmetologists and estheticians training. Therefore, there was a desire for a simplified course to permit microblading by cosmetologists and estheticians. The bill would require administrative rules and the certification would be an amendment to the existing license.

2. Ryan Ouellette, business owner, body art practitioner, and member of Body Art Advisory Board, spoke in opposition.

Mr. Ouellette said that this is a relatively new area and that its risks are not clearly understood. He said it is cosmetic tattooing, that is it breaks the skin with a sharp instrument, inserts pigment and can cause bleeding. There are no standards specified in the bill.

Question - There was a question concerning the amount of training required, in Mr. Ouellette's opinion. **Mr. Ouellette answered** that it varied from state-to-state. He would like to see minimum training requirements.

3. Laura Smith, licensee in body art, spoke in opposition.

Ms. Smith described the possible problems such as disfigurement if done by those with inadequate training. She said that this was actual tattooing.

4. Kathy Desjardins, former member of ED&A, and cancer survivor, spoke in favor.

...saying in how useful this was in her particular situation and that it should be widely available.

5. Holly Rodrigues, spoke in favor.

Ms. Rodrigues is on the Advisory Board but not speaking for it. She said she wanted to see a training that would be more than a weekend.

6. Tom Broderick, legal counsel at OPLC, No position.

Mr. Broderick took no position and gave background on the bill. He said that two Boards (Barbering, Cosmetology and Esthetics and the Body Art Advisory Board) would be involved and that there would be rules. He said that both boards approved of this last term.

Question - There was a question concerning reciprocity.

Public Hearing adjourned at noon.
Respectfully submitted by,

Rep. John Sytek
Committee Clerk
ED&A

HB 70 authorizing certification for the microblading of eyebrows. (11:10/Noon)

Rep. McGuire introduced the bill. She said that it was a consent calendar bill last year which was tabled due to COVID. She described microblading as a simplified tattooing procedure. At present, it requires a complete body art license with 1000 hours of apprenticeship. However, the sanitizing techniques required for proper, safe microblading were already part of a cosmetologists and estheticians training. Therefore, there was a desire for a simplified course to permit microblading by cosmetologists and estheticians. The bill would require administrative rules and the certification would be an amendment to the existing license.

>Ryan Ouellette, business owner, body art practitioner, and member of Body Art Advisory Board, spoke in opposition. He said that this is a relatively new area and that its risks are not clearly understood. He said it is cosmetic tattooing, that is it breaks the skin with a sharp instrument, inserts pigment and can cause bleeding. There are no standards specified in the bill. There was a question concerning the amount of training required, in Mr. Ouellette's opinion. Mr. Ouellette answered that it varied from state-to-state. He would like to see minimum training requirements.

>Laura Smith, licensee in body art, spoke in opposition. She described the possible problems such as disfigurement if done by those with inadequate training. She said that this was actual tattooing.

>Kathy Desjardins, former member of ED&A, and cancer survivor, spoke in favor saying in how useful this was in her particular situation and that it should be widely available.

>Holly Rodrigues, spoke in favor. She is on the Advisory Board but not speaking for it. She said she wanted to see a training that would be more than a weekend.

>Tom Broderick, legal counsel at OPLC, took no position and gave background on the bill. He said that two Boards (Barbering, Cosmetology and Esthetics and the Body Art Advisory Board) would be involved and that there would be rules. He said that both boards approved of this last term. There was a question concerning reciprocity.

House Remote Testify

Executive Departments and Administration Committee Testify List for Bill HB70 on 20

Support: 22 Oppose: 3 Neutral: 2 Total to Testify: 5

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Count</u>
Rodrigues, Holly	holly@serendipitydayspa.com	603.848.7711	A Member of the Public	Myself	Support	Yes (5m)	2
Broderick, Tom	thomas.r.broderick@oplcnh.gov	2713103	State Agency Staff	Office of Professional Licensure and Certification	Neutral	Yes (5m)	2
Ouellette, Ryan	ryanpba@hotmail.com	603.889.5788	A Member of the Public	Body Art Advisory Panel	Oppose	Yes (5m)	2
Desjardin, Kathy	kjd03103@comcast.net	603.851.3905	A Member of the Public	Myself	Support	Yes (0m)	2
Smith, Laura	twistbodyart@gmail.com	603.320.1198	A Member of the Public	Myself	Oppose	Yes (0m)	1
Rathbun, Eric	ericrathbun@gmail.com	860.912.3751	A Member of the Public	Myself	Support	No	1
Ploszaj, Tom	tom.ploszaj@leg.state.nh.us	603.279.9965	An Elected Official	Myself	Support	No	1
Nadeau, Keith	keithward15@yahoo.com	603.545.5648	A Member of the Public	Myself	Support	No	2
Casey, Jessica	jesscasey925@gmail.com	603.998.2906	A Member of the Public	Myself	Support	No	2
Jernigan, Hannah	Hannahjernigan@yahoo.com	603.540.8868	A Member of the Public	Myself	Support	No	2
Cote, Anissa	Anissa.cote@yahoo.com	603.505.0183	A Member of the Public	Myself	Support	No	2
Greene, Bob	bob.greene@leg.state.nh.us	603.880.3929	An Elected Official	Myself	Oppose	No	2
Jernigan, Mikayla	Mikaylala23@gmail.com	603.716.6898	A Member of the Public	Myself	Support	No	2
Murphy, Allison	Alliemurph49@gmail.com	603.340.3115	A Member of the Public	Myself	Support	No	2
Gibbs, Courtney	Courtgibbssss@gmail.com	603.540.2716	A Member of the Public	Myself	Support	No	2
Murphy, Bonnie	bonlynn1986@gmail.com	603.340.8968	A Member of the Public	Myself	Support	No	2
Coburn, Jillian	underoathag42@aol.com	603.856.3202	A Member of the Public	Myself	Support	No	2
Booth, Taylor	T.booth@snhu.edu	603.545.1251	A Member of the Public	Myself	Support	No	2
Rowell, Taylor	Taybyrne@hotmail.com	603.722.8198	A Member of the Public	Myself	Support	No	2
Berlenbach, Susan	sueberlenbach@aim.com	2240410	A Member of the Public	Myself	Support	No	2
Bamford, Hannah	H.bamford123@gmail.com	603.851.1815	A Member of the Public	Myself	Support	No	2
Murphy, Beth	Murphbwes@gmail.com	603.725.5922	A Member of the Public	Myself	Support	No	2
Jernigan, Breana	Breanajernigan@gmail.com	603.858.3730	A Member of the Public	Myself	Support	No	2
Jernigan, Sheri	mamajgrlz3@comcast.net	603.858.1244	A Member of the Public	Myself	Support	No	2
Alic, Amanda	acormier92@comcast.net	603.657.4913	A Member of the Public	Myself	Support	No	2
Leighton, Cairreann	cleighton92@gmail.com	603.903.8840	A Member of the Public	Myself	Support	No	2
Kelley, Tina	tina.m.kelley@oplcnh.gov	603.387.4524	State Agency Staff	OPLC	Neutral	No	2

Testimony



HOUSE COMMITTEE RESEARCH OFFICE
New Hampshire House of Representatives
4th Floor, Legislative Office Building
Concord, NH 03301
(603) 271-3600

Pam Smarling, Senior Committee Researcher
(603) 271-3387; *Pam.Smarling@leg.state.nh.us*

To: Rep. Carol M. McGuire, Chairman, House Executive Departments and Administration Committee

From: Pam Smarling, Senior Committee Researcher
House Committee Research

Date: January 29, 2021

RE: HB 70, authorizing certification for the microblading of eyebrows.

You asked:

What was the disposition of legislation authorizing certification for the microblading of eyebrows that was introduced in 2020?

SUMMARY

Eyebrow microblading is a semi-permanent tattoo procedure that involves the use of a special handheld microblading eyebrow pen to mimic the appearance of eyebrow hairs. The ink that is used for microblading is far less concentrated than the ink used for a regular tattoo and is specifically formulated for the microblading process.

Body art practitioners, defined as practitioners of body piercing, branding or tattooing, are licensed in NH under RSA 314-A. Under this chapter, it is unlawful to practice one of these arts without a license, unless the person is licensed by the NH Board of Medicine or performs only ear lobe piercing. HB 70 (2021) adds a new exemption to the law for licensed cosmetologists or estheticians who have been issued a certificate for microblading eyebrows under rules adopted by the Executive Director of the Office of Professional Licensing and Certification.

HB 1416 (2020) was identical to HB 70. It was passed by the House in 2020 but died on the table in the Senate.

2020 Legislative Session

HB 1416, authorizing certification for the microblading of eyebrows.

Sponsors: Rep. McGuire, Rep. P. Schmidt, Rep. Oxenham, Sen. Reagan, Sen. Kahn

Summary: identical to HB 70 (2021)

House Action

Referred to: House ED&A Committee

House Hearing: January 16, 2020

Rep. McGuire (prime sponsor) was the only person who appeared to testify on this bill. She explained its purpose and noted that estheticians and cosmetologists would like to be able to do this minor procedure. Both the Board of Barbering, Cosmetology and Estheticians and the Advisory Board of Body Art Practitioners supported the bill.

Committee Report: Ought to Pass, vote 20-0, Consent Calendar

Rep. Carol McGuire for Executive Departments and Administration. This bill authorizes the Executive Director of the Office of Professional Licensing and Certification to approve courses and create a certificate for microblading eyebrows. Microblading is a permanent makeup technique that is, technically, a tattoo, and currently requires a tattoo artist license with a minimum of one year's apprenticeship. The course (estimated to take 40-50 hours) will train cosmetologists and estheticians in the specific microblading techniques and hygiene requirements, so that with their previous training, they can safely microblade eyebrows.

Floor Action: Passed, voice vote

Senate Action

Referred to: Senate ED&A Committee, March 12, 2020

Final Action **Vacated from Committee; Laid on Table, June 16, 2020**

If I can provide further information on this, please let me know.

Archived: Wednesday, March 17, 2021 2:01:42 PM
From: Twist Tattoo
Sent: Monday, February 15, 2021 2:56:38 PM
To: ~House Executive Departments and Administration
Subject: Testimony in oposition to HB70 2021
Importance: Normal
Attachments:


2nd Testimony Opposition

HB70.pdf  photoGrid_Plus_1613071226730.jpg  photoGrid_Plus_1613071014443.jpg  photoGrid
_Plus_1613414718462.jpg  photoGrid_Plus_1613262991390.jpg  photoGrid_Plus_16130708571
86.jpg  photoGrid_Plus_1613263653548.jpg  photoGrid_Plus_1613068816107.jpg  photoGrid_Pl
us_1613414311699.jpg  photo exhibits Opposition HB70.pdf 

Dear Esteemed Committee,

Thank you for continuing to consider my testimony in opposition to HB70. Included here is a PDF of my second written testimony as well as photgraphic exhibits and a second PDF containing written testimony to go along with the photos.

Best Regards,
Laura Smith

Archived: Wednesday, March 17, 2021 2:01:42 PM
From: [Twist Tattoo](#)
Sent: Monday, February 1, 2021 8:51:18 AM
To: ~House Executive Departments and Administration
Subject: HB70 Testimony 4 of 4
Response requested: No
Importance: Normal
Attachments:
[HB70 SPCP to Rep McGuire.pdf](#) 

Letter from SPCP to supporting Rep Carol McGuire

Warm Regards,
Laura Smith, CPCP & Nicholas Smith
Owners Twist Tattoo
twist-tattoo.com

Archived: Wednesday, March 17, 2021 2:01:42 PM

From: [Twist Tattoo](#)

Sent: Monday, February 1, 2021 8:44:08 AM

To: ~House Executive Departments and Administration

Subject: HB70 Testimony 2 of 4

Response requested: No

Importance: Normal

Attachments:

[PhotoGrid_Plus_1612178776956.jpg](#)  [Pixel with shading.jpg](#)  [microblade Christine
McRitchie.jpg](#)  [powder brow.jpg](#) 


Eyebrow Technique Photos

Warm Regards,

Laura Smith, CPCP & Nicholas Smith

Owners Twist Tattoo

twist-tattoo.com

Archived: Wednesday, March 17, 2021 2:01:42 PM
From: Pam Smarling
Sent: Friday, January 29, 2021 2:57:24 PM
To: ~House Executive Departments and Administration
Subject: background on HB 70 microblading eyebrows
Response requested: No
Importance: Normal
Attachments:
[memo HB 70 microblading certification.pdf](#) 

TO: All Members of the House ED&A Committee,

Attached is one more memo for Monday. It provides a summary of the legislative activity of the 2020 bill authorizing the certification for microblading eyebrows.

Pam

Pam Smarling, Senior Committee Researcher
House Committee Research, Room 409, LOB
33 N. State St., Concord, NH 03301
(603) 271-3387



Archived: Wednesday, March 17, 2021 2:01:43 PM
From: [heide](#)
Sent: Monday, February 1, 2021 9:50:59 PM
To: ~House Executive Departments and Administration
Cc: elaine.bonner@oplcr.nh.gov
Subject: HB 70 - Public Hearing Follow Up
Importance: Normal

Dear Committee Members,

I am emailing all Representatives on the Executive Departments and Administration Committee as a follow up to the public hearing that was held today, February 1, 2021 on HB 70, on the authorization to permit microblading under the cosmetology & esthetician license in New Hampshire. I was unable to speak at the hearing due to sound quality issues with the call, but I would like to address why I cannot support this bill. A few days ago I sent an email to address questions committee members might have and concerns about passing this bill as its written. After listening to testimony from other community members at the hearing today, I observed there is still a lot of misguided information and misrepresentation of the scope of work when it comes to the community's understanding of microblading procedures. I have years of microblading and permanent makeup experience and continue to seek out continuing education opportunities. Before I entered microblading training, I completed training in health occupations, so I had some familiarity with the prerequisite work for training in semi-permanent makeup. My previous letter details the prerequisite work required to complete my training at an accredited microblading program that I attended in New Jersey. For anyone who may not be familiar with accredited microblading programs, the Beau Institute in New Jersey is the closest location that I am aware of that offers in person training that has been accredited by any governing authority. I specifically sought out this level of training, both for the time the Institute had been training in microblading procedures and for the relationship that the Institute holds with the American Academy of Micropigmentation. This is not to single out or favor this training program above other available programs but to inform the Committee of the challenges that practitioners currently face to access sufficient training to begin working in the field of microblading.

Following my initial training I pursued several other continuing education programs, not accredited by the AAM, which included work on live models as part of the curriculum under direct supervision of master artists or included direct observation of work on live models by the instructor. These training programs included microblading procedures on eyebrows and areolas. In the process of finding adequate training, I came across many opportunities that were very costly

but did not appear to offer the same rigor or the same level of engagement with real clients. These weekend courses I viewed with much skepticism because the certificates received were not regulated or governed by any micropigmentation body. Many of these programs do not offer students to work on real people but on synthetic skins, which is a vastly different learning experience, mainly that practitioners are not taught how to address contraindications with skin, medical histories, or blood exposure to name a few. As with many new and popular trends, it is often difficult to discern the experienced practitioners and professionals from those who are looking to expand their bottom lines, especially where regulations are either very new or nonexistent from state to state.

My concerns are that there many would be practitioners who want to enter into this field and supplement their current services, but adequate training is not readily available in New Hampshire or surrounding states. There are plenty of the popup “certificate” classes that offer a lot and deliver very little. Of the weekend classes I have taken, there is no way I would feel ready to offer microblading after completing them. Even after completing my classes of 400 hours that included work on 40 live models, I still continued supplementing my work by practicing on synthetic skins daily. To become proficient, I needed to apprentice under an experienced practitioner, someone who could judge and guide my work. After getting certified as an AAM-certified makeup tattoo artist, I was able to train as an apprentice and only after 3 years did I feel comfortable to apply for my NH license. While it’s reasonable that some students will pick up these skills more quickly than others, it would be irresponsible to think that students could acquire the same skills set after a couple of weekend classes. I have made this statement before, and I will say it again. Cosmetologists and estheticians do have extensive training in their field that only overlaps somewhat with the basics of microblading. This prior training and experience would not substitute or transfer to microblading training. Applying this logic would imply that I too could attend weekend classes and begin cutting and coloring hair or providing facials to clients. I would hope that this Committee and the licensing board would take issue with that proposition.

I appreciate that there are community members who are aware of microblading services offered to cancer patients, and in fact, some of my most rewarding work involves working with clients who have undergone chemotherapy, radiation therapy or reconstructive surgery. For these clients and other clients who are addressing medical issues, such as alopecia and trichotillomania, there are many considerations that must be made and coordination with care providers to ensure a safe and successful procedure. In my experience with many of the microblading certification courses, these considerations are not covered in the curriculum and some instructors have directed students to products that may harm clients if they

don't understand their clients' histories. This includes understanding the application of topical analgesics for pain management during procedures, which ones are allowed and which ones aren't, understanding which inks can be used on clients based on their skin sensitivities and potential contraindications. For example, the popular and less expensive inks available on Amazon are approved by Japan's drug regulatory agency but not the FDA. Some of the internationally approved inks that are readily available in US supply chains contain metals, which are highly toxic to cancer patients. I have attended classes where these products were recommended to students getting started because they are less expensive than FDA approved inks. There were some comments made at the hearing that let me know that proponents of this bill are not familiar with the potential risks involved in microblading procedures, and that should give this Committee and the licensing board pause. In the normal course of my work, I have to ask clients if they are breastfeeding or pregnant, taking blood thinners, have allergies or have undergone chemotherapy or radiation therapy. I have to turn clients away if they drink coffee on the same day of a procedure or are taking some medications. I have to get a doctor's note for clients who are taking some medications authorizing that the procedure is safe. All of this is well outside of taking additional precautions within CDC recommended Covid-19 guidelines. I have suspended some procedures to protect clients and my own safety because they are not safe to perform. All of this is to reiterate that the knowledge to practice safely is not covered in short, 2-3 microblading classes.

The discussion we focused on today is to determine if someone, who is interested in becoming a microblade practitioner, can receive adequate training by taking microblading courses under the cosmetology and esthetician license. This Committee has the responsibility of determining the appropriate path forward for safely licensing microblade practitioners in New Hampshire. I implore this Committee to take the position that microblading is far more technical than a few additional courses under the cosmetology and esthetician license and deserves more scrutiny than this bill proposes. I would further encourage the licensing board to consider a separate license for microblade practitioners that meets some minimum qualifications that are more in alignment with body artists, where their training and craft are much closer in skill sets than cosmetology and estheticians. An ideal licensing requirement would have practitioners training at an accredited program or have an apprenticeship for at least 1200 hours under a licensed microblade practitioner with a minimum number of years of licensed experience. While this may seem like a difficult licensing requirement to enforce, the Committee would be fulfilling its due diligence and upholding minimum safety standards to protect the residents of New Hampshire.

If any of you are still undecided about the impact that passing this bill might have, let me leave you with one final thought. I have been working on a client for the past five months who had cancer and underwent radiation therapy. She was very concerned she was going to lose her eyebrows so she had a microblading procedure with a practitioner in New Hampshire who had gotten a certificate. The procedure left her with a disfigured face with disproportionate eyebrows and the client didn't know what to do. It was, after all, a semi-permanent procedure and so she thought she was stuck with eyebrows that looked nothing like natural eyebrows. She had been living with these for a year. I have been painstakingly removing the ink from her eyebrows with a needle and saline solution to return them to a normal shape and restore her appearance to something closer to herself. For some this may not seem like a serious issue, but for most, this is a distressing experience on top of having to go through a cancer treatment just to try to feel normal. She is just one of many who are starting to ask for my services because someone else didn't have the proper training to provide this service. Many experienced microblade practitioners are confronting the problem of correcting other people's work because the previous practitioner wasn't adequately prepared to provide the service. Many of these same experienced practitioners do not want to correct others' poor work because it is a long and uncomfortable process for clients. I ask this Committee not to pass this bill and look for a more responsible path forward for microblade licensing.

Sincerely,

Heide Conlin
Permacosmetics LLC
603-377-1333
www.perma-cosmetics.com

Archived: Wednesday, March 17, 2021 2:01:43 PM
From: [Holly Rodrigues](#)
Sent: Monday, February 1, 2021 10:23:50 AM
To: [~House Executive Departments and Administration](#)
Subject: HB70
Importance: Normal

Testimony in support of: House Bill 70: Authorizing certification for the microblading of eyebrows.

Submitted by: Holly Rodrigues, 89 Country Walk Dr., Manchester, NH 03109

Dear Honorable Representatives, and members of the Committee, My name is Holly Rodrigues, I am The Board Chairperson of the NH Board Of Cosmetology, Barbering and Esthetics. I am representing myself and want you to know as an Licenced Esthetics Instructor and practitioner for 25 years I am in complete favor of NH HB70. The Board of Tattoo has taken the time to set up guidelines to having the licensee appropriate classes to perform this service safely and effectively.

I urge you to support House Bill 70 so that the NH Licenced Cosmetologist and NH Licenced Estheticians can broaden their service offerings, cater the demands of their clientele and increase revenue.

Thank you for your consideration.
Holly Rodrigues
NH Board of Cosmetology,
Esthetics and Barbering

Archived: Wednesday, March 17, 2021 2:01:43 PM
From: Twist Tattoo
Sent: Monday, February 1, 2021 8:50:13 AM
To: ~House Executive Departments and Administration
Subject: NH70 Testimony 3 of 4
Response requested: No
Importance: Normal

 [2021-02-01-05-25-02-nh-tattoo-artist-call-...](#)

Petition in opposition to HB70

Warm Regards,
Laura Smith, CPCP & Nicholas Smith
Owners Twist Tattoo
twist-tattoo.com

Archived: Wednesday, March 17, 2021 2:01:43 PM
From: Twist Tattoo
Sent: Monday, February 1, 2021 8:43:14 AM
To: ~House Executive Departments and Administration
Subject: HN70 Testimony email 1 of 4
Response requested: No
Importance: Normal

 [HB70 Testimony finaldraft.pdf](#)

 [represented pmu artists.pdf](#)

Testimony in opposition to HB70

Hello Esteemed Committee Members,

My name is Laura Smith. I am the majority owner of Twist Tattoo located in Nashua, NH. I have been a New Hampshire Licensed Body Art Practitioner since 2008, holding licenses in both tattooing and body piercing. I currently specialize in cosmetic and paramedical tattooing. I attended Beauty EverLasting Permanent Make-Up Academy in Middlesex New Jersey and have over 230 hours of training and hold several certifications in cosmetic, paramedical and microblade tattoo techniques, in addition to the 3,000+ hours training from my apprenticeships for both of my Body Art Practitioner Licenses. I am an active member in good standing of the Society of Permanent Cosmetic Professionals (SPCP) and hold my Certified Permanent Cosmetic Professional (CPCP) accreditation from the SPCP.

I am here today over concern for HB70, which states "It shall be unlawful for any person who is not licensed under this chapter to perform the microblading of eyebrows, unless such person has a current license to practice as a cosmetologist or an esthetician under RSA 313-A".

This proposed Bill has the potential to greatly interfere with the livelihood of many tattoo practitioners who are licensed to microblade, and already offer this technique. Also, and equally important, it also poses a certain threat to the public, because by definition microblading is considered an advanced tattoo technique by much of the industry, which absolutely requires proper training in and a firm understanding of tattooing, bloodborne pathogens, and more.

The following two definitions are from the National Environmental Health Association's Body Art Model Code.

1. "TATTOOING means any act of placing ink or other pigment into or under the skin by the use of needles or any other method used to puncture the skin, resulting in permanent or temporary colorization of the skin. This includes all forms of permanent cosmetics."

2. "PERMANENT COSMETICS means a tattoo, whether permanent, semipermanent, or temporary, by someone other than a licensed physician, which includes but is not limited to eyebrows, eyelids, lips, and other parts of the body for beauty marks, hair imitation, lash enhancement, or areola repigmentation. This term includes any procedures whether referred to as, but not limited to, "permanent makeup," "microdermapigmentation," "micropigment

implantation,” “MICROBLADING,” “micro-needling with the use of pigment,” “dermagraphics,” “cosmetic tattooing,” or any other similar procedures and for the purpose of this Code has the same meaning as “TATTOO.”

Microblading is a tattoo technique in which a tight grouping of inline needles are used to open the skin at the level of the upper dermis to place pigment. This technique has associated risks that include but are not limited to: cutting too deep into the dermis, which can cause not only severe scarring but also blurring of the tattoo line work. These two things combined can lead to the disfigurement of a clients face. Proper depth is something that tattoo practitioners are well trained in knowing and feeling; however it can take a long time to establish this skill through a proper tattoo apprenticeship and lots of hands on practice.

Photo Exhibits:

I have submitted a series of photos to show different eyebrow tattooing devices along with photos of the effects they can produce. These photos include:

A) Microblade grouping with a standard single-use hand device handle: These together are used to microblade as described above to produce markings that resemble individual eyebrow hairs. Microblade Eyebrow Tattoo Technique is only performed with a hand device.

B) Pixel or SoftTap type needle cartridge with a standard single-use hand device handle: These together are used by tapping the needles into the upper dermal layer of the skin to insert pigment to produce markings that resemble individual eyebrow hairs or to create shading that resembles an eyebrow with topical makeup. One can create any combination of hairstrokes and shading with this device. The finished results can look just like microblading, however it is very important to note that they are entirely different techniques.

C) Rotary tattoo machine with a round liner needle cartridge: This fits into a tattoo machine and can be used to produce permanent markings that resemble individual eyebrow hairs or to create shading that resembles an eyebrow with topical makeup. One can create any combination of hairstrokes and shading with this device. The finished results can look just like microblading however it is important to note that they are entirely different techniques.

D) Rotary tattoo machine with a Mag Needle Cartridge: This fits into a tattoo machine and can be used to create shading that resembles an eyebrow with topical makeup.

Different skin types and conditions such as ageing, thin or oily skin, enlarged pores, and even medical conditions such as acne, trichotillomania, and alopecia are a just few contraindications that would predict a poor outcome for eyebrow microblading. Therefore, not all clients are good candidates to receive microblade tattooing. A trained tattoo technician has a firm understanding of how the skin reacts to tattooing under each of these conditions and will provide their clients with the appropriate technique for their unique skin type and desired outcome. However, individuals who are not as thoroughly trained may not be aware of different technique options for different skin types and may perform microblading on clients who are not good candidates. We should even consider the situation where some may even consider microblading as a coverall term for all eyebrow tattoo techniques and offer services that they have no training or certifications in.

In earlier language used by the Body Art Advisory board at a meeting on 12-05-2019, “the Board generally agreed to permit an exemption for estheticians to perform microblading with a powered machine only”. This is concerning as microblading is not performed with a machine. This is an example of how it is easy to mistake microblading for other eyebrow tattoo techniques. Microblading is performed with a manual hand device only.

The Society of Permanent Cosmetic Professionals is a professional organization which is dedicated to promoting permanent makeup safety, excellence, and professional standards by

providing education, certification, and industry guidelines. The SPCP states in their Microblading Fact Sheet:

“Permanent cosmetics, micropigmentation, dermal implantation, MICROBLADING/microstroking, eyebrow embroidery, and long-time/long-lasting makeup, are all different names for the same procedure – cosmetic tattooing. Any time color is placed into the skin with any device, it is a tattoo process as defined by many well informed regulators, the medical community, and dictionary sources. Denying this process is a tattoo can be problematic for those who would, for religious or other personal reasons, normally refuse to have a tattoo.”

In most U.S. States, cosmetologists and estheticians are not allowed to affect living tissue. The microblade tattoo technique, like all tattoo techniques does directly affect living tissue.

Changing regulations for a single tattoo technique will require establishing new regulations for medical waste (including sharps containment and disposal), bloodborne pathogens training, disinfection and sterilization, record keeping for release of liability and waiver forms, consent forms, and more.

Changing regulations for a single tattoo technique will cause a hardship for tattoo practitioners who are already safely providing quality microblading tattoo services for their clients.

Changing regulations for a single tattoo technique will cause a hardship for clients who won't be able to receive finishing and touch-up procedures from their chosen tattoo practitioner and ultimately, they would be forced to seek out less qualified individuals to perform services for them.

If approval of microblading trainers and training were to fall to the Board, this would prove time consuming and expensive to qualify trainers and classes. New regulations would be needed to set standards and qualifications for trainers and class curriculum necessary to cover all the subject matters associated with an invasive procedure (microblading).

On 1-20-2021 I began an online Petition and in only 11 days we gathered 137 signatures. This would indicate that public shares our concern.

In closing, to protect the health and safety of the public and to prevent certain hardships for affected licensed tattoo practitioners, as well as their clients, I would like to reiterate that microblading is just another name for ONE advanced technique of cosmetic eyebrow tattooing and it should remain regulated as tattooing. It should remain to be performed only by licensed tattoo practitioners who have completed the State required 1500 hours of tattoo training through a licensed Body Art Practitioner Tattoo Apprenticeship, as well as cosmetic tattoo and microblade-specific training and certifications.

Thank you for hearing my testimony.

Warm Regards,
Laura Smith, CPCP & Nicholas Smith
Owners Twist Tattoo
twist-tattoo.com

Archived: Wednesday, March 17, 2021 2:01:43 PM

From: Peter Schmidt

Sent: Thursday, January 28, 2021 12:21:25 PM

To: heide

Cc: ~House Executive Departments and Administration

Subject: Re: HB 70 - On authorization for the certification of microblading of eyebrows

Importance: Normal

Received, thank you. There's an awful lot to consider here, so I need some time to work through all the aspects you raise. Would you be open to a phone call at some point? If so, please indicate the best time(s)/. Thank you again for writing.

On Wed, Jan 27, 2021 at 10:35 PM heide <heideconlin@gmail.com> wrote:

Dear Representatives on the Executive Departments and Administration Committee:

My name is Heide Conlin and I am emailing all Representatives on the Committee to request that this Committee not pass House Bill 70 - on the authorization for the certification of microblading of eyebrows. As a licensed medical micropigmentation body artist and certified microblading practitioner, I have reviewed the language this bill proposes and there are some concerns that this Committee should consider before voting on the legislation as it is written. The bill proposes that a person with a cosmetology and/or esthetician license would be the legal license under which a microblade practitioner would be able to operate. There are several reasons why this license does not meet the qualifications to practice microblading techniques. Further, the certification process and course offerings in microblading techniques varies widely from state to state. Many certification programs and courses are not accredited by a micropigmentation governing body nor are they accountable to state health department requirements.

First, a cosmetology and esthetician licensure does not require that the practitioner complete course work in anatomy and physiology nor a course in blood borne pathogens. To understand why this is relevant, one must understand the scope of work that microblading entails. A properly trained micropigmentation practitioner, or microblade practitioner, uses both manual and mechanical cutting tools that penetrate the first layer of the dermis. In this particular bill, the subject is eyebrows. However these same tools can be used to perform similar procedures on other parts of the body, such as eyes for eyeliner, lips and areolas. All of these procedures allow penetration to the first layer of the dermis. Therefore, the Committee would be overlooking the wider implications of this bill and its potential consequences by only referring to eyebrows when microblading, as the procedure has a broader scope. Cosmetologists and estheticians are not trained to perform procedures that penetrate the skin. The training to perform such procedures requires knowledge of infectious processes, contraindications of medications and skin conditions, contraindications of

immunocompromised patients, and a basic understanding of medical history as it relates to the procedure and potential outcomes. While New Hampshire should take steps to grant a Microblading certificate to qualified practitioners, the Committee needs to consider that certification must be achieved through diligent and appropriate supervision by those who are properly trained to administer such training. The current language in RSA 314-A defines “tattoo” as “an indelible mark or figure fixed upon the surface of the body by the insertion of pigment under the skin or by the production of scars.” At no point in cosmetology or esthetician training is the application of tattoos part of the required curriculum. However, body artists are trained extensively in the procedures of applying ink within the dermis and all of the requisite training associated to inserting ink in the dermis using specialized mechanical tools for procedures.

As a microblade practitioner I am very familiar with the current educational offerings to aspiring microblade practitioners. There are many training opportunities offered, and many of these programs are a 2 or 3 day course, promising that you will be a microblade practitioner at the end of the program. They give students a certificate at the end of the course and send them off to begin cutting people’s faces. Some courses offer free equipment to entice students. I have attended some of these courses, and some offer basic brow shaping, broad color theory but not the rigor of cutting into real people’s skin or handling skin or medical complications. I haven’t observed any microblading courses that offer infection control procedures. Some of these program professionals are very talented at their craft. However, that does not produce a safe microblade practitioner who is qualified to practice the techniques by the end of the course. There are, however, programs that are affiliated with the American Academy of Micropigmentation, the accrediting body for micropigmentation practitioners. If certification is the path forward in New Hampshire for microblade practitioners, I would strongly recommend that the certification process follow guidelines set forth by the AAM, at minimum, to support a safe pathway to certification. My education was through an accredited permanent makeup school that taught on subjects of infection control, CPR, needle selection, color theory, facial structure, needle depth, medication concerns, and anatomy and physiology of the face. Although I learned a lot in my coursework, I was still not ready to operate a microblading business because I did not have the practical experience. A practitioner needs to apprentice under appropriate supervision on real people before operating independently.

Cosmetologists and estheticians may encounter allergic reactions to hair or skin products, and while they are prepared to address those concerns, their training does not prepare them for the broader implications that microblading has on the body. Although I can appreciate the training that estheticians and cosmetologists complete to develop their craft, the scope of the work they perform is vastly different than that of a microblade practitioner. Allowing practitioners with cosmetology and esthetician licenses to offer microblading with additional coursework would be a misjudgment of the procedures being performed and would put the public at risk. As stated in RSA-

314:4, a practitioner “has been practicing body piercing, branding, or tattooing in an establishment, under the supervision of a person practicing body piercing, branding, or tattooing in compliance with the applicable statutes and rules of the state for not less than 3 years. Out-of-state applicants shall provide proof of at least 3 years experience as a licensed practitioner in another state.” This requirement, though formidable for entrance into full licensure, is a responsible pathway to ensure that practitioners have the necessary supervision and training to perform microblading procedures safely and effectively.

In conclusion, I would ask this Committee to reject this bill as it is written to protect the health of New Hampshire. I would submit that the Committee propose a bill that assigns authority and supervision of microblading to practitioners who are qualified to perform those duties.

Sincerely,
Heide Conlin
Micropigmentation Practitioner
Permacosmetics, LLC
Hampton, NH 03842
603-377-1333
www.perma-cosmetics.com

Archived: Wednesday, March 17, 2021 2:01:43 PM

From: [heide](#)

Sent: Wednesday, January 27, 2021 10:35:36 PM

To: ~House Executive Departments and Administration

Subject: HB 70 - On authorization for the certification of microblading of eyebrows

Importance: Normal

Dear Representatives on the Executive Departments and Administration Committee:

My name is Heide Conlin and I am emailing all Representatives on the Committee to request that this Committee not pass House Bill 70 - on the authorization for the certification of microblading of eyebrows. As a licensed medical micropigmentation body artist and certified microblading practitioner, I have reviewed the language this bill proposes and there are some concerns that this Committee should consider before voting on the legislation as it is written. The bill proposes that a person with a cosmetology and/or esthetician license would be the legal license under which a microblade practitioner would be able to operate. There are several reasons why this license does not meet the qualifications to practice microblading techniques. Further, the certification process and course offerings in microblading techniques varies widely from state to state. Many certification programs and courses are not accredited by a micropigmentation governing body nor are they accountable to state health department requirements.

First, a cosmetology and esthetician licensure does not require that the practitioner complete course work in anatomy and physiology nor a course in blood borne pathogens. To understand why this is relevant, one must understand the scope of work that microblading entails. A properly trained micropigmentation practitioner, or microblade practitioner, uses both manual and mechanical cutting tools that penetrate the first layer of the dermis. In this particular bill, the subject is eyebrows. However these same tools can be used to perform similar procedures on other parts of the body, such as eyes for eyeliner, lips and areolas. All of these procedures allow penetration to the first layer of the dermis. Therefore, the Committee would be overlooking the wider implications of this bill and its potential consequences by only referring to eyebrows when microblading, as the procedure has a broader scope. Cosmetologists and estheticians are not trained to perform procedures that penetrate the skin. The training to perform such procedures requires knowledge of infectious processes, contraindications of medications and skin conditions, contraindications of immunocompromised patients, and a basic understanding of medical history as it relates to the procedure and potential outcomes. While New Hampshire should take steps to grant a Microblading certificate to qualified practitioners, the Committee needs to consider that certification must be achieved through diligent and appropriate supervision by those who are properly trained to administer such training.

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As a microblade practitioner I am very familiar with the current educational offerings to aspiring microblade practitioners. There are many training opportunities offered, and many of these programs are a 2 or 3 day course, promising that you will be a microblade practitioner at the end of the program. They give students a certificate at the end of the course and send them off to begin cutting people’s faces. Some courses offer free equipment to entice students. I have attended some of these courses, and some offer basic brow shaping, broad color theory but not the rigor of cutting into real people’s skin or handling skin or medical complications. I haven’t observed any microblading courses that offer infection control procedures. Some of these program professionals are very talented at their craft. However, that does not produce a safe microblade practitioner who is qualified to practice the techniques by the end of the course. There are, however, programs that are affiliated with the American Academy of Micropigmentation, the accrediting body for micropigmentation practitioners. If certification is the path forward in New Hampshire for microblade practitioners, I would strongly recommend that the certification process follow guidelines set forth by the AAM, at minimum, to support a safe pathway to certification. My education was through an accredited permanent makeup school that taught on subjects of infection control, CPR, needle selection, color theory, facial structure, needle depth, medication concerns, and anatomy and physiology of the face. Although I learned a lot in my coursework, I was still not ready to operate a microblading business because I did not have the practical experience. A practitioner needs to apprentice under appropriate supervision on real people before operating independently.

Cosmetologists and estheticians may encounter allergic reactions to hair or skin products, and while they are prepared to address those concerns, their training does not prepare them for the broader implications that microblading has on the body. Although I can appreciate the training that estheticians and cosmetologists complete to develop their craft, the scope of the work they perform is vastly different than that of a microblade practitioner. Allowing practitioners with cosmetology and esthetician licenses to offer microblading with additional coursework would be a misjudgment of the procedures being performed and would put the public at risk. As stated in RSA-314:4, a practitioner “has been practicing body piercing, branding, or tattooing in an establishment, under the supervision of a person practicing body piercing, branding, or tattooing in compliance with the applicable statutes and rules of the state for not less than 3 years. Out-of-state applicants shall provide proof of at least 3 years experience as a licensed practitioner in another state.” This requirement, though formidable for

entrance into full licensure, is a responsible pathway to ensure that practitioners have the necessary supervision and training to perform microblading procedures safely and effectively.

In conclusion, I would ask this Committee to reject this bill as it is written to protect the health of New Hampshire. I would submit that the Committee propose a bill that assigns authority and supervision of microblading to practitioners who are qualified to perform those duties.

Sincerely,

Heide Conlin

Micropigmentation Practitioner

Permacosmetics, LLC

Hampton, NH 03842

603-377-1333

www.perma-cosmetics.com

Archived: Thursday, March 18, 2021 1:39:24 PM
From: Twist Tattoo
Sent: Monday, February 15, 2021 2:56:38 PM
To: ~House Executive Departments and Administration
Subject: Testimony in opposition to HB70 2021
Response requested: No
Importance: Normal

Attachments:


2nd Testimony Opposition

HB70.pdf  photoGrid_Plus_1613071226730.jpg  photoGrid_Plus_1613071014443.jpg  photoGrid_Plus_1613414718462.jpg  photoGrid_Plus_1613262991390.jpg  photoGrid_Plus_1613070857186.jpg  photoGrid_Plus_1613263653548.jpg  photoGrid_Plus_1613068816107.jpg  photoGrid_Plus_1613414311699.jpg  photo exhibits Opposition HB70.pdf 

Dear Esteemed Committee,

Thank you for continuing to consider my testimony in opposition to HB70. Included here is a PDF of my second written testimony as well as photographic exhibits and a second PDF containing written testimony to go along with the photos.

Best Regards,
Laura Smith

Archived: Thursday, March 18, 2021 1:39:24 PM
From: [Twist Tattoo](#)
Sent: Monday, February 1, 2021 8:51:18 AM
To: ~House Executive Departments and Administration
Subject: HB70 Testimony 4 of 4
Response requested: No
Importance: Normal
Attachments:
[HB70 SPCP to Rep McGuire.pdf](#) 

Letter from SPCP to supporting Rep Carol McGuire

Warm Regards,
Laura Smith, CPCP & Nicholas Smith
Owners Twist Tattoo
twist-tattoo.com

Archived: Thursday, March 18, 2021 1:39:24 PM

From: [Twist Tattoo](#)

Sent: Monday, February 1, 2021 8:44:08 AM

To: ~House Executive Departments and Administration

Subject: HB70 Testimony 2 of 4

Response requested: No

Importance: Normal

Attachments:

[PhotoGrid_Plus_1612178776956.jpg](#)  [Pixel with shading.jpg](#)  [microblade Christine
McRitchie.jpg](#)  [powder brow.jpg](#) 


Eyebrow Technique Photos

Warm Regards,

Laura Smith, CPCP & Nicholas Smith

Owners Twist Tattoo

twist-tattoo.com

Archived: Thursday, March 18, 2021 1:39:24 PM
From: Pam Smarling
Sent: Friday, January 29, 2021 2:57:24 PM
To: ~House Executive Departments and Administration
Subject: background on HB 70 microblading eyebrows
Response requested: No
Importance: Normal
Attachments:
[memo HB 70 microblading certification.pdf](#) 

TO: All Members of the House ED&A Committee,

Attached is one more memo for Monday. It provides a summary of the legislative activity of the 2020 bill authorizing the certification for microblading eyebrows.

Pam

Pam Smarling, Senior Committee Researcher
House Committee Research, Room 409, LOB
33 N. State St., Concord, NH 03301
(603) 271-3387



Archived: Thursday, March 18, 2021 1:39:24 PM
From: [heide](#)
Sent: Monday, February 1, 2021 9:50:59 PM
To: ~House Executive Departments and Administration
Cc: elaine.bonner@oplc.nh.gov
Subject: HB 70 - Public Hearing Follow Up
Importance: Normal

Dear Committee Members,

I am emailing all Representatives on the Executive Departments and Administration Committee as a follow up to the public hearing that was held today, February 1, 2021 on HB 70, on the authorization to permit microblading under the cosmetology & esthetician license in New Hampshire. I was unable to speak at the hearing due to sound quality issues with the call, but I would like to address why I cannot support this bill. A few days ago I sent an email to address questions committee members might have and concerns about passing this bill as its written. After listening to testimony from other community members at the hearing today, I observed there is still a lot of misguided information and misrepresentation of the scope of work when it comes to the community's understanding of microblading procedures. I have years of microblading and permanent makeup experience and continue to seek out continuing education opportunities. Before I entered microblading training, I completed training in health occupations, so I had some familiarity with the prerequisite work for training in semi-permanent makeup. My previous letter details the prerequisite work required to complete my training at an accredited microblading program that I attended in New Jersey. For anyone who may not be familiar with accredited microblading programs, the Beau Institute in New Jersey is the closest location that I am aware of that offers in person training that has been accredited by any governing authority. I specifically sought out this level of training, both for the time the Institute had been training in microblading procedures and for the relationship that the Institute holds with the American Academy of Micropigmentation. This is not to single out or favor this training program above other available programs but to inform the Committee of the challenges that practitioners currently face to access sufficient training to begin working in the field of microblading.

Following my initial training I pursued several other continuing education programs, not accredited by the AAM, which included work on live models as part of the curriculum under direct supervision of master artists or included direct observation of work on live models by the instructor. These training programs included microblading procedures on eyebrows and areolas. In the process of finding adequate training, I came across many opportunities that were very costly

but did not appear to offer the same rigor or the same level of engagement with real clients. These weekend courses I viewed with much skepticism because the certificates received were not regulated or governed by any micropigmentation body. Many of these programs do not offer students to work on real people but on synthetic skins, which is a vastly different learning experience, mainly that practitioners are not taught how to address contraindications with skin, medical histories, or blood exposure to name a few. As with many new and popular trends, it is often difficult to discern the experienced practitioners and professionals from those who are looking to expand their bottom lines, especially where regulations are either very new or nonexistent from state to state.

My concerns are that there many would be practitioners who want to enter into this field and supplement their current services, but adequate training is not readily available in New Hampshire or surrounding states. There are plenty of the popup “certificate” classes that offer a lot and deliver very little. Of the weekend classes I have taken, there is no way I would feel ready to offer microblading after completing them. Even after completing my classes of 400 hours that included work on 40 live models, I still continued supplementing my work by practicing on synthetic skins daily. To become proficient, I needed to apprentice under an experienced practitioner, someone who could judge and guide my work. After getting certified as an AAM-certified makeup tattoo artist, I was able to train as an apprentice and only after 3 years did I feel comfortable to apply for my NH license. While it’s reasonable that some students will pick up these skills more quickly than others, it would be irresponsible to think that students could acquire the same skills set after a couple of weekend classes. I have made this statement before, and I will say it again. Cosmetologists and estheticians do have extensive training in their field that only overlaps somewhat with the basics of microblading. This prior training and experience would not substitute or transfer to microblading training. Applying this logic would imply that I too could attend weekend classes and begin cutting and coloring hair or providing facials to clients. I would hope that this Committee and the licensing board would take issue with that proposition.

I appreciate that there are community members who are aware of microblading services offered to cancer patients, and in fact, some of my most rewarding work involves working with clients who have undergone chemotherapy, radiation therapy or reconstructive surgery. For these clients and other clients who are addressing medical issues, such as alopecia and trichotillomania, there are many considerations that must be made and coordination with care providers to ensure a safe and successful procedure. In my experience with many of the microblading certification courses, these considerations are not covered in the curriculum and some instructors have directed students to products that may harm clients if they

don't understand their clients' histories. This includes understanding the application of topical analgesics for pain management during procedures, which ones are allowed and which ones aren't, understanding which inks can be used on clients based on their skin sensitivities and potential contraindications. For example, the popular and less expensive inks available on Amazon are approved by Japan's drug regulatory agency but not the FDA. Some of the internationally approved inks that are readily available in US supply chains contain metals, which are highly toxic to cancer patients. I have attended classes where these products were recommended to students getting started because they are less expensive than FDA approved inks. There were some comments made at the hearing that let me know that proponents of this bill are not familiar with the potential risks involved in microblading procedures, and that should give this Committee and the licensing board pause. In the normal course of my work, I have to ask clients if they are breastfeeding or pregnant, taking blood thinners, have allergies or have undergone chemotherapy or radiation therapy. I have to turn clients away if they drink coffee on the same day of a procedure or are taking some medications. I have to get a doctor's note for clients who are taking some medications authorizing that the procedure is safe. All of this is well outside of taking additional precautions within CDC recommended Covid-19 guidelines. I have suspended some procedures to protect clients and my own safety because they are not safe to perform. All of this is to reiterate that the knowledge to practice safely is not covered in short, 2-3 microblading classes.

The discussion we focused on today is to determine if someone, who is interested in becoming a microblade practitioner, can receive adequate training by taking microblading courses under the cosmetology and esthetician license. This Committee has the responsibility of determining the appropriate path forward for safely licensing microblade practitioners in New Hampshire. I implore this Committee to take the position that microblading is far more technical than a few additional courses under the cosmetology and esthetician license and deserves more scrutiny than this bill proposes. I would further encourage the licensing board to consider a separate license for microblade practitioners that meets some minimum qualifications that are more in alignment with body artists, where their training and craft are much closer in skill sets than cosmetology and estheticians. An ideal licensing requirement would have practitioners training at an accredited program or have an apprenticeship for at least 1200 hours under a licensed microblade practitioner with a minimum number of years of licensed experience. While this may seem like a difficult licensing requirement to enforce, the Committee would be fulfilling its due diligence and upholding minimum safety standards to protect the residents of New Hampshire.

If any of you are still undecided about the impact that passing this bill might have, let me leave you with one final thought. I have been working on a client for the past five months who had cancer and underwent radiation therapy. She was very concerned she was going to lose her eyebrows so she had a microblading procedure with a practitioner in New Hampshire who had gotten a certificate. The procedure left her with a disfigured face with disproportionate eyebrows and the client didn't know what to do. It was, after all, a semi-permanent procedure and so she thought she was stuck with eyebrows that looked nothing like natural eyebrows. She had been living with these for a year. I have been painstakingly removing the ink from her eyebrows with a needle and saline solution to return them to a normal shape and restore her appearance to something closer to herself. For some this may not seem like a serious issue, but for most, this is a distressing experience on top of having to go through a cancer treatment just to try to feel normal. She is just one of many who are starting to ask for my services because someone else didn't have the proper training to provide this service. Many experienced microblade practitioners are confronting the problem of correcting other people's work because the previous practitioner wasn't adequately prepared to provide the service. Many of these same experienced practitioners do not want to correct others' poor work because it is a long and uncomfortable process for clients. I ask this Committee not to pass this bill and look for a more responsible path forward for microblade licensing.

Sincerely,

Heide Conlin
Permacosmetics LLC
603-377-1333
www.perma-cosmetics.com

Archived: Thursday, March 18, 2021 1:39:24 PM
From: [Holly Rodrigues](#)
Sent: Monday, February 1, 2021 10:23:50 AM
To: [~House Executive Departments and Administration](#)
Subject: HB70
Importance: Normal

Testimony in support of: House Bill 70: Authorizing certification for the microblading of eyebrows.

Submitted by: Holly Rodrigues, 89 Country Walk Dr., Manchester, NH 03109

Dear Honorable Representatives, and members of the Committee, My name is Holly Rodrigues, I am The Board Chairperson of the NH Board Of Cosmetology, Barbering and Esthetics. I am representing myself and want you to know as an Licenced Esthetics Instructor and practitioner for 25 years I am in complete favor of NH HB70. The Board of Tattoo has taken the time to set up guidelines to having the licensee appropriate classes to perform this service safely and effectively.

I urge you to support House Bill 70 so that the NH Licenced Cosmetologist and NH Licenced Estheticians can broaden their service offerings, cater the demands of their clientele and increase revenue.

Thank you for your consideration.
Holly Rodrigues
NH Board of Cosmetology,
Esthetics and Barbering

Archived: Thursday, March 18, 2021 1:39:25 PM
From: Twist Tattoo
Sent: Monday, February 1, 2021 8:50:13 AM
To: ~House Executive Departments and Administration
Subject: NH70 Testimony 3 of 4
Response requested: No
Importance: Normal

 [2021-02-01-05-25-02-nh-tattoo-artist-call-...](#)

Petition in opposition to HB70

Warm Regards,
Laura Smith, CPCP & Nicholas Smith
Owners Twist Tattoo
twist-tattoo.com

Archived: Thursday, March 18, 2021 1:39:25 PM
From: Twist Tattoo
Sent: Monday, February 1, 2021 8:43:14 AM
To: ~House Executive Departments and Administration
Subject: HN70 Testimony email 1 of 4
Response requested: No
Importance: Normal

 [HB70 Testimony finaldraft.pdf](#)

 [represented pmu artists.pdf](#)

Testimony in opposition to HB70

Hello Esteemed Committee Members,

My name is Laura Smith. I am the majority owner of Twist Tattoo located in Nashua, NH. I have been a New Hampshire Licensed Body Art Practitioner since 2008, holding licenses in both tattooing and body piercing. I currently specialize in cosmetic and paramedical tattooing. I attended Beauty EverLasting Permanent Make-Up Academy in Middlesex New Jersey and have over 230 hours of training and hold several certifications in cosmetic, paramedical and microblade tattoo techniques, in addition to the 3,000+ hours training from my apprenticeships for both of my Body Art Practitioner Licenses. I am an active member in good standing of the Society of Permanent Cosmetic Professionals (SPCP) and hold my Certified Permanent Cosmetic Professional (CPCP) accreditation from the SPCP.

I am here today over concern for HB70, which states "It shall be unlawful for any person who is not licensed under this chapter to perform the microblading of eyebrows, unless such person has a current license to practice as a cosmetologist or an esthetician under RSA 313-A".

This proposed Bill has the potential to greatly interfere with the livelihood of many tattoo practitioners who are licensed to microblade, and already offer this technique. Also, and equally important, it also poses a certain threat to the public, because by definition microblading is considered an advanced tattoo technique by much of the industry, which absolutely requires proper training in and a firm understanding of tattooing, bloodborne pathogens, and more.

The following two definitions are from the National Environmental Health Association's Body Art Model Code.

1. "TATTOOING means any act of placing ink or other pigment into or under the skin by the use of needles or any other method used to puncture the skin, resulting in permanent or temporary colorization of the skin. This includes all forms of permanent cosmetics."

2. "PERMANENT COSMETICS means a tattoo, whether permanent, semipermanent, or temporary, by someone other than a licensed physician, which includes but is not limited to eyebrows, eyelids, lips, and other parts of the body for beauty marks, hair imitation, lash enhancement, or areola repigmentation. This term includes any procedures whether referred to as, but not limited to, "permanent makeup," "microdermapigmentation," "micropigment

implantation,” “MICROBLADING,” “micro-needling with the use of pigment,” “dermagraphics,” “cosmetic tattooing,” or any other similar procedures and for the purpose of this Code has the same meaning as “TATTOO.”

Microblading is a tattoo technique in which a tight grouping of inline needles are used to open the skin at the level of the upper dermis to place pigment. This technique has associated risks that include but are not limited to: cutting too deep into the dermis, which can cause not only severe scarring but also blurring of the tattoo line work. These two things combined can lead to the disfigurement of a clients face. Proper depth is something that tattoo practitioners are well trained in knowing and feeling; however it can take a long time to establish this skill through a proper tattoo apprenticeship and lots of hands on practice.

Photo Exhibits:

I have submitted a series of photos to show different eyebrow tattooing devices along with photos of the effects they can produce. These photos include:

A) Microblade grouping with a standard single-use hand device handle: These together are used to microblade as described above to produce markings that resemble individual eyebrow hairs. Microblade Eyebrow Tattoo Technique is only performed with a hand device.

B) Pixel or SoftTap type needle cartridge with a standard single-use hand device handle: These together are used by tapping the needles into the upper dermal layer of the skin to insert pigment to produce markings that resemble individual eyebrow hairs or to create shading that resembles an eyebrow with topical makeup. One can create any combination of hairstrokes and shading with this device. The finished results can look just like microblading, however it is very important to note that they are entirely different techniques.

C) Rotary tattoo machine with a round liner needle cartridge: This fits into a tattoo machine and can be used to produce permanent markings that resemble individual eyebrow hairs or to create shading that resembles an eyebrow with topical makeup. One can create any combination of hairstrokes and shading with this device. The finished results can look just like microblading however it is important to note that they are entirely different techniques.

D) Rotary tattoo machine with a Mag Needle Cartridge: This fits into a tattoo machine and can be used to create shading that resembles an eyebrow with topical makeup.

Different skin types and conditions such as ageing, thin or oily skin, enlarged pores, and even medical conditions such as acne, trichotillomania, and alopecia are a just few contraindications that would predict a poor outcome for eyebrow microblading. Therefore, not all clients are good candidates to receive microblade tattooing. A trained tattoo technician has a firm understanding of how the skin reacts to tattooing under each of these conditions and will provide their clients with the appropriate technique for their unique skin type and desired outcome. However, individuals who are not as thoroughly trained may not be aware of different technique options for different skin types and may perform microblading on clients who are not good candidates. We should even consider the situation where some may even consider microblading as a coverall term for all eyebrow tattoo techniques and offer services that they have no training or certifications in.

In earlier language used by the Body Art Advisory board at a meeting on 12-05-2019, “the Board generally agreed to permit an exemption for estheticians to perform microblading with a powered machine only”. This is concerning as microblading is not performed with a machine. This is an example of how it is easy to mistake microblading for other eyebrow tattoo techniques. Microblading is performed with a manual hand device only.

The Society of Permanent Cosmetic Professionals is a professional organization which is dedicated to promoting permanent makeup safety, excellence, and professional standards by

providing education, certification, and industry guidelines. The SPCP states in their Microblading Fact Sheet:

“Permanent cosmetics, micropigmentation, dermal implantation, MICROBLADING/microstroking, eyebrow embroidery, and long-time/long-lasting makeup, are all different names for the same procedure – cosmetic tattooing. Any time color is placed into the skin with any device, it is a tattoo process as defined by many well informed regulators, the medical community, and dictionary sources. Denying this process is a tattoo can be problematic for those who would, for religious or other personal reasons, normally refuse to have a tattoo.”

In most U.S. States, cosmetologists and estheticians are not allowed to affect living tissue. The microblade tattoo technique, like all tattoo techniques does directly affect living tissue.

Changing regulations for a single tattoo technique will require establishing new regulations for medical waste (including sharps containment and disposal), bloodborne pathogens training, disinfection and sterilization, record keeping for release of liability and waiver forms, consent forms, and more.

Changing regulations for a single tattoo technique will cause a hardship for tattoo practitioners who are already safely providing quality microblading tattoo services for their clients.

Changing regulations for a single tattoo technique will cause a hardship for clients who won't be able to receive finishing and touch-up procedures from their chosen tattoo practitioner and ultimately, they would be forced to seek out less qualified individuals to perform services for them.

If approval of microblading trainers and training were to fall to the Board, this would prove time consuming and expensive to qualify trainers and classes. New regulations would be needed to set standards and qualifications for trainers and class curriculum necessary to cover all the subject matters associated with an invasive procedure (microblading).

On 1-20-2021 I began an online Petition and in only 11 days we gathered 137 signatures. This would indicate that public shares our concern.

In closing, to protect the health and safety of the public and to prevent certain hardships for affected licensed tattoo practitioners, as well as their clients, I would like to reiterate that microblading is just another name for ONE advanced technique of cosmetic eyebrow tattooing and it should remain regulated as tattooing. It should remain to be performed only by licensed tattoo practitioners who have completed the State required 1500 hours of tattoo training through a licensed Body Art Practitioner Tattoo Apprenticeship, as well as cosmetic tattoo and microblade-specific training and certifications.

Thank you for hearing my testimony.

Warm Regards,
Laura Smith, CPCP & Nicholas Smith
Owners Twist Tattoo
twist-tattoo.com

Archived: Thursday, March 18, 2021 1:39:25 PM
From: Peter Schmidt
Sent: Thursday, January 28, 2021 12:21:25 PM
To: heide
Cc: ~House Executive Departments and Administration
Subject: Re: HB 70 - On authorization for the certification of microblading of eyebrows
Importance: Normal

Received, thank you. There's an awful lot to consider here, so I need some time to work through all the aspects you raise. Would you be open to a phone call at some point? If so, please indicate the best time(s)/. Thank you again for writing.

On Wed, Jan 27, 2021 at 10:35 PM heide <heideconlin@gmail.com> wrote:

Dear Representatives on the Executive Departments and Administration Committee:

My name is Heide Conlin and I am emailing all Representatives on the Committee to request that this Committee not pass House Bill 70 - on the authorization for the certification of microblading of eyebrows. As a licensed medical micropigmentation body artist and certified microblading practitioner, I have reviewed the language this bill proposes and there are some concerns that this Committee should consider before voting on the legislation as it is written. The bill proposes that a person with a cosmetology and/or esthetician license would be the legal license under which a microblade practitioner would be able to operate. There are several reasons why this license does not meet the qualifications to practice microblading techniques. Further, the certification process and course offerings in microblading techniques varies widely from state to state. Many certification programs and courses are not accredited by a micropigmentation governing body nor are they accountable to state health department requirements.

First, a cosmetology and esthetician licensure does not require that the practitioner complete course work in anatomy and physiology nor a course in blood borne pathogens. To understand why this is relevant, one must understand the scope of work that microblading entails. A properly trained micropigmentation practitioner, or microblade practitioner, uses both manual and mechanical cutting tools that penetrate the first layer of the dermis. In this particular bill, the subject is eyebrows. However these same tools can be used to perform similar procedures on other parts of the body, such as eyes for eyeliner, lips and areolas. All of these procedures allow penetration to the first layer of the dermis. Therefore, the Committee would be overlooking the wider implications of this bill and its potential consequences by only referring to eyebrows when microblading, as the procedure has a broader scope. Cosmetologists and estheticians are not trained to perform procedures that penetrate the skin. The training to perform such procedures requires knowledge of infectious processes, contraindications of medications and skin conditions, contraindications of

immunocompromised patients, and a basic understanding of medical history as it relates to the procedure and potential outcomes. While New Hampshire should take steps to grant a Microblading certificate to qualified practitioners, the Committee needs to consider that certification must be achieved through diligent and appropriate supervision by those who are properly trained to administer such training. The current language in RSA 314-A defines “tattoo” as “an indelible mark or figure fixed upon the surface of the body by the insertion of pigment under the skin or by the production of scars.” At no point in cosmetology or esthetician training is the application of tattoos part of the required curriculum. However, body artists are trained extensively in the procedures of applying ink within the dermis and all of the requisite training associated to inserting ink in the dermis using specialized mechanical tools for procedures.

As a microblade practitioner I am very familiar with the current educational offerings to aspiring microblade practitioners. There are many training opportunities offered, and many of these programs are a 2 or 3 day course, promising that you will be a microblade practitioner at the end of the program. They give students a certificate at the end of the course and send them off to begin cutting people’s faces. Some courses offer free equipment to entice students. I have attended some of these courses, and some offer basic brow shaping, broad color theory but not the rigor of cutting into real people’s skin or handling skin or medical complications. I haven’t observed any microblading courses that offer infection control procedures. Some of these program professionals are very talented at their craft. However, that does not produce a safe microblade practitioner who is qualified to practice the techniques by the end of the course. There are, however, programs that are affiliated with the American Academy of Micropigmentation, the accrediting body for micropigmentation practitioners. If certification is the path forward in New Hampshire for microblade practitioners, I would strongly recommend that the certification process follow guidelines set forth by the AAM, at minimum, to support a safe pathway to certification. My education was through an accredited permanent makeup school that taught on subjects of infection control, CPR, needle selection, color theory, facial structure, needle depth, medication concerns, and anatomy and physiology of the face. Although I learned a lot in my coursework, I was still not ready to operate a microblading business because I did not have the practical experience. A practitioner needs to apprentice under appropriate supervision on real people before operating independently.

Cosmetologists and estheticians may encounter allergic reactions to hair or skin products, and while they are prepared to address those concerns, their training does not prepare them for the broader implications that microblading has on the body. Although I can appreciate the training that estheticians and cosmetologists complete to develop their craft, the scope of the work they perform is vastly different than that of a microblade practitioner. Allowing practitioners with cosmetology and esthetician licenses to offer microblading with additional coursework would be a misjudgment of the procedures being performed and would put the public at risk. As stated in RSA-

314:4, a practitioner “has been practicing body piercing, branding, or tattooing in an establishment, under the supervision of a person practicing body piercing, branding, or tattooing in compliance with the applicable statutes and rules of the state for not less than 3 years. Out-of-state applicants shall provide proof of at least 3 years experience as a licensed practitioner in another state.” This requirement, though formidable for entrance into full licensure, is a responsible pathway to ensure that practitioners have the necessary supervision and training to perform microblading procedures safely and effectively.

In conclusion, I would ask this Committee to reject this bill as it is written to protect the health of New Hampshire. I would submit that the Committee propose a bill that assigns authority and supervision of microblading to practitioners who are qualified to perform those duties.

Sincerely,
Heide Conlin
Micropigmentation Practitioner
Permacosmetics, LLC
Hampton, NH 03842
603-377-1333
www.perma-cosmetics.com

Archived: Thursday, March 18, 2021 1:39:25 PM

From: [heide](#)

Sent: Wednesday, January 27, 2021 10:35:36 PM

To: ~House Executive Departments and Administration

Subject: HB 70 - On authorization for the certification of microblading of eyebrows

Importance: Normal

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Sincerely,

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Micropigmentation Practitioner

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Hampton, NH 03842

603-377-1333

www.perma-cosmetics.com



SOCIETY OF PERMANENT COSMETIC PROFESSIONALS

~ *Global Leaders in the Cosmetic Tattoo Industry* ~

January 13, 2021

The Honorable Carol McGuire
700 Suncook Valley Highway
Epson, NH 03234-4333

Carol@mcguire4house.com

RE: NH HB70 2021 Authorizing certification for the microblading of eyebrows.

Dear Representative McGuire,

It has been brought to our attention by both members and nonmembers of the SPCP that you are a sponsor of a bill to enact legislation that would require the Department of Cosmetology to certify and oversee an eyebrow tattoo procedure called microblading. As the Executive Director of the Society of Permanent Cosmetic Professionals, and having a thirty-year history in the cosmetic tattooing industry and a previous owner of a tattoo studio established in 1991, and a former Registered Nurse, I present to you that I am fully qualified to comment on this Bill and the procedure in question.

It is essential to understand that microblading is only one technique of many to tattoo the eyebrow area to mimic the eyebrows' appearance. Of all the methods, microblading is one of the most difficult. Those cosmetic tattoo professionals with adequate training understand that very few potential clients are good candidates for this technique. It requires very pristine skin that is generally free from oils, wrinkles, enlarged pores, etc., to be successful. We have seen, due to the complexities and limitations of microblading, this technique has become less popular than other techniques.

It is unclear why the Board of Body Art Practitioners has chosen to request a change to the oversight agency for only one tattoo technique, but since there is so little time, I felt it was important to contact the Bill's sponsors first.

There is much information available regarding microblading on social media and the internet that is incorrect. I encourage you to research the facts. Please refer to the following information:

https://www.spcp.org/pdfs//SPCP_Fact_Sheet_Microblading.pdf

https://www.spcp.org/pdfs/SPCP_Guidelines_Microblading.pdf

https://www.spcp.org/pdfs/SPCP_Position_on_Two_Day_Microstroking_1_30_16.pdf

The SPCP, a membership society celebrating its 30th year, has an integral role in educating the public and professionals in the industry. We have participated in the development of the National Environmental Health Association Body Art Model Code, which is a national standard for all body art, which includes permanent cosmetics (which includes microblading). Please note the term microblading in the BAMC definition of permanent cosmetics:

“PERMANENT COSMETICS means a tattoo, whether permanent, semipermanent, or temporary, by someone other than a licensed physician, which includes but is not limited to eyebrows, eyelids, lips, and other parts of the body for beauty marks, hair imitation, lash enhancement, or areola repigmentation. This term includes any procedures whether referred to as, but not limited to, “permanent makeup,” “microdermapigmentation,” “micropigment implantation,” “microblading,” “micro-needling with the use of pigment,” “dermagraphics,” “cosmetic tattooing,” or any other similar procedures and for the purpose of this Code has the same meaning as “tattoo.” <https://www.neha.org/eh-topics/body-art-o/body-art-model-code>

The SPCP Board of Directors is requesting you to initiate appropriate legislative protocol to withdraw HB 70 for these reasons:

1. Microblading is not an industry service to itself. It is simply one style of eyebrow tattooing, of which there are many, including but not limited to ombre, powder, pointillistic, and hair stroke – both by manual and machine devices. Microblading is manual device hair stroke tattooing.
2. Microblading, a form of cosmetic tattooing, is under the Department of Health’s oversight in most states.
3. Cosmetologists and electrologists do not penetrate the epidermis for their procedures. Unless the Board of Cosmetology plans to oversee the entire tattoo industry, it does not make sense to separate and develop educational standards, protocols, and inspections for only one procedure technique of many.
4. Of all brow tattoo techniques, microblading is considered by many to be an advanced technique and requires more education. The level of education would best be determined by those board members who are well acquainted with all cosmetic tattoo techniques.
5. Erroneously, clients may consider microblading as a coverall term for all brow techniques. It is only one technique of many. A fully trained cosmetic tattoo artist would be able to sort this out and provide the best possible eyebrow technique for the client.

I would be happy to provide more information or address any questions you would have.

Sincerely yours,



Kate Ciampi Shergold
Executive Director



SOCIETY OF PERMANENT COSMETIC PROFESSIONALS

~ Global Leaders in the Cosmetic Tattoo Industry ~

January 13, 2021

The Honorable Carol McGuire
700 Suncook Valley Highway
Epson, NH 03234-4333

Carol@mcguire4house.com

RE: NH HB70 2021 Authorizing certification for the microblading of eyebrows.

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I would be happy to provide more information or address any questions you would have.

Sincerely yours,



Kate Ciampi Shergold
Executive Director

Archived: Wednesday, March 17, 2021 2:03:49 PM

From: [Twist Tattoo](#)

Sent: Monday, February 1, 2021 8:44:08 AM

To: ~House Executive Departments and Administration

Subject: HB70 Testimony 2 of 4

Response requested: No

Importance: Normal

Attachments:

[PhotoGrid_Plus_1612178776956.jpg](#)  [Pixel with shading.jpg](#)  [microblade Christine
McRitchie.jpg](#)  [powder brow.jpg](#) 


Eyebrow Technique Photos

Warm Regards,

Laura Smith, CPCP & Nicholas Smith

Owners Twist Tattoo

twist-tattoo.com

Archived: Wednesday, March 17, 2021 2:03:49 PM
From: [Twist Tattoo](#)
Sent: Monday, February 1, 2021 8:51:18 AM
To: ~House Executive Departments and Administration
Subject: HB70 Testimony 4 of 4
Response requested: No
Importance: Normal
Attachments:
[HB70 SPCP to Rep McGuire.pdf](#) 

Letter from SPCP to supporting Rep Carol McGuire

Warm Regards,
Laura Smith, CPCP & Nicholas Smith
Owners Twist Tattoo
twist-tattoo.com

Thank you, Chairwoman McGuire and members of the Executive Departments and Administration (ED&A) for having us here today for the hearing of HB209 FN, a bill that was improved by ED&A subcommittee last session and ready to pass into law when COVID19 had its way with it beyond the wall.

I'm Representative Kat McGhee of Hillsborough 27, Hollis and I am the prime sponsor on the bill, which has a twin-bill on the Senate side, sponsored by Senator Avard. Senator Avard and I have discussed our support for this legislation and therefore, I would ask that you consider it to be a non-partisan bill.

Although there are experts who will provide testimony relative to both the Music Therapy profession and the need for licensure to delineate what a qualified music therapist is, and is not, I would like to simply address the nuts and bolts of what music therapy is, and what the bill would do.

What is Music Therapy

Music therapy is an allied health profession similar to physical, occupational, or speech therapy. A Board Certified Music Therapist utilizes music based activities to address social, emotional, physical, communicative, and cognitive domains on an individualized basis. Research in music therapy supports its effectiveness in many areas such as: overall physical rehabilitation and facilitating movement, increasing people's avenues for communication that can be helpful to those who find it difficult to express themselves in words. Research in music therapy supports its effectiveness in many areas such as: overall physical rehabilitation and facilitating movement, increasing people's motivation to become engaged in their treatment, providing emotional support for clients and their families, and providing an outlet for expression of feelings. Examples of music-based activities include: songwriting and lyric analysis, instrument playing, music and movement, and/or improvisation. Music therapists work with all populations, including behavioral health, military populations, Autism Spectrum Disorder and other Developmental Disabilities, Alzheimer's Disease, persons in correctional and forensic facilities, in response to crisis and trauma, within medical settings, and in collaboration with music educators and other team collaborations

On a personal note, a family member of ours suffered a severe spinal cord injury this past summer and as an 18 year old, his prospects for a life confined to a wheel chair was devastating. Spaulding Rehabilitation recommended Music Therapy for its proven effects in aiding with nerve induced injuries to the spinal cord. I would submit to you that all therapies are not alike, and that acknowledging the value of music therapy is simply a matter of learning more about its worth to those in need.

RSA 328:F governing Allied Health Professions would be modified to include licensed music therapist in accordance with the language that was modified by members of this House committee. First and foremost, that is the aim – to recognize this well-established profession in the State of New Hampshire for the therapeutic benefits it provides and to allow health providers to include this form of therapy in their allied health professionals list, for the purposes of insurance reimbursement.

In the last session, when I learned about the objections of the chair to the idea of adding qualified forms of therapy to the approved insurance systems lists, I really did not know how to respond to her concern that this would make insurance costs go up. However, it appears that having the option of a particular modality does not mean a patient uses more services, but merely that they have the freedom to choose the appropriate modality, depending upon their particular condition. In this way, music therapy has been proven to work in cases where other therapies do not, and these results are scientifically based – it's not merely someone playing a guitar or recorded music without goal-setting and purposeful expertise behind it. It is supporting a trained therapist in defining a treatment plan that leverages the power of music to meet patients where they are, to achieve specific goals against stubborn impediments.

The Fiscal Note mentions the costs associated with having to add a person who administers this program for the state. There would be an offset to that cost based upon the existing and future licensure fees, collected every two years, that would contribute to the cost of Music Therapy Licensure Administration. I believe an objection to this salary should be met with the understanding that the other salaries now paid, for other Allied Health professions, are no more worthy than Music Therapy.

If you have any questions of me, I'm happy to attempt to answer them. Otherwise, I would pass the baton to Licensed music Therapist, Marissa Scott for the next portion of the presentation.

Thank you for your time.



New Hampshire Speech-Language-Hearing Association
PO Box 1538 Concord NH 03302-1538 nhsalha@gmail.com

February 3, 2021

The Honorable Carol McGuire
Chair, Executive Departments and Administration Committee New Hampshire House of
Representatives
107 North Main Street
Concord, NH 03301

Re: HB 209 – Licensure and Regulation of Music Therapists

Dear Chairwoman McGuire and Members of the Committee:

I am writing to follow up on the hearing on HB 209 that occurred on Monday, February 1, 2021.

I am the Past VP of Governmental Affairs for the New Hampshire Speech-Language-Hearing Association (NHSLHA) and have served as President and Treasurer on the NHSLHA Executive Board. I also served two terms on the Advisory Council of the American Speech-Language-Hearing Association (ASHA).

I have lived in Nashua since 1952 and before retirement, I was employed at Nashua Community College as the Director of the Speech-Language Pathology Assistant Program.

The objections that ASHA and NHSLHA have to HB 209 as written are based the need for clear professional boundaries.

The husband of a stroke survivor told me once that "Speech-language pathology is the most important thing that the general public knows nothing about." He was surprised that the decision to discharge his wife from the hospital would not be made by the neurologist, but by the speech-language pathologist, based on his wife's swallowing ability. SLPs treat swallowing disorders as well as communication disorders.

Due to the general lack of knowledge about the areas of expertise of speech-language pathologists, the lack of clear professional boundaries between music therapy's area of practice and that of speech-language pathologists will lead to confusion and possible harm to the public.

Music therapy is certainly a valuable service, but cannot take the place of treatment by a speech-language pathologist for individuals with communication disorders.

Adding the wording that music therapy cannot replace the services of a speech-language pathologist or audiologist does not reduce the music therapist's ability to treat, but does make clear that the professions offer separate and distinct services.

We are also asking that when the music therapist is treating an individual with a communication disorder, the music therapist will consult with the SLP. Collaboration with other professionals treating the same person is the cornerstone of interprofessional practice.

If the individual being treated by a music therapist were not receiving services from an SLP, there would be no necessity for consultation regarding that individual.

A search for studies on the efficacy of music therapy returned multiple articles on music therapy for mental health, addiction and pain reduction, but evidence for the use of music therapy in treating communication disorders is largely anecdotal. The American Speech-Language-Hearing Association has been publishing peer-reviewed studies on the assessment and treatment of speech, language and hearing disorders since 1936.

Adding the wording requested by ASHA to HB 209 (quoted from ASHA letter to the Committee dated January 29, 2021) would eliminate the NHSLHA's opposition to the bill:

ASHA maintains that although a music therapist may treat an individual with a communication disorder, music therapists are not qualified to treat the communication disorder itself, which falls under the scope of practice of a speech-language pathologist (SLP). Therefore, ASHA requests that the definition of the practice of music therapy be amended as follows:

The practice of music therapy does not include the screening, diagnosis, or assessment of any physical, mental, or communication disorder **or treatment of a communication disorder. The services of a music therapist shall not replace the services of an audiologist or speech-language pathologist.**

ASHA also requests that the following provisions be added to the definition on "music therapy", section (g):

Music therapists shall collaborate with and discuss the music therapy treatment plan with the audiologist or speech-language pathologist of a client with a communication disorder.

Sincerely,

Victoria Chesterley

Victoria Chesterley, MS, CCC-SLP

Points for 2021 Bill Session

MT RESPONSE TO COVID-19

- ⅔ of Board Certified Music Therapists have added telehealth as a service delivery option
 - This allows for continuity of services, during a time when much is up in the air
 - Enhanced therapeutic outcomes, improved family involvement in their loved ones' progress
- Clients respond favorably to telepractice music therapy, in some cases more so than in-person sessions
- Family members are more involved during sessions, seeing more change in their loved ones because of the increased involvement in sessions
- Music therapists are supporting co-workers in in-patient and residential settings
 - Increased joy and gratitude for the connections made and maintained through shared musical experiences, especially during a period of increased isolation and stress
- Music therapists have adapted the delivery of services as well as diversified service options to meet the needs that have emerged following the start of the COVID-19 pandemic
 - Continues to benefit consumers, family members, and healthcare providers
 - Access to music therapy services should continue to be supported through:
 - Existing financial structures and emerging funding options
 - Music therapy services should be considered when identifying potential pandemic-related treatment and support services

INCREASING ACCESS TO SERVICES

- Documented growth of field in the state - licensure makes sense now before too large
- Medicaid won't cover services - because of the lack of state licensure - this inhibits anyone with medicaid/medicare from receiving beneficial services.
- If we had a state license - roughly 13.6% of the NH population would be authorized for coverage under Medicaid
- People turned away or on sliding fee multiplied by 40 = number of potential people we could service.

What is Music Therapy

Music therapy is an allied health profession similar to physical, occupational, or speech therapy. A Board Certified Music Therapist utilizes music based activities to address social, emotional, physical, communicative, and cognitive domains on an individualized basis. Research in music therapy supports its effectiveness in many areas such as: overall physical rehabilitation and facilitating movement, increasing people's avenues for communication that can be helpful to those who find it difficult to express themselves in words. Research in music therapy supports its effectiveness in many areas such as: overall physical rehabilitation and facilitating movement, increasing people's motivation to become engaged in their treatment, providing emotional support for clients and their families, and providing an outlet for expression of feelings. Examples of music-based activities include: songwriting and lyric analysis, instrument playing, music and movement, and/or improvisation. Music therapists work with all populations, including behavioral health, military

populations, Autism Spectrum Disorder and other Developmental Disabilities, Alzheimer's Disease, persons in correctional and forensic facilities, in response to crisis and trauma, within medical settings, and in collaboration with music educators and other team collaborations.

Training & Education of A Music Therapist

Music therapists are currently trained at the Bachelors, Masters, or equivalency level. After successful completion of required coursework, as well as a minimum 1,200 hour internship field experience, the music therapist must sit for a national examination offered by the Certification Board for Music Therapists. All Music Therapists must pass this examination, earning the credential MT-BC (Music Therapist, Board Certified) and are required to complete 100 hours of continuing education credits every five years.

Why Do MTs need a license?

- a. Increasing access to services (Medicaid/IEP)
- b. Protecting the public
- c. To address confusion between music therapists and other professionals

4. Impact of MT Response During COVID

NH is a largely rural state - COVID has proven our reliability and ability to provide virtual services - this enables us to reach individuals in rural communities and ensure that those services are being provided by a qualified professional

Archived: Wednesday, March 17, 2021 2:03:49 PM
From: Twist Tattoo
Sent: Monday, February 15, 2021 2:56:38 PM
To: ~House Executive Departments and Administration
Subject: Testimony in oposition to HB70 2021
Importance: Normal
Attachments:


2nd Testimony Opposition

HB70.pdf  photoGrid_Plus_1613071226730.jpg  photoGrid_Plus_1613071014443.jpg  photoGrid
_Plus_1613414718462.jpg  photoGrid_Plus_1613262991390.jpg  photoGrid_Plus_16130708571
86.jpg  photoGrid_Plus_1613263653548.jpg  photoGrid_Plus_1613068816107.jpg  photoGrid_Pl
us_1613414311699.jpg  photo exhibits Opposition HB70.pdf 

Dear Esteemed Committee,

Thank you for continuing to consider my testimony in opposition to HB70. Included here is a PDF of my second written testimony as well as photgraphic exhibits and a second PDF containing written testimony to go along with the photos.

Best Regards,
Laura Smith

Archived: Wednesday, March 17, 2021 2:03:49 PM
From: Pam Smarling
Sent: Friday, January 29, 2021 2:57:24 PM
To: ~House Executive Departments and Administration
Subject: background on HB 70 microblading eyebrows
Response requested: No
Importance: Normal
Attachments:
[memo HB 70 microblading certification.pdf](#) 

TO: All Members of the House ED&A Committee,

Attached is one more memo for Monday. It provides a summary of the legislative activity of the 2020 bill authorizing the certification for microblading eyebrows.

Pam

Pam Smarling, Senior Committee Researcher
House Committee Research, Room 409, LOB
33 N. State St., Concord, NH 03301
(603) 271-3387



02/15/2021

Laura Smith
Twist Tattoo
(603) 320-1198
38c East Hollis St.
Nashua, NH. 03060
twistbodyart@gmail.com

Re: NH HB70 2021

Dear Honorable Committee Members,

Thank you for allowing me time to speak in opposition to HB70 at the February 1st Hearing. I would like to take this opportunity to elaborate on a few points and present more information.

First and foremost, I would like to address the concept that was brought up by a couple who spoke at the hearing, that microblading is a "simple procedure". I along with the SPCP and several other NH Licensed Tattoo Practitioners have reported that there are many techniques for eyebrow tattooing and that microblading is an advanced technique.

As mentioned in my previous testimony, I currently have over 230 hours of cosmetic tattoo training hours including certification in microblading. When I decided to include microblading to my repertoire of brow services, I had already taken an SPCP approved 100-hour hands on fundamental program of Cosmetic Tattooing at an accredited Cosmetic Tattoo Academy. I already had experience tattooing but also certifications and experience in performing both basic and other advanced Cosmetic Tattooing Techniques. However, my own personal experience with a reputable Microblade Training Academies 50 hour online course left me feeling ill-prepared to perform microblading on clients, due to the lack of real direction and confusing information within the course.

It took me almost a year of seeking mentors for guidance and practicing on latex, pig skin, fruit, and then much later human models before I was able to confidently offer it as a brow tattoo option. If I did not have a firm grasp of what tattooing is, depth control, skin types, medical contraindications, wound healing, color theory, and how skin undertones can change the healed results, I would have not known that anything was missing from the course and I would have left it certified and thinking I was ready to offer it as a service. As the saying goes – you don't know what you don't know. Without my experiences as a Tattoo and Cosmetic Tattoo Practitioner I very possibly could have disfigured someone's face due to a lack of proper understanding of tattoo technique and all other previously mentioned factors.

It has been my personal experience that clients who come to me thinking they want microblading often must be guided towards other more suitable eyebrow techniques for their skin and desired outcome. This makes it critical to reiterate that not all clients are good candidates to receive microblade tattooing. Different skin types and conditions such as ageing, thin or oily skin, enlarged pores, and even medical conditions such as acne, trichotillomania, and alopecia are a just few contraindications that would predict a poor outcome for eyebrow microblading. A trained tattoo practitioner has a firm understanding of how the skin reacts to tattooing under each of these conditions and will provide their clients with the appropriate technique for their unique skin type and desired outcome. This cannot be learned online. This cannot be learned in a two to four-day or even a 50 hour course.

It is my opinion that it is within the standards and quality of training and certification that we need new regulations pertaining to microblading and all Cosmetic Tattooing for already licensed Tattoo Practitioners before considering opening the field up to new, less trained and under experienced, individuals.

It must be stated that microblading is an invasive technique in that it penetrates to the upper dermis when performed correctly. It has not been established that Cosmetology has the protocols of the prevention of cross-contamination through fastidious decontamination and understanding what sterilization needs are used in tattoo processes. Changing regulations for a single tattoo technique will require establishing new regulations for:

- **Microblade training and certification, Standards and qualifications would have to be set for trainers and class curriculum necessary to cover all the subject matters associated with an invasive tattoo procedure (microblading).**
- **Performing and managing an invasive procedure.**
- **Locations procedure will be performed. Any place where fumes, dust, skin, hair or other particles may be prevalent in the air should not be considered a safe place to affect living tissue by opening the skin.**
- **Establishing means to determine and regulate that this is the only tattoo service they are performing. As I have provided through testimony and photographic exhibits it is very easy to confuse and or lump other tattoo techniques with microblading.**
- **Medical waste (including sharps containment and disposal).**
- **Bloodborne Pathogens Training**
- **Disinfection and Sterilization**
- **Record keeping for consent and release of and liability and waiver forms. It is required that client forms are held for a minimum of 7 years from the date of procedure.**
- **And more**

HB70 states that:

"It shall be unlawful for any person who is not licensed under this chapter to perform the microblading of eyebrows, unless such person has a current license to practice as a cosmetologist or an esthetician under RSA 313-A".

The terminology used in the bill would indicate that all currently Licensed Tattoo Practitioners will be stripped of their rights to perform a service that their clients already count on them for. **I would like to reiterate here that this would create devastating hardships to both the Artist, whose income it will effect and their clients in need of work or touch up from their known and trusted Licensed Tattoo Practitioner, whom will now have to seek out someone unknown and less qualified.**

If I could just interject my own personal thoughts for one moment here. If I one day decided I wanted to offer cosmetology service for my clients it would not be fair or safe if I could just take a single course in said service and be allowed to forgo the State required training hours cosmetologists and estheticians must undergo to gain licensing for their craft. How is it fair or safe then for them to do just this with an invasive and dangerous tattoo service, one that can scar and disfigure peoples faces? If an individual wants to perform microblade tattoo services it should stand to reason that they must be trained in tattooing.

I am available to speak more on the matter any time via email, and by text message or phone call every day before 1pm and until 5pm on Tuesdays and Wednesdays.

Thank you for your kind attention in this matter.

Best regards,
Laura Smith, CPCP

02/15/2021

Laura Smith
Twist Tattoo
(603) 320-1198
38c East Hollis St.
Nashua, NH. 03060
twistbodyart@gmail.com

Re: NH HB70 2021

Dear Honorable Committee Members,

I am resubmitting in this email the photo evidence I submitted for the hearing because I did not go over it at the hearing. I find it imperative to reiterate that microblading is only one name for one technique of many eyebrow tattooing techniques. I believe that these photos demonstrate why microblading belongs with all other eyebrow tattoo techniques. If separated, it can lead to individuals considering microblading a coverall term for all eyebrow tattoo techniques. Some may mistakenly, and/or dishonestly offer the public services that they have no experience in or authority to offer.

Photo Exhibits:

- a. Microblade inline needle cartridge with a standard single-use handle: These together are used to open the upper dermal layer of the skin and place pigment within to produce permanent markings that resemble individual eyebrow hairs or “hairstrokes”.
- b. Pixel or SoftTap type needle cartridge with a standard single-use handle: These together are used by tapping the needles into the upper dermal layer of the skin to insert pigment to produce permanent markings that resemble individual eyebrow hairs or to create shading that resembles an eyebrow with topical makeup. One can create any combination of hairstrokes and shading with this device. Although different techniques, the finished result can look just like microblading.
- c. Rotary tattoo machine with a round liner needle cartridge: This fits into a tattoo machine and can be used to produce permanent markings that resemble individual eyebrow hairs or to create shading that resembles an eyebrow with topical makeup. One can create any combination of hairstrokes and shading with this device. Although different techniques, done with very different devices, the finished results can also look like microblading.
- d. Rotary tattoo machine with a Mag needle cartridge: This is one of the many machine techniques to create shading that resembles an eyebrow with topical makeup.

Photo Exhibits e - h: These photo were taken by myself and other licensed Tattoo Practitioners, they consist of clients seeking help to correct improper microblading and other eyebrow tattooing that was done by individuals who do not hold tattoo practitioner licenses. These clients are all left with scarred brows that they are very unhappy and uncomfortable with. It deeply effects their self confidence (which in most cases is precisely what lead them to want to tattoo their faces in the first place). A couple of them are candidates for corrective or removal services which may provide some help, however these services are expensive, painful, they all take several procedures and none are guaranteed to help.

Photo Exhibit i: Microblade procedures being properly performed. This photo depicts how the inline needles are used as a “blade” which is dragged across the skin to open the upper dermis and implant pigment to facilitate the appearance of individual eyebrow hairs. The body fluids present in this photograph indicates that microblading is an invasive tattoo procedure that affects living tissue and produces Bloodborne Pathogens.

I am available to speak more on the matter anytime via email, and by text message or phone call every day before 1pm and until 5pm on Tuesdays and Wednesdays. I am happy to submit more photos, if desired.

Once again thank you for your kind attention in this matter.

Best regards,
Laura Smith, CPCP



SOCIETY OF PERMANENT COSMETIC PROFESSIONALS

~ *Global Leaders in the Cosmetic Tattoo Industry* ~

January 13, 2021

The Honorable Carol McGuire
700 Suncook Valley Highway
Epson, NH 03234-4333

Carol@mcguire4house.com

RE: NH HB70 2021 Authorizing certification for the microblading of eyebrows.

Dear Representative McGuire,

It has been brought to our attention by both members and nonmembers of the SPCP that you are a sponsor of a bill to enact legislation that would require the Department of Cosmetology to certify and oversee an eyebrow tattoo procedure called microblading. As the Executive Director of the Society of Permanent Cosmetic Professionals, and having a thirty-year history in the cosmetic tattooing industry and a previous owner of a tattoo studio established in 1991, and a former Registered Nurse, I present to you that I am fully qualified to comment on this Bill and the procedure in question.

It is essential to understand that microblading is only one technique of many to tattoo the eyebrow area to mimic the eyebrows' appearance. Of all the methods, microblading is one of the most difficult. Those cosmetic tattoo professionals with adequate training understand that very few potential clients are good candidates for this technique. It requires very pristine skin that is generally free from oils, wrinkles, enlarged pores, etc., to be successful. We have seen, due to the complexities and limitations of microblading, this technique has become less popular than other techniques.

It is unclear why the Board of Body Art Practitioners has chosen to request a change to the oversight agency for only one tattoo technique, but since there is so little time, I felt it was important to contact the Bill's sponsors first.

There is much information available regarding microblading on social media and the internet that is incorrect. I encourage you to research the facts. Please refer to the following information:

https://www.spcp.org/pdfs//SPCP_Fact_Sheet_Microblading.pdf

https://www.spcp.org/pdfs/SPCP_Guidelines_Microblading.pdf

https://www.spcp.org/pdfs/SPCP_Position_on_Two_Day_Microstroking_1_30_16.pdf

The SPCP, a membership society celebrating its 30th year, has an integral role in educating the public and professionals in the industry. We have participated in the development of the National Environmental Health Association Body Art Model Code, which is a national standard for all body art, which includes permanent cosmetics (which includes microblading). Please note the term microblading in the BAMC definition of permanent cosmetics:

“PERMANENT COSMETICS means a tattoo, whether permanent, semipermanent, or temporary, by someone other than a licensed physician, which includes but is not limited to eyebrows, eyelids, lips, and other parts of the body for beauty marks, hair imitation, lash enhancement, or areola repigmentation. This term includes any procedures whether referred to as, but not limited to, “permanent makeup,” “microdermapigmentation,” “micropigment implantation,” “microblading,” “micro-needling with the use of pigment,” “dermagraphics,” “cosmetic tattooing,” or any other similar procedures and for the purpose of this Code has the same meaning as “tattoo.” <https://www.neha.org/eh-topics/body-art-o/body-art-model-code>

The SPCP Board of Directors is requesting you to initiate appropriate legislative protocol to withdraw HB 70 for these reasons:

1. Microblading is not an industry service to itself. It is simply one style of eyebrow tattooing, of which there are many, including but not limited to ombre, powder, pointillistic, and hair stroke – both by manual and machine devices. Microblading is manual device hair stroke tattooing.
2. Microblading, a form of cosmetic tattooing, is under the Department of Health’s oversight in most states.
3. Cosmetologists and electrologists do not penetrate the epidermis for their procedures. Unless the Board of Cosmetology plans to oversee the entire tattoo industry, it does not make sense to separate and develop educational standards, protocols, and inspections for only one procedure technique of many.
4. Of all brow tattoo techniques, microblading is considered by many to be an advanced technique and requires more education. The level of education would best be determined by those board members who are well acquainted with all cosmetic tattoo techniques.
5. Erroneously, clients may consider microblading as a coverall term for all brow techniques. It is only one technique of many. A fully trained cosmetic tattoo artist would be able to sort this out and provide the best possible eyebrow technique for the client.

I would be happy to provide more information or address any questions you would have.

Sincerely yours,



Kate Ciampi Shergold
Executive Director

Bill as
Introduced

HB 70 - AS INTRODUCED

2021 SESSION

21-0025

10/08

HOUSE BILL **70**

AN ACT authorizing certification for the microblading of eyebrows.

SPONSORS: Rep. McGuire, Merr. 29; Rep. T. Lekas, Hills. 37; Rep. Pitre, Straf. 2

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill allows certain persons who are not licensed for tattooing as body art practitioners to perform microblading of eyebrows.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~in brackets and struck through.~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 70 - AS INTRODUCED

21-0025

10/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT authorizing certification for the microblading of eyebrows.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Paragraph; Body Art; Microblading. Amend RSA 314-A:2 by inserting after paragraph
2 III the following new paragraph:

3 IV. It shall be unlawful for any person who is not licensed under this chapter to perform the
4 microblading of eyebrows, unless such person has a current license to practice as a cosmetologist or
5 an esthetician under RSA 313-A and has been issued a certificate for microblading eyebrows
6 pursuant to rules adopted by the executive director.

7 2 New Paragraph; Body Art; Rulemaking. Amend RSA 314-A:6 by inserting after paragraph V
8 the following new paragraph:

9 VI. Requirements to obtain and renew a certificate for microblading eyebrows including:

10 (a) Application forms and approval of microblading courses.

11 (b) Standards of hygiene for performing microblading.

12 (c) Procedures for disciplinary action including suspension, limitation, or revocation of a
13 microblading certificate.

14 3 Effective Date. This act shall take effect July 1, 2021.