

# Senate Executive Departments and Administration Committee

*Cameron Lapine 271-2104*

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

**Hearing Date:** March 17, 2021

**Time Opened:** 9:15 a.m.

**Time Closed:** 9:25 a.m.

**Members of the Committee Present:** Senators Carson, Reagan, Ricciardi, Cavanaugh and Prentiss

**Members of the Committee Absent :** None

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

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**Sponsors:**

Rep. McGuire

Rep. T. Lekas

Rep. Pitre

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**Who supports the bill:** Representative Carol McGuire (Merrimack – District 29).

**Who opposes the bill:** Robin Vogt.

**Who is neutral on the bill:** Tom Broderick (the Office of Professional Licensure and Certification).

**Summary of testimony presented in support:**

**Representative Carol McGuire**

**Merrimack – District 29**

- Representative McGuire said that HB 70 allows for a certificate for the microblading of eyebrows. She said that microblading is a permanent makeup technique and considered tattooing, which requires a tattoo license and a two-year apprenticeship.
- Rep. McGuire said that some people in New Hampshire do offer microblading at this time. She said that there is significant demand for a less strenuous training program for the technique. She said that while the technique is not as complicated as a tattoo, it does break the skin to create a permanent eyebrow.
- Rep. McGuire said that she worked with the Advisory Board of Body Art Practitioners on HB 70 and that the Board is working on approval for training courses and the sanitation requirements.
- Rep. McGuire said that HB 70 would allow the Board to train licensed cosmetologists and estheticians to perform microblading and issue a certificate.
- Rep. McGuire said that HB 70 passed House Executive Departments and Administration unanimously both in 2021 and in 2020, and passed the House on the Consent Calendar.

- Senator Ricciardi asked if there should be a form or disclaimer when someone receives a microblading from a certificate holder that states the individual has not gone through the two-year apprentice program.
  - Rep. McGuire said that Senator Ricciardi raised an interesting question but that any safety forms or requirements would be covered in the rulemaking process and not in the statute.
- Senator Prentiss asked if HB 70 would apply to licensed estheticians who want to provide the microblading procedure but are not tattoo artists.
  - Rep. McGuire said that that was correct.

**Representative Jaci Grote**

**Rockingham – District 24**

- Representative Grote is a member of House Executive Departments and Administration and said that many of the people who testified at their hearing were cosmetologists with clients who request microblading but the cosmetologists could not provide it.
- Rep. Grote noted that many people who have microblading done are people who have gone through chemotherapy and have permanently lost their eyebrows.

**Summary of testimony presented in opposition:** None.

**Neutral Information Presented:**

**Tom Broderick**

**Office of Professional Licensure and Certification (OPLC)**

- Mr. Broderick said that although there are two OPLC boards affected by HB 70 – the Body Art Board and the Cosmetology Board – he was speaking on behalf of OPLC the agency and not the individual boards.
- Mr. Broderick said that OPLC has no position on HB 70.
- Mr. Broderick said that microblading uses a small tool made of needles to add a semipermanent pigment to the skin, lasting about a year. He said that small cuts are made into the skin to add the pigment. He said microblading is considered a tattoo under RSA 314-A:1 and someone doing a microblading has to be licensed as a tattoo artist.
- Mr. Broderick said that a few years ago a cosmetologist wanted to provide microblading. That individual worked with their board and worked to develop language, which several legislators, including Senator Reagan, Senator Kahn, and Rep. McGuire, worked on.
- Mr. Broderick said that the main point of HB 70 is public protection and the bill was written with public safety in mind. He said that the certificate will go through the rulemaking process with the Board Art Board.