

Chapter 15

BEAUTY CULTURE

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31.1502 Definitions.

As used in this chapter unless the context clearly requires otherwise:

(a) “Beauty shop or salon” means any premises upon or within which is practiced either of the classified occupations.

(b) “Board” means the American Samoa Board of Cosmetology.

(c) “Classified occupations” means the occupation of hairdresser and cosmetician.

(d) “Cosmetician” means any operator or person who, with hands or mechanical or electrical apparatus or appliances, or by use of cosmetic preparations, antiseptics, tonics, lotions, or creams, engages for compensation in any one or any combination of the following practices: massaging, cleansing, stimulating, manipulating, exercising, beautifying, or doing similar work upon the scalp, the face, neck, arms, bust, or upper part of the body, or manicuring the nails, or removing of superfluous hair, by the use of electricity or otherwise, about the body of any person.

(e) “Hairdresser” means any person who for compensation engages in any one or any combination of the following practices: arranging, dressing, curling, waving, cleansing, cutting, singeing, bleaching, coloring, or similar work upon the hair of another person.

(f) “Operator” means a hairdresser or cosmetician.

(g) “Apprentice cosmetician” means any person who, working under the supervision of a U.S. licensed cosmetician, and who, with hands or mechanical or electrical apparatus or appliances, or by use of cosmetic preparations, antiseptics, tonics, lotions, or creams, engages for compensation in any one or any combination of the following practices; massaging, cleansing, stimulating, manipulating, exercising, beautifying, or doing similar work upon the scalp, the face, neck, arms, or upper part of the body, or manicuring the removing of superfluous hair.

(h) “Apprentice hairdresser” means any person who, working under the supervision of a U.S. licensed hairdresser, and who for compensation engages in any one or any combination of the following practices: arranging, dressing, curling, waving, cleansing, cutting, bleaching, coloring, or similar work upon the hair of another person.

(i) “Applicant” means any person who files an application to obtain an apprentice hairdresser or apprentice cosmetician’s or cosmetician or operator’s license.

(j) “U.S.” refers to the United States or any state or territory of the United States.

History: 1973, PL 13-5; amd 1983, PL 18-5 § 2; amd 2006, PL 29-17.

Amendments: 1983 Section amended generally.

31.1503 Licensing.

(a) The Board shall issue a license for an operator or apprentice hairdresser or apprentice cosmetician to each person who furnishes the required certification that is a U.S. license or the certification is equivalent to a U.S. license, pays the proper fee, and meets all of the other requirements of this chapter.

(b) The certificate shall state specifically the occupation for which the person is licensed, be signed by the chairman of the Board, and be posted above the station of each person licensed.

(c) The Board shall establish reasonable license fees, not to exceed \$25 a year, for operators, apprentice hairdressers, and apprentice cosmeticians.

(d) Licenses issued under this section expire each December 31st, but may be renewed upon application to and approval by the Board.

History: 1973, PL 13-5; amd 1983, PL 18-5 § 5; amd 2006, PL, 29-17.

Amendments: 1983 Added subsections (c) and (d) and changed “certificate” to “license” and “office of the Governor” to “Board.”

31.1504 Licensure of operators.

The Board shall determine the sufficiency of the preliminary qualifications of applicants for licensure. The following qualifications are sufficient:

(a) An operator may be licensed as a hairdresser and cosmetician provided the person is of good moral character; and

(1) is currently licensed to practice hairdressing and cosmetology in any state of the United States and has practiced as an operator for 3 out of the 5 years immediately preceding the application for licensure; or

(2) is licensed under paragraphs (1) and has successfully completed a Board approved refresher course at an accredited school within one year preceding application to the Board.

(3) Any amendment to this section shall not apply to or effect licenses issued prior to the effective date of any amendment or to the renewal of said licenses.

(b) A person may be licensed as an apprentice hairdresser or apprentice cosmetician if the Board determines an applicant has satisfied the following:

(1) a completed current application;

(2) a valid current license or certification from the United States or any country whose licensing standards are equivalent to that of the United States;

(3) a letter by a licensed operator of a salon, confirming the operator will sponsor the applicant, that the applicant person has been offered employment by a licensed operator, and the applicant will be working under the supervision of the operator; and

(4) two reference letters from residents of the Territory stating that applicant is of good moral character.

(c) The Board may conditionally license persons as operators who substantially comply with the qualifications under subsection (a).

History: 1973, PL 13-5; amd 1983, PL 18-5 § 6, amd 1999, PL 26-8; amd 2006, PL 29-17.

Amendments: 1983 Subsection (c) deleted and “registration” changed to “licensure” and “Office of the Governor” changed to “Board.”

31.1507 Grounds for refusal, revocation, or suspension of certificate.

(a) The Board may refuse to grant, renew, reinstate, or restore any license required under this chapter, whether covering the licensure of an operator or beauty salon, apprentice hairdresser, or apprentice cosmetician, for any cause which could be grounds for revocation of a license under this section. The Board may, nevertheless, renew, reinstate, or restore any license when it determines that action is just and may be done consistently with the accomplishment of the purposes of this chapter.

(b) The Board may revoke or suspend any license, whether operator or beauty salon for any of the following causes:

- (1) professional misconduct, gross carelessness, or manifest incapacity;
- (2) conviction of a crime involving moral turpitude;
- (3) violation of any of the provisions of this chapter or the rules promulgated pursuant thereto or any other law which applies to him in the occupation covered by the license;
- (4) making any false representation or promise, through advertising or otherwise, or in any manner dealing fraudulently or dishonestly in the occupation covered by the license;
- (5) habitual intemperance in use of alcoholic beverages or addiction to the use of narcotic drugs;
- (6) failing to display the license as provided in this chapter.

History: 1973, PL 13-5; amd 1983, PL 18-5 § 8; amd 2006 PL 29-17.

Amendments: 1983 Amended to delete former paragraph (6) and to change “certificate” to “license” and “Office of the Governor” to “Board.”