

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 5538**

By Delegates Funkhouser, Flanigan, Ridenour,

Linville, Masters, and White

[Introduced February 16, 2026; referred to the

Committee on Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article  
 2 designated §30-27A-1, §30-27A-2, §30-27A-3, §30-27A-4, §30-27A-5, §30-27A-6, and  
 3 §30-27A-7, relating to the creation of a master esthetician license; definitions; establishing  
 4 licensure requirements, scope of practice, reciprocity, discipline, and rulemaking authority.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 27A. Master esthetician license.**

**§30-27A-1. Purpose and legislative findings.**

1 (a) The Legislature finds that:

2 (1) The profession of esthetics has expanded to include advanced, noninvasive cosmetic  
 3 procedures requiring additional education, training, and competency;

4 (2) Clear licensure distinctions between basic and advanced esthetics practice enhance  
 5 consumer protection and public safety;

6 (3) Many states recognize advanced or master-level esthetics credentials to regulate  
 7 higher-skill services within a nonmedical scope of practice;

8 (4) Establishing a master esthetician license will promote workforce development,  
 9 professional advancement, and regulatory clarity within the state.

10 (b) The purpose of this article is to:

11 (1) Create a master esthetician license under the authority of the West Virginia Board of  
 12 Barbers and Cosmetologists;

13 (2) Establish minimum education, examination, and professional standards for advanced  
 14 esthetics practice;

15 (3) Ensure advanced esthetic services are performed safely and within a clearly defined,  
 16 nonmedical scope of practice; and

17 (4) Provide the board with rulemaking authority necessary to implement and administer the  
 18 master esthetician license.

**§30-27A-2.**

**Definitions.**

1 As used in this article, the following words and terms have the meanings ascribed to them  
2 unless the context clearly indicates otherwise:

3 (1) "Board" means the West Virginia Board of Barbers and Cosmetologists.

4 (2) "Esthetician" means a person licensed under this article to practice esthetics, including  
5 the cosmetic treatment of the skin.

6 (3) "Master Esthetician" means a person licensed under this article who is authorized to  
7 perform advanced esthetic services beyond the scope of a licensed esthetician.

8 (4) "Advanced esthetic services" means noninvasive cosmetic procedures and modalities  
9 affecting the epidermis and superficial dermis, as authorized by rule of the board.

**§30-27A-3. Master Esthetician license; requirements; scope of practice.**

1 (a) Creation of license. — There is hereby created a master esthetician license to be  
2 issued by the board.

3 (b) License required. — A person may not practice or offer to practice as a Master  
4 Esthetician, or use the title "Master Esthetician," unless licensed by the board pursuant to this  
5 section.

6 (c) Qualifications for licensure. — An applicant for licensure as a Master Esthetician shall:

7 (1) Be at least 18 years of age;

8 (2) Hold a current esthetician license issued by the board in good standing;

9 (3) Complete a minimum of 600 hours of advanced esthetics education at a  
10 board-approved school or training program, which shall include advanced skin analysis, advanced  
11 chemical exfoliation, advanced electrical and machine-based modalities, infection control, and  
12 applicable state laws and rules;

13 (4) Pass a board-approved written and practical examination; and

14 (5) Pay all applicable fees established by the board.

15 (d) Scope of practice. —

16 (1) A Master Esthetician may perform all services authorized for a licensed esthetician  
17 and, in addition, may perform advanced esthetic services as defined by board rule.

18 (2) A Master Esthetician may not perform:

19 (A) Any procedure that penetrates beyond the superficial dermis;

20 (B) Any medical or surgical procedure; or

21 (C) Any service requiring a license to practice medicine, nursing, or another health  
22 profession.

23 (e) Rules. — The board shall promulgate legislative rules defining the scope of advanced  
24 esthetic services, safety standards, equipment usage, and professional conduct for Master  
25 Estheticians.

**§30-27A-4. Licensure by endorsement.**

1 (a) The board may issue a master esthetician license by endorsement to an applicant  
2 licensed or certified in another jurisdiction if the board determines that the applicant’s education,  
3 examination, and experience are substantially equivalent to the requirements of this state.

4 (b) The board may require additional training or examination if substantial equivalency is  
5 not met.

**§30-27A-5. Renewal and continuing education.**

1 (a) A master esthetician license shall be renewed biennially.

2 (b) As a condition of renewal, a licensee shall complete continuing education requirements  
3 established by the board, which may include advanced safety and infection control training.

**§30-27A-6. Discipline.**

1 A master esthetician is subject to the disciplinary authority of the board pursuant to this  
2 article, including suspension, revocation, or other sanctions for violations of this article or board  
3 rules.

**§30-27A-7. Effective date.**

1 This act shall take effect 90 days from passage.

NOTE: The purpose of this bill is to add the use of lasers, intense pulsed light (IPL) devices, microneedling, and radiofrequency treatments by aesthetics or esthetics; and define "Master esthetics licensee" as a person with 600 hours of specialized training.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.