STATE OF NEW YORK

11705

IN ASSEMBLY

September 2, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Rosenthal) -- read once and referred to the Committee on Economic Development

AN ACT to amend the general business law, in relation to creating a task force to examine, evaluate and regulate med spas and providing for certain provisions related to med spas

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 404 of the general business law, as amended by chapter 664 of the laws of 2023, is amended to read as follows:

§ 404. Rules and regulations. **1.** The secretary shall promulgate rules and regulations which establish standards for practice and operation by licensees and trainees under this article in order to ensure the health, safety and welfare of the public including licensees and trainees when they are working within such establishments. Such rules and regulations shall include, but not be limited to, the sanitary conditions and procedures required to be maintained, a minimum standard of training appropriate to the duties of nail specialists, trainees, waxers, natural hair stylists, estheticians, and cosmetologists and the provision of service by nail specialists, trainees, waxers, natural hair stylists, estheticians or cosmetologists at remote locations other than the licensee's home provided that such practitioner holds an appearance enhancement business license to operate at a fixed location or is employed by the holder of an appearance enhancement business license. Regulations setting forth the educational requirements for nail specialists and trainees shall include education in the area of causes of infection and bacteriology. Regulations setting forth the educational requirements for cosmetologists or natural hair stylists shall include education regarding the provision of services to individuals with all hair types and textures, including, but not limited to, various curl or wave patterns, hair strand thicknesses, and volumes of hair. In promulgating such rules and regulations the secretary shall consult with the state education department, the advisory committee established pursuant to this article, any other state agencies and private industry representatives as may be appropriate in determining minimum training requirements.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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2. a. The secretary shall establish a med spa task force to examine, evaluate, and regulate med spas.

b. Such task force shall be composed of members from the department, the department of health's business intelligence team, the department of health's bureau of narcotic enforcement, and the department of education.

c. Such task force shall conduct joint intraagency inspections on med spas in accordance with the provisions of subdivision three of section four hundred ten of this article to ensure compliance with licensing, controlled substance, and advertising regulations.

§ 2. Section 405 of the general business law is amended by adding a new subdivision 3 to read as follows:

3. An appearance enhancement business licensee that operates a med spa shall file and maintain during the term of the license evidence of a bond or liability insurance with a minimum limit of one million dollars.

§ 3. Section 410 of the general business law is amended by adding a new subdivision 3 to read as follows:

3. Inspections. The secretary or persons designated by the secretary shall conduct at least one unannounced comprehensive inspection of each med spa not later than fifteen months after the previous inspection to determine the adequacy of services being rendered. Such comprehensive inspection shall include, but not be limited to, a survey to determine compliance by the business with applicable statutes and regulations, and observation of a representative sample of all customers and their records to determine the quality and adequacy of the services and treatment provided.

§ 4. Section 400 of the general business law is amended by adding a new subdivision 12 to read as follows:

12. "Med spa" means any appearance enhancement business that offers a service or procedure that requires professional licensure in accordance with articles one hundred thirty-one, one hundred thirty-one-B or one hundred thirty-nine of the education law.

§ 5. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.