

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:

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

3 § 404. Rules and regulations. 1. The secretary shall promulgate rules
4 and regulations which establish standards for practice and operation by
5 licensees and trainees under this article in order to ensure the health,
6 safety and welfare of the public including licensees and trainees when
7 they are working within such establishments. Such rules and regulations
8 shall include, but not be limited to, the sanitary conditions and proce-
9 dures required to be maintained, a minimum standard of training appro-
10 priate to the duties of nail specialists, trainees, waxers, natural hair
11 stylists, estheticians, and cosmetologists and the provision of service
12 by nail specialists, trainees, waxers, natural hair stylists, estheti-
13 cians or cosmetologists at remote locations other than the licensee's
14 home provided that such practitioner holds an appearance enhancement
15 business license to operate at a fixed location or is employed by the
16 holder of an appearance enhancement business license. Regulations
17 setting forth the educational requirements for nail specialists and
18 trainees shall include education in the area of causes of infection and
19 bacteriology. Regulations setting forth the educational requirements for
20 cosmetologists or natural hair stylists shall include education regard-
21 ing the provision of services to individuals with all hair types and
22 textures, including, but not limited to, various curl or wave patterns,
23 hair strand thicknesses, and volumes of hair. In promulgating such rules
24 and regulations the secretary shall consult with the state education
25 department, the advisory committee established pursuant to this article,
26 any other state agencies and private industry representatives as may be
27 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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1 2. a. The secretary shall establish a med spa task force to examine,
2 evaluate, and regulate med spas.

3 b. Such task force shall be composed of members from the department,
4 the department of health's business intelligence team, the department of
5 health's bureau of narcotic enforcement, and the department of educa-
6 tion.

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

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

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

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

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

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

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

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