

HOUSE BILL REPORT

HB 1085

As Reported by House Committee On:
Business & Financial Services

Title: An act relating to creating a hair design license.

Brief Description: Creating a hair design license.

Sponsors: Representatives Angel and Kirby.

Brief History:

Committee Activity:

Business & Financial Services: 1/14/11, 1/27/11 [DPS].

Brief Summary of Substitute Bill

- Creates a hair design license under the authority of the Department of Licensing.

HOUSE COMMITTEE ON BUSINESS & FINANCIAL SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Kirby, Chair; Kelley, Vice Chair; Bailey, Ranking Minority Member; Buys, Assistant Ranking Minority Member; Condotta, Hudgins, Hurst, Parker, Rivers, Ryu and Stanford.

Minority Report: Do not pass. Signed by 2 members: Representatives Blake and Pedersen.

Staff: Alison Hellberg (786-7152).

Background:

The Department of Licensing (Department) regulates cosmetology, barbering, manicuring, and esthetics. A person must be licensed to practice these professions.

A barber license allows the cutting, trimming, arranging, dressing, curling, shampooing, shaving, and mustache and beard design of the face, neck, and scalp. A cosmetology license

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allows all these practices, and in addition, allows the following practices involving chemicals: permanent waving, chemical relaxing, straightening, bleaching, lightening, and coloring. The license also allows waxing and tweezing. Finally, the cosmetologist license also allows some of the practices permitted for manicurists and estheticians.

To receive a license, a person must meet training requirements and pass an exam.

Minimum training hours at a school consist of:

- cosmetologist, 1,600 hours;
- barber, 1,000 hours;
- manicurist, 600 hours;
- esthetician, 600 hours; and
- instructor-trainee, 500 hours.

Minimum training hours in an apprenticeship program consist of:

- cosmetologist, 2,000 hours;
- barber, 1,200 hours;
- manicurist, 800 hours; and
- esthetician, 800 hours.

A reciprocity provision allows a person with the equivalent license in another state to take the examination. The Department prepares and administers the exams, establishes minimum safety and sanitation standards, adopts rules, and otherwise administers the provisions. The Cosmetology, Barbering, Esthetics, and Manicuring Advisory Board (Board) advises the Department.

Washington does not have a license that allows barbering and the use of chemicals. To use chemicals, a person must obtain a cosmetology license.

Summary of Substitute Bill:

A hair design license is established. A hair design license allows the practices allowed for barbers, the cosmetology practices involving chemicals, and waxing and tweezing. Listed out, these practices are: arranging, dressing, cutting, trimming, styling, braiding, extensions, weaving, singeing, shampooing, permanent waving, chemical relaxing, straightening, curling, bleaching, lightening, coloring, and mustache and beard design, and massage of the scalp.

The minimum training hours at a school is 1,400 hours and the minimum training hours in an apprenticeship program is 1,800 hours.

The Board is renamed the Cosmetology, Hair Design, Barbering, Esthetics, and Manicuring Advisory Board.

Other changes are made to incorporate the new license.

Substitute Bill Compared to Original Bill:

The scope of practice for hair design is modified to mean arranging, dressing, cutting, trimming, styling, braiding, extensions, weaving, singeing, shampooing, permanent waving, chemical relaxing, straightening, curling, bleaching, lightening, coloring, and mustache and beard design, and massage of the scalp. A minimum of 1,800 apprentice training curriculum hours is added for hair designers.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This industry has changed and this bill updates the law to reflect these changes. In the old days, men went to a barber and women went to a beauty salon. These days women and men go to the same place to get hair done. Also, a person will get a facial or a manicure at a separate salon. This creates a problem because there is a huge gap between the barbering and the cosmetology license. Some people want to do more than just barber, but do not want to do the full cosmetology scope of practice. An intermediate license is necessary.

This bill should get people back to work. It is difficult for salon owners to get good employees who are able to provide these services. Many people are also moving to Washington from other states who have training in hair design but do not have all of the training to get the full cosmetology license. Their choice is to be a barber or go back to school to be a cosmetologist. Many families do not have the money to go back to school. This should be an option for them to just do hair and to be able to work.

This bill needs two changes. The portions of the scope of practice that include skin care services should be removed, and apprenticeship training hours for the new license should be added.

(With concerns) The biggest issue is with reciprocity. Most states do not have a hair design license. Students will complete the required training hours and not be recognized in other states. This would create a very bad situation for current students. The bill is also bad for safety and health and will greatly weaken the law.

(Opposed) Industry stakeholders have been working for the past two years to completely rewrite all of the cosmetology statutes. It has been very tedious to get consensus from all factions of the industry. As part of this work, they have looked at creating another hair design license, and to create a tiered esthetics license. This was worked on until October and was going to be introduced this session but was put on hold. The language is not complete, but it is close and the plan is to introduce this bill next year. House Bill 1085 is just a

bandage and will create far more problems than it is going to solve. The definition and scope of practice in this bill is different from what the stakeholders have developed. This bill should be set aside and the issue should be dealt with next year.

Persons Testifying: (In support) Representative Angel, prime sponsor.

(With concerns) Michael Shea, The Salon Professional Academy; and Steve Lindstrom, Northwest College Federation.

(Opposed) Jerry Ahern, Gene Juarez Academy; and Janiece C. Hoggatt.

Persons Signed In To Testify But Not Testifying: None.