

SENATE BILL REPORT

SB 5762

As Reported By Senate Committee On:
Commerce, Trade, Housing & Financial Institutions, March 2, 1999

Title: An act relating to cosmetology.

Brief Description: Amending cosmetology laws.

Sponsors: Senators Haugen and Goings; by request of Department of Licensing.

Brief History:

Committee Activity: Commerce, Trade, Housing & Financial Institutions: 2/23/99, 3/2/99 [DPS].

SENATE COMMITTEE ON COMMERCE, TRADE, HOUSING & FINANCIAL INSTITUTIONS

Majority Report: That Substitute Senate Bill No. 5762 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Shin, Vice Chair; Gardner, Hale, Heavey, Rasmussen, T. Sheldon, West and Winsley.

Staff: Susan Jones (786-7784)

Background: The Department of Licensing regulates the professions of cosmetology, barbering, esthetics, and manicuring. In 1998, the nine-member cosmetology, barbering, esthetics and manicuring advisory board issued a report assessing the current statutory requirements and suggesting changes and solutions. Some of these changes are included in the bill.

Summary of Substitute Bill: The definitions of the practices of cosmetology, barbering, esthetics and manicuring are updated to include most of the current practices in these professions. The practice of shampooing is defined. The prior four definitions of instructors are combined into one definition, which means a person who gives instruction in a school in a curriculum in which the person has a license, completed 500 hours of instructor training or has a state certificate for vocational instructors, has one year of experience, and passed an exam.

Curriculum means courses taught in a school, which are set by rule and approved by the department. After consulting with the board, the department may set rules allowing a percentage of course hours that may be received in a salon/shop under a contract approved by the department. The number of required curriculum hours for each profession are as follows: cosmetologist, 1600 hours; barber, 1000 hours; manicurist and esthetician, 600 hours; shampooer, 300 hours; instructor-trainee, 500 hours. The director is also required to establish a practical exam.

Professional licenses must be posted at the licensed person's work station. Failure to renew a professional license within one year of expiration requires the applicant to submit a new application, pass another exam, and meet current licensing requirements. The director may not waive this requirement.

Location licenses include licenses for salons/shops, schools, mobile units, or personal services which allow the professions to be performed at the client's home, office, or other location that is convenient for the client. Location licenses must be posted in the reception area. In order to obtain or renew a location license or a personal services license, the applicant must certify, rather than prove, that the location is covered by a public liability insurance policy of not less than \$100,000. A salon/shop need not be operated under the direct supervision of a licensed professional.

A hearing is required before a fine of \$1,000 is imposed for operating or instructing without a license.

Substitute Bill Compared to Original Bill: The substitute bill adds the practice of shampooing with a requirement of 300 curriculum hours. The substitute bill allows instructor trainees to obtain all their required hours prior to obtaining one year of experience necessary to become an instructor. The substitute bill allows an instructor to obtain a state certificate for vocational instructors instead of the 500 hours of teaching instruction. The substitute bill allows the director to make rules, after consultation with the board, regarding on-the-job training course hours and practical exams.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on January 1, 2000.

Testimony For: This bill is the outgrowth of three years of work by the department and the cosmetology board. This bill simplifies and clarifies education and licensing requirements. Concerns were expressed regarding the restrictive definition of instructor in the original bill.

Testimony Against: None.

Testified: Ann Martin, NW Aestheticians' Guild, State Advisory Board (pro); B.J. Simpson, BJ's Beauty and Barber College (con); Barry Bernier, Centralia Beauty College; David Kile, NCA of WA (pro); Alan Rathbun, Mike Schneider, Dept. of Licensing (pro).