

SENATE BILL REPORT

SB 6652

As Passed Senate, February 16, 2002

Title: An act relating to cosmetology, barbering, manicuring, and esthetics.

Brief Description: Regulating cosmetology, barbering, manicuring, and esthetics.

Sponsors: Senators Prentice and Haugen.

Brief History:

Committee Activity: Labor, Commerce & Financial Institutions: 1/28/02, 2/4/02 [DP].
Passed Senate: 2/16/02, 47-0.

SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

Majority Report: Do pass.

Signed by Senators Prentice, Chair; Keiser, Vice Chair; Fairley, Franklin, Gardner, Rasmussen, Regala and West.

Staff: Matthew Adams (786-7784)

Background: The Department of Licensing regulates the practices of cosmetology, barbering, manicuring, and esthetics. All licensees must complete an approved curriculum at an approved school and pass both a practical and written examination. The training requirement is 1,600 hours for a cosmetologist, 1,000 hours for a barber, and 500 hours for a manicurist, an esthetician, and an instructor.

The department also licenses the type of business within which the practice occurs including salon/shops, booth-renters, and all schools that conduct training.

Failure to renew a license before it expires subjects the licensee to a penalty fee and payment of each year's renewal fee at the current rate if the holder renews the license within four years of the expiration date. Renewal may be allowed after that time period as determined by the director.

In 1998, the department and the advisory board completed a review of the industry and made recommendations in the areas of education, licensing, and enforcement of health standards. Some of the recommendations requiring legislative action are reflected in the proposed legislation.

Summary of Bill: Several changes are made in the licensing and regulation of cosmetology, barbering, esthetics, and manicuring as a result of a review of the industry and regulatory practices recently completed by the board and the department.

Licensing: The practices of cosmetology, manicuring, and esthetics are further defined resulting in fewer overlaps in the functions performed under each license. Cosmetology

includes a limited practice in manicuring and esthetics while the practices of manicuring and esthetics are updated and expanded to reflect actual current practice.

Licenses are further designated as individual licenses for those meeting the qualifications to practice and as location licenses for the business activity associated with the practice. Location licenses include salon/shops, mobile units, and personal services. A personal services license allows the practitioner to provide services to a client in a location convenient to the client, such as the client's home or office. Location licensees must certify that they hold public liability insurance of not less than \$100,000 prior to being licensed. The booth-renter license is eliminated and these licensees are to be licensed as salon/shops.

Failure to renew an individual license before it expires subjects the licensee to a penalty fee and payment of each year's renewal fee at the current rate if the holder renews the license within one year of the date of expiration. No renewal is allowed after that time period and a person seeking a license is treated as a new applicant.

Education and training requirements: The training requirements for manicurists and estheticians are increased from 500 hours to 600 hours.

A licensed practitioner may qualify as an instructor if he or she holds a state instructional certificate from a community or technical college and has passed an exam.

The department may set, by rule, the percentage of hours for which a student may receive credit for apprentice-type work in a salon/shop. The percentage is limited to 10 percent of the total curriculum hours required for licensing.

Prior to July 1, 2003, currently licensed cosmetologists may apply for separate licenses in manicuring and esthetics, and students enrolled in a licensed school in a cosmetology curriculum may apply for examination in cosmetology, manicuring, and esthetics. After June 30, 2003, the curriculum hours for each area of practice must be met in order to apply for the examination and be licensed.

A school may no longer use letters of credit or savings assignments and may use only surety bonds as approved security.

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

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on June 1, 2003.

Testimony For: This bill makes necessary changes to industry definitions and education and training requirements to reflect current practices. There are some DOL concerns about the technical application of two bills (cosmetology and the proposed Uniform Regulation of Business and Professions Act) dealing with the same subject.

Testimony Against: None.

Testified: PRO: David Kile, National Cosmetology Association; Alan Rathbun, DOL.