

SHB 2202 - S COMM AMD

By Committee on Financial Services, Insurance & Housing

ADOPTED AS AMENDED 04/11/2003

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 18.16 RCW
4 to read as follows:

5 A cosmetology apprenticeship pilot program is hereby created.

6 (1) An advisory board consisting of cosmetologists, salon owners,
7 cosmetology schools, the department of licensing, the department of
8 labor and industries, and other interested parties is created.

9 (a) The advisory board shall oversee the operation of the
10 cosmetology apprenticeship pilot program.

11 (b) The department of licensing shall coordinate the activities of
12 the advisory board.

13 (2) Up to twenty salons may participate in the pilot project. The
14 participating salons shall proportionately represent the geographic
15 diversity of Washington state, including rural and urban areas, and
16 salons located in both eastern and western Washington.

17 (3) The advisory board shall create a written report regarding the
18 outcome of the pilot program to be presented to the appropriate
19 committees of the house of representatives and senate by December 31,
20 2005.

21 (4) The department of licensing shall adopt rules to implement the
22 cosmetology apprenticeship pilot program.

23 (5) The cosmetology apprenticeship pilot program expires July 31,
24 2005.

25 **Sec. 2.** RCW 18.16.020 and 2002 c 111 s 2 are each amended to read
26 as follows:

27 As used in this chapter, the following terms have the meanings
28 indicated unless the context clearly requires otherwise:

1 (1) "Apprenticeship program" means an apprenticeship pilot program
2 approved under section 1 of this act for the practice of cosmetology,
3 barbering, esthetics, and manicuring, which expires July 31, 2005.
4 (2) "Apprentice" means a person engaged in an apprenticeship
5 program and who may receive a wage or compensation.
6 (3) "Department" means the department of licensing.
7 ~~((+2))~~ (4) "Board" means the cosmetology, barbering, esthetics,
8 and manicuring advisory board.
9 ~~((+3))~~ (5) "Director" means the director of the department of
10 licensing or the director's designee.
11 ~~((+4))~~ (6) "The practice of cosmetology" means arranging,
12 dressing, cutting, trimming, styling, shampooing, permanent waving,
13 chemical relaxing, straightening, curling, bleaching, lightening,
14 coloring, waxing, tweezing, shaving, and mustache and beard design of
15 the hair of the face, neck, and scalp; temporary removal of superfluous
16 hair by use of depilatories, waxing, or tweezing; manicuring and
17 pedicuring, limited to cleaning, shaping, polishing, decorating, and
18 caring for and treatment of the cuticles and nails of the hands and
19 feet, excluding the application and removal of sculptured or otherwise
20 artificial nails; esthetics limited to toning the skin of the scalp,
21 stimulating the skin of the body by the use of preparations, tonics,
22 lotions, or creams; and tinting eyelashes and eyebrows.
23 ~~((+5))~~ (7) "Cosmetologist" means a person licensed under this
24 chapter to engage in the practice of cosmetology.
25 ~~((+6))~~ (8) "The practice of barbering" means the cutting,
26 trimming, arranging, dressing, curling, shampooing, shaving, and
27 mustache and beard design of the hair of the face, neck, and scalp.
28 ~~((+7))~~ (9) "Barber" means a person licensed under this chapter to
29 engage in the practice of barbering.
30 ~~((+8))~~ (10) "Practice of manicuring" means the cleaning, shaping,
31 polishing, decorating, and caring for and treatment of the cuticles and
32 the nails of the hands or feet, and the application and removal of
33 sculptured or otherwise artificial nails by hand or with mechanical or
34 electrical apparatus or appliances.
35 ~~((+9))~~ (11) "Manicurist" means a person licensed under this
36 chapter to engage in the practice of manicuring.

1 (~~(10)~~) (12) "Practice of esthetics" means care of the skin by
2 application and use of preparations, antiseptics, tonics, essential
3 oils, or exfoliants, or by any device or equipment, electrical or
4 otherwise, or by wraps, compresses, cleansing, conditioning,
5 stimulation, pore extraction, or product application and removal; the
6 temporary removal of superfluous hair by means of lotions, creams,
7 mechanical or electrical apparatus, appliance, waxing, tweezing, or
8 depilatories; tinting of eyelashes and eyebrows; and lightening the
9 hair, except the scalp, on another person.

10 (~~(11)~~) (13) "Esthetician" means a person licensed under this
11 chapter to engage in the practice of esthetics.

12 (~~(12)~~) (14) "Instructor-trainee" means a person who is currently
13 licensed in this state as a cosmetologist, barber, manicurist, or
14 esthetician, and is enrolled in an instructor-trainee curriculum in a
15 school licensed under this chapter.

16 (~~(13)~~) (15) "School" means any establishment that offers
17 curriculum of instruction in the practice of cosmetology, barbering,
18 esthetics, manicuring, or instructor-trainee to students and is
19 licensed under this chapter.

20 (~~(14)~~) (16) "Student" means a person sixteen years of age or
21 older who is enrolled in a school licensed under this chapter and
22 receives instruction in any of the curricula of cosmetology, barbering,
23 esthetics, manicuring, or instructor-training with or without tuition,
24 fee, or cost, and who does not receive any wage or commission.

25 (~~(15)~~) (17) "Instructor" means a person who gives instruction in
26 a school in a curriculum in which he or she holds a license under this
27 chapter, has completed at least five hundred hours of instruction in
28 teaching techniques and lesson planning in a school, and has passed a
29 licensing examination approved or administered by the director. An
30 applicant who holds a degree in education from an accredited
31 postsecondary institution shall upon application be licensed as an
32 instructor to give instruction in a school in a curriculum in which he
33 or she holds a license under this chapter. An applicant who holds an
34 instructional credential from an accredited community or technical
35 college and who has passed a licensing examination approved or
36 administered by the director shall upon application be licensed as an

1 instructor to give instruction in a school in a curriculum in which he
2 or she holds a license under this chapter.

3 ~~((+16+))~~ (18) "Person" means any individual, partnership,
4 professional service corporation, joint stock association, joint
5 venture, or any other entity authorized to do business in this state.

6 ~~((+17+))~~ (19) "Salon/shop" means any building, structure, or any
7 part thereof, other than a school, where the commercial practice of
8 cosmetology, barbering, esthetics, or manicuring is conducted; provided
9 that any person, except employees of a salon/shop, who operates from a
10 salon/shop is required to meet all salon/shop licensing requirements.

11 ~~((+18+))~~ (20) "Crossover training" means training approved by the
12 director as training hours that may be credited to current licensees
13 for similar training received in another profession licensed under this
14 chapter.

15 ~~((+19+))~~ (21) "Approved security" means surety bond.

16 ~~((+20+))~~ (22) "Personal services" means a location licensed under
17 this chapter where the practice of cosmetology, barbering, manicuring,
18 or esthetics is performed for clients in the client's home, office, or
19 other location that is convenient for the client.

20 ~~((+21+))~~ (23) "Individual license" means a cosmetology, barber,
21 manicurist, esthetician, or instructor license issued under this
22 chapter.

23 ~~((+22+))~~ (24) "Location license" means a license issued under this
24 chapter for a salon/shop, school, personal services, or mobile unit.

25 ~~((+23+))~~ (25) "Mobile unit" is a location license under this
26 chapter where the practice of cosmetology, barbering, esthetics, or
27 manicuring is conducted in a mobile structure. Mobile units must
28 conform to the health and safety standards set by rule under this
29 chapter.

30 ~~((+24+))~~ (26) "Curriculum" means the courses of study taught at a
31 school, set by rule under this chapter, and approved by the department.
32 After consulting with the board, the director may set by rule a
33 percentage of hours in a curriculum, up to a maximum of ten percent,
34 that could include hours a student receives while training in a
35 salon/shop under a contract approved by the department. Each
36 curriculum must include at least the following required hours:

- 37 (a) Cosmetologist, one thousand six hundred hours;

- 1 (b) Barber, one thousand hours;
- 2 (c) Manicurist, six hundred hours;
- 3 (d) Esthetician, six hundred hours;
- 4 (e) Instructor-trainee, five hundred hours.

5 ((+25+)) (27) "Student monthly report" means the student record of
6 daily activities and the number of hours completed in each course of a
7 curriculum that is prepared monthly by the school and provided to the
8 student, audited annually by the department, and kept on file by the
9 school for three years.

10 **Sec. 3.** RCW 18.16.070 and 1984 c 208 s 4 are each amended to read
11 as follows:

12 This chapter shall not apply to persons licensed under other laws
13 of this state who are performing services within their authorized scope
14 of practice and shall not be construed to require a license for
15 students enrolled in a school or an apprentice engaged in an
16 apprenticeship program.

17 **Sec. 4.** RCW 18.16.090 and 2002 c 111 s 6 are each amended to read
18 as follows:

19 Examinations for licensure under this chapter shall be conducted at
20 such times and places as the director determines appropriate.
21 Examinations shall consist of tests designed to reasonably measure the
22 applicant's knowledge of safe and sanitary practices and may also
23 include the applicant's knowledge of this chapter and rules adopted
24 pursuant to this chapter. The director may establish by rule a
25 performance examination in addition to any other examination. The
26 director shall establish by rule the minimum passing score for all
27 examinations and the requirements for reexamination of applicants who
28 fail the examination or examinations. The director may allow an
29 independent person to conduct the examinations at the expense of the
30 applicants.

31 The director shall take steps to ensure that after completion of
32 the required course or apprenticeship program, applicants may promptly
33 take the examination and receive the results of the examination.

1 **Sec. 5.** RCW 18.16.100 and 2002 c 111 s 7 are each amended to read
2 as follows:

3 (1) Upon completion of an application approved by the department
4 and payment of the proper fee, the director shall issue the appropriate
5 license to any person who:

6 (a) Is at least seventeen years of age or older;

7 (b)(i) Has completed and graduated from a school licensed under
8 this chapter in a curriculum approved by the director of sixteen
9 hundred hours of training in cosmetology, one thousand hours of
10 training in barbering, six hundred hours of training in manicuring, six
11 hundred hours of training in esthetics, and/or five hundred hours of
12 training as an instructor-trainee, or has met the requirements in RCW
13 18.16.020 or 18.16.130; or

14 (ii) Has successfully completed an apprenticeship training program;
15 and

16 (c) Has received a passing grade on the appropriate licensing
17 examination approved or administered by the director.

18 (2) A person currently licensed under this chapter may qualify for
19 examination and licensure, after the required examination is passed, in
20 another category if he or she has completed the crossover training
21 course.

22 (3) Upon completion of an application approved by the department,
23 certification of insurance, and payment of the proper fee, the director
24 shall issue a location license to the applicant.

25 (4) The director may consult with the state board of health and the
26 department of labor and industries in establishing training,
27 apprenticeship, and examination requirements."

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28 On page 1, line 1 of the title, after "apprenticeship;" strike the
29 remainder of the title and insert "amending RCW 18.16.020, 18.16.070,

1 18.16.090, and 18.16.100; and adding a new section to chapter 18.16
2 RCW."

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