

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2202

58th Legislature
2003 Regular Session

Passed by the House April 21, 2003
Yeas 96 Nays 1

Speaker of the House of Representatives

Passed by the Senate April 11, 2003
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2202** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2202

AS AMENDED BY THE SENATE

Passed Legislature - 2003 Regular Session

State of Washington 58th Legislature 2003 Regular Session

By House Committee on Commerce & Labor (originally sponsored by
Representatives McDonald and Conway)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to cosmetology apprenticeship; amending RCW
2 18.16.020, 18.16.070, 18.16.090, and 18.16.100; adding a new section to
3 chapter 18.16 RCW; and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.16 RCW
6 to read as follows:

7 A cosmetology apprenticeship pilot program is hereby created.

8 (1) An advisory committee is created that may consist of
9 representatives from individuals and businesses licensed under chapter
10 18.16 RCW; cosmetology, barbering, esthetics, and manicuring advisory
11 board members; department of labor and industries; department of
12 licensing; United States department of labor apprenticeship; and other
13 interested parties.

14 (a) The advisory committee shall meet to review progress of the
15 cosmetology apprenticeship pilot program.

16 (b) The department of labor and industries apprenticeship council
17 shall coordinate the activities of the advisory committee. The
18 advisory committee shall issue annual reports on the progress of the
19 apprenticeship program to interested parties and shall issue a final

1 report regarding the outcome of the apprenticeship program to be
2 presented to the appropriate committees of the house of representatives
3 and senate by December 31, 2005.

4 (2) Up to twenty salons approved by the department of labor and
5 industries apprenticeship council may participate in the apprenticeship
6 program. The participating salons shall proportionately represent the
7 geographic diversity of Washington state, including rural and urban
8 areas, and salons located in both eastern and western Washington.

9 (3) The department of licensing shall adopt rules, including a
10 mandatory requirement that apprentices complete in-classroom theory
11 courses as a part of their training, to provide for the licensure of
12 participants of the apprenticeship program.

13 (4) The cosmetology apprenticeship pilot program expires July 1,
14 2006.

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

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

19 (1) "Apprenticeship program" means an apprenticeship pilot program
20 approved under section 1 of this act for the practice of cosmetology,
21 barbering, esthetics, and manicuring, which expires July 1, 2006.

22 (2) "Apprentice" means a person engaged in a state-approved
23 apprenticeship program and who may receive a wage or compensation while
24 engaged in the program.

25 (3) "Department" means the department of licensing.

26 ((+2)) (4) "Board" means the cosmetology, barbering, esthetics,
27 and manicuring advisory board.

28 ((+3)) (5) "Director" means the director of the department of
29 licensing or the director's designee.

30 ((+4)) (6) "The practice of cosmetology" means arranging,
31 dressing, cutting, trimming, styling, shampooing, permanent waving,
32 chemical relaxing, straightening, curling, bleaching, lightening,
33 coloring, waxing, tweezing, shaving, and mustache and beard design of
34 the hair of the face, neck, and scalp; temporary removal of superfluous
35 hair by use of depilatories, waxing, or tweezing; manicuring and
36 pedicuring, limited to cleaning, shaping, polishing, decorating, and
37 caring for and treatment of the cuticles and nails of the hands and

1 feet, excluding the application and removal of sculptured or otherwise
2 artificial nails; esthetics limited to toning the skin of the scalp,
3 stimulating the skin of the body by the use of preparations, tonics,
4 lotions, or creams; and tinting eyelashes and eyebrows.

5 ~~((+5))~~ (7) "Cosmetologist" means a person licensed under this
6 chapter to engage in the practice of cosmetology.

7 ~~((+6))~~ (8) "The practice of barbering" means the cutting,
8 trimming, arranging, dressing, curling, shampooing, shaving, and
9 mustache and beard design of the hair of the face, neck, and scalp.

10 ~~((+7))~~ (9) "Barber" means a person licensed under this chapter to
11 engage in the practice of barbering.

12 ~~((+8))~~ (10) "Practice of manicuring" means the cleaning, shaping,
13 polishing, decorating, and caring for and treatment of the cuticles and
14 the nails of the hands or feet, and the application and removal of
15 sculptured or otherwise artificial nails by hand or with mechanical or
16 electrical apparatus or appliances.

17 ~~((+9))~~ (11) "Manicurist" means a person licensed under this
18 chapter to engage in the practice of manicuring.

19 ~~((+10))~~ (12) "Practice of esthetics" means care of the skin by
20 application and use of preparations, antiseptics, tonics, essential
21 oils, or exfoliants, or by any device or equipment, electrical or
22 otherwise, or by wraps, compresses, cleansing, conditioning,
23 stimulation, pore extraction, or product application and removal; the
24 temporary removal of superfluous hair by means of lotions, creams,
25 mechanical or electrical apparatus, appliance, waxing, tweezing, or
26 depilatories; tinting of eyelashes and eyebrows; and lightening the
27 hair, except the scalp, on another person.

28 ~~((+11))~~ (13) "Esthetician" means a person licensed under this
29 chapter to engage in the practice of esthetics.

30 ~~((+12))~~ (14) "Instructor-trainee" means a person who is currently
31 licensed in this state as a cosmetologist, barber, manicurist, or
32 esthetician, and is enrolled in an instructor-trainee curriculum in a
33 school licensed under this chapter.

34 ~~((+13))~~ (15) "School" means any establishment that offers
35 curriculum of instruction in the practice of cosmetology, barbering,
36 esthetics, manicuring, or instructor-trainee to students and is
37 licensed under this chapter.

1 ~~((14))~~ (16) "Student" means a person sixteen years of age or
2 older who is enrolled in a school licensed under this chapter and
3 receives instruction in any of the curricula of cosmetology, barbering,
4 esthetics, manicuring, or instructor-training with or without tuition,
5 fee, or cost, and who does not receive any wage or commission.

6 ~~((15))~~ (17) "Instructor" means a person who gives instruction in
7 a school in a curriculum in which he or she holds a license under this
8 chapter, has completed at least five hundred hours of instruction in
9 teaching techniques and lesson planning in a school, and has passed a
10 licensing examination approved or administered by the director. An
11 applicant who holds a degree in education from an accredited
12 postsecondary institution shall upon application be licensed as an
13 instructor to give instruction in a school in a curriculum in which he
14 or she holds a license under this chapter. An applicant who holds an
15 instructional credential from an accredited community or technical
16 college and who has passed a licensing examination approved or
17 administered by the director shall upon application be licensed as an
18 instructor to give instruction in a school in a curriculum in which he
19 or she holds a license under this chapter.

20 ~~((16))~~ (18) "Person" means any individual, partnership,
21 professional service corporation, joint stock association, joint
22 venture, or any other entity authorized to do business in this state.

23 ~~((17))~~ (19) "Salon/shop" means any building, structure, or any
24 part thereof, other than a school, where the commercial practice of
25 cosmetology, barbering, esthetics, or manicuring is conducted; provided
26 that any person, except employees of a salon/shop, who operates from a
27 salon/shop is required to meet all salon/shop licensing requirements
28 and may participate in the apprenticeship program when certified by the
29 advisory committee as established by the department of labor and
30 industries apprenticeship council.

31 ~~((18))~~ (20) "Crossover training" means training approved by the
32 director as training hours that may be credited to current licensees
33 for similar training received in another profession licensed under this
34 chapter.

35 ~~((19))~~ (21) "Approved security" means surety bond.

36 ~~((20))~~ (22) "Personal services" means a location licensed under
37 this chapter where the practice of cosmetology, barbering, manicuring,

1 or esthetics is performed for clients in the client's home, office, or
2 other location that is convenient for the client.

3 ~~((+21+))~~ (23) "Individual license" means a cosmetology, barber,
4 manicurist, esthetician, or instructor license issued under this
5 chapter.

6 ~~((+22+))~~ (24) "Location license" means a license issued under this
7 chapter for a salon/shop, school, personal services, or mobile unit.

8 ~~((+23+))~~ (25) "Mobile unit" is a location license under this
9 chapter where the practice of cosmetology, barbering, esthetics, or
10 manicuring is conducted in a mobile structure. Mobile units must
11 conform to the health and safety standards set by rule under this
12 chapter.

13 ~~((+24+))~~ (26) "Curriculum" means the courses of study taught at a
14 school, set by rule under this chapter, and approved by the department.
15 After consulting with the board, the director may set by rule a
16 percentage of hours in a curriculum, up to a maximum of ten percent,
17 that could include hours a student receives while training in a
18 salon/shop under a contract approved by the department. Each
19 curriculum must include at least the following required hours:

- 20 (a) Cosmetologist, one thousand six hundred hours;
- 21 (b) Barber, one thousand hours;
- 22 (c) Manicurist, six hundred hours;
- 23 (d) Esthetician, six hundred hours;
- 24 (e) Instructor-trainee, five hundred hours.

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

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

32 This chapter shall not apply to persons licensed under other laws
33 of this state who are performing services within their authorized scope
34 of practice and shall not be construed to require a license for
35 students enrolled in a school or an apprentice engaged in a state-
36 approved apprenticeship program as defined in RCW 18.16.020.

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

3 Examinations for licensure under this chapter shall be conducted at
4 such times and places as the director determines appropriate.
5 Examinations shall consist of tests designed to reasonably measure the
6 applicant's knowledge of safe and sanitary practices and may also
7 include the applicant's knowledge of this chapter and rules adopted
8 pursuant to this chapter. The director may establish by rule a
9 performance examination in addition to any other examination. The
10 director shall establish by rule the minimum passing score for all
11 examinations and the requirements for reexamination of applicants who
12 fail the examination or examinations. The director may allow an
13 independent person to conduct the examinations at the expense of the
14 applicants.

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

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

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

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

24 (b)(i) Has completed and graduated from a school licensed under
25 this chapter in a curriculum approved by the director of sixteen
26 hundred hours of training in cosmetology, one thousand hours of
27 training in barbering, six hundred hours of training in manicuring, six
28 hundred hours of training in esthetics, and/or five hundred hours of
29 training as an instructor-trainee, or has met the requirements in RCW
30 18.16.020 or 18.16.130; or

31 (ii) Has successfully completed a state-approved apprenticeship
32 training program; and

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

35 (2) A person currently licensed under this chapter may qualify for
36 examination and licensure, after the required examination is passed, in

1 another category if he or she has completed the crossover training
2 course.

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

6 (4) The director may consult with the state board of health and the
7 department of labor and industries in establishing training,
8 apprenticeship, and examination requirements.

9 NEW SECTION. **Sec. 6.** This act takes effect September 15, 2003.

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