

SENATE BILL REPORT

SB 5906

As Reported By Senate Committee On:
Labor, Commerce, Research & Development, February 26, 2007

Title: An act relating to the practice of esthetics.

Brief Description: Regarding the practice of esthetics.

Sponsors: Senators Haugen, Clements, Kohl-Welles and Prentice.

Brief History:

Committee Activity: Labor, Commerce, Research & Development: 2/19/07, 2/26/07 [DPS, DNP].

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 5906 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Clements, Ranking Minority Member; Franklin, Murray and Prentice.

Minority Report: Do not pass.

Signed by Senator Holmquist.

Staff: Kathleen Buchli (786-7488)

Background: Esthetics is care of the skin by: applying preparations, antiseptics, tonics, essential oils, or exfoliants; or using devices or equipment, wraps, compresses, pore extraction, and product application and removal. Esthetics includes using lotions, creams, equipment, waxing, and depilatories to remove hair; tinting eyelashes and eyebrows; and lightening hair not on the scalp.

Estheticians are people who practice esthetics and are licensed by the Department of Licensing (DOL). DOL establishes curriculum requirements in rule for estheticians. The rules must include a curriculum that is made up of at least 600 hours of class time or training time in a salon or shop.

Summary of Bill: The definition of the practice of esthetics is modified to include safety, sanitation, theory, and the practical application of the care of the skin and adds the use of appliances that are legally registered with the food and drug administration. This definition excludes activities that constitute the practice of medicine.

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The category of master esthetics is created and DOL is given rulemaking authority to determine the requirements and criteria of the practice of master esthetics. DOL rules must include training and use of microdermabrasion, microcurrent, chemical exfoliation, laser technology, light, radiofrequency, and plasma devices, as well as devices registered with the Food and Drug Administration.

Master estheticians must complete 700 curriculum hours. However, before December 31, 2007, DOL must waive curriculum requirements for applicants: with three years of work experience as a master esthetician; who complete a training program that meets DOL requirements; or are licensed as a master estheticians in other states.

EFFECT OF CHANGES MADE BY RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Labor, Commerce, Research & Development): The definition of "practice of esthetics" is changed to include the use of alpha hydroxy acids. The definition of "practice of master esthetics" is changed to include requirements for schools that offer master of esthetics programs. Additional curriculum requirements include, but are not limited to, skin histology, skin disorders, dermatological/medical terminology, dermatological pharmacology, nutrition, bacteriology, chemistry, electricity, and skin care for pre-cosmetic and post-cosmetic procedures or cosmetic surgical treatments. The definition of "master esthetician" is changed to mean a person first licensed to engage in the practice of esthetics and who meets the requirements to be licensed as a master esthetician. Master esthetics curriculum requirements may be waived for licensed applicants with at least seven consecutive years' employment as a licensed esthetician in good standing or applicants holding a comite' international d'esthe'tique et de cosme'tologie international diploma. An effective date of January 1, 2008, is added.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: January 1, 2008.

Staff Summary of Public Testimony: PRO: The practice of esthetics is expanding and this bill allows estheticians to keep up with new professional demands. The bill provides more education to those seeking employment in the practice of esthetics which will lead to a greater economic opportunity for schools and estheticians. There is no way for a member of the public to differentiate a new esthetician from one who has many years of experience. Master estheticians will be able to charge more for their services and the additional education requirements will lead to public safety. There are more new devices and machinery used today in the esthetics industry and the people using these devices need to be educated on them. Some estheticians perform pre and post-surgical treatments and advanced training is needed to ensure this work is performed properly.

Persons Testifying: PRO: Anne Martin, Northwest Aestheticians' Guild; Sallie Deitz, Bellingham Ear Nose Throat and Facial Plastic Surgery; Victoria Kile, Victoria's Academy of Cosmetology; David Kile, Washington State Cosmetology Association.