
SENATE BILL 5906

State of Washington 60th Legislature 2007 Regular Session

By Senators Haugen, Clements, Kohl-Welles and Prentice

Read first time 02/06/2007. Referred to Committee on Labor,
Commerce, Research & Development.

1 AN ACT Relating to the practice of esthetics; amending RCW
2 18.16.020; and adding a new section to chapter 18.16 RCW.

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

4 **Sec. 1.** RCW 18.16.020 and 2003 c 400 s 2 are each amended to read
5 as follows:

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

8 (1) "Apprenticeship program" means an apprenticeship pilot program
9 approved under RCW 18.16.280 for the practice of cosmetology,
10 barbering, esthetics, and manicuring, which expires July 1, 2006.

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

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

15 (4) "Board" means the cosmetology, barbering, esthetics, and
16 manicuring advisory board.

17 (5) "Director" means the director of the department of licensing or
18 the director's designee.

1 (6) "~~(The)~~ Practice of cosmetology" means arranging, dressing,
2 cutting, trimming, styling, shampooing, permanent waving, chemical
3 relaxing, straightening, curling, bleaching, lightening, coloring,
4 waxing, tweezing, shaving, and mustache and beard design of the hair of
5 the face, neck, and scalp; temporary removal of superfluous hair by use
6 of depilatories, waxing, or tweezing; manicuring and pedicuring,
7 limited to cleaning, shaping, polishing, decorating, and caring for and
8 treatment of the cuticles and nails of the hands and feet, excluding
9 the application and removal of sculptured or otherwise artificial
10 nails; esthetics limited to toning the skin of the scalp, stimulating
11 the skin of the body by the use of preparations, tonics, lotions, or
12 creams; and tinting eyelashes and eyebrows.

13 (7) "Cosmetologist" means a person licensed under this chapter to
14 engage in the practice of cosmetology.

15 (8) "~~(The)~~ Practice of barbering" means the cutting, trimming,
16 arranging, dressing, curling, shampooing, shaving, and mustache and
17 beard design of the hair of the face, neck, and scalp.

18 (9) "Barber" means a person licensed under this chapter to engage
19 in the practice of barbering.

20 (10) "Practice of manicuring" means the cleaning, shaping,
21 polishing, decorating, and caring for and treatment of the cuticles and
22 the nails of the hands or feet, and the application and removal of
23 sculptured or otherwise artificial nails by hand or with mechanical or
24 electrical apparatus or appliances.

25 (11) "Manicurist" means a person licensed under this chapter to
26 engage in the practice of manicuring.

27 (12) "Practice of esthetics" (~~means~~) includes, but is not limited
28 to, the following: The safety, sanitation, theory, practical
29 application, and care of the skin by application and use of
30 preparations, antiseptics, tonics, essential oils, or exfoliants, or by
31 any device or equipment, electrical or otherwise, or by wraps,
32 compresses, cleansing, conditioning, stimulation, pore extraction, or
33 product application and removal; the temporary removal of superfluous
34 hair by means of lotions, creams, a mechanical or electrical
35 apparatus(~~τ~~) or appliance that is legally registered with the food
36 and drug administration and is manufactured by a food and drug
37 administration registered medical device manufacturer and maintains an
38 intended use that is within the scope of esthetics, waxing, tweezing,

1 or depilatories; tinting of eyelashes and eyebrows; and lightening the
2 hair, except the scalp, on another person. "Practice of esthetics"
3 does not include a practice, activity, or treatment that constitutes
4 the practice of medicine, osteopathic medicine, or chiropractic
5 medicine.

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

8 (14) "Practice of master esthetics" means the practice of esthetics
9 plus additional requirements and scholastic criteria as determined by
10 rule by the department. The rules must address training and practical
11 use of microdermabrasion, microcurrent, chemical exfoliation, laser
12 technology, light, radiofrequency, and plasma devices as used within
13 the scope of the practice of master esthetics. The rules must also
14 address other electrical, mechanical, and light devices that are within
15 the scope of the practice of master esthetics and are legally
16 registered with the food and drug administration and manufactured by a
17 food and drug administration registered medical device manufacturer.

18 (15) "Master estheticians" means a person licensed under this
19 chapter to engage in the practice of master esthetics.

20 (16) "Instructor-trainee" means a person who is currently licensed
21 in this state as a cosmetologist, barber, manicurist, or esthetician,
22 and is enrolled in an instructor-trainee curriculum in a school
23 licensed under this chapter.

24 (~~(15)~~) (17) "School" means any establishment that offers
25 curriculum of instruction in the practice of cosmetology, barbering,
26 esthetics, manicuring, or instructor-trainee to students and is
27 licensed under this chapter.

28 (~~(16)~~) (18) "Student" means a person sixteen years of age or
29 older who is enrolled in a school licensed under this chapter and
30 receives instruction in any of the curricula of cosmetology, barbering,
31 esthetics, manicuring, or instructor-training with or without tuition,
32 fee, or cost, and who does not receive any wage or commission.

33 (~~(17)~~) (19) "Instructor" means a person who gives instruction in
34 a school in a curriculum in which he or she holds a license under this
35 chapter, has completed at least five hundred hours of instruction in
36 teaching techniques and lesson planning in a school, and has passed a
37 licensing examination approved or administered by the director. An
38 applicant who holds a degree in education from an accredited

1 postsecondary institution shall upon application be licensed as an
2 instructor to give instruction in a school in a curriculum in which he
3 or she holds a license under this chapter. An applicant who holds an
4 instructional credential from an accredited community or technical
5 college and who has passed a licensing examination approved or
6 administered by the director shall upon application be licensed as an
7 instructor to give instruction in a school in a curriculum in which he
8 or she holds a license under this chapter.

9 ~~((+18+))~~ (20) "Person" means any individual, partnership,
10 professional service corporation, joint stock association, joint
11 venture, or any other entity authorized to do business in this state.

12 ~~((+19+))~~ (21) "Salon/shop" means any building, structure, or any
13 part thereof, other than a school, where the commercial practice of
14 cosmetology, barbering, esthetics, or manicuring is conducted; provided
15 that any person, except employees of a salon/shop, who operates from a
16 salon/shop is required to meet all salon/shop licensing requirements
17 and may participate in the apprenticeship program when certified by the
18 advisory committee as established by the department of labor and
19 industries apprenticeship council.

20 ~~((+20+))~~ (22) "Crossover training" means training approved by the
21 director as training hours that may be credited to current licensees
22 for similar training received in another profession licensed under this
23 chapter.

24 ~~((+21+))~~ (23) "Approved security" means surety bond.

25 ~~((+22+))~~ (24) "Personal services" means a location licensed under
26 this chapter where the practice of cosmetology, barbering, manicuring,
27 or esthetics is performed for clients in the client's home, office, or
28 other location that is convenient for the client.

29 ~~((+23+))~~ (25) "Individual license" means a cosmetology, barber,
30 manicurist, esthetician, or instructor license issued under this
31 chapter.

32 ~~((+24+))~~ (26) "Location license" means a license issued under this
33 chapter for a salon/shop, school, personal services, or mobile unit.

34 ~~((+25+))~~ (27) "Mobile unit" is a location license under this
35 chapter where the practice of cosmetology, barbering, esthetics, or
36 manicuring is conducted in a mobile structure. Mobile units must
37 conform to the health and safety standards set by rule under this
38 chapter.

1 (~~(26)~~) (28) "Curriculum" means the courses of study taught at a
2 school, set by rule under this chapter, and approved by the department.
3 After consulting with the board, the director may set by rule a
4 percentage of hours in a curriculum, up to a maximum of ten percent,
5 that could include hours a student receives while training in a
6 salon/shop under a contract approved by the department. Each
7 curriculum must include at least the following required hours:

8 (a) Cosmetologist, one thousand six hundred hours;

9 (b) Barber, one thousand hours;

10 (c) Manicurist, six hundred hours;

11 (d) Esthetician, six hundred hours;

12 (e) Master estheticians, seven hundred hours;

13 (f) Instructor-trainee, five hundred hours.

14 (~~(27)~~) (29) "Student monthly report" means the student record of
15 daily activities and the number of hours completed in each course of a
16 curriculum that is prepared monthly by the school and provided to the
17 student, audited annually by the department, and kept on file by the
18 school for three years.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.16 RCW
20 to read as follows:

21 The department must waive the curriculum requirements for licensure
22 as a master esthetician for an individual who files a license
23 application before December 31, 2007, and meets any of the following
24 conditions:

25 (1) Has at least three years of documented work experience as a
26 master esthetician that meets requirements established by rule by the
27 department;

28 (2) Has completed a training program that meets requirements
29 established by rule by the department; or

30 (3) Holds a certificate of registration, certification, or license
31 as a master esthetician issued to him or her by another state that has
32 comparable requirements to those requirements established by rule by
33 the department.

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