

SHB 1038 - H AMD 593

By Representative Ryu

ADOPTED 01/22/2014

1 On page 2, beginning on line 3, strike all of section 2 and insert
2 the following:

3
4 "Sec. 2. RCW 18.16.020 and 2013 c 187 s 1 are each reenacted and
5 amended to read as follows:

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

8 (1) "Apprentice" means a person who is engaged in a state-approved
9 apprenticeship program and who must receive a wage or compensation
10 while engaged in the program.

11 (2) "Apprentice monthly report" means the apprentice record of
12 daily activities and the number of hours completed in each course of a
13 curriculum that is prepared monthly by the approved apprenticeship
14 program and provided to the apprentice, audited annually by the
15 department, and kept on file by the approved apprenticeship program
16 for three years.

17 (3) "Apprentice trainer" means a person who gives training to an
18 apprentice in an approved apprenticeship program and who is approved
19 under RCW 18.16.280.

20 (4) "Apprenticeship program" means a state-approved apprenticeship
21 program pursuant to chapter 49.04 RCW and approved under RCW 18.16.280
22 for the training of cosmetology, barbering, esthetics, master
23 esthetics, and manicuring.

24 (5) "Apprenticeship training committee" means a committee approved
25 by the Washington apprenticeship and training council established in
26 chapter 49.04 RCW.

27

1 (6) "Approved apprenticeship shop" means a salon/shop that has
2 been approved under RCW 18.16.280 and chapter 49.04 RCW to participate
3 in an apprenticeship program.

4 (7) "Approved security" means surety bond.

5 (8) "Barber" means a person licensed under this chapter to engage
6 in the practice of barbering.

7 (9) "Board" means the cosmetology, barbering, esthetics, and
8 manicuring advisory board.

9 (10) "Cosmetologist" means a person licensed under this chapter to
10 engage in the practice of cosmetology.

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

15 (12) "Curriculum" means the courses of study taught at a school,
16 ~~((or))~~ online by a school, in an approved apprenticeship program
17 established by the Washington state apprenticeship and training
18 council and conducted in an approved salon/shop, or online by an
19 approved apprenticeship program, set by rule under this chapter, and
20 approved by the department. After consulting with the board, the
21 director may set by rule a percentage of hours in a curriculum, up to
22 a maximum of ten percent, that could include hours a student receives
23 while training in a salon/shop under a contract approved by the
24 department. Each curriculum must include at least the following
25 required hours:

26 (a) School curriculum:

27 (i) Cosmetologist, one thousand six hundred hours;

28 (ii) Barber, one thousand hours;

29 (iii) Manicurist, six hundred hours;

30 (iv) Esthetician, seven hundred fifty hours;

31 (v) Master esthetician either:

32 (A) One thousand two hundred hours; or

33 (B) Esthetician licensure plus four hundred fifty hours of
34 training;

1 (vi) Instructor-trainee, five hundred hours.
2 (b) Apprentice training curriculum:
3 (i) Cosmetologist, two thousand hours;
4 (ii) Barber, one thousand two hundred hours;
5 (iii) Manicurist, eight hundred hours;
6 (iv) Esthetician, eight hundred hours;
7 (v) Master esthetician, one thousand four hundred hours.
8 (13) "Department" means the department of licensing.
9 (14) "Director" means the director of the department of licensing
10 or the director's designee.
11 (15) "Distance or online learning" means theory training provided
12 online, by a school licensed under this chapter or an approved
13 apprenticeship program established by the Washington state
14 apprenticeship and training council, in the areas of cosmetology,
15 manicuring, barbering, esthetics, and instructor-training."
16 ~~((15))~~(16) "Esthetician" means a person licensed under this
17 chapter to engage in the practice of esthetics.
18 ~~((16))~~(17) "Individual license" means a cosmetology, barber,
19 manicurist, esthetician, master esthetician, or instructor license
20 issued under this chapter.
21 ~~((17))~~(18) "Instructor" means a person who gives instruction in
22 a school, or who provides classroom theory training to apprentices in
23 locations other than in a school, in a curriculum in which he or she
24 holds a license under this chapter, has completed at least five
25 hundred hours of instruction in teaching techniques and lesson
26 planning in a school, and has passed a licensing examination approved
27 or administered by the director. An applicant who holds a degree in
28 education from an accredited postsecondary institution shall upon
29 application be licensed as an instructor to give instruction in a
30 school, or to provide classroom theory training to apprentices in
31 locations other than in a school, in a curriculum in which he or she
32 holds a license under this chapter. An applicant who holds an
33 instructional credential from an accredited community or technical
34 college and who has passed a licensing examination approved or

1 administered by the director shall upon application be licensed as an
2 instructor to give instruction in a school, or to provide classroom
3 theory training to apprentices in locations other than in a school, in
4 a curriculum in which he or she holds a license under this chapter.
5 To be approved as an "instructor" in an approved apprenticeship
6 program, the instructor must be a competent instructor as defined in
7 rules adopted under chapter 49.04 RCW.

8 ~~((18))~~(19) "Instructor-trainee" means a person who is currently
9 licensed in this state as a cosmetologist, barber, manicurist,
10 esthetician, or master esthetician, and is enrolled in an instructor-
11 trainee curriculum in a school licensed under this chapter.

12 ~~((19))~~(20) "Location license" means a license issued under this
13 chapter for a salon/shop, school, personal services, or mobile unit.

14 ~~((20))~~(21) "Manicurist" means a person licensed under this
15 chapter to engage in the practice of manicuring.

16 ~~((21))~~(22) "Master esthetician" means a person licensed under
17 this chapter to engage in the practice of master esthetics.

18 ~~((22))~~(23) "Mobile unit" is a location license under this
19 chapter where the practice of cosmetology, barbering, esthetics,
20 master esthetics, or manicuring is conducted in a mobile structure.
21 Mobile units must conform to the health and safety standards set by
22 rule under this chapter.

23 ~~((23))~~(24) "Person" means any individual, partnership,
24 professional service corporation, joint stock association, joint
25 venture, or any other entity authorized to do business in this state.

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

31 ~~((25))~~(26) "~~The~~ Practice of barbering" means the cutting,
32 trimming, arranging, dressing, curling, shampooing, shaving, and
33 mustache and beard design of the hair of the face, neck, and scalp.

34

1 ~~((+26+))~~(27) "~~(The)~~ Practice of cosmetology" means arranging,
2 dressing, cutting, trimming, styling, shampooing, permanent waving,
3 chemical relaxing, straightening, curling, bleaching, lightening,
4 coloring, waxing, tweezing, shaving, and mustache and beard design of
5 the hair of the face, neck, and scalp; temporary removal of
6 superfluous hair by use of depilatories, waxing, or tweezing;
7 manicuring and pedicuring, limited to cleaning, shaping, polishing,
8 decorating, and caring for and treatment of the cuticles and nails of
9 the hands and feet, excluding the application and removal of
10 sculptured or otherwise artificial nails; esthetics limited to toning
11 the skin of the scalp, stimulating the skin of the body by the use of
12 preparations, tonics, lotions, or creams; and tinting eyelashes and
13 eyebrows.

14 ~~((+27+))~~(28) "Practice of esthetics" means the care of the skin
15 for compensation by application, use of preparations, antiseptics,
16 tonics, essential oils, exfoliants, superficial and light peels, or by
17 any device, except laser, or equipment, electrical or otherwise, or by
18 wraps, compresses, cleansing, conditioning, stimulation, superficial
19 skin stimulation, pore extraction, or product application and removal;
20 temporary removal of superfluous hair by means of lotions, creams,
21 appliance, waxing, threading, tweezing, or depilatories, including
22 chemical means; and application of product to the eyelashes and
23 eyebrows, including extensions, design and treatment, tinting and
24 lightening of the hair, excluding the scalp. Under no circumstances
25 does the practice of esthetics include the administration of
26 injections.

27 ~~((+28+))~~(29) "Practice of manicuring" means the cleaning, shaping,
28 polishing, decorating, and caring for and treatment of the cuticles
29 and the nails of the hands or feet, and the application and removal of
30 sculptured or otherwise artificial nails by hand or with mechanical or
31 electrical apparatus or appliances.

32 ~~((+29+))~~(30) "Practice of master esthetics" means the care of the
33 skin for compensation including all of the methods allowed in the
34 definition of the practice of esthetics. It also includes the

1 performance of medium depth peels and the use of medical devices for
2 care of the skin and permanent hair reduction. The medical devices
3 include, but are not limited to, lasers, light, radio frequency,
4 plasma, intense pulsed light, and ultrasound. The use of a medical
5 device must comply with state law and rules, including any laws or
6 rules that require delegation or supervision by a licensed health
7 professional acting within the scope of practice of that health
8 profession.

9 ~~((+30+))~~(31) "Salon/shop" means any building, structure, or any
10 part thereof, other than a school, where the commercial practice of
11 cosmetology, barbering, esthetics, master esthetics, or manicuring is
12 conducted; provided that any person, except employees of a salon/shop,
13 who operates from a salon/shop is required to meet all salon/shop
14 licensing requirements and may participate in the apprenticeship
15 program when certified as established by the Washington state
16 apprenticeship and training council established in chapter 49.04 RCW.

17 ~~((+31+))~~(32) "School" means any establishment that offers
18 curriculum of instruction in the practice of cosmetology, barbering,
19 esthetics, master esthetics, manicuring, or instructor-trainee to
20 students and is licensed under this chapter.

21 ~~((+32+))~~(33) "Student" means a person sixteen years of age or
22 older who is enrolled in a school licensed under this chapter and
23 receives instruction in any of the curricula of cosmetology,
24 barbering, esthetics, master esthetics, manicuring, or instructor-
25 training with or without tuition, fee, or cost, and who does not
26 receive any wage or commission.

27 ~~((+33+))~~(34) "Student monthly report" means the student record of
28 daily activities and the number of hours completed in each course of a
29 curriculum that is prepared monthly by the school and provided to the
30 student, audited annually by the department, and kept on file by the
31 school for three years."

32
33 Renumber the remaining sections consecutively and correct any
34 internal references accordingly.

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EFFECT: Makes a technical correction to incorporate the most recently amended version of RCW 18.16.020.

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