
Business & Financial Services Committee

HB 1779

Brief Description: Concerning esthetics.

Sponsors: Representatives Kirby and Ryu.

Brief Summary of Bill

- Modifies the license requirements for an esthetician.
- Creates a master esthetician license.
- Provides for transitions for applicants for the modified esthetician license and the new master esthetician license.
- Creates reciprocity provisions for the new master esthetician license.

Hearing Date: 2/14/13

Staff: Jon Hedegard (786-7127).

Background:

An esthetician license allows "the care of the skin by application and use of preparations, antiseptics, tonics, essential oils, or exfoliants, or by any device or equipment, electrical or otherwise, or by wraps, compresses, cleansing, conditioning, stimulation, pore extraction, or product application and removal; the temporary removal of superfluous hair by means of lotions, creams, mechanical or electrical apparatus, appliance, waxing, tweezing, or depilatories; tinting of eyelashes and eyebrows; and lightening the hair, except the scalp, on another person."

The Department of Licensing (Department):

- establishes curricula for the training of students and apprentices;
- prepares and administers the exams;
- establishes minimum safety and sanitation standards; and
- adopts rules and otherwise administers the provisions.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Washington State Apprenticeship and Training Council (WSATC) oversees the state apprenticeship program within the Department of Labor and Industries. The WSATC establishes apprenticeship program standards, approves apprenticeship training programs, and otherwise governs apprenticeship programs.

Apprenticeship is another path to receiving a license for esthetics. An apprenticeship program for esthetics must be approved by the WSATC. An apprenticeship salon/shop must provide the Department with a list of individuals acting as apprentice trainers. These trainers must be approved by the Department, must have a current license in esthetics, and must have held that license for a minimum of three consecutive years. An apprenticeship salon/shop must post a notice to consumers stating that the shop participates in the apprenticeship program and that apprentices are in training and not yet licensed. The programs have various record-keeping and reporting requirements.

Minimum Training Hours.

To receive an esthetics license, a person must meet training requirements and pass an exam. The minimum training hours required at a school is 600 hours for an esthetician. The minimum training hours required by an approved apprenticeship program are 800 hours for an esthetician.

Reciprocity.

A reciprocity provision allows a person with the equivalent license in another state to obtain a license by paying a fee and passing the examination.

Summary of Bill:

Licensure of estheticians is broken into two categories:

- estheticians; and
- a new master estheticians.

Scope of Practice.

The definition of the "practice of esthetics" is modified. It means the care of the skin for compensation by application, use of preparations, antiseptics, tonics, essential oils, exfoliants, superficial and light peels, or by any device or equipment, electrical or otherwise, or by wraps, compresses, cleansing, conditioning, stimulation, massage, pore extraction, or product application and removal; temporary removal of superfluous hair by means of lotions, creams, appliance, waxing, threading, tweezing, or depilatories, including chemical means; and application of product to the eyelashes and eyebrows, including extensions, design and treatment, tinting and lightening of the hair, excluding the scalp.

"Practice of master esthetics" includes all of the methods allowed in the definition of the practice of esthetics. It also includes the performance of medium depth peels and the use of devices for care of the skin and permanent hair reduction including, but not limited to, lasers, light, radio frequency, plasma, intense pulsed light, ultrasound, or similar devices which when operated or performed require the delegation or supervision of a licensed physician, advanced registered nurse practitioner, or physician assistant, or other licensed professional whose licensure permits such delegation or supervision.

Minimum Hours.

The minimum training hours required at a school remains 600 hours for an esthetician. For a master esthetician license, the minimum training hours required are either:

- 1,200 hours; or
- esthetician licensure plus 450 hours of training;

The minimum training hours required for an apprentice remains 800 hours for an esthetician. For a master esthetician it is 1,400 hours.

Transition to New Licenses.

Prior to January 1, 2015, any person holding an active license in good standing as an esthetician, may continue to be licensed as an esthetician after paying the appropriate license fee.

Prior to January 1, 2015, an applicant for a master esthetician license must have an active license in good standing as an esthetician, pay the appropriate license fee, and provide the Department with proof of having satisfied one or more of the following requirements:

- a combination of specific training and/or experience regarding medium depth peels and the use of lasers;
- a national or international diploma or certification in esthetics that is recognized by the Department by rule;
- an instructor in esthetics who has been licensed as an instructor in esthetics by the Department for a minimum of three years; or
- completion of 1,200 hours of an esthetic curriculum approved by the Department.

Reciprocity.

The Director of the Department (Director) must, upon passage of the required examination, issue a license as master esthetician to an applicant who submits the approved application, the fee, and provides proof to the Director that the applicant is currently licensed in good standing in esthetics in any state, territory, or possession of the United States, or foreign country and holds a specific diploma or certificate.

The Director may, upon passage of the required examination, issue a master esthetician license to an applicant that is currently licensed in esthetics in any other state, territory, or possession of the United States, or foreign country and submits an application, the fee, and provides proof to the Director that he or she is licensed in good standing and:

- the licensing state, territory, or possession of the United States, or foreign country has licensure requirements that the Director determines are substantially equivalent to a master esthetician license in this state; or
- the applicant has certification or a diploma or other credentials that the Director determines has licensure requirements that are substantially equivalent to the specified diplomas and certificate.

A number of changes are made to reflect the creation of the additional license category.

Appropriation: None.

Fiscal Note: Requested on February 08, 2013.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.