

SENATE BILL REPORT

ESB 5616

As Passed Senate, February 26, 2019

Title: An act relating to the practice of manicuring for diabetics.

Brief Description: Manicuring for diabetics.

Sponsors: Senators Rivers, Cleveland, Keiser, Saldaña and Kuderer.

Brief History:

Committee Activity: Labor & Commerce: 2/14/19 [DP, w/oRec].

Floor Activity:

Passed Senate: 2/26/19, 48-1.

Brief Summary of Engrossed Bill

- Requires a manicurist to ask a client if the client is diabetic prior to engaging in the practice of manicuring.
- Mandates the director of the Department of Licensing to develop mandatory training for manicurists regarding the risks associated with performing manicure services for diabetics.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun, Saldaña and Walsh.

Minority Report: That it be referred without recommendation.

Signed by Senator Wellman.

Staff: Susan Jones (786-7404)

Background: The Department of Licensing (DOL) regulates cosmetology, hair design, barbering, manicuring, and esthetics. A person must be licensed to practice these professions.

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.

There is a state cosmetology, hair design, barbering, esthetics, and manicuring advisory board (board) appointed by the director of DOL (director). The members of the board include:

- a representative of licensed private schools;
- a representative from an approved apprenticeship program conducted in an approved salon or shop;
- a representative of licensed public vocational technical schools;
- a consumer who is unaffiliated with the cosmetology, hair design, barbering, esthetics, master esthetics, or manicuring industry; and
- six members who are currently practicing licensees who have been engaged in the practice of manicuring, esthetics, master esthetics, barbering, hair design, or cosmetology for at least three years.

The board may seek the advice and input of officials from the certain state agencies, including the Department of Health. The director may consult with the state Board of Health and the Department of Labor and Industries in establishing training, apprenticeship, and examination requirements.

A manicurist is a person licensed to engage in the practice of manicuring. The practice of manicuring is the cleaning, shaping, polishing, decorating, and caring for and treatment of the cuticles and the nails of the hands or feet, and the application and removal of sculptured or otherwise artificial nails by hand or with mechanical or electrical apparatus or appliances. The required curriculum for licensure as a manicurist includes 600 hours of school curriculum and 800 hours of apprentice training.

Summary of Engrossed Bill: Prior to engaging in the practice of manicuring for a client, the manicurist performing the service must ask the client if the client is diabetic.

The director of DOL, in consultation with the board, must develop training for manicurists regarding:

- the risks associated with performing manicure services for diabetics;
- how to reduce those risks; and
- how to provide reasonable accommodation to clients with diabetes, if necessary.

The training must be included in the required curriculum for manicurists.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on January 1, 2020.

Staff Summary of Public Testimony: PRO: A woman went to get a pedicure and told the manicurist she was diabetic and asked her not to cut her nails, that was reserved for her physician. The manicurist cut the nails and cut the toe. The woman had to have part of her leg amputated. Manicurists should know that people with diabetes may not heal the same way as other people.

Persons Testifying: PRO: Senator Ann Rivers.

Persons Signed In To Testify But Not Testifying: None.