

HOUSE BILL REPORT

SSB 5996

As Reported by House Committee On: Business & Financial Services

Title: An act relating to requiring the department of licensing to adopt rules to allow online learning for training in the areas of cosmetology, manicuring, barbering, esthetics, master esthetics, and instructor-training.

Brief Description: Requiring the department of licensing to adopt rules regarding online learning for training in cosmetology, manicuring, barbering, esthetics, master esthetics, and instruction.

Sponsors: Senate Committee on Commerce & Labor (originally sponsored by Senators Angel, Fain and McAuliffe).

Brief History:

Committee Activity:

Business & Financial Services: 2/12/14, 2/19/14 [DP].

Brief Summary of Substitute Bill

- Requires the Department of Licensing (DOL) to adopt rules regarding distance or online learning in the areas of cosmetology, manicuring, barbering, esthetics, master esthetics, and instructor-training.
- Modifies the definition of "curriculum" to include online learning in a licensed school or an apprenticeship program in the areas of cosmetology, manicuring, barbering, esthetics, master esthetics, and instructor training.
- Requires the DOL to review distance or online learning in the areas of cosmetology, manicuring, barbering, esthetics, master esthetics, and instructor-training and provide its findings to the Legislature no later than January 1, 2016.

HOUSE COMMITTEE ON BUSINESS & FINANCIAL SERVICES

Majority Report: Do pass. Signed by 14 members: Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake, Fagan, Habib, Hudgins, G. Hunt, Hurst, Kochmar, MacEwen, Santos and Stanford.

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.

Staff: Linda Merelle (786-7092).

Background:

The Department of Licensing (DOL) regulates the practices of cosmetology, barbering, manicuring, and esthetics, areas of practice that involve the use of tools and chemicals which may be dangerous when mixed or applied improperly.

A "curriculum" means the courses of study taught at a school, or in an approved apprenticeship program established by the Washington Apprenticeship and Training Council and conducted in an approved salon or shop. No statute or administrative rule prohibits online learning.

Areas of Practice Defined.

Cosmetology means:

- arranging, dressing, cutting, trimming, styling, shampooing, permanent waving, chemical relaxing, straightening, curling, bleaching, lightening, coloring, waxing, tweezing, shaving, and mustache and beard design of the hair of the face, neck, and scalp;
- manicuring and pedicuring, limited to cleaning, shaping, polishing, decorating, and caring for and treatment of the cuticles and nails of the hands and feet;
- esthetics limited to toning the skin of the scalp, stimulating the skin of the body by the use of preparations, tonics, lotions, or creams; and
- tinting eyelashes and eyebrows.

Barbering means: cutting, trimming, arranging, dressing, curling, shampooing, shaving, and mustache and beard design of the hair of the face, neck, and scalp.

Manicuring means: 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 a mechanical or electrical apparatus or appliance.

Esthetics 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, except laser, or equipment, electrical or otherwise, or by wraps, compresses, cleansing, conditioning, stimulation, superficial skin stimulation, pore extraction, or product application and removal. It may also include the temporary removal of superfluous hair and application of product to the eyelashes and eyebrows, including extensions, design and treatment, tinting and lightening of the hair, excluding the scalp.

Master Esthetics means: the care of the skin for compensation including 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 medical devices for care of the skin and permanent hair reduction. The medical devices include lasers, light, radio frequency, plasma, intense pulsed light, and ultrasound.

The license for a "master esthetician" was created in 2013 pursuant to Substitute House Bill 1779. The DOL began granting licenses for master estheticians in January 2014.

Instructor-Trainee means: a person who is currently licensed in this state as a cosmetologist, barber, manicurist, esthetician, or master esthetician, and is enrolled in an instructor-trainee curriculum in a licensed school.

<i>Area of Practice</i>	<i>Minimum Curriculum Training Hours Required</i>	
	<i>School</i>	<i>Apprentice Training</i>
Cosmetologist	1,600	2,000
Barber	1,000	1,200
Manicurist	600	800
Esthetician	750	800
Master Esthetician	1,200 or Esthetician License plus 400	1,400
Instructor-Trainee	500	NA

Summary of Bill:

The Legislature finds that online learning:

- provides tremendous opportunities for students and apprentices to access curricula and courses and that is a unique learning environment that might not otherwise be available;
- provides additional flexibility that can enable students and apprentices to maintain work and family commitments;
- reduces travel and saves travel time for students and apprentices;
- expands options for students and apprentices in rural areas; and
- provides students and apprentices with quicker access to employment.

The Legislature also states that online learning is an appropriate and efficient method for the study of theory for cosmetology, manicuring, barbering, esthetics, and instructor-training.

The definition of "curriculum" is modified to expressly include courses of study that are taught online by a school or by an approved apprenticeship program. The Director of the DOL must adopt rules regarding distance or online learning, and those rules must include a limit on the number of hours of online learning that may be used toward minimum licensing requirements in the areas of cosmetology, manicuring, barbering, esthetics, master esthetics, and instructor-training.

No later than January 1, 2016, the DOL must conduct an evaluation review of distance or online learning in the areas of: cosmetology, manicuring, barbering, esthetics, master

esthetics, and instructor-training. The evaluation review must be provided to the committees of the Legislature that oversee the licensing of those professions.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This is an intelligent and smart bill and will help save students money. This bill is right in many ways.

(Opposed) None.

Persons Testifying: Mark Johnson, Washington Retail Association; and Jerry Ahern, Gene Juarez Academy.

Persons Signed In To Testify But Not Testifying: None.