

# SENATE BILL REPORT

## SB 6579

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As Passed Senate, February 15, 2000

**Title:** An act relating to cosmetology, barbering, manicuring, and esthetics.

**Brief Description:** Regulating cosmetology, barbering, manicuring, and esthetics.

**Sponsors:** Senators Prentice, Haugen and Hale.

**Brief History:**

**Committee Activity:** Commerce, Trade, Housing & Financial Institutions: 1/25/2000, 1/27/2000 [DP].

Passed Senate, 2/15/2000, 48-0.

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### SENATE COMMITTEE ON COMMERCE, TRADE, HOUSING & FINANCIAL INSTITUTIONS

**Majority Report:** Do pass.

Signed by Senators Prentice, Chair; Shin, Vice Chair; Benton, Gardner, Hale, Heavey and Rasmussen.

**Staff:** Susan Jones (786-7784)

**Background:** The Department of Licensing regulates the practices of cosmetology, barbering, esthetics, and manicuring. All licensees must complete an approved curriculum at an approved school and pass an examination. Typically, the school conducts a performance examination and the department provides for a written examination. The required curriculum is 1,600 hours for cosmetologists, 1,000 hours for barbers, and 500 hours for manicurists, estheticians and instructors.

In 1998, the nine-member cosmetology, barbering, esthetics and manicuring advisory board issued a report assessing the current statutory requirements and making recommendations for changes. Some of the recommendations requiring legislative action are reflected in the proposed legislation.

**Summary of Bill:** The practices of cosmetology, barbering, esthetics and manicuring are updated to include most of the current practices. Prior to licensure, an applicant must have completed and graduated from a licensed school in a curriculum with a specified number hours for each practice area. The required curriculum hours for manicurists and estheticians are increased from 500 hours to 600 hours. Curriculum means courses taught in a school which are set by rule and approved by the department. After consulting with the board, the department may set rules allowing a percentage of curriculum hours that may be received while training in a salon/shop under a contract approved by the department.

An instructor is a person who gives instruction in a school in a curriculum in which the person has a license and (1) has completed 500 hours of teacher training, has one year of

experience, and has passed an exam; (2) holds an education degree; or (3) holds an instructional credential from a community or technical college and has passed an exam.

Examinations must test knowledge of safe and sanitary practices and may test knowledge of the licensing laws and regulation. The director may establish a practical examination, which may be conducted by an independent person at the applicant's expense.

Individual licenses, except instructor, must be posted at the person's work station. School, instructor, salon/shop and mobile unit licenses must be posted in the reception area. If a license is not renewed within one year of its expiration, the license must be canceled. The canceled license may not be reinstated until the applicant submits an application, pays license fees, passes any applicable exam, and meets any other current licensing requirements. The director may not waive these requirements.

The only approved security for a school is a surety bond.

A salon/shop need not be operated under the direct supervision of a licensed practitioner.

A hearing is required before a fine of \$1,000 is imposed for operating or instructing without a license. The director or his designee may issue notices of correction or cease and desist orders for violations of this act. Any person violating the provisions of this act is guilty of a gross misdemeanor and the director may refer the violation to the Attorney General or prosecuting attorney for any criminal proceedings. Violations of this act are violations of the Consumer Protection Act.

Persons who provide cosmetology services incidental to home health care services are exempt from cosmetology licensing requirements.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect on January 1, 2001.

**Testimony For:** The quality of school graduates has gone down and this bill will allow improvements in the industry. This bill will create the momentum needed to reverse the deterioration of this industry and bring back the skilled practitioners that are overwhelmingly needed. The passage of this bill will benefit the industry, suppliers, consumers and the state.

**Testimony Against:** The bill is good except the requirement that an instructor have one year of experience before becoming licensed. This may prevent some people from making a living for a year and may not help being a better instructor.

**Testified:** PRO: Bettye Guillory, Cosmetology Practical Evaluation Services; Victoria Calvert, NCA of WA, DOL Advisory Board, National Cosmetology Association Educators; Terri Pressly, JC Penney Salon Manager; Darrell Camp (w/concerns), WA State Cosmetology School Owners Association; Sandra Fedor (w/concerns), student.