

HOUSE BILL REPORT

HB 2512

As Reported by House Committee On:

Business & Financial Services

Appropriations Subcommittee on General Government & Information Technology

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

Brief Description: Concerning cosmetology, hair design, barbering, esthetics, and manicuring.

Sponsors: Representative Kirby.

Brief History:

Committee Activity:

Business & Financial Services: 1/24/14, 1/29/14 [DPS];

Appropriations Subcommittee on General Government & Information Technology:
2/6/14 [DPS(BFS)].

Brief Summary of Substitute Bill

- Establishes a hair design license separate from cosmetology.
- Modifies other elements of the cosmetology licensure statute.

HOUSE COMMITTEE ON BUSINESS & FINANCIAL SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake, Fagan, Habib, Hawkins, Hudgins, G. Hunt, Hurst, Kochmar, MacEwen, Santos and Stanford.

Staff: David Rubenstein (786-7153).

Background:

The Department of Licensing (Department) regulates cosmetology, barbering, manicuring, and esthetics. A person must be licensed to practice these professions. A barber license allows the cutting, trimming, arranging, dressing, curling, shampooing, shaving, and mustache and beard design of the face, neck, and scalp. A cosmetology license allows all these practices, and in addition, allows the following practices involving chemicals:

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permanent waving, chemical relaxing, straightening, bleaching, lightening, and coloring. The license also allows waxing and tweezing. Finally, the cosmetologist license also allows some of the practices permitted for manicurists and estheticians. To receive a license, a person must meet training requirements and pass an exam.

The minimum training requirements are as follows:

Practitioner	Hours in School; or	Hours in Apprenticeship
Cosmetologist	1,600	2,000
Barber	1,000	1,200
Manicurist	600	800
Esthetician	750	800
Master Esthetician	1,200 hours or esthetician licensure plus 450 hours	1,400
Instructor-trainee	500	not applicable

A reciprocity provision allows a person with the equivalent license in another state to take the examination. The Department prepares and administers the exams, establishes minimum safety and sanitation standards, adopts rules, and otherwise administers the provisions. The Cosmetology, Barbering, Esthetics, and Manicuring Advisory Board (Board) advises the Department. Washington does not have a license that allows barbering and the use of chemicals. To use chemicals, a practitioner must obtain a cosmetology license.

Summary of Substitute Bill:

Hair design, defined to include various practices, including cutting, styling, extensions, straightening, and coloring of hair, is separated from the general cosmetology license. In order to obtain a hair design license, the applicant must have 1,400 hours of training or 1,750 hours of apprenticeship. The Department is granted rule-making authority to establish minimum safety and sanitation standards for hair designers and hair designers are added to the Board that advises the state on matters of cosmetology, barbering, esthetics, and manicuring.

Online or distance training of license applicants is permitted.

Substitute Bill Compared to Original Bill:

The substitute bill:

- reduces training hours required of cosmetologists from 2,650 to 1,600 (the current requirement), and of hair designers from 1,600 to 1,400;
- reduces apprenticeship hours for cosmetologists from 3,000 to 2,000 (the current requirement), and for hair designers from 2,000 to 1,750;
- restores existing education requirements for cosmetologists;
- strikes references to booth renters;
- restores definitions of "practice of cosmetology" and "practice of manicuring";

- restores the Department's duty to ensure that notices are mailed to licensees;
 - restores the 10-year period before a license is canceled; and
 - makes technical and stylistic edits.
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Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Washington is the only state in the United States without a separate license for hair design. As it stands, a person who wants to cut hair must attain a barber's license, which does not allow the use of chemicals, or a cosmetology license, which allows the use of chemicals, but requires a great deal of additional training. As a result of this, Washington does not have reciprocity with other states. This proposed substitute will remedy these problems, help students get good jobs, and generally strengthen the cosmetology industry.

Online training will also be a boon. Schools are increasingly seeing requests for online and distance learning, and the express authorization in this bill will allow them to respond to emerging needs. It will be a benefit to both schools and students.

Many students are interested only in working on hair, but if they want to do that, they need a cosmetology license to work with chemicals. These students don't need waxing, manicuring, and makeup training. Allowing them to pursue a hair design license will reduce the burden on them and draw more students to schools.

Several constituencies support the proposed substitute bill, but not the original bill.

(Opposed) A new hair design license will limit the ability for school and salon owners to make a living. New employees coming in will not have manicuring and other skills that often provide substantial value-added and a one-stop business. Students entering the profession will be drawn to the easier, less-expensive hair design route, not knowing the additional value the other skills can provide, nor whether they might want to specialize in something like waxing.

Persons Testifying: (In support) Alex Hur, Northwest Career Colleges Federation; Jerry Ahern, Gene Juarez Academy; Michael Shea, The Salon Professional Academy; Alison Grazzini Smith, Washington State Board for Community and Technical Colleges; Tina Evans, Everett Community College; Sylvia Garcia, Spokane Community College; Tim Knue, Washington Association for Career and Technical Education.

(Opposed) Larinda Warner, Larinda's Salon Spa Store.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT & INFORMATION TECHNOLOGY

Majority Report: The substitute bill by Committee on Business & Financial Services be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Hudgins, Chair; Parker, Ranking Minority Member; Christian, Dunshee, S. Hunt, Jinkins and Springer.

Minority Report: Do not pass. Signed by 2 members: Representatives Buys and Taylor.

Staff: Alex MacBain (786-7288).

Summary of Recommendation of Committee On Appropriations Subcommittee on General Government & Information Technology Compared to Recommendation of Committee On Business & Financial Services:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) None.

(Opposed) None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.