

SHB 2202 - S COMM AMD

By Committee on Financial Services, Insurance & Housing

ADOPTED AS AMENDED 04/11/2003

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 18.16 RCW
4 to read as follows:

5 A cosmetology apprenticeship pilot program is hereby created.

6 (1) An advisory committee is created that may consist of
7 representatives from individuals and businesses licensed under chapter
8 18.16 RCW; cosmetology, barbering, esthetics, and manicuring advisory
9 board members; department of labor and industries; department of
10 licensing; United States department of labor apprenticeship; and other
11 interested parties.

12 (a) The advisory committee shall meet to review progress of the
13 cosmetology apprenticeship pilot program.

14 (b) The department of labor and industries apprenticeship council
15 shall coordinate the activities of the advisory committee. The
16 advisory committee shall issue annual reports on the progress of the
17 apprenticeship program to interested parties and shall issue a final
18 report regarding the outcome of the apprenticeship program to be
19 presented to the appropriate committees of the house of representatives
20 and senate by December 31, 2005.

21 (2) Up to twenty salons approved by the department of labor and
22 industries apprenticeship council may participate in the apprenticeship
23 program. The participating salons shall proportionately represent the
24 geographic diversity of Washington state, including rural and urban
25 areas, and salons located in both eastern and western Washington.

26 (3) The department of licensing shall adopt rules, including a
27 mandatory requirement that apprentices complete in-classroom theory
28 courses as a part of their training, to provide for the licensure of
29 participants of the apprenticeship program.

1 (4) The cosmetology apprenticeship pilot program expires July 1,
2 2006.

3 **Sec. 2.** RCW 18.16.020 and 2002 c 111 s 2 are each amended to read
4 as follows:

5 As used in this chapter, the following terms have the meanings
6 indicated unless the context clearly requires otherwise:

7 (1) "Apprenticeship program" means an apprenticeship pilot program
8 approved under section 1 of this act for the practice of cosmetology,
9 barbering, esthetics, and manicuring, which expires July 1, 2006.

10 (2) "Apprentice" means a person engaged in a state-approved
11 apprenticeship program and who may receive a wage or compensation while
12 engaged in the program.

13 (3) "Department" means the department of licensing.

14 ((+2)) (4) "Board" means the cosmetology, barbering, esthetics,
15 and manicuring advisory board.

16 ((+3)) (5) "Director" means the director of the department of
17 licensing or the director's designee.

18 ((+4)) (6) "The practice of cosmetology" means arranging,
19 dressing, cutting, trimming, styling, shampooing, permanent waving,
20 chemical relaxing, straightening, curling, bleaching, lightening,
21 coloring, waxing, tweezing, shaving, and mustache and beard design of
22 the hair of the face, neck, and scalp; temporary removal of superfluous
23 hair by use of depilatories, waxing, or tweezing; manicuring and
24 pedicuring, limited to cleaning, shaping, polishing, decorating, and
25 caring for and treatment of the cuticles and nails of the hands and
26 feet, excluding the application and removal of sculptured or otherwise
27 artificial nails; esthetics limited to toning the skin of the scalp,
28 stimulating the skin of the body by the use of preparations, tonics,
29 lotions, or creams; and tinting eyelashes and eyebrows.

30 ((+5)) (7) "Cosmetologist" means a person licensed under this
31 chapter to engage in the practice of cosmetology.

32 ((+6)) (8) "The practice of barbering" means the cutting,
33 trimming, arranging, dressing, curling, shampooing, shaving, and
34 mustache and beard design of the hair of the face, neck, and scalp.

35 ((+7)) (9) "Barber" means a person licensed under this chapter to
36 engage in the practice of barbering.

1 (~~(8)~~) (10) "Practice of manicuring" means the cleaning, shaping,
2 polishing, decorating, and caring for and treatment of the cuticles and
3 the nails of the hands or feet, and the application and removal of
4 sculptured or otherwise artificial nails by hand or with mechanical or
5 electrical apparatus or appliances.

6 (~~(9)~~) (11) "Manicurist" means a person licensed under this
7 chapter to engage in the practice of manicuring.

8 (~~(10)~~) (12) "Practice of esthetics" means care of the skin by
9 application and use of preparations, antiseptics, tonics, essential
10 oils, or exfoliants, or by any device or equipment, electrical or
11 otherwise, or by wraps, compresses, cleansing, conditioning,
12 stimulation, pore extraction, or product application and removal; the
13 temporary removal of superfluous hair by means of lotions, creams,
14 mechanical or electrical apparatus, appliance, waxing, tweezing, or
15 depilatories; tinting of eyelashes and eyebrows; and lightening the
16 hair, except the scalp, on another person.

17 (~~(11)~~) (13) "Esthetician" means a person licensed under this
18 chapter to engage in the practice of esthetics.

19 (~~(12)~~) (14) "Instructor-trainee" means a person who is currently
20 licensed in this state as a cosmetologist, barber, manicurist, or
21 esthetician, and is enrolled in an instructor-trainee curriculum in a
22 school licensed under this chapter.

23 (~~(13)~~) (15) "School" means any establishment that offers
24 curriculum of instruction in the practice of cosmetology, barbering,
25 esthetics, manicuring, or instructor-trainee to students and is
26 licensed under this chapter.

27 (~~(14)~~) (16) "Student" means a person sixteen years of age or
28 older who is enrolled in a school licensed under this chapter and
29 receives instruction in any of the curricula of cosmetology, barbering,
30 esthetics, manicuring, or instructor-training with or without tuition,
31 fee, or cost, and who does not receive any wage or commission.

32 (~~(15)~~) (17) "Instructor" means a person who gives instruction in
33 a school in a curriculum in which he or she holds a license under this
34 chapter, has completed at least five hundred hours of instruction in
35 teaching techniques and lesson planning in a school, and has passed a
36 licensing examination approved or administered by the director. An
37 applicant who holds a degree in education from an accredited

1 postsecondary institution shall upon application be licensed as an
2 instructor to give instruction in a school in a curriculum in which he
3 or she holds a license under this chapter. An applicant who holds an
4 instructional credential from an accredited community or technical
5 college and who has passed a licensing examination approved or
6 administered by the director shall upon application be licensed as an
7 instructor to give instruction in a school in a curriculum in which he
8 or she holds a license under this chapter.

9 ~~((+16+))~~ (18) "Person" means any individual, partnership,
10 professional service corporation, joint stock association, joint
11 venture, or any other entity authorized to do business in this state.

12 ~~((+17+))~~ (19) "Salon/shop" means any building, structure, or any
13 part thereof, other than a school, where the commercial practice of
14 cosmetology, barbering, esthetics, or manicuring is conducted; provided
15 that any person, except employees of a salon/shop, who operates from a
16 salon/shop is required to meet all salon/shop licensing requirements
17 and may participate in the apprenticeship program when certified by the
18 advisory committee as established by the department of labor and
19 industries apprenticeship council.

20 ~~((+18+))~~ (20) "Crossover training" means training approved by the
21 director as training hours that may be credited to current licensees
22 for similar training received in another profession licensed under this
23 chapter.

24 ~~((+19+))~~ (21) "Approved security" means surety bond.

25 ~~((+20+))~~ (22) "Personal services" means a location licensed under
26 this chapter where the practice of cosmetology, barbering, manicuring,
27 or esthetics is performed for clients in the client's home, office, or
28 other location that is convenient for the client.

29 ~~((+21+))~~ (23) "Individual license" means a cosmetology, barber,
30 manicurist, esthetician, or instructor license issued under this
31 chapter.

32 ~~((+22+))~~ (24) "Location license" means a license issued under this
33 chapter for a salon/shop, school, personal services, or mobile unit.

34 ~~((+23+))~~ (25) "Mobile unit" is a location license under this
35 chapter where the practice of cosmetology, barbering, esthetics, or
36 manicuring is conducted in a mobile structure. Mobile units must

1 conform to the health and safety standards set by rule under this
2 chapter.

3 ~~((+24+))~~ (26) "Curriculum" means the courses of study taught at a
4 school, set by rule under this chapter, and approved by the department.
5 After consulting with the board, the director may set by rule a
6 percentage of hours in a curriculum, up to a maximum of ten percent,
7 that could include hours a student receives while training in a
8 salon/shop under a contract approved by the department. Each
9 curriculum must include at least the following required hours:

- 10 (a) Cosmetologist, one thousand six hundred hours;
- 11 (b) Barber, one thousand hours;
- 12 (c) Manicurist, six hundred hours;
- 13 (d) Esthetician, six hundred hours;
- 14 (e) Instructor-trainee, five hundred hours.

15 ~~((+25+))~~ (27) "Student monthly report" means the student record of
16 daily activities and the number of hours completed in each course of a
17 curriculum that is prepared monthly by the school and provided to the
18 student, audited annually by the department, and kept on file by the
19 school for three years.

20 **Sec. 3.** RCW 18.16.070 and 1984 c 208 s 4 are each amended to read
21 as follows:

22 This chapter shall not apply to persons licensed under other laws
23 of this state who are performing services within their authorized scope
24 of practice and shall not be construed to require a license for
25 students enrolled in a school or an apprentice engaged in a state-
26 approved apprenticeship program as defined in RCW 18.16.020.

27 **Sec. 4.** RCW 18.16.090 and 2002 c 111 s 6 are each amended to read
28 as follows:

29 Examinations for licensure under this chapter shall be conducted at
30 such times and places as the director determines appropriate.
31 Examinations shall consist of tests designed to reasonably measure the
32 applicant's knowledge of safe and sanitary practices and may also
33 include the applicant's knowledge of this chapter and rules adopted
34 pursuant to this chapter. The director may establish by rule a
35 performance examination in addition to any other examination. The

1 director shall establish by rule the minimum passing score for all
2 examinations and the requirements for reexamination of applicants who
3 fail the examination or examinations. The director may allow an
4 independent person to conduct the examinations at the expense of the
5 applicants.

6 The director shall take steps to ensure that after completion of
7 the required course or apprenticeship program, applicants may promptly
8 take the examination and receive the results of the examination.

9 **Sec. 5.** RCW 18.16.100 and 2002 c 111 s 7 are each amended to read
10 as follows:

11 (1) Upon completion of an application approved by the department
12 and payment of the proper fee, the director shall issue the appropriate
13 license to any person who:

14 (a) Is at least seventeen years of age or older;

15 (b)(i) Has completed and graduated from a school licensed under
16 this chapter in a curriculum approved by the director of sixteen
17 hundred hours of training in cosmetology, one thousand hours of
18 training in barbering, six hundred hours of training in manicuring, six
19 hundred hours of training in esthetics, and/or five hundred hours of
20 training as an instructor-trainee, or has met the requirements in RCW
21 18.16.020 or 18.16.130; or

22 (ii) Has successfully completed a state-approved apprenticeship
23 training program; and

24 (c) Has received a passing grade on the appropriate licensing
25 examination approved or administered by the director.

26 (2) A person currently licensed under this chapter may qualify for
27 examination and licensure, after the required examination is passed, in
28 another category if he or she has completed the crossover training
29 course.

30 (3) Upon completion of an application approved by the department,
31 certification of insurance, and payment of the proper fee, the director
32 shall issue a location license to the applicant.

33 (4) The director may consult with the state board of health and the
34 department of labor and industries in establishing training,
35 apprenticeship, and examination requirements.

1 NEW SECTION. **Sec. 6.** This act takes effect September 15, 2003."

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2 On page 1, line 1 of the title, after "apprenticeship;" strike the
3 remainder of the title and insert "amending RCW 18.16.020, 18.16.070,
4 18.16.090, and 18.16.100; adding a new section to chapter 18.16 RCW;
5 and providing an effective date."

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