

SENATE BILL REPORT

SB 6341

As Reported By Senate Committee On:
Commerce & Trade, February 4, 2004

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

Brief Description: Concerning the licensing of cosmetologists and others under chapter 18.16 RCW.

Sponsors: Senator Oke.

Brief History:

Committee Activity: Commerce & Trade: 1/30/04, 2/4/04 [DPS].

SENATE COMMITTEE ON COMMERCE & TRADE

Majority Report: That Substitute Senate Bill No. 6341 be substituted therefor, and the substitute bill do pass.

Signed by Senators Honeyford, Chair; Hewitt, Vice Chair; Franklin, Keiser and Mulliken.

Staff: John Dziedzic (786-7784)

Background: Cosmetology relates to the care of: (a) hair on the scalp, face and neck; (b) nails on the hands and feet; and (c) the skin. Barbering, manicuring and esthetics concern a narrower range of functions within the practice of cosmetology. The Department of Licensing (DOL) regulates all of these professions, and requires licensees to renew their licenses annually.

In 2002, an advisory board recommended, and the Legislature made, several changes in the licensing and regulation of the cosmetology industry. Definitions of the various practice areas were refined to create fewer overlaps in the functions performed under each license, and the training requirements for manicurists and estheticians were increased. The 2002 legislation also allowed currently licensed cosmetologists to obtain separate licensing in manicuring and esthetics without additional examination, provided the request was submitted prior to July 1, 2003.

Summary of Substitute Bill: A person who held a cosmetology license any time between June 30, 1999, and June 30, 2003, has until July 1, 2005 to renew that license and to request an additional license in barbering, manicuring and/or esthetics, without meeting the current training and examination requirements. Barbers, manicurists, and estheticians who were licensed during the same period may also renew those licenses under the same circumstances. DOL must mail a written summary of this act to the affected cosmetologists, barbers, manicurists, and estheticians that have currently valid addresses on file with DOL.

Engaging in the commercial practice of, or instructing in the practice of, cosmetology without the benefit of a license "in good standing" are made "unlawful." DOL is authorized to take

disciplinary action against applicants and licensees that engage in such unlawful practices, or who violate the Consumer Protection Act.

An "inactive" licensing status is created. A person returning to "good standing" status from "inactive" status must pay only a two-year renewal fee, and may be required to take refresher training on changes in health standards and other requirements that occurred while the licensee was "inactive."

Substitute Bill Compared to Original Bill: A distinction is made between the types of licensees that, until July 1, 2005, are permitted to renew and add licenses as opposed to those that may only renew a previously held license. The period during which a person must have been licensed in order to receive notice and be eligible for the renewal option is expanded. Provisions relating to an "inactive status" are added.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: After a change in the law that went into effect in 2003, some licensees who previously would have routinely renewed their licenses discovered that the scope of their license had changed, and in some instances, their license had expired. Many individual licensees either did not receive or did not understand the notices that had been sent to salons. Licensees who are unable to renew for health or other reasons should have a way to maintain their licenses.

Testimony Against: None.

Testified: PRO: Representative Lois McMahan; Linda Araujo and Chris Fryer, Marina Bay Salon; Michelle DeMarco PRO (with concerns): Trudie Touchette, Dept. of Licensing.