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HOUSE BILL 2202

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State of Washington

58th Legislature

2003 Regular Session

By Representatives McDonald and Conway

Read first time 03/04/2003. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to cosmetology apprenticeship; and amending RCW  
2 18.16.020, 18.16.070, 18.16.090, and 18.16.100.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 18.16.020 and 2002 c 111 s 2 are each amended to read  
5 as follows:

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

8 (1) "Apprenticeship program" means an apprenticeship program  
9 approved under chapter 49.04 RCW for the practice of cosmetology.

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

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

13 ((+2)) (4) "Board" means the cosmetology, barbering, esthetics,  
14 and manicuring advisory board.

15 ((+3)) (5) "Director" means the director of the department of  
16 licensing or the director's designee.

17 ((+4)) (6) "The practice of cosmetology" means arranging,  
18 dressing, cutting, trimming, styling, shampooing, permanent waving,  
19 chemical relaxing, straightening, curling, bleaching, lightening,

1 coloring, waxing, tweezing, shaving, and mustache and beard design of  
2 the hair of the face, neck, and scalp; temporary removal of superfluous  
3 hair by use of depilatories, waxing, or tweezing; manicuring and  
4 pedicuring, limited to cleaning, shaping, polishing, decorating, and  
5 caring for and treatment of the cuticles and nails of the hands and  
6 feet, excluding the application and removal of sculptured or otherwise  
7 artificial nails; esthetics limited to toning the skin of the scalp,  
8 stimulating the skin of the body by the use of preparations, tonics,  
9 lotions, or creams; and tinting eyelashes and eyebrows.

10 ~~((+5))~~ (7) "Cosmetologist" means a person licensed under this  
11 chapter to engage in the practice of cosmetology.

12 ~~((+6))~~ (8) "The practice of barbering" means the cutting,  
13 trimming, arranging, dressing, curling, shampooing, shaving, and  
14 mustache and beard design of the hair of the face, neck, and scalp.

15 ~~((+7))~~ (9) "Barber" means a person licensed under this chapter to  
16 engage in the practice of barbering.

17 ~~((+8))~~ (10) "Practice of manicuring" means the cleaning, shaping,  
18 polishing, decorating, and caring for and treatment of the cuticles and  
19 the nails of the hands or feet, and the application and removal of  
20 sculptured or otherwise artificial nails by hand or with mechanical or  
21 electrical apparatus or appliances.

22 ~~((+9))~~ (11) "Manicurist" means a person licensed under this  
23 chapter to engage in the practice of manicuring.

24 ~~((+10))~~ (12) "Practice of esthetics" means care of the skin by  
25 application and use of preparations, antiseptics, tonics, essential  
26 oils, or exfoliants, or by any device or equipment, electrical or  
27 otherwise, or by wraps, compresses, cleansing, conditioning,  
28 stimulation, pore extraction, or product application and removal; the  
29 temporary removal of superfluous hair by means of lotions, creams,  
30 mechanical or electrical apparatus, appliance, waxing, tweezing, or  
31 depilatories; tinting of eyelashes and eyebrows; and lightening the  
32 hair, except the scalp, on another person.

33 ~~((+11))~~ (13) "Esthetician" means a person licensed under this  
34 chapter to engage in the practice of esthetics.

35 ~~((+12))~~ (14) "Instructor-trainee" means a person who is currently  
36 licensed in this state as a cosmetologist, barber, manicurist, or  
37 esthetician, and is enrolled in an instructor-trainee curriculum in a  
38 school licensed under this chapter.

1        (~~(13)~~) (15) "School" means any establishment that offers  
2 curriculum of instruction in the practice of cosmetology, barbering,  
3 esthetics, manicuring, or instructor-trainee to students and is  
4 licensed under this chapter.

5        (~~(14)~~) (16) "Student" means a person sixteen years of age or  
6 older who is enrolled in a school licensed under this chapter and  
7 receives instruction in any of the curricula of cosmetology, barbering,  
8 esthetics, manicuring, or instructor-training with or without tuition,  
9 fee, or cost, and who does not receive any wage or commission.

10       (~~(15)~~) (17) "Instructor" means a person who gives instruction in  
11 a school in a curriculum in which he or she holds a license under this  
12 chapter, has completed at least five hundred hours of instruction in  
13 teaching techniques and lesson planning in a school, and has passed a  
14 licensing examination approved or administered by the director. An  
15 applicant who holds a degree in education from an accredited  
16 postsecondary institution shall upon application be licensed as an  
17 instructor to give instruction in a school in a curriculum in which he  
18 or she holds a license under this chapter. An applicant who holds an  
19 instructional credential from an accredited community or technical  
20 college and who has passed a licensing examination approved or  
21 administered by the director shall upon application be licensed as an  
22 instructor to give instruction in a school in a curriculum in which he  
23 or she holds a license under this chapter.

24       (~~(16)~~) (18) "Person" means any individual, partnership,  
25 professional service corporation, joint stock association, joint  
26 venture, or any other entity authorized to do business in this state.

27       (~~(17)~~) (19) "Salon/shop" means any building, structure, or any  
28 part thereof, other than a school, where the commercial practice of  
29 cosmetology, barbering, esthetics, or manicuring is conducted; provided  
30 that any person, except employees of a salon/shop, who operates from a  
31 salon/shop is required to meet all salon/shop licensing requirements.

32       (~~(18)~~) (20) "Crossover training" means training approved by the  
33 director as training hours that may be credited to current licensees  
34 for similar training received in another profession licensed under this  
35 chapter.

36       (~~(19)~~) (21) "Approved security" means surety bond.

37       (~~(20)~~) (22) "Personal services" means a location licensed under

1 this chapter where the practice of cosmetology, barbering, manicuring,  
2 or esthetics is performed for clients in the client's home, office, or  
3 other location that is convenient for the client.

4 ~~((+21+))~~ (23) "Individual license" means a cosmetology, barber,  
5 manicurist, esthetician, or instructor license issued under this  
6 chapter.

7 ~~((+22+))~~ (24) "Location license" means a license issued under this  
8 chapter for a salon/shop, school, personal services, or mobile unit.

9 ~~((+23+))~~ (25) "Mobile unit" is a location license under this  
10 chapter where the practice of cosmetology, barbering, esthetics, or  
11 manicuring is conducted in a mobile structure. Mobile units must  
12 conform to the health and safety standards set by rule under this  
13 chapter.

14 ~~((+24+))~~ (26) "Curriculum" means the courses of study taught at a  
15 school, set by rule under this chapter, and approved by the department.  
16 After consulting with the board, the director may set by rule a  
17 percentage of hours in a curriculum, up to a maximum of ten percent,  
18 that could include hours a student receives while training in a  
19 salon/shop under a contract approved by the department. Each  
20 curriculum must include at least the following required hours:

- 21 (a) Cosmetologist, one thousand six hundred hours;
- 22 (b) Barber, one thousand hours;
- 23 (c) Manicurist, six hundred hours;
- 24 (d) Esthetician, six hundred hours;
- 25 (e) Instructor-trainee, five hundred hours.

26 ~~((+25+))~~ (27) "Student monthly report" means the student record of  
27 daily activities and the number of hours completed in each course of a  
28 curriculum that is prepared monthly by the school and provided to the  
29 student, audited annually by the department, and kept on file by the  
30 school for three years.

31 **Sec. 2.** RCW 18.16.070 and 1984 c 208 s 4 are each amended to read  
32 as follows:

33 This chapter shall not apply to persons licensed under other laws  
34 of this state who are performing services within their authorized scope  
35 of practice and shall not be construed to require a license for  
36 students enrolled in a school or apprentices engaged in a state-  
37 approved apprenticeship program.

1       **Sec. 3.** RCW 18.16.090 and 2002 c 111 s 6 are each amended to read  
2 as follows:

3       Examinations for licensure under this chapter shall be conducted at  
4 such times and places as the director determines appropriate.  
5 Examinations shall consist of tests designed to reasonably measure the  
6 applicant's knowledge of safe and sanitary practices and may also  
7 include the applicant's knowledge of this chapter and rules adopted  
8 pursuant to this chapter. The director may establish by rule a  
9 performance examination in addition to any other examination. The  
10 director shall establish by rule the minimum passing score for all  
11 examinations and the requirements for reexamination of applicants who  
12 fail the examination or examinations. The director may allow an  
13 independent person to conduct the examinations at the expense of the  
14 applicants.

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

18       **Sec. 4.** RCW 18.16.100 and 2002 c 111 s 7 are each amended to read  
19 as follows:

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

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

24       (b) Has trained at a school or in an apprenticeship program and has  
25 either:

26       (i) Completed and graduated from a school licensed under this  
27 chapter in a curriculum approved by the director of sixteen hundred  
28 hours of training in cosmetology, one thousand hours of training in  
29 barbering, six hundred hours of training in manicuring, six hundred  
30 hours of training in esthetics, and/or five hundred hours of training  
31 as an instructor-trainee, or has met the requirements in RCW 18.16.020  
32 or 18.16.130; or

33       (ii) Successfully completed a state-approved apprenticeship  
34 training program; and

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

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

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

8           (4) The director may consult with the state board of health and the  
9 department of labor and industries in establishing training and  
10 examination requirements.

11           (5) The director may make rules regarding apprentices and  
12 apprenticeship programs.

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