
SUBSTITUTE SENATE BILL 5906

State of Washington

60th Legislature

2007 Regular Session

By Senate Committee on Labor, Commerce, Research & Development
(originally sponsored by Senators Haugen, Clements, Kohl-Welles and
Prentice)

READ FIRST TIME 02/27/07.

1 AN ACT Relating to the practice of esthetics; amending RCW
2 18.16.020 and 18.16.100; adding a new section to chapter 18.16 RCW; and
3 providing an effective date.

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

5 **Sec. 1.** RCW 18.16.020 and 2003 c 400 s 2 are each amended to read
6 as follows:

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

9 (1) "Apprenticeship program" means an apprenticeship pilot program
10 approved under RCW 18.16.280 for the practice of cosmetology,
11 barbering, esthetics, and manicuring, which expires July 1, 2006.

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

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

16 (4) "Board" means the cosmetology, barbering, esthetics, and
17 manicuring advisory board.

18 (5) "Director" means the director of the department of licensing or
19 the director's designee.

1 (6) "~~The~~) Practice of cosmetology" means arranging, dressing,
2 cutting, trimming, styling, shampooing, permanent waving, chemical
3 relaxing, straightening, curling, bleaching, lightening, coloring,
4 waxing, tweezing, shaving, and mustache and beard design of the hair of
5 the face, neck, and scalp; temporary removal of superfluous hair by use
6 of depilatories, waxing, or tweezing; manicuring and pedicuring,
7 limited to cleaning, shaping, polishing, decorating, and caring for and
8 treatment of the cuticles and nails of the hands and feet, excluding
9 the application and removal of sculptured or otherwise artificial
10 nails; esthetics limited to toning the skin of the scalp, stimulating
11 the skin of the body by the use of preparations, tonics, lotions, or
12 creams; and tinting eyelashes and eyebrows.

13 (7) "Cosmetologist" means a person licensed under this chapter to
14 engage in the practice of cosmetology.

15 (8) "~~The~~) Practice of barbering" means the cutting, trimming,
16 arranging, dressing, curling, shampooing, shaving, and mustache and
17 beard design of the hair of the face, neck, and scalp.

18 (9) "Barber" means a person licensed under this chapter to engage
19 in the practice of barbering.

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

25 (11) "Manicurist" means a person licensed under this chapter to
26 engage in the practice of manicuring.

27 (12) "Practice of esthetics" means care of the skin by application
28 and use of preparations, antiseptics, tonics, essential oils, or
29 exfoliants, including the use of alpha hydroxy acids of no higher than
30 thirty percent nor lower than a pH of three or by any device, or
31 equipment, electrical or otherwise, or by wraps, compresses, cleansing,
32 conditioning, stimulation((τ)) pore extraction, or product application
33 and removal; the temporary removal of superfluous hair by means of
34 lotions, creams, mechanical or electrical apparatus((τ)) or appliance,
35 waxing, tweezing((τ)) or depilatories; tinting of eyelashes and
36 eyebrows((+)) and lightening the hair, except the scalp, on another
37 person.

1 (13) "Esthetician" means a person licensed under this chapter to
2 engage in the practice of esthetics.

3 (14) "Practice of master esthetics" means the licensed practice of
4 esthetics plus additional requirements and scholastic criteria as
5 determined in rule by the department. Schools that elect to offer a
6 masters of esthetics program must at a minimum teach theory in the
7 proficiency and understanding of the concepts, and principles, and the
8 practical application of microdermabrasion, microcurrent, galvanic and
9 high frequency, and other advanced skin care therapies including, but
10 not limited to, ultrasonic and oxygen therapies for the skin, and
11 advanced chemical exfoliation using superficial peels. Schools must
12 also teach theory in the concepts, principles, and application of laser
13 technology, laser hair reduction, light, radio frequency, and plasma
14 devices. Additional curriculum will include, but is not limited to,
15 skin histology, skin disorders, dermatological/medical terminology,
16 dermatological pharmacology, nutrition, bacteriology, chemistry,
17 electricity, and skin care for precosmetic and postcosmetic procedures
18 or cosmetic surgical treatments.

19 (15) "Master esthetician" means a person first licensed under this
20 chapter to engage in the practice of esthetics and who meets the
21 requirements to be licensed as a master esthetician.

22 (16) "Instructor-trainee" means a person who is currently licensed
23 in this state as a cosmetologist, barber, manicurist, or esthetician,
24 and is enrolled in an instructor-trainee curriculum in a school
25 licensed under this chapter.

26 ((+15+)) (17) "School" means any establishment that offers
27 curriculum of instruction in the practice of cosmetology, barbering,
28 esthetics, manicuring, or instructor-trainee to students and is
29 licensed under this chapter.

30 ((+16+)) (18) "Student" means a person sixteen years of age or
31 older who is enrolled in a school licensed under this chapter and
32 receives instruction in any of the curricula of cosmetology, barbering,
33 esthetics, manicuring, or instructor-training with or without tuition,
34 fee, or cost, and who does not receive any wage or commission.

35 ((+17+)) (19) "Instructor" means a person who gives instruction in
36 a school in a curriculum in which he or she holds a license under this
37 chapter, has completed at least five hundred hours of instruction in
38 teaching techniques and lesson planning in a school, and has passed a

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

11 ~~((+18+))~~ (20) "Person" means any individual, partnership,
12 professional service corporation, joint stock association, joint
13 venture, or any other entity authorized to do business in this state.

14 ~~((+19+))~~ (21) "Salon/shop" means any building, structure, or any
15 part thereof, other than a school, where the commercial practice of
16 cosmetology, barbering, esthetics, or manicuring is conducted; provided
17 that any person, except employees of a salon/shop, who operates from a
18 salon/shop is required to meet all salon/shop licensing requirements
19 and may participate in the apprenticeship program when certified by the
20 advisory committee as established by the department of labor and
21 industries apprenticeship council.

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

26 ~~((+21+))~~ (23) "Approved security" means surety bond.

27 ~~((+22+))~~ (24) "Personal services" means a location licensed under
28 this chapter where the practice of cosmetology, barbering, manicuring,
29 or esthetics is performed for clients in the client's home, office, or
30 other location that is convenient for the client.

31 ~~((+23+))~~ (25) "Individual license" means a cosmetology, barber,
32 manicurist, esthetician, or instructor license issued under this
33 chapter.

34 ~~((+24+))~~ (26) "Location license" means a license issued under this
35 chapter for a salon/shop, school, personal services, or mobile unit.

36 ~~((+25+))~~ (27) "Mobile unit" is a location license under this
37 chapter where the practice of cosmetology, barbering, esthetics, or

1 manicuring is conducted in a mobile structure. Mobile units must
2 conform to the health and safety standards set by rule under this
3 chapter.

4 ~~((+26))~~ (28) "Curriculum" means the courses of study taught at a
5 school, set by rule under this chapter, and approved by the department.
6 After consulting with the board, the director may set by rule a
7 percentage of hours in a curriculum, up to a maximum of ten percent,
8 that could include hours a student receives while training in a
9 salon/shop under a contract approved by the department. Each
10 curriculum must include at least the following required hours:

- 11 (a) Cosmetologist, one thousand six hundred hours;
- 12 (b) Barber, one thousand hours;
- 13 (c) Manicurist, six hundred hours;
- 14 (d) Esthetician, six hundred hours;
- 15 (e) Master estheticians, seven hundred hours;
- 16 (f) Instructor-trainee, five hundred hours.

17 ~~((+27))~~ (29) "Student monthly report" means the student record of
18 daily activities and the number of hours completed in each course of a
19 curriculum that is prepared monthly by the school and provided to the
20 student, audited annually by the department, and kept on file by the
21 school for three years.

22 **Sec. 2.** RCW 18.16.100 and 2003 c 400 s 5 are each amended to read
23 as follows:

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

- 27 (a) Is at least seventeen years of age or older;
- 28 (b)(i) Has completed and graduated from a school licensed under
29 this chapter in a curriculum approved by the director of sixteen
30 hundred hours of training in cosmetology, one thousand hours of
31 training in barbering, six hundred hours of training in manicuring, six
32 hundred hours of training in esthetics, seven hundred hours of training
33 in esthetics for master esthetics licenses, and/or five hundred hours
34 of training as an instructor-trainee, or has met the requirements in
35 RCW 18.16.020 or 18.16.130; or

36 (ii) Has successfully completed a state-approved apprenticeship
37 training program; and

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

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

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

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

13 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.16 RCW
14 to read as follows:

15 The department must waive the curriculum requirements for licensure
16 as a master esthetician for an individual who files a license
17 application before April 30, 2008, and meets the following conditions:

18 (1) Has at least seven consecutive years' employment as a licensed
19 esthetician in good standing, immediately preceding application for a
20 master esthetician; or

21 (2) Holds a comite' international d'esthe'tique et de cosme'tologie
22 international diploma and is currently licensed in good standing as an
23 esthetician when making an application.

24 NEW SECTION. **Sec. 4.** This act takes effect January 1, 2008.

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