

Opposition Testimony on HB 189  
Ohio House Government Accountability and Oversight Committee  
Nancy Brown  
Date: May 31, 2017

To Chairman Blessing, Vice Chair Reineke, Ranking Member Clyde and members Faber, Ginter, Greenspan, Kelly, Kennedy Kent, McColley, Pelanda, Seitz, Smith and Sweeney of the House Government Accountability and Oversight Committee:

My name is Nancy Brown and I am writing to offer opposition testimony to HB 189. I have been a licensed Managing Cosmetologist (now referred to as an Advanced Cosmetologist) in the State of Ohio since 1966. As you can imagine, I've seen many changes in the beauty industry in 50 years. Some changes have been good – others have been bad. But none have been as upsetting to me as the changes proposed in HB 189.

I've not only been licensed for 50 years, I've been successful and active in the beauty industry without interruption. I have owned a salon since 1975 and I became a cosmetology school owner in 1997. Although I have worked very hard to achieve my goals, I believe I must credit my success to my employees, clients and especially to the fine communities that I am fortunate to serve in Cuyahoga, Mahoning and Lake Counties. Because of this, I have felt compelled to give back to the community. I have served on a variety of committees, I have volunteered for numerous charitable foundations and I have been honored to receive several awards from these organizations. I have attached a list of some of my awards and charitable affiliations. I do so, not to boast, but to illustrate that I am not just the face of a corporation. I am a concerned citizen and a proud member of my community.

Please consider my credentials when reviewing my testimony and when casting your vote on this bill. HB 189 concerns me in its entirety. However, there are three areas that I would like to address in my testimony. They include: the impact of the bill on salon business, the necessity of the portability of licenses and the dangers of the expansion of boutique services and apprenticeship.

#### **IMPACT ON SALON BUSINESS**

As a business owner since 1975 I joined the more than 70% female owned salon business women in the State of Ohio. In the first few years I became an employer of 6-10 women. 42 years later this is still the average size of most salons, not only in Ohio, but across the country. I purchased an existing salon for \$15,000 with a bank loan and later expanded with an SBA loan and a loan from the State of Ohio called a Winthro-Link loan.

I do not have a college degree, which is not uncommon for many female salon business owners. My only credential was my professional license from the Ohio State Board of Cosmetology. The Professional Cosmetology License was the credential I presented to the banks, to government funding agencies, and to calm a nervous banker; one of which hesitated to complete a loan to me as he pointed to his head and said "do I look like someone who would loan money for a haircutting business when I have no hair?" I explained the professional licensure and the strict requirements to become a Cosmetologist and his tune changed. He called in his manager who granted me the loan along with the statement that his mother supported a family of eight in the depression with her Professional Cosmetologist License. The value of an education doesn't increase by lowering the standards in any profession. We arrived at a

compromise in 2016 with SB213 and to revisit the hours required to achieve a professional license is unthinkable and bears looking closely at those who have made many claims to represent us without our agreement or permission.

### **NECESSITY OF PORTABILITY OF LICENSES**

My small salon business was founded in 1975. My role as a licensed working cosmetologist is still the size of the majority of salon businesses and working cosmetologists in the State of Ohio today. Female independent salon owners and stylists represent the majority of working cosmetology professionals in the state of Ohio. These hard-working women and men are busy serving their clientele as well as their employees and do not have time or the knowledge of political issues that may affect their professional licenses, hence their voices are seldom heard. I know because this happened to me. When I heard of proposed changes to our license in December 2015, as proposed in SB 213 and HB 227, I dropped everything to go to Columbus and offer opposition testimony. I have tried to be as aware and as active as possible. I attended the multiple committee meetings and testified before the House and Senate and, thankfully, we finally reached a compromise that I believed was fair to all. The fact that we were given a chance to speak bodes well for our legislators and I believe the exact opposite is being conveyed by the proponents of the House Bill 189 and Senate Bill 129. They are, in fact, painting a picture of Ohio legislators who can't wait to deregulate our industry. We did not find this to be true in the last passing of the Bills in 2016. However, they manage to portray the US Department of Education as the culprit in expressing the need to reduce hours to the State of Ohio. They mention school closings when, in fact, one of the proponents is a Corporate School Chain with many schools that were closed and the States desire to deregulate due to the DOE. It is a clever plan they admittedly have worked on for seven years.

In November of 2016 (two months after House Bill 227 and Senate Bill 213 had gone into effect) I attended an AACS (American Association of Cosmetology Schools) convention in Florida. A breakout session conducted by a marketing company for FBIC was presenting the concept of lowering hours in the Cosmetology profession nationwide. Much to my surprise on the white board were two states with a bull's eye drawn around them they were targeting Texas and Ohio for decreased hours. Stunned, I stood and said there must be some mistake our issues have been settled in Ohio. Who is doing this and why I questioned. The marketing firm conducting the breakout session clearly did not expect this response. They also assured everyone that they had no set plan for the number of hours, just a decrease. The FBIC had reasons based on their own Business Model. The small salon owner is in the majority of the salon businesses in Ohio. There is a place for corporate chain salons as well as the Independent Contractor.

There is no rhyme or reason for decreasing hours. As agreed upon in the prior legislation we arrived at the number of hours necessary to make cosmetologists, estheticians, and manicurists "job ready" upon graduation from a Cosmetology School in Ohio. Facts show us that 28 other states require 1500 hours. Ohio licensed cosmetologists, estheticians, and manicurists currently can work in the surrounding 28 states which also require 1500 hours for cosmetology. This is a point to start from for license portability. If a 1000-hour license proposal passes, Ohio graduates would only be able to take their license to New York or Massachusetts.

### **BOUTIQUE SERVICES and APPRENTICESHIP**

The proposed Apprenticeship Program is the worst idea I have ever heard because it would cause inconsistently trained students. It could conceivably create a danger to public health and safety, a breeding ground for human trafficking, an increase in unreported income, and the de-professionalism of the reputation of our Ohio State Board.

Boutique Services, including threading and braiding, were enacted in 2016 as a result of SB 213. During testimony, slides were shown to illustrate the dangers of including eyelash extensions as a Boutique service and it was agreed that eyelash extensions continue to be in the Esthetics and Cosmetology curriculum due to proximity of the eye area and safety issues. It is back again in HB 189 along with a decrease in hours for Esthetics - another very dangerous idea. The board would grant a "Registration" with no public health and safety requirements.

Although my small salon has grown to over 200 employees, inside I am still that person who cherishes the credentials of a Professional Cosmetologist License. I have always been proud of the State of Ohio because it set a high standard and every state honored our Ohio license for this reason. I know I am speaking for those who have not heard about these proposed changes. I am strongly opposed to House Bill 189 and I urge you to dismiss it in its entirety.

Sincerely,  
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