



Proponent Testimony on Sub. SB 129
Before the
Senate Government Accountability and Reform Committee
By the
Ohio Salon Association
On
December 12, 2017

Chairman Coley, Vice Chair Uecker, Ranking Member Schiavoni and distinguished members of the Senate Government Accountability & Reform Committee. My name is Tony Fiore and I serve as legislative counsel for the Ohio Salon Association (OSA), the only statewide beauty industry trade association representing the interests of the job creators that own and operate salons across Ohio.

SB 129, sponsored by Sen. Kris Jordan (R-Ostrander) and Sen. Charleta Tavares (D-Columbus), picks up where the legislature left off in the 131st General Assembly with the passage of **SB 213**. OSA, along with many lawmakers, **wanted to tackle several other issues**, but we wanted to take the time to research what model occupational licensing reform legislation should look like for the cosmetology industry in all 50 states. For more than four years a group now called the Future of the Beauty Industry Coalition (FBIC) has been developing research from all 50 states to use as the basis for this legislation. The FBIC is made up of cosmetologists, students, salon owners, manufacturers, distributors, and cosmetology schools. This group came together to provide reasonable reforms to state cosmetology law rather than simply deregulating the industry. We have been working with Rep. Roegner (R-Hudson) and Rep. Reece (D-Cincinnati) as well on **SB 129's** companion bill, **HB 189**.

We have a workforce development problem in the beauty industry in Ohio. Since May 2015, twenty-five percent (25%) of private schools of cosmetology have closed in this state and we expect more in the future. This is **creating a significant shortage of qualified candidates** across the state.

To address this issue SB 129 will:

- 1) Focus on student success**
 - 2) Focus on school success**
 - 3) Address administrative changes**
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1) Student success is based on:

- Entering the beauty industry with **less debt** and **ability to repay student loans**
- Facilitating the **workforce development pipeline** for salons
- Providing the opportunity for individuals to start a business

This is accomplished in SB 129 by:

- **Requiring no more than 1,000 hours for cosmetology licensure (NY, MA, career tech-Ohio + TX)**
 - Due to state law it still takes 1,500 hours to become a cosmetologist.
 - It takes 150 hours to become an EMT-Technician.

- It takes 695 hours to become a police officer.
 - It takes 900 hours to become an EMT-Paramedic, and
 - It takes 1,376 to become a Licensed Practical Nurse (LPN)
- As a point of reference, please see a sample of the number of hours required for other occupational licensures in Ohio at the end of my testimony.
- This may be state law today, but you all have the ability to change it.
- **Public schools of cosmetology** in Ohio are already **graduating students** who pass the current state exam at **1,000 hours** of cosmetology training. They make up the remaining 500 hours through math, science and anatomy classes.
- Independent research show there is **no justification for requiring more than 1,000 hours** of education for licensure.
- **Longer programs create greater risk for students.** The more time that lapses between graduation and licensing, the more likely graduates are to drop out or “go underground.”
- **Longer programs may also lead to higher student loan debt.** There is a significant relationship between curriculum hours and the median federal loan amount necessary to fulfill a licensure program.
- **More curriculum hours do not lead to better wages.** While there is variability in mean hourly wage across states, there is no evidence showing that more curriculum hours lead to higher wages.
- Salon owners, licensees and boutique service registrants are 100% liable for any health and infection control issue that arises when providing services to the public. Therefore, the **OSA believes that 1,000 hours is plenty of initial education** along with **8 hours of continuing education every 2 years to protect the public from any potential harm.**
- **Internship opportunities already exist** in the law for students to gain **valuable on the job training** to assist making candidates **more job-ready** at initial licensure. Schools need to utilize and encourage students to **participate in the program that already exists** which gives the student **salon experience** prior to graduation. Moving to 1,000 hours does not change the ability for students to obtain more real-life experiences which make them more desirable job candidates.
- **License for license reciprocity and endorsement between states**
 - Due to regulations in several states, industry **professionals cannot currently practice** their craft or conduct salon business **when moving across state lines.**
 - License reciprocity or endorsement helps newly relocated stylists **get back into the workforce sooner**, earning **wages**, providing for their **families**, **paying taxes**, and **repaying student loans.**
 - **Ohio does it already for military members and their families** and we want everyone to have the ability to easily move their license to Ohio.
 - Reducing the amount of hours in Ohio and removing the requirement for those licensed in other states to take an Ohio exam **increases the number of people eligible to come work in Ohio.** This will greatly increase the job providers' ability to fill open positions on boarder locations.
 - This change will not have an appreciable impact on Ohio licensees wishing to transfer their licenses out of state as **many states allow reciprocity/license endorsement** with one to two years of experience.

- **Creating a cosmetology apprentice program (similar to AL, CA, TN + WI)**
 - **School closings** citing government regulations and increased scrutiny of industry programs is **alarming**. In Ohio alone, the 25% of private school closures represents **22 school closings** – the Dayton area has been the hardest hit.
 - While this option is **not intended to replace public and private education**, it is needed to serve as a **stop gap** if, as expected, Ohio experiences more abrupt private school closings. In **CA only 1.5% of students** have chosen this option.
 - No one who enters a profession is perfectly trained to handle all situations that come up while on the job. **Once the basic education is mastered** to ensure that **safety, sanitation and basic skills** are possessed by the licensee, then the **job experience** is vital to **perfecting the craft**.
 - **Internship and apprenticeship programs** are provided for in **SB 129** which expose the student to the work environment to allow them to gain valuable on the job-type experience. This is **invaluable in rural and other less populated environments** where it is hard to get experience.

2) **School success is based on:**

- Public and private schools providing a quality cosmetology education for 1,000 hours or less
- Promoting high graduation and exam passage rates with less debt for students
- Working with salon owners to develop curriculum that produces the right skills upon graduation without remedial training once in the workforce

OSA has offered on multiple occasions to address concerns from the opposition. **Many concessions and amendments** have been made in **response to the opposition's concerns** and are contained in **Sub. SB 129**. We have no intention of harming schools, but to bring about **equitable hours** for students entering the profession in Ohio. The following changes were made in **Sub. SB 129** to address these issues.

- Permitting **pre-graduate testing** by facilitating student licensure success prior to graduation.
- **Public AND private students** will be required to go to the **same amount of minimum hours** and will be able to **choose from programs** that are the same. This will ultimately increase competition and drive prices down, but nothing in **Sub. SB 129** dictates how much a private school charges for its training.
- These changes **do not prevent a school to continue to offer cosmetology programs** that are up to **1,500 hours** with the **state minimum set at 1,000 hours**. The student can **qualify for financial assistance** and **take up to 150% of time to complete** the program required by the state. This is currently done with programs in Florida where the state minimum is 1,250 hours.
- Returned **manicuring hours** from 100 to 200.
- Returned **esthetics hours** from 300 to 600.
- Removed the **5-year experience requirement** for private school instructors.
- We removed the language increasing the **surety bond** from \$10,000 to \$100,000 for schools, but this will continue to be an issue when private schools or adult training centers decide to abruptly close their doors and students have no means of transferring hours/credits to a new program.
 - A student from one private school that closed received nearly \$8,000 of the private school surety bond last year leaving all others to fight over the woefully inadequate remaining \$2,000.

- We are still exploring incorporating a **student requirement to take the state licensing exam** as part of their “hours requirement” because no such requirement exists even though the student accepted tax payer funded financial aid to attend a program.
- Apprenticeship would **require salons and schools of cosmetology to work in partnership for initial 200 hours and ongoing reporting** – this would be a partnership between schools and salon owners hopefully leading to ongoing employment and wage earning potential.

3) Addressing administrative changes and language recommendations for the OSBC staff:

- Aligning safety and sanitation rules and regulations to be consistent with known causes of infection, disease or other health threats
- Permit cosmetologists and hair designers to utilize safety razors for grooming
- Eliminate independent contractor licensure (and fee) and require only registration
- Add an additional public member to the OSBC

Of note, it was **not until federal funding was approved** for higher education that cosmetology schools **began increasing licensure hours**. As you can see from the table at the end of my testimony there were 17 states at 1,000 hours in 1947. After the Higher Education Bill of 1965 opened the door to federal student funding, that number dropped to 9 immediately and continued that trend until today there are only 2 (NY and MA) at 1,000 hours. AL, AK, DE, and VA had no licensure requirements until 1965. Just because financial assistance is available doesn’t mean students need to stay in school longer. Ohio went from 1,000 to 1,250 in the 1950s, then to 1,500 in 1976. It added the 300 additional manager hours after that until SB 213 passed in May 2016.

Mr. Chairman, thank you for the opportunity to provide proponent testimony on **Sub. SB 129** to the committee. I hope the Ohio Salon Association testimony has provided the members with some common sense changes and reasonable reforms for your consideration. The OSA and the small business salon owners that provide employment to the graduates from Ohio schools of cosmetology are *not* seeking to deregulate the beauty industry, but to make sure **state government does not unnecessarily interfere with the ability to start a business, grow a business or unnecessarily create hurdles for individuals entering the workforce to pursue a profession.**

All eyes are on Ohio to lead the charge with these legislative changes. After SB 213 passed last year other states began reducing cosmetology hours:

- Colorado — 1500 hours, was 1,800
- Kentucky — 1500 hours, was 1,800
- Montana — 1500 hours, was 2,000
- Rhode Island — 1200 hours, was 1,500

I cannot stress the importance of enacting these cosmetology reforms as soon as possible. Adjustments need to be made to cosmetology training programs in 2018 so the future class of beauty industry professionals graduating from programs are ready to enter the workforce in 2018-19. You can find more information on the FBIC by going to www.futurebeautyindustrycoalition.com or the OSA website: www.ohiosalonassociation.com.

Thank you for the opportunity to provide proponent testimony on **Sub. SB 129**. I am happy to answer any questions you have.

Ohio Occupation	Licensure or Certification	Instruction/Education Time Required	Sub.SB 129 proposal
Acupuncturist	Certification	1725 Hours	
Cosmetologist - Practitioner	Licensure	1500 Hours	1000 hrs.
Licensed Practical Nurse (LPN)	Licensure	1376 hours	
Hair Designer - Practitioner	Licensure	1200 Hours	800 hrs.
EMT-paramedic	Certification	900 Hours	
Massage Therapist	Licensure	750 Hours (9 Months)	
Esthetician - Practitioner	Licensure	600 Hours	600 hrs.
Cosmetic Therapist	Licensure	600 Hours	
Natural Hair Stylist - Practitioner	Licensure	450 Hours	Registration
Manicurist - Practitioner	Licensure	200 Hours	200 hrs.
EMT-intermediate	Certification	200 Hours	
Emergency Medical Technician (EMT-basic)	Certification	150 Hours	
Real Estate Salesperson	Licensure	120 Hours	
Elevator Inspector	Certification	32 Hrs. Trng./1 Yr. Exp.	
School Bus Driver	Certification	27 Hours	
Enrolled Tax Agent	Licensure	None	
Securities Salesperson (Stock Broker)	Licensure	Preferred, Not Required	
Registered Appraiser Assistant	Registration	75 hours + Fair Housing Ed.	
Tattoo and Body-Piercing	None	None	
Braiding, Threading, Shampooing	Registration	None	

1947-2016 Student Training Requirements (taken from Milady)											
State	1947	1956	1965	1976	1990	1992 Hrs.	1992 Age	1992 Education	2017 Hrs.	2016 Age	2016 Education
Alabama	—	—	1000	1200	1200	1200	16	10th or equiv	1500	18	—
Alaska	—	—	2000	2000	1650	1650	NI	NI	1650	—	—
Arizona	1800	1800	1800	1800	1600	1600	NI	10th plus*	1600	—	—
Arkansas	1200	1200	1200	1500	1500	1500	16	10th or equiv	1500	16	10th
California	1600	1600	1600	1600	1600	1600	17	10th	1600	17	10th
Colorado	1500	1500	1650	1650	1650	1450	10	None	1500	—	—
Connecticut	2100	2100	2000	2000	1500	1500	NI	9th	1500	—	8th
Delaware	—	—	1500	1500	1500	1500	N/A	8th	1500	—	10th
District of Columbia	1500	1500	1500	1500	1500	1500	16	8th or equiv	1500	—	—
Florida	1000	1200	1200	1200	1200	1200	16	12th or GED	1200	16	—
Georgia	1000	1200	1500	1500	None	None	16	9th	1500	17	HS or GED
Hawaii	1500	1800	1800	1800	1800	1800	18	HS or equiv	1800	16	HS or GED
Idaho	2000	2000	2000	2000	2000	2000	16.5	10th	2000	16.5	10th
Illinois	1000	1000	1000	1500	1500	1500	16	8th or equiv	1500	16	—
Indiana	1000	1000	1000	1500	1500	1500	16	10th or GED	1500	18	10th
Iowa	2100	2100	2100	2100	2100	2100	None	HS or GED	2100	—	HS or GED
Kansas	1000	1000	1500	1500	1500	1500	17	HS or GED	1500	17	HS or GED
Kentucky	1248	1248	1500	1800	1800	1800	16	10th or equiv	1500	16	10th
Louisiana	1000	1500	1500	1500	1500	1500	16	10th	1500	16	10th
Maine	1000	1500	1500	1500	1500	1500	16	10th	1500	17	10th
Maryland	1500	1500	1500	1500	1500	1500	17	9th	1500	17	9th

Massachusetts	1000	1000	1000	1000	1000	1000	16	8th	1000	17	10th
Michigan	1200	1200	1200	1500	1500	1500	17	9th	1500	17	9th
Minnesota	1500	1500	1500	1500	1550	1550	NI	12th or GED	1550	16	HS or GED
Mississippi	—	1500	1500	1500	1500	1500	17	10th	1500	17	HS or GED
Missouri	1000	1000	1220	1220	1500	1500	17	10th	1500	17	HS or GED
Montana	2000	2000	2000	2000	2000	2000	16	10th	1500	18	HS or GED
Nebraska	1500	1500	1800	2100	2100	2100	17	12th or equiv	2100	17	HS or GED
Nevada	1600	1600	1800	1800	1800	1800	18	10th or equiv	1800	18	10th
New Hampshire	1500	1500	1500	1500	1500	1500	16	HS or equiv	1500	18	HS or GED
New Jersey	2000	1000	1000	1200	1200	1200	17	HS or equiv	1200	17	10th
New Mexico	1200	1200	1600	1600	1600	1600	16	10th or equiv	1600	17	10th
New York	1000	1000	1000	1000	1000	1000	17	Elementary	1000	—	—
North Carolina	1000	1000	1200	1200	1500	1500	NI	None	1500	—	—
North Dakota	1250	1500	1500	1800	1800	1800	17	12th	1800	—	HS or GED
Ohio	1000	1250	1250	1500	1500	1500	16	8th	1500	18	—
Oklahoma	1000	1000	1000	1000	1500	1500	16	8th or equiv	1500	16	8th
Oregon	2500	2500	2500	2500	1800	1800	None	None	2300	None	—
Pennsylvania	1000	1000	1250	1250	1250	1250	16	10th	1250	16	10th
Puerto Rico	—	—	—	—	1000	1000	16	8th	—	—	—
Rhode Island	1500	1500	1500	1500	1500	1500	18	HS or equiv	1200	17	HS or GED
South Carolina	1000	1000	1000	1500	1500	1500	NI	10th or equiv	1500	16	10th
South Dakota	1500	1500	2100	2100	2100	2100	18	HS or equiv	2100	17	HS or GED
Tennessee	1500	1500	1500	1500	1500	1500	16	10th or equiv	1500	17	10th
Texas	1000	1000	1000	1500	1500	1500	16	7th or equiv	1500	17	HS or GED
Utah	1500	1500	1500	1500	12mo	12mo	N/A	N/A	1600	None	—
Vermont	1500	1500	1500	1500	1500	1500	17	HS or equiv	1500	18	HS or GED
Virgin Islands	—	—	—	—	1000	1200	18	Barber/beauty grad	—	—	—
Virginia	—	—	1500	2000	1500	1500	NI	NI	1500	None	HS or GED
Washington	2000	2000	2000	2000	1600	1600	17	NI	1600	17	HS or GED
West Virginia	1500	1500	2000	2000	2000	2000	17	8th	1800	18	HS or GED
Wisconsin	1500	1500	1500	1500	1500	1500	NI	HS or equiv	1550	18	HS or GED
Wyoming	1000	1000	1500	2000	2000	2000	16	10th	2000	16	10th
NI - Not indicated											
*With 2 credits in English											