



Interested Party Testimony on HB 49

Before the

**Senate Finance General Government and Agency Review
Subcommittee**

By the

Ohio Salon Association

On

May 11, 2017

Chairman Jordan, Vice Chair O'Brien and members of the Senate Finance General Government and Agency Review Subcommittee thank you for the opportunity to provide interested party testimony on the cosmetology and barbering provisions contained in the proposed state operating budget, HB 49. My name Tony Fiore and I serve as legislative counsel for the Ohio Salon Association (OSA), the only statewide trade association representing the interests of the job creators that own and operate salons across Ohio.

First, OSA supports the state's effort to reduce duplication by combining the Barber Board and the Ohio State Board of Cosmetology. The combined board would be called the Ohio State Cosmetology and Barber Board. This is in line with a majority of other states that have combined both boards over the last 50 years. In addition, it will create efficiencies for state inspectors that visit each type of facility. For example, today a cosmetology board inspector may visit a facility that contains both cosmetology licensees and barbers. Such inspectors can only inspect the chair or area of the facility where cosmetology licensees practice. A separate inspector from the barber board must visit the same facility to inspect the licensed barber.

Second, I would like to encourage the Senate to not reinsert the "straight-razor license" language that was eliminated in House Finance Committee before passing out of the House. OSA believes that there is an easier way to address this issue without adding another license in this state. Barbers have been the only licensee permitted to utilize a straight razor for the purpose of grooming clients for over a century. That should remain the same. But, licensed cosmetologists and hair designers should be permitted to use a safety razor to groom clients. Today, any one of us can go to the store and pick up a safety razor for grooming purposes since Mr. Gillette received the patent for a disposable safety razor on November 15, 1904. There is no reason cosmetology professionals should be prohibited from performing grooming services with a safety razor while barbers retain sole authority to use a straight razor.

Finally, I would like to encourage your inclusion in HB 49 or support of standalone legislation to address some additional cosmetology issues. We have been working with Chairman Jordan and Sen. Tavares on SB 129. Companion legislation, HB 189, was introduced in the House by Rep. Roegner and Rep. Reece.

This legislation picks up where we 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 legislation should look like for 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 our 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.

Therefore our legislation will:

- 1) Focus on student success**
- 2) Focus on school success**
- 3) Address administrative changes**

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 by:

- **License for license reciprocity 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 helps newly relocated stylists get back into the workforce sooner, earning wages, paying taxes, and repaying loans
- **Requiring no more than 1,000 hours for cosmetology licensure (as in NY, MA and career tech in TX)**
 - It still takes 1,500 hours to become a cosmetologist while only 900 hours to become an EMT-Paramedic in order to save your life
 - 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 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.
- **Creating a cosmetology apprentice program (AL, CA, TN, WI)**
 - School closings citing government regulations and increased scrutiny of industry programs is alarming. In Ohio alone, from 2016 to the present, eighteen (18) schools have closed – the Dayton area has been 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

- Change permits to allow for on-demand scheduling and working outside a salon
- Requiring independent contractors to register and not apply for a separate license
- Make specialty licenses boutique services instead of licensure

School success is based on:

- Public and private schools providing a quality 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

This is accomplished by:

- Permitting pre-graduate testing by facilitating success prior to graduation
- Distance learning helps schools provide training when students need it with less overhead costs
- Give schools maximum leeway and discretion to teach what the market demands
- Change advanced license to instructor license for recognition in other states

Addressing administrative changes:

- 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
- Add an additional public member to the OSBC
- Make several recommended changes from the OSBC Executive Director and Staff

Common, sensible licensing standards are crucial to sustainable growth for our industry and protecting public safety. Together, we will build a stronger future for our industry and continue to support accountability and licensing of our professionals.

Mr. Chairman, thank you for the opportunity to provide interested party testimony on **HB 49** to the subcommittee. 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.

I cannot stress the importance of enacting these cosmetology reforms prior to the summer recess. Adjustments need to be made to cosmetology training programs this year so the future class of beauty industry professionals graduating from programs are ready to enter the workforce about this time next year. All eyes are on Texas and Ohio to lead the charge with these legislative changes. The Texas Senate passed scaled down versions of these reforms, but the outcome in the House is uncertain before they adjourn “sine die” on May 29 due to those who are resisting such change. Therefore, all eyes are once again on Ohio because as we all know “as Ohio goes, so goes the nation.”

You can find more information on the FBIC by going to www.futurebeautyindustrycoalition.com or the OSA website: www.ohiosalonassociation.com.

I am happy to answer any questions you have.