

Opposition Testimony: HB 189
Before the House Government Oversight and Reform Committee
March 7, 2018

To Chairman Blessing, Vice Chair Reineke, Ranking Member Clyde, and members of the Government Accountability and Oversight Committee, thank you for the opportunity to provide opposition testimony today on HB 189.

My name is Wezlynn VanDyke Davis. I've been an advanced (formerly managing) licensed esthetician for 10 years and I own a small business. I was very involved in representing licensees and small female owned businesses last General Assembly and again this General Assembly. I testified at the 2017 hearing and approximately 40-50 women were standing with me. I serve clients, operate a business, I'm a consultant to other professionals, a leader in my field, and have held an advanced (formerly managing) license in my industry for 10 years.

My opposition testimony focuses on the following topics:

1. Misleading language and irresponsible additions with regards to Hair Design scope of practice
2. Minimum amounts of submitted opposition exceeds proponent testimony
3. Opposition to the 1000 hour mandate from top international leaders in beauty education
4. Loss of reciprocity with almost all neighboring and nearby states
5. AACS (American Association of Cosmetology Schools) reports only 10 states test students prior to graduation

Hair Design scope of practice changes: Highlighted Lines 638 to 643 found in SUB HB 189 were not in HB 189 and new language creates an 800 hour full cosmetology license disguised under the title Hair Design:

"Practice of hair design" includes utilizing techniques performed by hand that result in tension on hair roots such as twisting, wrapping, weaving, extending, locking, or braiding of the hair; the art or practice of cleansing, stimulating, or massaging a person's scalp, face, neck, and arms; embellishment, cleansing, beautification, and styling of hair, wigs, postiches, face, body, or nails; and treating a person's mustache or beard by arranging, beautifying, coloring, processing, styling, or trimming or shaving with a disposable safety razor.

Essentially, **this Hair Design license becomes full cosmetology**, requiring only 800 hours. This language suggests skincare, spa body treatments, and manicuring are beautification. The current Hair Design license is 1200 hours and does not include facials, body treatments and nail technology. **This change is highly irresponsible and misleading.** There isn't any other state in the United States that offers an 800 hour Hair Design license that includes the scope of practice of full cosmetology, esthetics, and nail technology.

Submitted opposition: Legislators have received a minimum of **2,189 letters of opposition** to House Bill 189.

1,878 people sent a signed letter via email to legislators petitioning against House Bill 189 because they adamantly believe the following:

The hours proposed in HB 189 will not allow students enough time in the theory classroom or clinic-classroom to learn the safety, sanitation and technical skills essential to be employment-ready upon graduation. In many cases, our cosmetology licenses are our only credential. Reducing the hours required to obtain licensure devalues our licensure and dilutes our chosen profession.

Nearly two-thirds of salons and spas are small, independently-owned entrepreneurial businesses that employ less than five people and operate on an incredibly modest profit margin of less than ten percent. House Bill 189 would **force these small businesses to absorb an additional cost of between \$5,000 and \$8,000 per new hire to replace the training that is currently provided to each newly licensed cosmetology professional in the state.** The average salon or spa is not in a financial position to bear the burden of increased training given the reduced hours requirements contained in HB 189. If passed into law, HB 189 will undoubtedly result in the closing of numerous business along with significantly reduced freedom for Ohio licensees to relocate.

311 signed letters of opposition from licensees and students, with contact information provided, were delivered to all serving committee members in the House and the Senate. A group of advanced licensees and I manned a booth at the Beauty Classic, a Hair, SkinCare, Nail, and Spa educational event held October 2017, at the Columbus Convention Center. We personally spoke with students and licensees, and one by one collected those letters, which represent the voice of the majority.

Leaders in educational textbook providers oppose a 1,000 hour requirement:

- Sandra L. Bruce, General Manager for Milady, provided a letter stating Milady **respectfully resigned from the FBIC** (Future of the Beauty Industry Coalition) in December 2016 after the coalition announced their recommendation for a national standard of 1,000 hours to be a licensed cosmetologist.
- Robert Passage, Chairman and CEO for Pivot Point International provided a letter stating the AIR Report supporting FBIC claims for a 1,000 hour national standard is flawed and lacked critical information. Pivot Point also **withdrew their company's support** of the FBIC after the FBIC made the decision to move forward with a national 1,000 hour mandate.

Loss of reciprocity:

Substitute House Bill 189 will cost Ohioans' reciprocity with nearby states West Virginia, Indiana, Illinois, Michigan, and Kentucky, eliminating job prospects for Ohio cosmetology graduates. Furthermore, it is imperative advanced licensure remain intact, especially in the field of esthetics. Removing optional advanced licensure will cost Ohio estheticians their opportunity for reciprocity with almost all neighboring and nearby states.

| | Cosmetology | Esthetics |
|---------------|-------------|-----------|
| West Virginia | 1800 | 750 |
| Indiana | 1500 | 700 |
| Illinois | 1500 | 750 |
| Kentucky | 1500 | 1000 |
| Michigan | 1500 | 400 |
| Tennessee | 1500 | 750 |
| Virginia | 1500 | 600 |

*A floor amendment was offered in the Senate to restore optional advanced licenses to Senate Bill 213 in the name of reciprocity, in 2016.

Early Testing (data provided by AACCS):

- Only 10 states allow early testing
- 6 of the 10 states allow only the written exam to be completed early
- 6 of the 10 states require completion of all hours before practical testing
- None of these states allow early testing as soon as halfway through a program

In closing: Elimination of our optional advanced licenses is nothing short of an unjustifiable and indefensible act against our overwhelmingly female licensees and is a detriment to future students. Currently our female dominated industry is thriving with our small businesses. Less education jeopardizes the ability for a small business to succeed, and significantly reduces sole-proprietor micro-business success.

Per the U.S. Census Bureau, 98.8% of salon industry firms (salons and spas) have only one establishment and 0.2% are multi-unit establishments. House Bill 189 was developed by, and is supported by the 0.2% percent.

Only 1 year and 8 months after SB 213 passed, I am here yet again, representing the 98.8% small, female-owned businesses like mine. You must, once and for all, put a stop to self-serving, big money, special interest groups, and protect small business. We are the life-blood of the future of Ohio, and I assure you, we will remember how you vote. I hope you have the integrity to protect us, and make the right decision.

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