

Proponent testimony for HB-133, second hearing

Kathryn Robinson, 5/25/20

Good afternoon,

I would like to offer our legislatures further context to what really happened in the field of cosmetology resulting in overregulation, (that which was done and therefore must be undone legislatively even with support within the Health Board). Via another hair care field not yet mentioned, that of "Cosmetic Therapy", also known as Electrology the only form of permanent hair removal authorized by the FDA.

I'm here today because I've been attempting to become licensed to practice for almost a decade, so have researched this issue to the point I would call it "purposeful and systemic" barriers to care. I'll attempt to walk you through what happened below.

- the Cosmetology Board oversaw electrology between 1985-1992
  - at the time there was a 10-dollar education certificate fee, 100 licensing fee, 150 hrs. of education, 2 schools
  - 440 licensed electrologists
  - 208 cosmetic therapists, 30-35 who had let their license lapse (question was this CT or electro licensing lapse as at the time one could hold both?)
  - 200 have never been licensed by the medical board and would have to apply for initial licensure meeting medical board requirements,  $440-200= 200$  electrologists expected to be lost in the future changeover
  - so  $208+35=243$  CT, while  $208-35= 173$  CT (who also have an electrolysis certificate?)

so then 440 electrologists + 173 CTs = 613 options for the hirsute patient at the time before the changeover?

- So, in the predawn of the 1990s there was a push to condense and assimilate various fields supposedly for ease of regulation. This was like storing documents on your computer, within folders, within folders, within separate external drives... Point being the needs of the individual fields and those seeking services from them were lost.

house bill HB 322 COSMETOLOGY (W. Jones) "Allows State Medical Board to regulate electrolysis, specifies limited branches of medicine or surgery to be regulated by the board, licenses estheticians, esthetics instructors, and esthetic salons, increases membership of State Board of Cosmetology and permits the board to impose fines, and prevents repeal of respiratory care licensing laws that was scheduled to be effective March 16, 1995.. EFFECTIVE: March 2, 1992 (Certain sections later)"

- On March 2nd 1992 licensure for electrologist was removed from the Cosmetology Board, how they claim it increased membership is an oxymoron.

According to the internal board meeting minutes gathered directly from the Cosmetology Board itself, concerning the year up to electrology removal; the 600 hrs. of training for cosmetic therapists was opposed by the Dr in the notes, who fought against overregulation as "not needed to teach either electrology or massage".

\* for Overkill they allowed the owner of a school here in Columbus named Vickey Mickey who runs "About Face", to influence and institute a job security barrier of another 150 hrs. of head and neck massage- unused by any electrologist in the world.

- After Feb 1st, 1993 no one could practice in Ohio unless they meet the new requirements from the health board and got a certificate for cosmetic therapy. Ironically, we were moved out from

under cosmetology citing medical applications, called cosmetic therapists under a limited branch of medicine certificate, and immediately stripped of our medical uses.

- In 1994 they made the law that stops electrologists from getting a billable medical code in the 4713.15. amendment denying coverage for use in "Treatment of physical or psychological malady." (think PCOS or many other hyperandrogenic disorders resulting in hirsutism, defined as "the overproduction of hair of the face and body beyond what's normally found in a person of the same sex, age, or race.")
- the electrologists who were practicing at the time were grandfathered and as such received a Limited Cosmetic Therapy license which does not include "the slapping/massage of the head, neck, scalp, or shoulders" (4731-1-07 OAC)
- according to a list of every licensed cosmetic therapist currently practicing, gained via the Health Board itself, as of June 30th 2018

there are only 169 cosmetic therapists licensed by the medical board.

\* Remember in 92' there was 613, so minus-169= 444 options lost to the hirsute patient- 3/4th of the field lost, or we only retained 27.56% of the field that includes any "re-growth" over the past 29 yrs.

- 19,000, and 17,000 in state school fees, with no assistance programs in covering that out of pocket.
- 3 ways to be licensed according to (4731-19 ORC)
  - a) certificate from a board certified school in Ohio
  - b) certificate from another states school that meets requirements determined by the medical board (4731-19 ORC)
  - c) for not less than 5 yrs. preceding application: a current license, registration or certificate in good standing in another state for cosmetic therapy.

\* take note that Ohio is the only state with this level of licensing requirement, dispelling any concerns of deregulation affecting their “reciprocity in other states” as we are the most corrupt of standards, we can’t come to Ohio from out of any state. B) “from another state”, is speaking to the school in Kentucky, which is an unlicensed state itself, yet has a school that developed a curriculum 20 yrs. ago out of necessity, by interviewing students who passed the Ohio CT state exam, and had been operating without the health board’s approval or influence until recently.

\*Indiana has 300 hrs. though in conjunction with another broader esthetics course.

\* Michigan has 400 hrs. or a 6-month apprenticeship

\*Pennsylvania and west Virginia are also unlicensed states

\* The restrictions do add monetary value to the license and gives them the ability to start their own business without going through a salon first and earning their clientele. Though by making it financially unfeasible for anyone who’s not already well off to buy their way into the field, these restrictions also have no practical application in context to training needed, or even used in the field, and are not for the benefit of anyone who seeks these services. No purpose whatsoever, other than to leave those left able to practice uncompetitive with pricing or technique, holding monopolies over clientele due to the lack of new professionals able to enter the field while catering ever more often exclusively to the rich.

\* Out of state schools for electrology have tried to become accredited , I’ve spoken with several of them as well. This is a response from director of the New England Institute of Electrology, caps and all.

” Hi, EINE IS AN ACCREDITED SCHOOL WE HAVE HOMELAND SECURITY APPROVAL FOR INTERNATIONAL STUDENTS, IT WAS EASIER TO OBTAIN THAN APPROVAL FROM OHIO FOR OUR ELECTROLYSIS PROGRAM. WE HAVE MADE MANY REQUESTS TO THE STATE OF OHIO HOWEVER WE HAVE HAD NO RESPONSE. UNTIL WE DO, WE DO NOT WANT TO TAKE MONEY FROM ANYONE OR FROM THE DEPARTMENT OF EDUCATION UNTIL WRITTEN APPROVAL IS RECEIVED. WE HAVE APPROVAL FROM ALL OTHER STATES, WE DO OFFER FINANCIAL AID THROUGH THE DEPARTMENT OF EDUCATION. PERHAPS YOU CAN HAVE

YOUR ELECTED OFFICIALS LOOK INTO THIS TO SPEED THINGS UP. OUR INITIAL REQUEST WAS SOMETIME AGO. PERHAPS AS A RESIDENT YOU WILL HAVE MORE OF AN ADVANTAGE TO GET THINGS ACCOMPLISHED.” BEST WISHES, MARY EVANGLEISTA, DIRECTOR

- You can't point out a problem without proposing a solution, so I propose to expand the bill to deregulate cosmetic therapy as well, which is now hidden under the health board instead of cosmetology.
- Currently Ohio has 750 hrs. of training requirement, 19k and 17k respectively between the only 2 schools in Ohio, 9k in KY.
- Suggested lower training of 150 hrs. removing the laughable massage requirements, bringing it to 600 hrs. with 2 hrs. CEC biannually. which itself matches or even exceeds most other states.
- Recognizing a need for proper education and practical regulation, worthy of note is that there is a “walking CT certificate” offered by the nationally accrediting schools for states that require no licensure, who consider 300 hrs. the minimum amount of training needed to safely operate equipment in a business realm.
- Institute a form of apprentice-ship turning those left already practicing into authoritative positions as potential routes for schooling before they retire. This would allow a seamless more natural transition between age groups and force the schools to be more competitive with tuition.
- Give back cosmetic therapists a billable medical code, by removing the 93-amendment - making the state compliant with its contractual obligations to receive funding via the Affordable Care Act, allowing Insurance providers the ability to cover medically necessary treatments for hirsute patients when prior authorization is approved. Over half of women complain of unwanted hair growth, 15% are facing hirsutism, left untreated the physical and psychological torture, let alone

social oppressions faced by these patients and therefore their very safety, is unimaginable unless you yourself were affected.

- Every hair salon should have some form of permanent hair removal option in it, but few if any do, this proposal would expand the amount of job positions available to be filled equal to the amount of those who were practicing before 93' and potentially to the amount of dermatology clinics in the state.

Thank you all for your consideration, the documents attached verify what I've brought forth.