

OFF-SITE BARBER SERVICES

House Bill 5054 (Substitute H-1) First Analysis (10-8-03)

Sponsor: Rep. Chris Ward
Committee: Regulatory Reform

THE APPARENT PROBLEM:

Under Article 11 of the Occupational Code, barbers are permitted to render their services only in licensed premises, with certain exceptions. The Occupational Code permits barbers to render services to a patient in a hospital, nursing home, home for the aged, or similar facility, or to a person requiring home care because of age or illness.

Some people believe that the current exemption in the code is too limited, as there are an increasing number of senior citizens who, while not incapacitated to the point where they require some kind of institutionalization, often find it impractical and challenging to continue with their daily routines as they have in the past. For instance, many seniors, with decreasing visual acuity and reflexes, find it difficult (and perhaps dangerous) to drive to the grocery store, or post office, or, in this instance, the barbershop or hairstylist. Thus, legislation has been introduced to increase the current list of off-site locations where a barber may legally render services.

THE CONTENT OF THE BILL:

The Occupational Code permits barbers to render services away from a licensed barbershop to patients in hospitals, nursing homes, homes for the aged, or a person requiring home care because of age or illness. The bill would add another exception permitting barbers to render services to a person in that person's home. All of the exemptions would be permitted only if it is impractical or unsafe for the patient [or person] to travel due to due to frailty, age, injury, or illness.

[Note: It is anticipated that an amendment will be offered to specify that it must be impractical or unsafe for the "patient or person" to travel. As written, the bill only states "patient."]

MCL 339.1117

FISCAL IMPLICATIONS:

The House Fiscal Agency reports that the fiscal impact on state or local government is indeterminate. (HFA Floor dated 10-7-03)

ARGUMENTS:

For:

Often an increase in age is accompanied by a corresponding decrease in mobility. As stated above, there are an increasing number of senior citizens who are finding it ever more difficult to carry out everyday tasks that most people take for granted, including the ability to travel. Many senior citizens require a walker, a wheelchair, or mobile oxygen unit when they travel. This makes the relatively simple task of driving to the barbershop or hairstylist quite difficult. Many seniors also forego driving simply because their reflexes, motor skills, and visual acuity diminish with age. This increases the difficulty in running errands, as they must rely on family and friends (and sometimes public transportation systems) to provide transportation. To compound matters, many seniors are often hesitant to obtain the assistance from family and friends out of fear of being considered a burden. This bill, then, provides senior citizens - and other individuals with disabilities or caring for individuals with disabilities - with an added sense of independence, convenience, and peace of mind.

But aside from an increase in convenience and independence, the bill also provides seniors - and, again, those with disabilities - some positive psychological benefits, as proper grooming and personal hygiene can do wonders for a person's spirits when they are sick or ill. This bill, then, also provides senior citizens with an added sense of pride and dignity.

POSITIONS:

The Department of Consumer and Industry Services supports the bill. (10-7-03)

The Michigan Protection and Advocacy Service supports the bill. (10-7-03)

Elder Law of Michigan supports the bill. (10-7-03)

Analyst: M. Wolf

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.