

BARBER COLLEGES AND SCHOOLS OF COSMETOLOGY

Phone: (517) 373-8080

<http://www.house.mi.gov/hfa>

House Bill 4335 as referred to second committee

Sponsor: Rep. Jeff Yaroach

1st Committee: Regulatory Reform

2nd Committee: Ways and Means

Revised 10-17-19

Analysis available at

<http://www.legislature.mi.gov>

BRIEF SUMMARY: House Bill 4335 would enable a person who had studied cosmetology to substitute up to 1,000 hours of instruction toward the education and training requirements to be licensed as a barber and enable a person who had studied at a barber college to substitute up to 1,000 hours of instruction toward satisfying the education and training requirements to be licensed as a cosmetologist. The bill would also revise certain requirements for licensure that apply to barber colleges and schools of cosmetology.

FISCAL IMPACT: The bill would not have a significant fiscal impact on the Department of Licensing and Regulatory Affairs (LARA) or on other units of state or local government. Under the bill, LARA would be required to promulgate rules establishing criteria for determining whether hours of instruction at barber colleges and schools of cosmetology are similar. This promulgation would not result in any significant costs for the department.

THE APPARENT PROBLEM:

Michigan law regulates schools that provide instruction for students of barbering or students of cosmetology under separate provisions within the Occupational Code and does not allow a barber college and a school of cosmetology to share the same facilities. Barbering and cosmetology, though sharing a focus on hair services, are different in philosophy and approach to hair services and also offer different types of services. For example, barbers are trained and licensed to offer straight razor shaving, whereas cosmetologists are not. A fully licensed cosmetologist may offer nail services in addition to styling, cutting, and dying hair, whereas barbers may not perform nail services.

It has been noted, though, that many of the required educational and theory components are similar, if not substantially the same. Yet, a student in one type of school often is not able to have completed hours of instruction accepted at the other type of school should he or she either switch midcourse to the other type of school or, if already licensed, decide to become licensed in the other profession as well. Some feel that this disadvantages students who decide to switch emphasis while in school and professionals who wish to expand their career or business opportunities. Besides the time involved in repeating hours of instruction already successfully completed, some financial aid programs will not reimburse for a similar or identical class or course of study, even if necessary for a different type of license.

Further, under current law, an operator of a barber college and a school of cosmetology cannot operate the two programs in the same building unless separate entrances are used,

instruction is provided in different classrooms, and separate facilities, such as sinks and sterilizers, are provided.

Legislation has been offered to address the above concerns.

THE CONTENT OF THE BILL:

House Bill 4335 would enable a person who had studied cosmetology to substitute up to 1,000 hours of instruction toward the education and training requirements to be licensed as a barber and enable a person who had studied at a barber college to substitute up to 1,000 hours of instruction toward satisfying the education and training requirements to be licensed as a cosmetologist. The bill would also revise certain requirements for licensure that apply to barber colleges and schools of cosmetology.

Specifically, the bill would amend sections 1110 and 1205 of the Occupational Code, which respectively provide for licensure as a barber or a cosmetologist. Among other requirements, a person seeking licensure as a barber must complete 225 hours of classroom study, demonstrations, and recitations and 1,575 hours of practical barber training. A person must, among other things, complete 1,500 hours of theory and practice for full licensure as a cosmetologist. [A person may also obtain a license only for manicuring, electrology, or esthetics (facial and skin care).]

Under the bill, a barber college or a school of cosmetology, respectively, would be permitted to allow a student to substitute up to 1,000 hours of instruction successfully completed at a licensed school of cosmetology or barber college, as appropriate, if those hours were substantially similar in content and the student was licensed as a cosmetologist or barber. LARA would have to establish criteria through departmental rules for determining whether an hour of instruction at one licensed entity (barber college or school of cosmetology) is substantially similar to an hour of instruction at the other.

Currently, as a condition of licensure, the premises of a barber college or a school of cosmetology must be fully partitioned from any other business or dwelling. The bill would create an exception to allow a barber college and a school of cosmetology to occupy the same building and to share facilities.

Current law also requires that a barber college must have at least two full-time, licensed instructors. The bill would amend this to require only one.

The bill would take effect 90 days after being enacted.

MCL 339.1110 and 339.1205

ARGUMENTS:

For:

Requiring these institutions to accept some of the completed training earned at the other type of entity could expedite the ability of students who switch from one emphasis to the other to enter the workforce and could reduce the financial burden of having to pay twice for essentially the same instruction. The bill would similarly help a person who is already licensed and practicing as a barber or cosmetologist to expand his or her expertise to serve the needs of clients or to continue working in a changing business climate.

Against:

The bill does not require LARA to consult with the Board of Barber Examiners or the Board of Cosmetology in making its determination as to the criteria regarding suitability of coursework or instruction to be substituted between programs. As the professions are distinct from one another in types of services and in how those services are performed (which impacts the training), input from the boards would appear to be desirable.

POSITIONS:

A representative of Douglas J. Aveda Institute testified in support of the bill. (5-7-19)

Legislative Analysts: Jenny McInerney
Susan Stutzky
Fiscal Analyst: Marcus Coffin

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