

BARBER COLLEGES AND SCHOOLS OF COSMETOLOGY

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House Bill 4335 (H-1) as reported from committee

Sponsor: Rep. Jeff Yaroach

1st Committee: Regulatory Reform

2nd Committee: Ways and Means

Complete to 10-17-19

Analysis available at
<http://www.legislature.mi.gov>

BRIEF SUMMARY: House Bill 4335 would allow a barber college and a school of cosmetology to occupy the same building and share facilities. Additionally, under the bill, each institution could allow students who are licensed in the other profession to substitute up to 1,000 hours of instruction earned at the other type of institution for hours of substantially similar instruction at their current institution.

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. However, a student in one type of school is often 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 amend sections 1110 and 1205 of the Occupational Code, which provide for licensure as a barber or as a cosmetologist, respectively. 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. For full licensure as a cosmetologist, a person must, among other things, complete 1,500 hours of theory and practice.

Under the bill, if a student of a barber college were licensed as a cosmetologist, the barber college could allow the student to substitute hours of instruction completed at a state school of cosmetology for hours of instruction with substantially similar content at the barber college. Likewise, if a student of cosmetology were licensed as a barber, the school of cosmetology could allow the student to substitute hours of instruction completed at a state barber college for hours of instruction with substantially similar content at the school of cosmetology.

In both cases, the number of hours that could be substituted would be capped at 1,000, and the bill would apply only to schools licensed by the state under the code.

LARA would have to establish criteria through departmental rules for determining whether an hour of instruction at one licensed entity is substantially similar to an hour of instruction at the other.

Additionally, the bill would allow a school of cosmetology and a barber college to occupy the same building and share facilities.

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:

No arguments against the bill were presented in committee.

POSITIONS:

A representative of Douglas J. Aveda Institute testified in support of the bill. (10-16-19)

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