



Legislative Background Brief

for the
Economic Affairs Interim Committee

June 2013

Board of Barbers and Cosmetologists

Prepared by Pat Murdo, Legislative Research Analyst, with help from the Business Standards Division

Board = 9 members (term expiration in parentheses)

<p>Licensed cosmetologists = 3 -Darlene Battaiola, Butte cosmetologist and school operator (10/1/2016) -Wendell Petersen, Missoula cosmetologist (10/1/2013) -Angela Printz, Livingston cosmetologist (10/1/2017)</p>	<p>Licensed barbers = 3 (or 1 from cosmetology, electrology, esthetics, or manicuring fields) -Thayne Orton, Florence barber (10/1/2017) -Sherry Dembowski-Wieckowski, Thompson Falls (10/1/2013) -Juanita Mace, Billings (10/1/2016)</p>
<p>Licensed electrologist, esthetician, or manicurist = 1 -Corie Mora, Great Falls manicurist (10/1/2015)</p>	<p>Public members not connected with any profession licensed by the board = 2 -Jamie Ausk Crisafulli, Glendive (10/1/2013) -Sara Dobbins, Helena (10/1/2015)</p>

Number of Licenses	FY 2009	FY 2010	FY 2011	FY2012
Barbers				
Cosmetologists				
Total	11,638	11,741	12,128	11,124

Licensing Fees (since 2011)

Original and renewal license	\$ 80
Original and renewal active instructor license	\$100
Original and renewal inactive instructor license	\$ 85
Original and renewal school license	\$220
Original and renewal salon or shop license	\$ 85
Original and renewal booth rental license	\$ 75
Salon or shop inspection	\$150
School/course inspection	\$200
Additional courses within cosmetology school	\$ 70
Variance request	\$ 20

Revenues FY2009-FY2012 and Expenditures for FY 2009-2012

Revenues		Expenditures	
Licensing	Other	Personal Services	Operating

FY 2009	\$387,447	\$470,044
FY 2010	\$478,882	\$621,927
FY 2011	\$556,343	\$593,171
FY 2012	\$686,602	\$578,804
FY 2015 biennium*	--	\$1,115,379

*Appropriation Authority In House Bill 2

Expenditures, FY 2012	Direct	Indirect			
		Admin	Div. IT/Bureau	Compliance	Bureau
Personal Services, incl. per diem	\$181,329	\$29,938	\$18,565	\$42,471	\$13,374
Operating Expenses					
Consulting, Printing, IT, Other	\$77,044	\$30,832			
Supplies, incl. Computer	\$13,761	\$8,423			
Postage, mailing, IT network, voice srv	\$12,833	\$5,208			
Travel/Per Diem for Board Members	\$21,379				
Rent and other expenses*	\$45,405	\$40,395			
Legal and hearings	\$37,848				
Total (rounding may be a difference)	\$389,599	\$189,206			

*Includes rent of \$14,872, motor pool of \$34, computer and office equipment repair of \$345, dues, education & training, and fee collection expense of \$18,742 for direct expenses and other repair/maintenance of \$48, DLI OIT expense of \$18,450 and indirect agency including conference costs, freight, etc. of \$21,897 for indirect expenses.

Number of Complaints

FY 09 238
 FY 10 243
 FY 11 213
 FY 12 90

Disciplinary Action (may be from other years)

Dismissed 185, Other Sanctions 113, Investigations 12
 Revoked 2, Dismissed 187, Other Sanctions 37,
 Investigations 14
 Revoked 1, Dismissed 127, Other Sanctions 66,
 Investigations 15
 Dismissed 38, Other Sanctions 16, Investigations 1,
 Closed 32, Pending 3

Scope of Practice

The Board of Barbers and Cosmetologists includes licensing of those who do electrology, esthetics, manicuring, and barbering or hairdressing.

Electrology is defined in 37-31-101, MCA, as the study and professional practice of permanently removing superfluous hair by destroying the hair roots through passage of an electric current with an electrified needle. Electrology includes electrolysis and thermolysis. Electrology may include the use of waxes for epilation and the use of chemical depilatories. Electrology does not include pilethermology, which is the study and

professional practice of removing superfluous hair by passage of radio frequency energy with electronic tweezers and similar devices.

The "*practice or teaching of barbering*" as defined in 37-31-101, MCA, covers any of the following practices performed for payment, either directly or indirectly, upon the human body for tonsorial purposes and not performed for the treatment of disease or physical or mental ailments: (a) shaving or trimming a beard; (b) cutting, styling, coloring, or waving hair; (c) straightening hair by the use of chemicals; (d) giving facial or scalp massages, including treatment with oils, creams, lotions, or other preparations applied by hand or mechanical appliance; (e) shampooing hair, applying hair tonic, or bleaching or highlighting hair; or (f) applying cosmetic preparations, antiseptics, powders, oils, lotions, or gels to the scalp, face, hands, or neck.

The "*practice or teaching of cosmetology*" is defined in 37-31-101, MCA, covers such work as "hairdressing", "manicuring", "esthetics", and "beauty culture" performed in salons or shops, in booths, or by itinerant cosmetologists when the work is done for the embellishment, cleanliness, and beautification of the hair and body.

The practice of "*esthetics*" involves skin care of the body, including but not limited to hot compresses or the use of approved electrical appliances or chemical compounds formulated for professional application only and the temporary removal of superfluous hair by means of lotions, creams, or mechanical or electrical apparatus or appliances on another person.

The term "*manicuring*" addresses care of the nails, the hands, the lower arms, the feet, and the lower legs and the application and maintenance of artificial nails.

2013 Legislation Impacting Board or Profession

SB 343 - Revised laws related to the Board of Barbers and Cosmetologists, which among other things requires 2 board members to be affiliated with a school

Summary of Responses from Survey as made through June 11, 2013:

of Responses from Board of Barbers and Cosmetologists licensees -- 104
Comments summarized separately.