

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2382

2005 SENATE HUMAN SERVICES

SB 2382

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2382

Senate Human Services Committee

Conference Committee

Hearing Date February 2, 2005

Tape Number	Side A	Side B	Meter #
1		X	370 - end
Committee Clerk Signature <i>Cathy Howard</i>			

Minutes:

Senator Judy Lee opened the hearing on SB 2382 relating to examinations for cosmetology in licensure.

All members of the committee were present.

Representative Jim Kasper of District 46 cosponsor of SB 2382 introduced the bill stating this was a split bill which he was not aware.

Ray Grismer, President of the North Dakota Cosmetologists Schools Association and a private school owner testified in support of SB 2382 (See attached testimony).

Floyd Roll, Secretary of the North Dakota Cosmetology School Owners Association testified in support of SB 2382 stating that they already have what they are asking for but want to make sure what they have is made better through this bill. Many students go to Bismarck to take their written exam and then need to wait to take their practical exam, which he feels is not necessary as students are constantly being testing in the schools. The biggest problem of having a common

licensing exam is that to make changes is very difficult and does not need to be that way.

Different schools teach different techniques for the same process and the testing would not be fair. A universal practical testing is a waste of time for there is too many variables in the schools to be consistent and have a fair test. It is the schools that can fairly administer the practical testing and accurately measure the proficiency of a student. In summary schools are already and constantly practical examining the students and it is redundant for the state to also be doing the same.

Senator Lee asked if the practical exam is already part of the graduation requirements, how can the state board know it is at the level required now required by the board. She also asked the average tuition rate of a program.

Floyd Roll answered the instructors are board certified and follow the requirements of the state if they want to stay in business and he charges \$7,720.00 for tuition and gives a \$500.00 good attendance rebate.

Senator Lee asked for neutral testimony and hearing non asked for opposing testimony.

Gary Andes, President of the North Dakota State Board of Cosmetology testified in opposition to SB 2382 (See attached testimony).

Senator Stanley Lyson asked if the State Health Department is required to inspect shops for safety and so forth and if the board members visit the schools.

Gary Andes answered the state board inspect the salons and the schools for safety. He further explained that the board administers the national written exams at the schools and the same practical text is also administered so that things are consistent.

Senator Dick Dever asked if a person moves into the state will they have to take the practical test to become licensed.

Gary Andes stated that there is reciprocity if the other states have the 1800 hours of education. Anything less requires additional hours and testing.

Connie Bernabucci, vice President of the North Dakota State Board of Cosmetology testified in opposition to SB 2382 (See attached testimony).

Senator Lee asked which 3 states do not have practical exams.

Connie Bernabucci answered that the 3 states that do not have practical examinations are Hawaii, Florida and Iowa, but they do have a written exams.

Senator Lee asked for clarification of the boards issue with the practical examinations.

Connie Bernabucci assured the committee they were confident there is a consistent practical exam being administered by the schools but do not agree that they should be eliminated.

Sue Meyer, an employee of the Board of Cosmetology clarified to the committee the problem of travel problems that were mentioned earlier happened when there only three test sites, Presently the board members travel to the schools to administer the written exam and observe as the school administers the practical exams.

Senator Lyson asked for clarification as what was the actual intent of SB 2382.

Connie Bernabucci stated the State Board agrees with fact that the schools are administrating the practical examination and feel they are doing an excellent job, but the school owners want to eliminate the exam all together.

Senator Dever asked about the vote of the members of the cosmologist association.

Connie Bernabucci admitted the members did not have a chance to vote on the bill itself.

Virginia Herberholz, Secretary of the North Dakota State Board of Cosmetology testified in opposition of SB 2382 (See attached testimony).

Senator Lee asked if the state board members can vote whether a student is allowed to be licensed.

Virginia Herberholz confirmed the board member is present to observe the administration of the exam but can not vote. The school decides if the student has passed the exam.

Maureen Wanner,. President of the National Cosmetology Association State Executive Board testified in opposition to SB 2382 (See attached testimony).

Senator Lee asked if the Board took control over the practical exam would they be still be administered in the schools and then they could then decide if the student has passed or not.

Connie Bernabucci answered that the board would set up locations around the state where the written and practical would be administered by trained, profession, educated instructor or examiners.

Senator Lee announced to that this bill needs more time for consideration and in the meanwhile, if there is any other information, it can be given to the clerk or intern.

Senator Lee closed the hearing on SB 2382.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2382

Senate Human Services Committee

Conference Committee

Hearing Date February 8, 2005

Tape Number	Side A	Side B	Meter #
2	x		2326-4875
Committee Clerk Signature <i>Cathy Bernard</i>			

Minutes:

Chairman Lee reopened discussion on SB 2382. All members were present.

The irony is, the exams, when they were pulled back to the schools, so the students didn't have to go to the central sites just to take the exam, the schools are administering the exam, and I don't think it's right, that the Board of Cosmetology, who has to license these people, doesn't have anything to say about the practical exam. I kind of like the fact that they're looking to take that power back.

Sen. Brown: Can they take the power back or can we give it back?

Chairman Lee: We have to give it to them.

Sen. Lyson: We took it away before.

Chairman Lee: It wasn't intentional, it went into the schools and it ended up being handled by the schools.

Sen. Lyson: The only think that bothers me about this is will it be easier for the students to take

the test at their school if it's closer to home than some other site.

Chairman Lee: That's what they said they'd do, but maybe we need to tune it up so it says that, but they didn't seemed to be troubled with that, the three people on the board. They would be willing to travel to the school. So we could amend the bill to say the board would go to the school to administer the practical and written examinations.

Sen. Lyson: That would be better so the students wouldn't have to travel.

Sen. Warner: It wasn't just the student who had to travel, but their subject, too.

Chairman Lee: They're using fake hair, but we don't need to get involved with that.

The committee discussed that rate change for fees for the exams and general wording for the amendment. It was agreed that the intern would prepare the amendment and the committee would look at it on 2/9.

Discussion ended on SB 2382.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2382

Senate Human Services Committee

Conference Committee

Hearing Date February 9, 2005

Tape Number	Side A	Side B	Meter #
1	X		1,975-2650
Committee Clerk Signature <i>Cathy Minard</i>			

Minutes:

Chairman Lee opened the meeting to discuss SB 2382, relating to examinations for cosmetology licensure. All Senators were present.

Senator Lyson explained the proposed amendments to the bill to the committee.

General discussion followed regarding the amendment on page 1, line 13.

Action taken:

Senator Lyson moved a Do Pass recommendation for the amendment. Seconded by

Senator Dever. The amendment passed unanimously. 5-0-0.

Senator Lyson moved a Do Pass recommendation for the bill as amended. Seconded by

Senator Brown. The bill as amended passed unanimously. 5-0-0.

Chairman Lee will be the carrier of the bill.

The meeting was declared closed by Chairman Lee.

FISCAL NOTE
 Requested by Legislative Council
 02/14/2005

Amendment to: SB 2382

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$0		\$0
Expenditures				\$7,800		\$7,800
Appropriations				\$0		\$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

NDCC 43-11-23
 Section 1

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

It is anticipated that approximately 260 applicants will take the practical examination per year. The estimated cost for the practical examination is \$15.00 per applicant.

Adding approximately \$7800.00 to Board's expense per biennium.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

None

Name:	Sue Meier	Agency:	ND Board of Cosmetology
Phone Number:	701-224-9800	Date Prepared:	02/22/2005

FISCAL NOTE
Requested by Legislative Council
01/25/2005

Bill/Resolution No.: SB 2382

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				(\$1,320)		(\$1,320)
Expenditures				\$0		\$0
Appropriations				\$0		\$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

NDCC 43-11-23
Section 1 and Section 2

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The law does not require a practical examination fee. The law requires a reexamination fee of \$30.00 for the practical portion of the examination.

It is anticipated that eliminating the practical portion of the examination will decrease Board's revenue by approximately \$1,320.00 per biennium.

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

None

Name:	Sue Meier	Agency:	ND Board of Cosmetology
Phone Number:	701-224-9800	Date Prepared:	01/28/2005

Proposed Amendments to Senate Bill 2382

February 8, 2005

Page 1, line 8, remove overstrike over "both"

Page 1, line 9, remove overstrike over "~~practical demonstrations and~~"

Page 1, line 11, after period, insert "A practical exam shall be administered in each city in which a school of cosmetology is located."

Senator Lyson's suggestion:

Page 1, line 11, after period, insert "A practical exam shall be administered for students in each city in which their school of cosmetology is located."

Page 1, remove overstrike over line 18

Page 1, remove overstrike over "~~(b) Written~~"

Proposed Amendments to Senate Bill 2382

February 8, 2005

Page 1, line 8, remove overstrike over "~~both~~"

Page 1, line 9, remove overstrike over "~~practical demonstrations and~~"

Page 1, line 11, after period, insert "A practical exam shall be administered in each city in which a school of cosmetology is located."

Senator Lyson's suggestion:

Page 1, line 11, after period, insert "A practical exam shall be administered for students in each city in which their school of cosmetology is located."

Date: 2-9-05⁹
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2382

Senate Human Services Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass amendment

Motion Made By Sen Lyson Seconded By Sen D

Senators	Yes	No	Senators	Yes	No
Sen. Judy Lee - Chairman	✓		Sen. John Warner	✓	
Sen. Dick Dever - Vice Chairman	✓				
Sen. Richard Brown	✓				
Sen. Stanley Lyson	✓				

Total (Yes) 5 No 0

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 2-9-05
Roll Call Vote #: 2

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2382

Senate Human Services Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen Lyson Seconded By Sen Brown

Senators	Yes	No	Senators	Yes	No
Sen. Judy Lee - Chairman	✓		Sen. John Warner	✓	
Sen. Dick Dever - Vice Chairman	✓				
Sen. Richard Brown	✓				
Sen. Stanley Lyson	✓				

Total (Yes) 5 No 0

Absent _____

Floor Assignment Sen J. Lee

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2382: Human Services Committee (Sen. J. Lee, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2382 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "and paragraph 3 of subdivision b of"

Page 1, line 2, remove "subsection 1 of section 43-11-28"

Page 1, line 8, remove the overstrike over "~~both~~"

Page 1, line 9, remove the overstrike over "~~practical demonstrations and~~"

Page 1, line 11, remove the overstrike over "~~The board~~"

Page 1, line 13, after "~~requirements~~" insert "shall administer a practical examination for applicants for licensure in each city in which a school of cosmetology is located" and remove the overstrike over the overstruck period

Page 1, remove lines 15 through 19

Renumber accordingly

2005 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2382

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2382

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 3/4/05

Tape Number	Side A	Side B	Meter #
1	x		17.2-end
1		x	0-26.2
Committee Clerk Signature <i>John H. Zygmunt</i>			

Minutes: SB Relating to examination for cosmetology licenser.

Chairman Haas: We will open the hearing on SB 2382 and ask the clerk to read the title, please.

Rep. Kasper please proceed.

Rep. Jim Kasper-District 46-Introducing the bill. We work quite hard on this bill, both sides have come forward in agreement and we put the amendment on SB 2382.

Chairman Haas: Additional testimony on SB 2382.

Virginia G. Herberhoz-State Board of Cosmetology-Opposed-Testimony Attached

Rep. Conrad: The board is accredited, why do we need to have another one.

Virginia: The bill that was introduced by the school owners association was to eliminate the practical examination altogether. The state board wants to take it back and take charge of it.

Rep. Amerman: How many schools and where are they?

Virginia: We have seven schools in the state, Bismarck, Minot, Fargo and Grand Forks.

Rep. Meier: The exam that is going to be administered now, is that the same exam that was administered in the past?

Virginia: In the last year and a half the board and the school association have been working very closely together, on a monthly basis to try to come up with a consistent test, the board felt that each school was giving a different test. That was not fair to the general public of candidates in these schools, there should be one test, so it would be consistent. We approved the test and for the last ten months, they have been administering that exam with us overseeing and that the exam was given in a fair manner.

Rep. Klemin: There is a practical exam and a written exam, previously the schools are doing the practical exam and the board was doing the written, the school didn't want to do the practical anymore, so what this bill does is give it back to the board.

Virginia: Yes, that is correct.

Rep. Klemin: Prior to seven years ago was the board doing the practical?

Virginia: Yes, the board always administered the exams.

Chairman Haas: Would you describe to me the mechanics of the practical test, if it was given at the school by the board how do you do that and he supervise that?

Virginia: If it is at the school, the board goes in and assigns numbers to each candidate and does the same on a sheet of paper with the testing and exams each portion of the test according to the performance.

Chairman Haas: But it is always a board member that does this.

Virginia: The last seven years, yes.

Chairman Haas: How many board members are on your board?

Virginia: We have three.

Rep. Galvin: Surely there wasn't any time that they suggested you didn't have the practical examination at all, is there.

Virginia: There has been that suggestion made in my experience.

Rep. Galvin: I can't imagine how you could turn out a cosmetology under this old language, you could turn out a cosmetologist without a practical exam under the old wording.

Virginia: No, not under the old wording, they had to have a practical exam.

Maureen Wanner-President of the National Cosmetology Association State Executive Board-For-Testimony Attached

Rep. Amerman: How many hours is the school.

Maureen: 1800 hours.

Rep. Kasper: If you do not do the exams then you would not know if they meet minimum standard or not, isn't that correct?

Maureen: I would be able to do what they need to do.

Rep. Kasper: Without the bill and without the exam you don't know for sure do you?

Maureen: No

Rep. Kasper: That is why the bill as amended is what your board and self has supported.

Maureen: That is right and if the school doesn't want to take care of it the state board needs to.

Chairman Haas: Are there further questions for Maureen, if not thank you. Additional testimony on SB 2382.

Bernie Schue-Owner of Plaza Hair Center-Bismarck-For-Testimony Attached

Chairman Haas: Is there additional testimony on SB 2382. Is there opposition testimony on SB 2382?

**Bill Delmore-Kelsch Law Firm-Appearing on behalf of North Dakota Schools of
Cosmetology-Opposition**

Rep. Klemin: It would be up to the state to give the exams for somebody to become licensed.

Bill: Yes, certainly the written exam is always given by the state licensing board.

Rep. Klemin: It seems like there is a conflict of interest with the schools administering part of the exam for their own students.

Bill: I agree if they were not accredited.

Rep. Kasper: Are you familiar with the original bill that was introduced over in the Senate?

Bill: Yes.

Rep. Kasper: I thought everybody was agreeing on and now I find out that is not true. First you said you wanted to strike it out, oh I am sorry, I want it back in.

Bill: It is a very good question, I wasn't there. I believe there rational was that practicum are part of the general curriculum that schools do provide and they didn't feel the need of something that needs to be redone again.

Rep. Kasper: You heard testimony earlier and you said it yourself, that schools teach different ways, we heard from the boards that they recognize that, but they want to be sure that the graduates of the schools are up to date with what the current methods are, so why would you want a school testing itself if their methods are outdated and maybe not even meeting standards.

Bill: The way the law exists now and with the proposing amendment, the board prescribes the rules and still has the ability to over see the tests.

Rep. Kasper: If a school administers its own test on its own potential graduates and grades the tests itself, if the board is not involved. If the school wants a student to pass, the student will pass won't they.

Bill: In deed, I agree with you.

Rep. Galvin: The state board of cosmetology are elected by there own peers, these members have to be top notched and they are not behind on anything or they wouldn't be on the board. They represent the people of North Dakota.

Bill: I think it is easier to pass a generic exam then a specific exam at a school.

**Phyllis Linssen-Licensed Cosmetologis in North Dakota-Testimony Attached-For
Ray Grismer-President of the North Dakota Cosmetology Schools Association-Owner
Private School-Oppose.**

Chairman Haas: Any further testimony in favor of , or opposition to, if not will close the hearing on SB 2382.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2382

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 3/4/05

Tape Number	Side A	Side B	Meter #
2	x		10.6-20.2
Committee Clerk Signature <i>Duc R. Ryan</i>			

Minutes: SB 2382 Relating to examinations for cosmetology licenser.

Chairman Haas: I am going to open the floor for discussion. We have a DO NOT PASS motion on the floor, is there a second, seconded for discussion purposes.

Rep. Froseth: I think a good suggestion was brought out on line 10, if this doesn't pass it will go back to the board, like it was before.

Rep. Klemin: I think I would have a problem with saying the board shall require a private business to do something like that, because if it at least say may some schools that may want to do that and there is some schools that may not want to do that, but to say that the board shall require these private schools to give exams that boards need for licenser, it is meddling to much.

Rep. Kasper: If we kill this bill I think it goes back to where it ought to be. In the last session or the session before we worked on it extensively, this going back to the current law allows them to work together. They had been working with the schools and compromising that they were going to work together and then the school backed out of it and introduced the bill, unbeknownst to

the board. I think that we should leave the law the way it is and let them fight for another two years and then see that they can come back with something they agree on.

Chairman Haas: I was curious, I got the impression that every school of cosmetology in the state of North Dakota had a practical exam, as a part of there graduation requirement, is that not correct.

Rep. Kasper: That is correct and the concern of the board is that because each school teaches a different way and in a different manner are these students being taught to the current standards and the latest fad, but the board can still supervise, still look at it. I think it is OK. the way it is.

Chairman Haas: It even goes to more then supervision, because the first statement on the examination, says that the examination of applicants for license to practice under rules prescribed by the board, must be in that practical. They could even specify what has to be in that practical exam.

Rep. Grande: One of the things that came up as a concern to me is the board, one only being three people, none of these board members are even instructors. They are going to be the ones doing the practical examinations. I take issue with that.

Chairman Haas: If we leave it the way it is, the board may require that practical portion of the exam be conducted by the schools as part of the graduation requirement. That is actually what Phyllis Linssen asked for with exception of shall. Whether shall or may.

Rep. Meier: I think the costs are really going to go up. It will increase the costs for the students.

Rep. Klemin: I would support a DO NOT PASS, because given the opportunity these folks are going to be able to work it out.

Rep. Galvin: I think I am the one member that actually knows something about this. In the defense of the cosmetology board and the barber board. I am really proud of the cosmetology board and the barber board coming in here and asking for money, or anything for themselves.

Chairman Haas: Further discussion. If there is no further discussion we will ask the clerk to take a roll call vote on a DO NOT PASS on engrossed Senate bill 2382.

VOTE: YES 12 NO 2 ABSENT 2 DO NOT PASS ON SB 2382

REP. GRANDE WILL CARRY THE BILL.

Date: 3/4/05
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2382

House House Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Rep Meier

Seconded By Rep. Grande

Representatives	Yes	No	Representatives	Yes	No
Chairman C.B. Haas	✓		Rep. Bill Amerman	✓	
Bette B. Grande - Vice Chairman	✓		Rep. Kari Conrad		✓
Rep. Randy Boehning	✓		Rep. Louise Potter	✓	
Rep. Glen Froseth	✓		Rep. Sally M. Sandvig	✓	
Rep. Pat Galvin		✓			
Rep. Stacey Horter	✓				
Rep. Jim Kasper	✓				
Rep. Lawrence R. Klemin	✓				
Rep. Lisa Meier	✓				
Rep. Margaret Sitte	✓				

Total (Yes) 12 No 2

Absent ∅

Floor Assignment Rep. Grande

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 4, 2005 11:14 a.m.

Module No: HR-40-4161
Carrier: Grande
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2382: Government and Veterans Affairs Committee (Rep. Haas, Chairman)
recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING).
SB 2382 was placed on the Fourteenth order on the calendar.

2005 TESTIMONY

SB 2382

Good morning Senator and members of the committee:

I am Ray Grismer, President of the North Dakota Cosmetology Schools Association and a private school owner myself. I have been in the cosmetology field for approximately 45 years and it is my desire to improve our students education.

After nearly 15 years of employing, what I considered unqualified graduates, I had the opportunity of becoming a cosmetology school owner and of course change the unqualified to qualified.

I assumed that the poor quality of the graduate was due to a lack of proper training aids and qualified instructors.

After obtaining the Pivot Point franchise for practical cosmetology and obtaining qualified Pivot Point instructors, I went back to the cosmetology salon full time. Just waiting to reap the benefits of my efforts and investment.

Well, what do you know, 5 years later I was still employing unqualified people, but now they were my own unqualified people.

After the first 5 years I moved to the school full time, of course I had a lot to learn. I learned there were a few things wrong with the Pivot Point

franchise. But what I really learned was that we were teaching more to the State Board Practical exam than we were to the student's future.

None of the cosmetology schools in North Dakota use the same system or methods of teaching and therefore the standards for a practical exam have to be lowered to be fair to all schools. After years of trying to explain, to the board members, how the lowering of standards work, they decided to go to a National Practical test. I do not have to tell you that with more schools taking the same test the standards for the National test are lowered even more.

Well low and behold a few years back we got a new group of state board members that could understand how the standards were lowered for the entire practical cosmetology education and therefore allowed each school to examine and certify their own graduates. After twenty years or more, we were finally able to teach and test what we are teaching.

The new exam worked well. All accredited schools have a salon advisory committee. We have only received good comments regarding the quality of our students.

We have a new group of state board members now and the lowering

of standards starts all over again. Once again we now have to lower our standards more so that students can go from school to school and take the practical exam which makes no sense and proves nothing, since each school chooses their own system and method of teaching .

A practical test may have had a purpose before schools were accredited. Schools work hard to get and keep accreditation. Schools have been accredited for 35 years or more. Our school has a mid term and final practical exam and can very well certify our students.

Montana, Minnesota and Iowa certify their students with their schools practical exam and not a practical exam administered by the board of cosmetology.

Therefore I am asking that the committee recommend passage of Senate bill 2382.



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

1102 S. WASHINGTON SUITE 200
P.O. BOX 2177
BISMARCK, ND 58502-2177
TELEPHONE (701) 224-9800

TESTIMONY OF GARY ANDES ON SENATE BILL 2382

Madam Chairman, members of the committee, I am Gary Andes, from Minot, ND. I am here today to testify on Senate Bill 2382. As President of the North Dakota State Board of Cosmetology, I am asking you and the members of the committee to vote no on this bill.

SB 2382 will eliminate the practical portion of the examination given to candidates who desire to secure a license to practice cosmetology in the state of North Dakota. I am opposed to this bill.

At present, the cosmetology schools administrate a state practical test and the board administrates the National written and ND Law & Rules test. It's important to me to let you know that for the past two years, the State Board of Cosmetology has worked with the school owners to establish a standardized practical test to ensure consistency throughout the state. This ensures that every candidate has the same opportunity to pass the test and all candidates are being tested fairly.

The board's duty is to protect health, safety and welfare of the public and the cosmetology workforce. Keeping the practical exam will reinforce that sanitation and safety measures are being taught in the schools and practiced during the practical examination and in salons throughout the state.

The board regulates and licenses all cosmetologists and it's very important to have a practical examination to maintain standards and requirements for the cosmetology profession.

Madam Chairman and members of the committee, for the benefit of the cosmetology profession, the Board of Cosmetology urges you to vote against Senate Bill 2382.

Thank you.



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

1102 S. WASHINGTON SUITE 200
P.O. BOX 2177
BISMARCK, ND 58502-2177
TELEPHONE (701) 224-9800

Attachment 2B

Dear Salon Owners and Licensees:

N.D. State Board of Cosmetology would like to inform you that Senate Bill No. 2382 has been introduced for Legislation.

Senate Bill No. 2382 will remove the practical portion of the State Board Examination. The N.D. School Owners Association is proposing this bill.

The N.D. State Board of Cosmetology is **opposed** to this bill and enlists your help in supporting its opposition to Senate Bill 2382. Please make your opinion known to your legislators. You may call your legislators toll free. The number is 1-888-635-3447. Bismarck-Mandan residents should call 328-3373 to leave messages for legislators. When you call, inform the operator where you live, and they will see to it that the proper Representative receives your opinion.

Gratefully yours,

N.D. State Board of Cosmetology

See ND Administrative Rules online or contact Legislative Council Library

*A Hochment
2A*

SB 2382



NORTH DAKOTA LAW

**NORTH DAKOTA
RULES & REGULATIONS**

**Governing the Profession of
Cosmetology**

**Incorporating the amendments of
(1927 thru 2003)**

Effective August 1, 2003



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

1102 S. WASHINGTON SUITE 200

P.O. BOX 2177

BISMARCK, ND 58502-2177

TELEPHONE (701) 224-9800

TESTIMONY OF CONNIE BERNABUCCI ON SENATE BILL 2382

Madam Chairman, members of the committee, I am Connie Bernabucci, Vice President of the North Dakota State Board of Cosmetology from Fargo. I am here today to testify on Senate Bill 2382.

February 1992 to November 1997, the board administered the NIC (National Interstate Council) practical examination. In 1998 the school owners requested to conduct the practical exam and were granted that request, by the Board, and have been performing it to date.

In 2003, the Board asked the school owners to provide a consistent practical exam to be given to candidates in the interest of fairness. NDCC 43-11-23 clearly states "The examination may not be confined to any specific system or method and must be consistent with the practical and theoretical requirements of cosmetology."

Elimination of the practical examination from our state will lower the standard of our profession.

Facts:

- According to information received from the National Interstate Council, only three states do not offer a practical exam.
- Practical examinations are critical to the protection of the public and essential to reciprocity agreements among states.
- This is a hands on profession. There must be some measure of competency.
- The schools are independent businesses. They are not regulated by vo-tech or secondary education. Where is the measure of competency and accountability?
- The N.D. Cosmetologists Association did not vote to indorse this bill at their January 9, 2005 meeting.

- The board received this bill on January 24, 2005. This gave the board less than one week to notify our 1,180 salon owners.
- N.D. State Board of Barbers requires and administrates a practical examination for licensure.
- Finally, as a parent paying tuition of approximately \$7,000 for 1800 hours of education. I feel there needs to be a measure of the qualifications of the candidates to enter the work world.

I strongly encourage you to vote no on S.B. 2382.

Thank you.



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

1102 S. WASHINGTON SUITE 200
P.O. BOX 2177
BISMARCK, ND 58502-2177
TELEPHONE (701) 224-9800

TESTIMONY OF VIRGINIA HERBERHOLZ ON SENATE BILL 2382

Madam Chairman, Senators, I am Virginia Herberholz, Secretary to the North Dakota State Board of Cosmetology. It has been an honor to serve the public in this capacity for 2 ½ years. I have been a practicing cosmetologist for 40 plus years, so I have witnessed many changes. Some good, some wonderful, and some not very good.

I served the State Board as a Sargent at Arms in meetings with the school owners; I held the job under State Board as a safety & sanitation inspector, and to the best of my knowledge, I am the only Nationally Certified Cosmetology Examiner in North Dakota.

Concerning Senate Bill 2382: Currently NDCC 43-11-23 states "The board may require the practical portion of the examination be conducted by schools of cosmetology as part of graduation requirements."

At this point the question is "should there be a practical examination at all?" The board believes there should be a practical examination and it should be conducted in a professional, unbiased and educated manner.

I am opposed this bill. The quality of education in North Dakota is not for the board to determine. The safety of the public is. We feel the execution of a practical examination does more than lend pride, dignity, and graduation from a school of cosmetology. It can mean a difference in the safe application of invasive chemicals, the handling of heat emitting tools and razor sharp implements, which can cause serious injury. I have witnessed serious mistakes made by students that could indeed cause serious injury to the public. If the Board were to cease practical examinations, there would be no assurances of competency as related to consumer's protection. However, as the law states at present we are not allowed a vote on whether or not this person is qualified to receive a license, even though we will be required to issue the license. This Board abides by these laws, but we don't agree with them.

Madam Chairman, and committee members, this board will continue to try to improve the safeguarding of the public of this great state.

Thank you.

February 2, 2005

Chairman and Committee Members,

I am Maureen Wanner. I am the President of the National Cosmetology Association State Executive Board. I am the President of the National Cosmetology Association Bismarck-Mandan local affiliate. I am a member of the National Cosmetology Association State Educating Committee. I am the chairman of the National Cosmetology Association State Continuing Education Committee. I am a salon owner with two salons in ND.

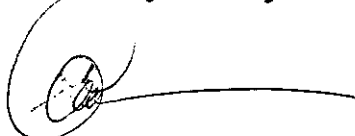
I understand that the Cosmetology School Association no longer wants the responsibility of administrating the practical exam that students need to take in order to become a licensed cosmetologist. That is fine just as long as this bill is amended to state that the ND State Board of Cosmetology will take control of and administrator this needed exam. If this bill is not amended then it needs to fail so the law can stay the same.

The schools can deem their students ready to take the exam by their own school's standards. Some school's standards may be low just to collect tuition money and pass anyone through. I am confident that this is not happening in our state. But then the students must pass the practical and written exam in order to be deemed ready to work in my salon and all salons with high standards for the safety for their guests.

In our state we do not have an apprenticeship program, therefore salon owners need this exam to tell them that our state board deems these student ready and capable to work on the public with out ignorantly causing harm. There is mentoring in the salons but there is not always time for one on one supervision during busy moments. These students need to show and explain that they can indeed provide the public with the proper techniques, without causing harm.

If it is possible to amend this bill so that the State Board of Cosmetology takes control and administrator the practical exam so be it. If not then this law needs to stay as is. We need the practical exam in the state of ND.

Thank you for your time,



Maureen Wanner



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

1102 S. WASHINGTON SUITE 200
P.O. BOX 2177
BISMARCK, ND 58502-2177
TELEPHONE (701) 224-9800

North Dakota State Board Cosmetology is proposing amendments to **Senate Bill 2382** as states:

A Bill for Act to amend and reenact section 43-11-23 and paragraph 3 of subdivision b of subsection 1 of section 43-11-28 of the North Dakota Century Code, relating to examinations for cosmetology licensure.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH
DAKOTA:**

Section 1. Amendment. Section 43-11-23 of the North Dakota Century Code is amended and reenacted as follows.

43-11-23. Examination. The examination of applicants for license to practice under this chapter must be conducted under rules prescribed by the board and must include both practical demonstrations and written or oral tests in reference to the practices for which a license is desired and in reference to related studies or subjects as the board may determine necessary for the proper and efficient performance of a practice. **The board members and/or their assigns will administrate the practical and written examination.**

~~The board may require the practical portion of the examination be conducted~~

by schools of cosmetology as part of graduation requirements. The examination may not be confined to any specific system or method and must be consistent with the practical and theoretical requirements of cosmetology.

SECTION 2. AMENDMENT. Paragraph 3 of subdivision b of subsection

1 of section 43-11-28 of the North Dakota Century Code is amended and reenacted as follows:

b. Examinations:

(1) Operator	_____	\$ 25.00
(1) Operator	_____	\$ 50.00

(3) Reexamination fee, operator's		
(a) Practical		\$ 30.00
(b) Written		\$ 20.00

Chairman, members of the committee, I am Bernie Schue, owner of Plaza Hair Center in Bismarck. I am here to ask you to vote yes on the amendment to Senate Bill 2382.

As a salon owner, I firmly believe it is important for candidates to receive a practical exam at the end of their education.

We the following approved Senate Bill 2382 with the amendment to have the Board Members administer a practical examination for applicants for licensure.

Thank you,

Gayle Dimmison
Betty Freed
Ellen Page
Jodi Hubson

March 4, 2004

Chairman and Committee Members,

I am Maureen Wanner. I am the President of the National Cosmetology Association State Executive Board. I am the President of the National Cosmetology Association Bismarck-Mandan local affiliate. I am a member of the National Cosmetology Association State Educating Committee. I am the chairman of the National Cosmetology Association State Continuing Education Committee. I am a salon owner with two salons in ND. I am involved and I am concerned.

I understand that the Cosmetology School Association no longer wants the responsibility of administrating the practical exam that students need to take in order to become a licensed cosmetologist. That is fine just as long as this bill pass as amended by the State Board of Cosmetology.

The schools can deem their students ready to take the exam by their own school' s standards. Some school's standards may be low just to collect tuition money and pass anyone through. I am confident that this is not happening in our state. But then the students must pass the practical and written exam in order to be deemed ready to work in my salon and all salons with high standards for the safety for their guest.

In our state we do not have an apprenticeship program, therefore salon owners need this exam to tell me that our state board deems these student ready and capable to work on the public with out ignorantly causing harm. There is monitoring in the salons but there is not always time for one on one supervision during busy moments. These students need to show and explain that they can indeed provide the public with the proper techniques, without causing harm.

This bill needs to pass as amended by the State Board of Cosmetology. Our public deserves it.

Thank you for your time,



Maureen Wanner



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

1102 S. WASHINGTON SUITE 200
P.O. BOX 2177
BISMARCK, ND 58502-2177
TELEPHONE (701) 224-9800

SENATE BILL 2382

The practical examination has been administered in our state from 1927 to the present.

Pass/Fail ratio

2004: 222 Students Tested

22 Students failed practical portion

2003: 182 Students Tested

20 Students failed practical portion

2002: 183 Students Tested

17 Students failed practical portion

State-By-State to Reciprocity Licensing - Enclosed

Letter addressed to all salon owners and Licensees – Enclosed

Floyd Roll
hah@a-lab.net

we are being
miss represented

1 May to Shall, ND practice for 7-8 years
Before the Senate the Board & Sch both agreed
that current practice is going well
Complaints?

2 I have ~~4~~ ND certifications M/O Cos Instructor
Asbestos (Contractor/Supervisor (2 yrs.) ^{Drivers License}

Asbestos trainer administered only written and
state approves the trainers only exam type ³ Score

Asbestos ³ Mesothelioma much more
serious than a cut, [Manikins don't bleed, no
exam on manicure or pedicure and blood could be
drawn as well, Handling blood is handled on
the written exam]? To Demo safety factor, someone
should be made to bleed.?

3 Student \$ Saved with House amendment.

A) 6 week wait to test $\frac{1}{5}$ effective increase in

B) 2 subsequent failures up to 45% add on

Example only
if Questioned
on AMT'S

[\$900 tu: 4 wk in sch x 40 hrs x \$550
+ 6 wk wait x 40 hrs x \$550]

C) Even though sch collects more \$
we don't want it as the Remedy
is not well thought out.

D) The Board will be back in 2 yrs.
for the increase the were denied in Senate

E) Redundant exam that cost the
sch's between \$1000 to \$2000 yr,

Respond to
why only if
questioned

Floyd Roll

4

Why Redundant?

- A) Board Certifies Car Instructors
- B) Board Sets Curriculum
- C) Board Reviews State Sch Transcripts
- D) Board Administers written Exam
- E) Board Administers Semi-Apprenticeship program ^{m/o}
- F) Sch already Administers prac Exam.
as a Grad Requirement

Side Note: Employers sometimes Req Prac Demo
Clinic ~~to~~ assumes we req Reasonable Competency Level
Subjective.

5

A.) People that think this is a Y/N
exam in my opinion are looking for
A Students only.

B) Thermal curl parting $\phi .625$ $\pm 20\%$ OKay?
? Any tolerance? If so 1.5" iron is Best

C.) Get back to my state Drivers License.
I tested within 18" of curb, no ticket
(except for over parking) @ 19" from curb.

D.) Hair Shaping Demo.

6

Board more than welcome to over-ride
either sch determination to hold a
student back or to graduate them.
Prior to graduation,

Mr Chairman Representative Haas and Members of the Committee:

I am Ray Grismer, President of the North Dakota Cosmetology Schools Association and a private school owner myself. I have been in the cosmetology field for approximately 45 years and it is always my desire to improve our students education.

We would not have to be here today if it was not for the fact that each time we get a new group of state board members, for one reason or another they have to find a way to change the practical exam.

A few years ago, due to the fact that the individual schools all use different systems and methods, the standards for the practical exam had to be lowered to a level that it could no longer be considered a legitimate test. Therefore the schools of cosmetology and the board of cosmetology agreed that each school would give the practical exam and test their own systems and methods.

Now for the first time each school could test their own system or methods and prepare their student for the work place and not a state board test without standards.

Our school promptly added a mid term and final practical test. The ability and quality of our students was noticeably improved.

I think what the state board was saying back then is that times have changed, we no longer are doing just one hair style and manicure and it is time for the schools to become responsible for their graduates ability and not the responsibility of the state board of cosmetology. I have accepted that responsibility.

Well, here we are a few years down the road with a new group of board members reinventing the wheel and deciding what we need is the same practical test we spent years getting away from. So for the past 18 months the board has had the school association fighting with one another to come up with a practical test to be used by all schools. We finally came up with one, but not without lowering the standards.

The schools association voted to seek legislation to remove the practical test completely, in order to keep the standards from being reduced to what they were a few years ago.

I feel the test the current board would like to use is the one offered by the National State Board Association, which is the same test we got rid of a few years ago.

Within the last year or so I observed the National State Board practical exam in South Dakota. I can tell you that it has not been improved and from what I could tell a student could receive enough points in sterilization and sanitation to pass the practical test.

All the cosmetology employers can be very happy that at least for the time being the North Dakota schools are not teaching to a test like the one in South Dakota.

Not one of the current board members has observed any of our practical classes, mid term or final exam. We would be most happy to have them come and spend a few days or weeks. If they did they would know that we are capable of doing the practical exam. I am also quite certain that none of our current board members would be able to pass any of our basic written and practical project tests concerning the principles of hair styling, balance, form, proportion, etc.

Therefore I ask that the committee oppose Senate bill 2382.

Respectfully,

Ray Grismer

Good Morning Chairman Haas and Members of the Committee:

I am Phyllis Linssen and I am a licensed cosmetologist in North Dakota and have been since 1960. I have been employed as a cosmetologist my entire career.

I am asking that you oppose Senate Bill 2382 as it is has been received by this committee. However, I would support an amendment that would **require the cosmetology school** to give the practical exam as part of their graduation requirements.

This bill deals only with a practical examination. Montana and Minnesota do not require such an examination for licensure.

~~FOOT~~
FOOT

This bill was amended in the Senate that the board of cosmetology would give the exam and the school would not be permitted to do so. However, in light of this amendment it appears to me that the school of cosmetology is able to teach their students for licensure, but not able to test for licensure. I feel this is very wrong.

I have been an examiner for the practical exam, hired by the cosmetology school to be an examiner. I have over 40 years of experience in the cosmetology field and also have served in the capacity of salon owner, and now I am an employee in a cosmetology salon. I am a licensed instructor and able to teach in any cosmetology school in North Dakota. I feel that I am more than qualified to give this examination and I am sure that the majority of my peers that know my qualifications would agree.

It is just too confusing to the cosmetology schools, that each time there is a change of administration there are new board members appointed to the board of cosmetology, a new board a new test. You must all have heard the quote, "teach to the test". Once and for all I feel it should be in the law that the **school administrators** the test as part of the licensure

because after all they are most knowledgeable as to what is required in the field.

At the present time the bill states that the board shall administer a practical examination for applicants for licensure in each city in which a school of cosmetology is located. I would like it to say that the board **shall** require the practical portion of the examination be conducted by **schools of cosmetology** as part of graduation requirements.

To someone not familiar in the cosmetology field it may not seem important. But to those of us knowledgeable in the field it is very important.

Thank you for hearing my views.

Respectfully,

A handwritten signature in cursive script that reads "Phyllis Linssen". The signature is written in dark ink and is positioned to the right of the typed name.

Phyllis Linssen



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

1102 S. WASHINGTON SUITE 200
P.O. BOX 2177
BISMARCK, ND 58502-2177
TELEPHONE (701) 224-9800

Senate Bill 2382

Mr. Chairman, members of the committee, we serve as Board Members for the North Dakota State Board of Cosmetology. Gary Andes from Minot, Connie Bernabucci from Fargo and Virginia Herberholz from Bismarck.

The State Board's duty is to protect health, safety and welfare of the public. Also, to insure that the examination given is done so in a fair, professional and consistent manner.

We are here today to urge you to vote in favor of the amended Bill 2382.

For a period of seven years, 1998 – 2004, the Cosmetology School Owners had control of administrating the state practical examination for licensure. This Board has worked with the School Owners Association trying to keep our practical examination fair, professional, and consistent.

To our dismay, the School Owners have now petitioned to eliminate the practical examination altogether.

We, as your State Board, are anxious to administer a practical examination for applicants for licensure, once again.

We intend to officiate and administrate to the best of our ability in a fair, consistent, and professional manner.

Thank you.

Gary Andes
Connie Bernabucci
Virginia Herberholz

**PROPOSED AMENDMENTS TO
ENGROSSED SENATE BILL NO. 2382**

Page 1, line 10, replace "board" with "schools of cosmetology".

Renumber accordingly



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

1102 S. WASHINGTON SUITE 200
P.O. BOX 2177
BISMARCK, ND 58502-2177
TELEPHONE (701) 224-9800

Senate Bill 2382

Mr. Chairman, members of the committee, we serve as Board Members for the North Dakota State Board of Cosmetology. Gary Andes from Minot, Connie Bernabucci from Fargo and Virginia Herberholz from Bismarck.

We are here today to urge you to vote in favor of the amended Bill 2382.

February 1992 to November 1997, the board administered the NIC (National Interstate Council) practical examination. In 1998 the school owners requested to conduct the practical exam and were granted that request, by the Board, and have been performing it to date.

The Board's attorney, Bill Peterson, informed the board there must be a consistent practical examination in the interest of fairness. NDCC 43-11-23 clearly states "The examination may not be confined to any specific system or method and must be consistent with the practical and theoretical requirements of cosmetology".

In 2003, the Board Members traveled to Wyoming and South Dakota to obtain information on their practical examination methods. The Board authored and presented a practical examination and proposed it to the School Owners Association. The School Owners Association rejected this examination. So, the Board revised the examination and submitted to the School Owners Association, at the next meeting, and it was also rejected. At that point, the Board asked the school owners to provide a consistent practical examination to insure that every candidate has the same opportunity to pass the test and all candidates are being tested fairly. The Board of Cosmetology approved this examination and the school owners have been administrating it to date.

To our dismay, after working together for the past 18 months with the School Owners, the Board of Cosmetology was shocked to learn that the School Owners Association introduced a bill to eliminate the practical examination altogether.

Facts:

- According to information received from the National Interstate Council, only three states do not offer a practical exam.
- Out of 38 states that responded to the survey, 21 states have the State Board administrate the practical examination.
- Practical examinations are critical to the protection of the public and essential to reciprocity agreements among states.
- It will not be a monetary hardship to the Board to administering the practical examination.
- This is a hands on profession. There must be some measure of competency.
- The schools are independent businesses. They are not regulated by vo-tech or secondary education. Where is the measure of competency and accountability?
- Out of six North Dakota cosmetology schools, one school is not accredited.
- The board received this bill on January 24, 2005. This gave the board less than one week to notify our 1,180 salon owners.
- N.D. State Board of Barbers requires and administrates a practical examination for licensure.
- Board members' qualifications are continuing education, work experience and being certified in various aspects of the our profession.

The Board of Cosmetology consists of three members, who all agree with the amended Bill 2382.

Thank you.

Gary Andes
Connie Bernabucci
Virginia Herberholz

**National Endorsement Committee
2003**

**A State-By-State
Guide
To
Reciprocity Licensing**

Submitted by:

**Betty Moore - OK, Chair
LaFaye Austin - OK
Brenda Mathre - WY
Vivian Stewart - AL
Ruth Settles - SC**

Introduction

The National Endorsement Committee collected and listed the requirements for reciprocity licensure, as received from the states, with their approval to be distributed at the 2003 N.I.C. Conference. This is only a short reference for those needing reciprocity information from state to state. For further information not covered in this guide, please contact the states directly.

Alabama

No response.

Alaska

Alaska has a hairdresser (hair care only) license and esthetician (skin care only) license. Hairdressers require 1650 hours of schooling and Esthetician 350 hours of schooling. If a person holds an Alaska hairdresser license, they do not need a separate manicurist license. They must complete 12 hours of schooling for manicuring in health, safety, and hygiene. Reciprocity is possible for people currently licensed in another state that have taken a practical and written examination. If school training is less, work experience will be accepted.

Arizona

No Response.

Arkansas

General requirements:

- 1) Applicant must be at least 18 years of age.
- 2) Applicant must have passed both a written and practical state-approved examination.

Any applicant who was not initially licensed by examination, as prescribed above, does not qualify for licensure by Reciprocity and will be required to pass both the written and practical examination administered by the Arkansas State Board of Cosmetology before being eligible for a license in this State. If this provision is applicable, Applicant must contact the Board's office to inquire about the requirements for examination.

- 3) Applicant must hold a current, valid license issued under the laws of another state.
- 4) The scope of practice for which the Applicant is licensed in another state must be equal to or greater than the particular class of license the Applicant is applying for in the State of Arkansas.

California

California does not have reciprocity requirements from other states' licensees.

Connecticut

No response.

Delaware

Applicant must hold a current out of state license and has met the license requirements. An applicant with less requirements must show proof of one year of work experience. Cosmetologists 1500 hours, Nail Technician 1256 hours, Aestheticians 300 hours.

District of Columbia

No response.

Florida

The Florida Board of Cosmetology does not have reciprocity with other states.

Georgia

No response.

Guam

No response.

Hawaii

Hawaii does not have reciprocity.

Idaho

The holder of a current license in another state may be eligible for licensure. Licensure may be gained through Endorsement if an applicant either:

- 1) Holds a current license from another state whose standards are not less than Idaho standards, or
- 2) Holds a current license from another state and has work experience under licensure in the last five years.

Illinois

No response.

Indiana

No response.

Iowa

No response.

Kansas

Reciprocity granted to a person that holds a current license in another state, completed the number of hours of training required for licensure in Kansas and passed a written and practical exam. Cosmetology 1500 hours, Manicure 350 hours, Skin Care 1000 hours.

Kentucky

Kentucky State Board of Hairdressers and Cosmetologists reciprocates with North Dakota, South Dakota and Nevada. For more details, contact the Kentucky Board.

Louisiana

No response.

Maine

No response.

Michigan

339.1211 Granting license to individual licensed to perform cosmetology services in another state; application; qualifications; applicant for licensure having qualifications acquired outside United States; proof of training or experience; determination. Sec 1211. (1) Upon submission of an application to the department, an individual licensed to perform cosmetology services under the laws of another state shall, without examination, be licensed if the applicant is not less than 17 years of age, is of good moral character, and the requirements for registration or licensure in the particular state were substantially equal to the requirements then in force in this state. (2) Years or months of experience may be substituted for hours of training in a ratio of 100 hours of training credited for each 6 months of experience. An individual applying for licensure having qualifications acquired outside of the United States shall provide proof of training or experience, or both. The department may determine whether or not an applicant is qualified to be licensed without examination.

Minnesota

Applicant must have an active license in another state. If license was issued more than 3 years ago, attach experience verification form showing 1800 hours of lawful practice 3 years prior to Application. Attach certified copy of transcript from a cosmetology school and number of hours completed. Hours completed must be at least 1500 for Cosmetologist, 600 hours for Esthetician, and 350 hours for Manicurist. Attach original passing results of examination. The written exam may not be more than 1 year old at time of application. If applicant has less hours than required by Minnesota, applicant must complete a Certification of Skills in a Minnesota school as well as passing a 2 part written examination.

Mississippi

The applicant must have completed the required number of school hours and must be licensed with a state which offers reciprocity licensure to applicants from Mississippi. Cosmetologists 1500 hours, Manicurist 350 hours, Esthetician 600 hours.

Montana

To qualify for licensure by endorsement, applicants must hold a current out of state license, and completed required school hours. Cosmetology 2000 hours, Manicure 350 hours, Esthetician 650 hours. Work experience will not be considered for credit hours.

Nebraska

Applicant must have a current license, equal number of hours as Nebraska, and/or work experience within 5 years valued at 100 hours per month.

Nevada

Applicant must hold a current license in good standing and have at least 1 year of work experience in the prior 3 years. Nevada only recognizes Written and Practical National Exams.

New Hampshire

Applicant must be currently licensed in another state and have completed required school training: Cosmetology 1500 hours, Manicure 300 hours, Esthetician 600 hours. If an applicant has less than the required hours: Cosmetologist must have 3000 hours of work experience, manicurist 600 hours of work experience, and esthetician 1200 hours of experience.

New Jersey

Manicurist 200 hours, Skin Care Specialist 600 hours, Cosmetologist 1200 hours. Applicant is eligible for licensure without examination if they hold a license in another state and meet school training requirements. Three years of work experience will be accepted.

New Mexico

Applicants for licensure through reciprocity must hold a current out of state license and must meet the school hourly requirements: Cosmetology 1600 hours, Esthetician 600 hours, and Manicurist 350 hours. Applicant earns 150 hours credit for each 6 full months of work experience.

New York

No response.

North Carolina

License for license. Applicant must hold a current license.

North Dakota

Applicant must hold a current license in another state which has requirements for licensure that are equal to ND: Cosmetology 1800 hours, Manicure 350 hours, and Esthetician 600 hours. Work experience will be considered for cosmetologists only. All applicants must take and pass North Dakota Law & Sanitation written test.

Ohio

Applicant must have a current license with substantially equal or greater requirements. Applicants with 5 years of work experience or that are licensed in a state that has a written reciprocity agreement with Ohio may qualify for licensure by reciprocity. All applicants with 5 years of experience shall be eligible for licensure upon successfully passing Ohio Manager's Exam. Applicants from a state, country or territory that does not issue a license must take the written and practical examination.

Oklahoma

Applicant must hold a current license from a state whose requirements are equal or greater than those of Oklahoma: Cosmetologist 1500 hours, Manicurist 600 hours, and Facialist 600 hours. If applicant has less than required hours, 3 years of verifiable work experience may be substituted. Otherwise, applicant must pass written and practical examination. Applicants from a state, territory or country

that does not issue a license must show proof of training and 3 years of work experience prior to application.

Oregon

Applicants must currently be licensed in another state, must have completed education requirements, and passed a written and practical examination. Hair Design 1450 hours, Facial Technology 250 hours, Nail technology 350 hours. 150 hours of safety/sanitation course and 100 hours career development course.

Pennsylvania

Applicant must have a current license in a state with which PA has an understanding of reciprocity and must have 2 years of work experience. See below a list of the states with which PA does not have an understanding of reciprocity:

Cosmetologist: CA, CT, CO, HI, NJ, NM, RI, and UT. Practical and written exam required.

Manicurist: AL, CA, CT, CO, GA, HI, MS, NJ, NM, RI, TN, UT, and WV. Practical and written exam required.

Cosmetician: CA, CT, CO, HI, NJ, NM, RI, and UT. Practical and written exam required.

Puerto Rico

No response.

Rhode Island

No response.

South Carolina

All Nail Technicians must take the full examination. SC accepts reciprocity for Cosmetologists and Estheticians. Applicant must hold a current license and have met the license requirements: Cosmetology 1500 hours and Esthetician 450 hours. If certified for less than the required hours, the applicant must show proof of work experience for 2 consecutive years.

South Dakota

Applicant must have a current license from another state and must have completed required school training: Cosmetology 2100 hours and Nail

Technician 400 hours. Work experience hours may be added to school training up to 600 hours for a cosmetologist and 100 hours for a nail technician within the last 5 years. Applicant must have passed NIC Theory and Practical examinations.

Tennessee

There is no reciprocity for Manicurists in TN. Aesthetician applicants must show proof of a board examination and 750 hours of school training or 5 years of work experience. Cosmetology applicants must hold a current license in another state, completed 1500 hours of school training, and passed a Board examination or have 5 years of experience.

Texas

No response.

Utah

The division may issue a license without examination to a person who has been licensed in any state, district or territory of the United States or in any foreign country, whose education, experience, and examination requirements are, or were at the time the license was issued, equal to those of this state. Before any person may be issued a license under this section, he shall produce satisfactory evidence of his qualifications, identity, and good standing in his occupation or profession.

Vermont

Applicant must be currently licensed in another state and completed 1500 hours of school training. If the applicant has less than 1500 hours, the applicant must have practiced cosmetology for 2,000 hours in 3 years. Applicant must pass Vermont Laws and Rules written test.

Virginia

No response.

Washington

Cosmetology 1600 hours, Manicure 600 hours, Esthetics 600 hours. Any person who is licensed in any state shall be eligible for written and performance examinations. Applicant must complete required school hours.

West Virginia

Applicant must hold a current out of state license and complete the school hour requirements: Cosmetology 2,000 hours. Credit is given for work experience -

300 hours for one year. Manicurists are not eligible for license by reciprocity and must pass board examination, State Practical, Law, and National Written.

Wisconsin

A person who is licensed in another state may obtain a Wisconsin license by reciprocity if the license is current and has at least 4,000 hours of licensed experience. Cosmetology 1800 hours, Manicure 300 hours, and Aesthetician 450 hours.

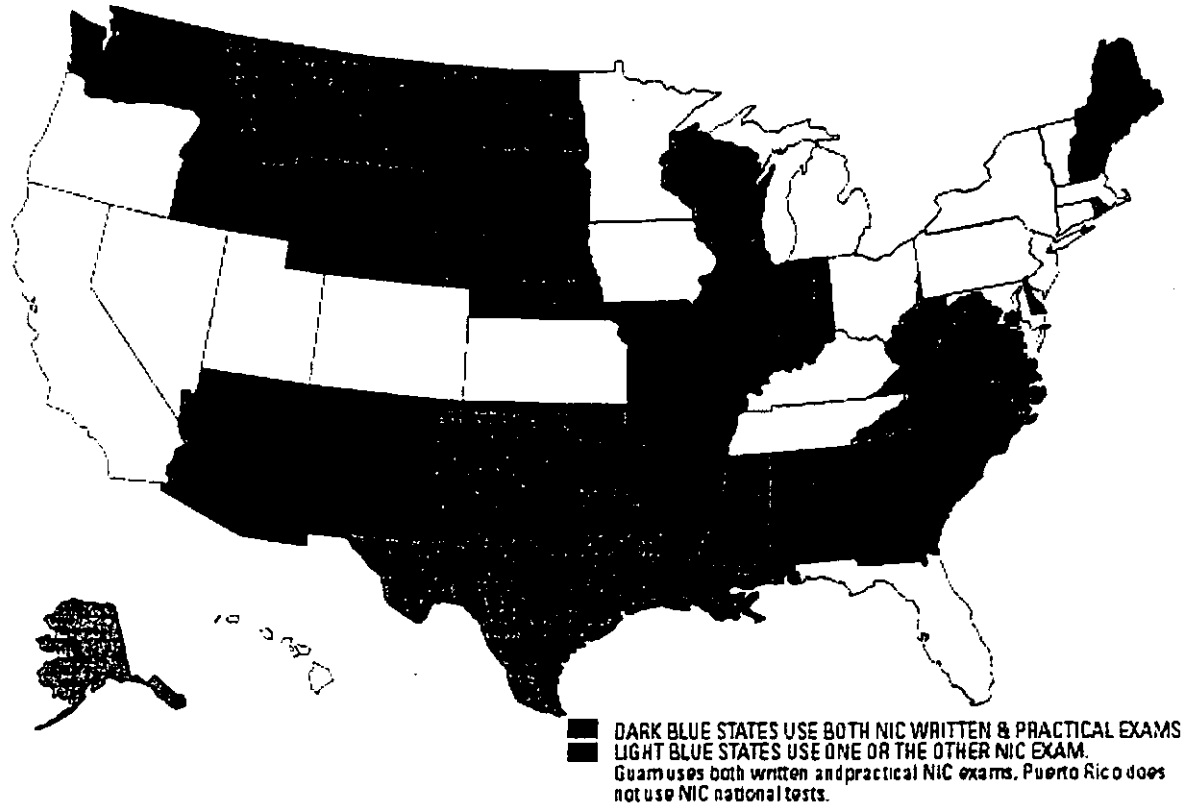
Wyoming

- 1) Attend and graduate from a licensed or approved cosmetology school.
- 2) Pass a written and practical board administered exam.
- 3) Obtain a certification of record from the State Board of current licensing agency .
- 4) Submit fees.

If the license does not meet or exceed Wyoming's requirements, applicant must prove 1 years work history or pass examination.

The NIC National Test: Simply the best!

Twenty-nine states, plus the District of Columbia and Guam, now use NIC National Tests. Highly defensible and based on an industry job analyses, National Tests can make state-to-state reciprocity a reality.



STATE	HOURS FOR LICENSE	WHO ADMINISTERS WRITTEN EXAM	CONTRACT WITH ADMINISTRATION COMPANY FOR WRITTEN EXAM
ALABAMA	COS 150 MANICURING 750 ESTHETICIAN 1500 INSTRUCTOR 1562.50	THE BOARD	THE BOARD ADMINISTERS NIC EXAM
ALASKA	HAIRDRESSER 1650 MANICURING 12 ESTHETICIAN 350 INSTRUCTOR 600 (OR 3 YEARS OF WORK EXPERIENCE) BARBER 1650	THE BOARD	THE BOARD ADMINISTERS EXAM
ARIZONIA	COS. 1600 MANICURING 600 ESTHETICIAN 600 INSTRUCTOR COS 650 INSTRUCTOR ESTH. 500 INSTRUCTOR NAIL 350 (OR 5 YEARS EXPERIENSE AND PASS EXAM	THE BOARD	THE BOARD ADMINISTERS NIC EXAM
ARKNASAS	COS 1500 MANICURING 600 ESTHETICIAN 600 INSTRUCTOR 600 +CURRENTLY LICENSED AS COSMETOLOGY	THE BOARD	THE BOARD ADMINISTERS NIC EXAM
COLORADA	COS 1450 MANICURING 350 ESTHETICIAN 550 HAIRSTYLIST 1140 BARBER 1250 (ALL CLOCK HRS)	THE BOARD	PROMISSOR

WHO ADMINISTERS PRACTICAL EXAM	ADMINISTRATION COMPANY TO GIVE PRACTICAL EXAM
THE BOARD	THE BOARD ADMINISTERS NIC EXAM
THE BOARD	THE BOARD ADMINISTERS NIC EXAM
THE BOARD	THE BOARD ADMINISTERS NIC EXAM
THE BOARD	THE BOARD ADMINISTERS NIC EXAM
THE BOARD	PROMISSOR

STATE	HOURS FOR LICENSE	WHO ADMINISTERS WRITTEN EXAM	COMPANY FOR WRITTEN EXAM	WHO ADMINISTERS PRACTICAL EXAM	COMPANY TO GIVE PRACTICAL EXAM
DELAWARE	COS 1500 MANICURING 125 ESTHETICIAN 300 INSTRUCTOR COS 500 INSTRUCTOR BARBER 500 INSTRUCTOR NAIL TECH 45		PCS	PCS	PCS
DISTRICT OF COLUMBIA	COS 1500 MANICURING 350 ESTHETICIAN 600 INSTRUCTOR 2000 OR HELD OPERATORS LICENSE FOR TWO YEARS, THEN TAKEN INSTRUCTOR EXAM	COMPUTER TESTING			
FLORIDA	COS 1200 MANICURING 240 ESTHETICIAN 260 INSTRUCTOR CONTRACT COMMISSION FOR INDEPENDENT EDUCATION FULL COMBINATION OF FACIAL AND NAILS 500	PROMISSOR	PROMISSOR	NO PRACTICAL	NO PRACTICAL
HAWAII	COS 1800 OR 3600 APPRENTICESHIP MANICURING 350 OR 700 APPRENTICESHIP ESTHETICIAN 600 OR 1200 APPRENTICESHIP INSTRUCTOR 600 AS AN INSTRUCTOR AND SERVED ACTIVELY AS A LICENSE BEAUTY OPERATOR HAIRDRESSER 1250 OR 2500 APPRENTICESHIP	EXPERIOR	EXPERIOR	NO PRACTICAL	NO PRACTICAL
INDIANA	COS 1500 MANICURING 450 ESTHETICIAN 700 INSTRUCTOR 1000 ELECTROLOGY 300 SHAMPOO OPERATOR 300	IP&A	NIC EXAM	PROCTORS	NO

STATE	HOURS FOR LICENSE	WHO ADMINISTERS WRITTEN EXAM	CONTRACT WITH ADMINISTRATION COMPANY FOR WRITTEN EXAM	WHO ADMINISTERS PRACTICAL EXAM	ADMINISTRATION COMPANY TO GIVE PRACTICAL EXAM
IOWA	COS 2100 NAIL TECH 325 ESTHETICIAN 600 INSTRUCTOR 1000 OR 2 YEARS PRACTICE MANICURISTS 40	EXPERIOR	EXPERIOR	NO PRACTICAL	
KANSAS	COS 1500 MANICURING 350 ESTHETICIAN 650	EXPERIOR	EXPERIOR	EXPERIOR	EXPERIOR
LOUISIANA	COS 1500 MANICURING 600 ESTHETICIAN 750 INSTRUCTOR 500	THE BOARD	THE NATIONAL EXAM IS GRADED BY A CONTRACTING COMPANY	THE BOARD	NO
MAINE	COS 1500 OR 2500 APPRENTICE MANICURING 200 OR 400 APPRENTICE ESTHETICIAN 600 OR 1000 APPRENTICE INSTRUCTOR 1000	THE BOARD	DL ROOPE	THE BOARD	DL ROOPE
MICHIGAN	COS 1500 OR 2 YEARS APPRENTISHIP MANICURING 400 HRS OR 6 MO APPRENTISHIP ESTHETICIAN 400 HRS OR 6 MO APPRENTISHIP INSTRUCTOR COS 500 INSTRUCTOR ESTHETICIAN MANICURIST ELECTROLOGIST NATURAL HAIR CULTURIST 300 ELECTROLOGIST & NATURAL HAIR CULTURIST 400 OR 6 MO APPRENTISHIP	NO	EXPERIOR	NO	EXPERIOR

STATE	HOURS FOR LICENSE	WHO ADMINISTERS WRITTEN EXAM	CONTRACT WITH ADMINISTRATION COMPANY FOR WRITTEN EXAM	WHO ADMINISTERS PRACTICAL EXAM	ADMINISTRATION COMPANY TO GIVE PRACTICAL EXAM
MISSISSIPPI	COS 1500 MANICURING 350 ESTHETICIAN 600 INSTRUCTOR 750 AND 2 YEARS EXPERIENCE IN PROFESSION OR 1000 HRS	THE BOARD	THE BOARD GIVES THE NIC WRITTEN EXAM	THE BOARD	NO
MISSOURI	COS 1500 MANICURING 400 ESTHETICIAN 750 INSTRUCTOR 600	PCS	PCS	PCS	PCS
MONTANA	COS 2000 MANICURING 350 ESTHETICIAN 650 INSTRUCTOR 650 ELECTROLOGY 600 BARBER 2000		LAZER GRADE	THE SCHOOL	NO
NEBRASKA	COS 2100 ARTIFICIAL/NAIL APPLICATION 300 ESTHETICIAN 600 ESTHICS INSTRUCTOR 300 COS INSTRUCTOR 925 NAIL TECHNOLOGY INSTRUCTOR 300 ELECTROLOGIST 600	THE BOARD	NIC AND LAZER GRADE	THE BOARD	WRITTEN PRACTICAL
NEVADA	COS 1800 MANICURING 500 ESTHETICIAN 500 INSTRUCTOR 500 HAIR DESIGNER 1200	EXPERIOR	EXPERIOR	EXPERIOR	EXPERIOR

STATE	HOURS FOR LICENSE	WHO ADMINISTERS WRITTEN EXAM	COMPANY FOR WRITTEN EXAM	WHO ADMINISTERS PRACTICAL EXAM	COMPANY TO GIVE PRACTICAL EXAM
NEW HAMPSHIRE	COS 1500 MANICURING 300 ESTHETICIAN 600 INSTRUCTOR 800 BARBER 1500	THE BOARD	DLROOPE	THE BOARD	DL ROOPE
NEW JERSEY	COS 1200 HAIRSTYLING 1200 MANICURING 300 ESTHETICIAN 600 INSTRUCTOR 500 PLUS 30 HOURS METHODS COURSE OFFERED AT AN COLLEGE PLUS 6 MO. LICENSED WORK EXPERIENCE IN A SHOP	THE BOARD	EXPERIOR	THE BOARD	NO
NEW MEXICO	COS 1600 MANICURING 350 ESTHETICIAN 600 INSTRUCTOR 1000 ELECTROLOGISTS 600 MANICURING & ESTHETICIAN 600	THE BOARD	THE BOARD GIVES THE NIC WRITTEN EXAM	THE BOARD	THE BOARD GIVES THE NIC PRACTICAL EXAM
NORTH DAKOTA	COS 1800 MANICURING ESTHETICIAN 600 INSTRUCTOR 960 HOURS WITHOUT WORK EXPERIENCE 480 HOURS WITH 1 YEAR EXPERIENCE 160 HOURS WITH 3 OR MORE YEARS OF EXPERIENCE	THE BOARD	THE BOARD ADMINISTERS THE NIC WRITTEN EXAM	THE SCHOOL WITH BOARD MEMBER PRESENT AT THE PRACTICAL EXAM	NO
OHIO	COS 1500 MANICURING 200 ESTHETICIAN 600 INSTRUCTOR 1000 OR 1 YEAR WORK EXPERIENCE NATURAL HAIR STYLING (BRAIDING) 450 HAIR DESIGNER (HAIR ONLY) 1200	THE BOARD	THE BOARD GIVES THE NIC WRITTEN EXAM	THE BOARD	THE BOARD GIVES THE NIC PRACTICAL EXAM

STATE	HOURS FOR LICENSE	WHO ADMINISTERS WRITTEN EXAM	ADMINISTRATION COMPANY FOR WRITTEN EXAM
OKLAHOMA	COS. 1500 MANICURING 600 ESTHETICIAN 600 INSTRUCTOR 1000	THE BOARD	THE BOARD ADMINISTERS NIC EXAM
OREGON	COS 1700 (150+100) MANICURING 600 (150+100) FACIAL TECH 500 (150+100) (150 IS SAFETY AND SANITATION 100 CAREER DEVELOPMENT FOR EACH OF THE ABOVE)	NO	NO
PENNSYLVANIA	COS 1250 OR 2000 APPRENTICE MANICURING 200 COSMETICIAN 300 INSTRUCTOR 500	EXPERIOR	EXPERIOR
RHODE ISLAND	COS 1500 MANICURING 300 ESTHETICIAN 600 INSTRUCTOR 300	THE BOARD	NO
SOUTH CAROLINA	COS 1500 MANICURING 300 ESTHETICIAN 450 INSTRUCTOR 45 CLOCK HOURS OF METHODS/750 HRS IF LESS THAN 2 YEARS OF WORK EXPERIENCE	THE BOARD	AS AN OPTION LAZER GRADE TESTING
SOUTH DAKOTA	COS 2100 MANICURING 400 ESTHETICIAN 750 INSTRUCTOR 10	THE BOARD	NO

WHO ADMINISTERS PRACTICAL EXAM	ADMINISTRATION COMPANY TO GIVE PRACTICAL EXAM
THE BOARD	NO, PRACTICAL IS A STATE CONSTRUCTED EXAM
THE SCHOOL	NO
	EXPERIOR
THE SCHOOL	NO
PCS	PCS
THE BOARD	NO

STATE	HOURS FOR LICENSE	WHO ADMINISTERS WRITTEN EXAM	COMPANY FOR WRITTEN EXAM
TENNESSEE	COS 1500 MANICURING 600 ESTHETICIAN 750 INSTRUCTOR 300 SHAMPOO 300	EXPERIOR	EXPERIOR
UTAH	MANICURING 200 ESTHETICIAN 600 INSTRUCTOR 1000 OR 4 YEARS MASTER ESTHETICIAN 1200	EXPERIOR	EXPERIOR
VERMONT	COS 1500 MANICURING 400 ESTHETICIAN 600 INSTRUCTOR HOURS FROM EACH PROFESSION + FIVE YEARS EXPERENCE PRIOR TO BECOMING AN INSTRUCTOR BARBER 1000 AND 1 YEAR OF APPRENTICESHIP	THE BOARD	EXPERIOR
WASHINGTON	COS 1600 MANICURING 600 ESTHETICIAN 600 INSTRUCTOR 500	THE BOARD	NO
WEST VIRGINIA	COS 2000 MANICURING 400 ESTHETICIAN 600 INSTRUCTOR 250 + (15 COLLEGE CREDITS)	THE BOARD	NO
WISCONSIN	COS 1800 MANICURING 300 ESTHETICIAN 450 INSTRUCTOR 150 ELECTROLOGY 450	THE BOARD	CTS

WHO ADMINISTERS PRACTICAL EXAM	COMPANY TO GIVE PRACTICAL EXAM
EXPERIOR	EXPERIOR
EXPERIOR	EXPERIOR
THE BOARD	EXPERIOR
DL ROOPE	DL ROOPE
THE BOARD	NO
THE BOARD	CTS

STATE REQUIREMENT INFORMATION

STATE	HOURS FOR LICENSE	WHO ADMINISTERS COMPANY FOR WRITTEN EXAM	DOES YOUR STATE CONTRACT WITH AN ADMINISTRATION COMPANY TO GIVE PRACTICAL EXAM
WYOMING	COS 2000 NAIL TECH 400 ESTHETICS 600 INSTRUCTOR 1000	THE BOARD	NO

STATE	HOURS FOR LICENSE	WHO ADMINISTERS COMPANY FOR WRITTEN EXAM	DOES YOUR STATE CONTRACT WITH AN ADMINISTRATION COMPANY TO GIVE PRACTICAL EXAM
WYOMING	COS 2000 NAIL TECH 400 ESTHETICS 600 INSTRUCTOR 1000	THE BOARD	NO