

March 22, 2021

Professional Beauty Association Testimony in Opposition of House Bill 1426

Dear Chairman Klein and Members of the Senate Industry, Business and Labor Committee,

On behalf of our licensed beauty professionals and small business owners in the state of North Dakota, I respectfully urge you to oppose House Bill 1426, which will allow individuals to provide blow-dry and styling services without a license or training, provided they receive a niche beauty services certificate. This bill will remove regulation for facilities that provide hair styling services.

The Professional Beauty Association (PBA), a national non-profit membership association, provides business education, government advocacy, and events to ensure career success with integrity. Part of our mission is to share knowledge regarding consumer safety and professional accountability.

In a third-party study on licensure in the beauty industry, NDP analytics found that 84% of the public believe that states should continue licensing requirements. When given two sides of the licensure issue (i.e., "necessary to protect the safety of consumers" vs. "unnecessary intrusion into those businesses") "necessary" won, 81% to 8%. This was consistent across age and income groups. **Proponents of HB 1426 would like the ability to provide these services as freelancers. This has been addressed in SB 2092, which would allow licensed professionals to provide services outside of the salon and has passed in the Senate and the House Industry, Business, and Labor Committee.** It has been noted that customers themselves are the best judges of safety and sanitation and will hold stylists accountable. This position is shortsighted and puts responsibility on consumers to be educated on the necessary safety and sanitation for services they are paying for. **Without oversight, inspection, or a board to report to, this proposed circumstance encourages a more litigious system- something most North Dakota consumers cannot afford nor want to engage in.**

The Nevada State Board of Cosmetology produced a collaborative project to identify consumer risks in common beauty services, *The Nevada Report: Identifying Risks in Beauty Services*. The results of risks involved in blow-drying can be found [here](#) and [here](#). Providing close touch services with skin-to-skin contact to the public is different than blow-drying your own hair at home and the risks identified in this report illustrate that the minimal requirement of a niche services certificate without oversight is detrimental to North Dakota consumers.

PBA and our members support common-sense reform and **would be in favor of allowing cosmetology students to work in the salon to provide the services** outlined in the bill. Michigan passed similar legislation in 2018, and I have attached the language to this letter. Allowing the student to provide services in the salon serves as a steppingstone in their career, with the opportunity to bring in income during school. **Additionally, we support a hair styling only license.**

The concerns of the beauty industry and our members in North Dakota are associated with **allowing untrained individuals to provide services to the public that require skin-to-skin contact using the same tools on each client.** There is not research that supports the safety of the measures being proposed in this bill. It is the state's responsibility to protect the health and safety of consumers. On behalf of our members and your constituents, we ask that you oppose HB 1426.

Sincerely,



Kati Rapoza, Government Affairs Manager
Professional Beauty Association