



**Oregon Health Licensing Agency
Board of Cosmetology
Legislation/Rules Committee Meeting**

Date: April 29, 2010

Committee Members: Debora Masten
Mike Snook
Herb Hirst, Absent

Staff
Randall Everitt, Director
Janet Bartel, Investigator/Inspector
Sinnamon Harris, Board Specialist
Sylvie McMillan, Business Services Manager
Mike Simpson, Budget & Statistical Analyst
Samantha Patnode, Policy Analyst

Public Attendees: Matt Markee
Donna Johnson
Heidi Luniga
Judith Culp
Cynthia Mendoza
Monique Raab
Karen Dieckman

The Board of Cosmetology Legislation/Rules Committee was called to order by Debora Masten, Chair, April 29, 2010, at 9:02 am at the Oregon Health Licensing Agency (OHLA), Rhoades Conference Room, 700 Summer Street NE, Salem, Oregon. The purpose of the meeting was to review and discuss business and practitioner fees, creating a specialty certification for advanced esthetics, and the cosmetology field of practice.

Business and Practical Fees Review

The Board of Cosmetology met with the agency to discuss possible fee scenarios to stabilize the board's revenue streams into future biennia. The Board of Cosmetology started the biennium with a beginning balance of (-\$99,312). It is projected the board will have an ending balance of around (-\$51,000) at the end of the 09-11 biennium and an ending balance of around (-\$173,000) by the end of the 11-13 biennium. This is due to a reduced amount of applicants applying, examinations being taken and original licenses being issued.

Mike Simpson, Budget & Statistical Analyst, and Sylvie McMillan, Business Services Manager, worked with the board on possible fee scenarios to stabilize the board's revenue streams. During the meeting it was determined that by moving business authorizations back to a one-year renewal cycle the amount of revenues collected for each month would become more consistent. Fees were then adjusted to meet projected expenditure levels for the 09-11 and the 11-13 biennia. Fees changes would be proposed to be implemented in two phases. The first phase would occur in October 2010 and would include increases to reciprocity applications, certificates issued by reciprocity, all types of business authorizations and practitioner certificate renewals. The second phase would occur in July 2011 and would include decreases to the practitioner application, examinations, original practitioner certificates and all types of business authorizations.

Business authorizations would see an increase of \$100 per year during the first phase and then be decreased to \$70 per year in the second phase. Business authorization fees have not been increased in over 10 years; this is the reason why business authorization fees are being looked at for possible increases to help stabilize the board's revenue streams. Also decreases to practitioner applications, examinations and original certificates will lower a student's total cost of getting certified in three fields of practice from \$395 to \$275. Under this fee schedule the board's ending balance for 09-11 will be around \$60,000 and for 11-13 biennium will be around \$126,000.

Advanced Esthetics

Janet Bartel, Investigator/Inspector, acting as policy analyst, and the committee continued with drafting scope of practice language regarding the specialty certification for advanced esthetics. In order to move through the process, the committee decided to table discussion on any procedures or practices that are yet undefined or that are pending the assistant attorney general's review and clarification. The committee considered the crossover point for some basic esthetic procedures to advanced level procedures. The committee agreed that there will be no changes made to the basic esthetics program. The committee also consulted criteria contained in the regulations of other states' advanced esthetics programs

The following are examples the committee proposed for administrative rule language:

- Body wraps – advanced
- Hydrotherapy – advanced
- Chemical exfoliation – advanced
- Facial resurfacing – including microdermabrasion and dermaplane procedures
- Cosmetic laser procedures including: temporary hair removal, photo rejuvenation, and light therapy
- Airbrush or spray tanning when applied by an individual
- No continuing education requirements at this time

The committee discussed the Department of Education's (ODE) role in the curriculum process for the proposed advanced esthetics certification as, generally, the ODE oversees basic level classes only. It was suggested that a dialogue between Randall Everitt, agency director and Teresa Greene of ODE would be beneficial.

The committee will recommend to the full board to approve a revised administrative rulemaking schedule with the inclusion of June 21, 2010, at 9 am for another Legislation/Rules Committee meeting.

Bartel stated that she would provide the full board an update at the regular board meeting on May 10, 2010.

Cosmetology Field of Practice

The committee discussed the proposed cosmetology field of practice addition to the hair, nails, barber, and basic esthetics fields of practice. The proposed cosmetology field of practice would be a single license that encompasses the areas of hair, nails, and basic esthetics. The two committee members failed to reach a consensus and decided to present two recommendations to the board: one in favor of adding the new cosmetology field of practice and one opposed to it.

The committee adjourned at approximately 2:10 pm.

Prepared by: Sinnamon Harris, Board Specialist