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Is eyebrow tinting in the scope of practice of esthetics?

Likely yes. Under ORS 690.005(c) eyebrow tinting falls under “makeup artistry” as long as it is the application of temporary color (i.e., cosmetics) to hair on the face; to color and beautify part of the face, and to beautify the facial features of the eyebrows and eyes (i.e., applying cosmetics; for the purpose of keeping the face attractive (i.e., esthetics, generally). Professional eyebrow tinting can also produce results of artistic quality, relating to brow shapes, lengths, thicknesses, shading, etc.

Is eyebrow lamination in the scope of practice of esthetics?

Likely no. Eyebrow lamination is a chemical relaxing or straightening treatment for an individual’s eyebrow hairs; it is similar but not identical to the process used for relaxing or straightening the hair on the head. Nothing within the esthetics scope of practice includes chemical straightening or relaxing of hair under ORS 690.005(5). Additionally, eyebrow lamination is not taught within the approved esthetics curriculum and the minimum qualifications of an esthetician certification.

Are eyebrow services, including eyebrow tinting and lamination, in the scope of practice of hair design?

Likely yes. ORS 690.005(9)(b) defines “hair design” as “styling, permanent waving, *relaxing*, cutting, singeing, bleaching, *coloring*, shampooing, conditioning, applying hair products or similar work upon the hair of an individual.” Because hair design specifically includes coloring the hair of an individual, irrespective of whether the color is temporary or permanent, and eyebrows are hair, the tinting of eyebrows is included in the scope of hair design. Likewise, because hair design specifically includes relaxing the hair of an individual, and eyebrow laminating is the chemical process of relaxing eyebrow hair, eyebrow lamination is included in the scope of hair design.

Is providing eyebrow services using henna considered makeup artistry?

Likely no. Henna is a dye prepared from the plant *Lawsonia inermis* and when used on hair, it is a permanent dye. ORS 690.005(5) allows estheticians to perform “makeup artistry” which includes temporary coloring (i.e. cosmetics) of facial hair to color and beautify part of the face, and to beautify the facial features of the eyebrows and eyes (i.e., applying cosmetics); for the purpose of keeping the face attractive (i.e., esthetics, generally). Applying henna to eyebrows would be permanent and not fall within the scope of practice of esthetics.

Is the use of henna on eyebrow services in the scope of practice of hair design?

Likely yes. ORS 690.005(9)(b) defines “hair design” as “styling, permanent waving, relaxing, cutting, singeing, bleaching, *coloring*, shampooing, conditioning, applying hair products or similar work upon the hair of an individual.” Because hair design specifically includes coloring the hair of an individual and eyebrows are hair, use of henna on eyebrows is included in the scope of hair design.

However, although within the scope of hair design, according to the United States Food and Drug Administration (USFDA), permanent eyelash and eyebrow tints and dyes have been known to cause serious eye injuries, including blindness. There are no color additives approved by USFDA for permanent tinting or dyeing of eyelashes and eyebrows. Injuries occurring to clients when using such products may result in findings of negligence or incompetence under ORS 676.612.

[USFDA Summary of Color Additives for Use in the United States in Foods, Drugs, Cosmetics, and Medical Devices](#)

[USFDA Eye Cosmetic Safety](#)