



**WHO:** Health Licensing Office  
Board of Cosmetology

**WHEN:** August 22, 2016 at 10 a.m.

**WHERE:** Health Licensing Office  
Rhoades Conference Room  
700 Summer St. NE, Suite 320  
Salem, Oregon 97301

**What is the purpose of the meeting?**

The purpose of the meeting is to conduct board business. A working lunch may be served for board members and designated staff in attendance. A copy of the agenda is printed with this notice. Please visit <http://www.oregon.gov/oha/hlo/Pages/Board-Cosmetology-Meetings.aspx> for current meeting information.

**May the public attend the meeting?**

Members of the public and interested parties are invited to attend all board/council meetings. All audience members are asked to sign in on the attendance roster before the meeting. Public and interested parties' feedback will be heard during that part of the meeting.

**May the public attend a teleconference meeting?**

Members of the public and interested parties may attend a teleconference board meeting **in person** at the Health Licensing Office at 700 Summer St. NE, Suite 320, Salem, OR. All audience members are asked to sign in on the attendance roster before the meeting. Public and interested parties' feedback will be heard during that part of the meeting.

**What if the board/council enters into executive session?**

Prior to entering into executive session the board/council chairperson will announce the nature of and the authority for holding executive session, at which time all audience members are asked to leave the room with the exception of news media and designated staff. Executive session would be held according to ORS 192.660.

No final actions or final decisions will be made in executive session. The board/council will return to open session before taking any final action or making any final decisions.

**Who do I contact if I have questions or need special accommodations?**

The meeting location is accessible to persons with disabilities. A request for accommodations for persons with disabilities should be made at least 48 hours before the meeting. For questions or requests contact a board specialist at (503) 373-2049.

# **Approval of Agenda**



Health Licensing Office  
Board of Cosmetology



August 22, 2016 at 10 a.m.  
700 Summer St. NE, Suite 320  
Salem, Oregon

**1. Call to Order**

**2. Items for Board Action**

- ◆ Approval of Agenda
- ◆ Approval of Minutes –March 14, 2016
- ◆ Determine additional training requirements for retake examination
  - Applicant # 070915 for HA
  - Applicant # 114588 for FT
  - Applicant #103526 for LR
  - Applicant #103496 for LR
  - Applicant #029497 for LR
  - Applicant #114884 for HA

**3. Reports**

- ◆ Director Report
- ◆ Licensing and Fiscal Statistical Reports
- ◆ Policy Report
  - Update on Board of Certified Advanced Estheticians
  - Letter Regarding Cosmetology Schools
- ◆ Regulatory Report

Working Lunch

**4. Public/Interest Parties Feedback**

**5. Executive Session** – Pursuant to ORS 192.660(2)(f) for the purpose of considering information Or records exempt from public inspection. (Legal advice)

**6. Item for Board Action**

**7. Executive Session-** Pursuant to ORS 192.662(2)(f) for the purpose of considering information or records Exempt from public inspection. (Investigation files)

**8. Item for Board Action**

**9. Other Board Business**

# **Approval of Minutes**

**March 14, 2016**



Health Licensing Office  
Board of Cosmetology



March 14, 2016  
700 Summer Street NE, Suite 320  
Salem, Oregon

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**MINUTES**

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**MEMBERS PRESENT**

Heidi Zuniga, chair  
Mike Nurre  
Roger Wert  
Amber Starks  
Michele Strobel

**MEMBERS ABSENT**

Peggy Zepp  
Frank Whatley

**STAFF PRESENT**

Sylvie Donaldson, Interim Director and Division Manager  
Bob Bothwell, Regulatory Operations Manager  
Heather A. Vogelsong, Assistant Attorney General  
Samie Patnode, Policy Analyst  
Sarah Kelber, Communications Coordinator  
Maria Gutierrez, Board Specialist  
Janet Bartel, Investigator/ Inspector

**GUESTS PRESENT**

None

**Call to Order**

Heidi Zuniga called the meeting of the Board of Cosmetology to order at 10:08 a.m. Roll was called.

**Items for Board Action**

**Approval of Agenda**

**MOTION:**

Roger Wert made a motion with a second by Michele Strobel to approve the agenda. Motion passed unanimously.

**Approval of Minutes**

**MOTION:**

Mike Nurre made a motion with a second by Amber Starks to approve the minutes for October 12, 2015. Motion passed unanimously.

**Adopt permanent administrative rules- civil penalties:**

**MOTION:**

Roger Wert made a motion with a second by Michele Strobel to approve the permanent administrative rules for civil penalties. Motion passed unanimously.

**Determine additional training requirements for retake examination:**

Applicant number

Sylvie Donaldson, Interim Director and Division Manager, reported that it is necessary for member of the Board to determine additional training requirements for applicant number 099314 prior to the individual taking the Oregon Laws and Rules Written Examination for the eighth attempt. Information related to the applicant's examination history was provided.

Donaldson explained that due to applicant number 099314 failing the examination for the seventh attempt with an average failure rate of 38% the office recommended that the applicant complete 38% or 57 hours of the initial 150 hours of training in Oregon Laws and Rules as follows.

- 4% or 6 hours related to chemicals
- 4% or 6 hours related to definitions
- 4% or 6 hours related to examinations
- 2% or 3 hours related to facility operations
- 18% or 27 hours related to facility standards
- 6% or 9 hours related to licensing/ certification
- 0% or 0 hours related to practice standards

**MOTION:**

Michele Strobel made a motion with a second by Mike Nurre to adopt the recommendations as outlined for applicant number 099314. Motion passed with four ayes votes and one opposed vote from Roger Wert. Motion passed.

Applicant number 099314

It was explained that due to applicant number 099314 failing the examination for the seventh attempt with an average failure rate of 34% the office recommends applicant #099314 complete 34% or 119 hours of the initial 350 hours of training in Nail Technology as follows.

- 7% or 24.5 hours related to chemicals
- 1% or 3.5 hours related to standards
- 5% or 17.5 hours related to diseases
- 5% or 17.5 hours related to definitions
- 8% or 28 hours related to equipment
- 8% or 28 hours related to general

**MOTION:**

Michele Strobel made a motion with a second by Amber Starks to adopt the recommendations as outlined for applicant number 099314. Motion passed with four ayes votes and one opposed vote from Roger Wert. Motion passed.

Applicant number 103496

It was explained that due to applicant number 103496 failing the examination on the seventh attempt with an average failure rate of 31% the office recommends applicant #103496 complete 31% or 46.5 hours of the initial 150 hours of training in Oregon Laws and Rules as follows.

- 1% or 1.5 hours related to chemicals
- 8% or 10.5 hours related to definitions
- 1% or 1.5 hours related to examinations
- 3% or 4.5 hours related to facility operations
- 13% or 19.5 hours related to facility standards
- 6% or 9 hours related to licensing/ certification
- 0% or 0 hours related to practice standards

**MOTION:**

Amber Starks made a motion with a second by Michele Strobel to adopt the recommendations as outlined for applicant number 103496. Motion passed with four ayes votes and one opposed votes from Roger Wert. Motion passed.

**Reports**

**Director Report**

Sylvie Donaldson, Interim Director and Division Manager, reported on the following:

- Update on transition to Public Health
- Update on future move to a different facility
- HECC update on upcoming meeting
- Update on reappointment of board members

**Licensing and Fiscal Statistical Reports**

Donaldson, presented an overview of statistics related to the board. Statistics include licensing statistics, license volumes and active license trends.

The statement of cash flow for the period 07/01/15 -3/08/16 was reviewed with an actual ending cash balance of 1,965,022.04.

**Policy Report**

Samie Patnode, policy analyst, reported on the following:

- Update on the Board of Certified Advanced Estheticians.
- Updated on 2016 legislation

Sarah Kelber, communications coordinator, reported on the following:

- Launch of the new web site, and the need for new pictures
- Updated on current social media page

**Regulatory Report**

Bob Bothwell, regulatory operations manager, reported on enforcement activity including:

**2011-2013 Biennium**

Between July 1, 2011 and June 30, 2013, 384 complaints were received. Of the 384 complaints 1 remain open. A summary of allegations received by type of complainant was provided as stated below.

Anonymous	Client	Other
81	97	206

**2013-2015 Biennium**

Between July 1, 2013 and June 30, 2015, 387 complaints were received. Of the 387 complaints 24 remain open. A summary of allegations received by type of complainant was provided as stated below.

Anonymous	Client	Other
79	103	205

**2015-2017 Biennium**

Between July 1, 2015 and June 30, 2015, 63 complaints were received. Of the 63 complaints 27 remain open. A summary of allegations received by type of complainant was provided as stated below.

Anonymous	Client	Other
22	11	30

**Public Comment**

No public comment was received

**Executive Session**

- The Board of Cosmetology entered executive session pursuant to ORS 192-660(2)(f) at 11:40 a.m. on March 15, 2016 for the purpose of considering information or records exempt from public inspection. Records to be considered related to investigation files.
- Executive session concluded and the board reconvened regular session at 1:55 p.m. It was noted that no decisions were made and no votes were made in executive session.

It was proposed that the board delegate authority to the chair to coordinate with the regulatory manager for the cases being discussed on March 14, 2016.

**MOTION:**

Michele Strobel made a motion with a second by Roger Wert. Motion passed unanimously.



Donaldson, and members of the board outlined the following recommendations:

In regards to investigation file 14-7394

- Civil penalty to be issued for \$7, 800.

**MOTION:**

Roger Wert made a motion with a second by Mike Nurre. Motion passed unanimously.

In regards to investigation file 15-7833

- Civil penalty to be issued for \$10, 000.
- 90 day suspension be issued

**MOTION:**

Roger Wert made a motion with a second by Michele Strobel. Motion passed unanimously.

In regards to investigation file 15-8009

- Civil penalty to be issued for \$5,000.
- 90 day suspension be issued

**MOTION:**

Mike Nurre made a motion with a second by Roger Wert. Motion passed unanimously.

In regards to investigation file 15-7834

- Civil penalty to be issued for \$2, 800.
- Take an 8 hour office approved training in laser safety within 6 months of the order.

**MOTION:**

Roger Wert made a motion with a second by Michele Strobel. Motion passed unanimously.

In regards to investigation file 15-8015

- Civil penalty to be issued for \$2, 800.
- Take an 8 hour office approved training in laser safety within 6 months of the order.

**MOTION:**

Roger Wert made a motion with a second by Mike Nurre. Motion passed unanimously.

**Other Board Business**

Donaldson, informed members that renewals online for Natural Hair Care should be working in the next couple of weeks.

Cancelation of the upcoming board meeting scheduled for April 4, 2016.

Members, would like to discuss possible rule change, and different requirements form individuals retaking the examinations for the eight attempt.

The meeting adjourned at approximately 2:08 p.m.

Minutes prepared by: Maria Gutierrez, Board Specialist

# **Determine Additional Training for Retake Examinations**

**Applicant # 070915**  
**For HA**

# Issue Statement

## Issue:

Determine additional training requirements for applicant #070915 prior to taking the Hair Design Written Examination for the ninth attempt.

## Discussion / Recommendation:

To qualify for certification applicants must receive a passing score of at least 75% on the Hair Design Written Examination which contains 100 questions.

- Attempt History:
- First attempt on March 17, 2014, failure rate of 58%
  - Second attempt on April 1, 2014, failure rate of 41%.
  - Third attempt on April 14, 2014, failure rate of 36%.
  - Fourth attempt on June 8, 2015, failure rate of 33%.
  - Fifth attempt on June 19, 2015, failure rate of 34%.
  - Sixth attempt on July 8, 2015, failure rate of 28%.
  - Seventh attempt on August 12, 2015, failure rate of 32%.
  - Eighth attempt on April 6, 2016, failure rate of 52%.

Due to failing the examination on the eighth attempt, with a failure rate of 52% on the applicant's last examination, the office recommends applicant #070915 complete 52% or 754 hours of the initial 1450 hours of training in Hair Design.

The table below includes the recommended training hours based on the failure rate of the applicant's last examination.

	Examination Content Area	Total # of examination questions	Failure %	Recommended Training Hours
<b>Anatomy and Physiology</b>				
	Histology of the Hair and Scalp	13	5%	72.5
	Anatomy of the Head	3	2%	29
<b>Microbiology</b>				
	Bacteriology	4	2%	29
<b>Hair Services</b>				
	Treatment of the Hair and Scalp	5	2%	29
	Hair Care Procedures	2	0%	0
	Design Elements	8	6%	87
	Cutting and Styling Procedures	14	7%	101.5
	Chemical Procedures	7	5%	72.5
	Chemical Texture Procedures	9	5%	72.5
	Hair Coloring Procedures	4	2%	29
	Hair Lightening Procedures	4	4%	58
<b>Implements, tools and Equipment</b>				
	Items	6	3%	43.5
<b>Product Knowledge and Chemistry</b>				
	Products	11	5%	72.5
	Chemistry	4	3%	43.5
<b>Safety and Infection Control</b>				
	Safe Usage and Devices	2	1%	14.5
	Federal Regulations and Standards	4	0%	0
	<b>Total</b>	100	52%	754

Training hours must be reported via a Certificate of Additional Training Form signed by an authorized representative of a licensed cosmetology career school.

**Applicant # 114588**  
**For FT**

# Issue Statement

## Issue:

Determine additional training requirements for applicant #114588 prior to taking the Esthetics Written Examination for the eighth attempt.

## Discussion / Recommendation:

To qualify for certification applicants must receive a passing score of at least 75% on the Esthetics Written Examination which contains 100 questions.

- Attempt History:
- First attempt on November 19, 2015, failure rate of 41%
  - Second attempt on December 1, 2015, failure rate of 26%.
  - Third attempt on December 9, 2015, failure rate of 42%.
  - Fourth attempt on February 1, 2016, failure rate of 43%.
  - Fifth attempt on February 12, 2016, failure rate of 41%.
  - Sixth attempt on February 24, 2016, failure rate of 28%.
  - Seventh attempt on April 6, 2016, failure rate of 29%.

Due to failing the examination on the seventh attempt, with a failure rate of 29% on the applicant's last examination, the office recommends applicant #114588 complete 29% or 72.5 hours of the initial 250 hours of training in Esthetics.

The table below includes the recommended training hours based on the failure rate of the applicant's last examination.

Examination Content Area	Total # of examination questions	Failure %	Recommended Training Hours
<b>Anatomy and Physiology</b>			
Histology of the Skin	15	4%	10
Histology of the Hair	2	0%	0
General Anatomy	4	1%	2.5
<b>Microbiology</b>			
Bacteriology	4	2	5
<b>Esthetics Services</b>			
Treatment of the Skin	12	4%	10
Skin Care Procedures	19	5%	12.5
Hair Removal Procedures	6	1%	2.5
Make-up Procedures	5	2%	5
<b>Implements, tools and Equipment</b>			
Items	8	2%	5
<b>Product Knowledge and Chemistry</b>			
Products	11	3%	7.5
Chemistry	6	3%	7.5
<b>Safety and Infection Control</b>			
Safe Usage and Devices	4	0%	0
Federal Regulations and Standards	4	2%	5
<b>Total</b>	100	29%	72.5

Training hours must be reported via a Certificate of Additional Training Form signed by an authorized representative of a licensed cosmetology career school.

**Applicant # 103526**  
**For LR**

# Issue Statement

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## Issue:

Determine additional training requirements for applicant #103526 prior to taking the Oregon Laws and Rules Examination for the eighth attempt.

## Discussion / Recommendation:

To qualify for certification applicants must receive a passing score of at least 75% on the Oregon Laws and Rules Written Examination which contains 90 questions.

- Attempt History:
- First attempt on March 20, 2013, failure rate of 44%
  - Second attempt on June 19, 2013, failure rate of 66%.
  - Third attempt on July 30, 2013, failure rate of 53%.
  - Fourth attempt on November 20, 2013, failure rate of 49%.
  - Fifth attempt on December 29, 2014, failure rate of 49%.
  - Sixth attempt on November 9, 2015, failure rate of 27%.
  - Seventh attempt on March 28, 2016, failure rate of 31%.

Due to failing the examination on the seventh attempt, with a failure rate of 31% on the applicant's last examination, the office recommends applicant #103526 complete 31% or 46.5 hours of the initial 150 hours of training in Oregon Laws and Rules.

The table below includes the recommended training hours based on the failure rate of the applicant's last examination.

Examination Content Area	Total # of examination questions	Failure %	Recommended Training Hours
Definitions	21	6%	9
Facility Standards	35	16%	24
Practice Standards	6	1%	1.5
Facility Operations	6	2%	3
Examinations	5	1%	1.5
Licensing / Certification	9	3%	4.5
Chemicals	8	2%	3
<b>Total</b>	<b>90</b>	<b>31%</b>	<b>46.5</b>

Training hours must be reported via a Certificate of Additional Training Form signed by an authorized representative of a licensed cosmetology career school.



**Applicant # 103496**  
**For LR**

# Issue Statement

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## Issue:

Determine additional training requirements for applicant #103496 prior to taking the Oregon Laws and Rules Examination for the ninth attempt.

## Discussion / Recommendation:

To qualify for certification applicants must receive a passing score of at least 75% on the Oregon Laws and Rules Written Examination which contains 90 questions.

- Attempt History:
- First attempt on February 27, 2013, failure rate of 48%
  - Second attempt on March 27, 2013, failure rate of 40%.
  - Third attempt on April 18, 2013, failure rate of 29%.
  - Fourth attempt on May 31, 2013, failure rate of 31%.
  - Fifth attempt on May 28, 2014, failure rate of 57%.
  - Sixth attempt on January 14, 2015, failure rate of 42%.
  - Seventh attempt on March 2, 2016, failure rate of 31%.
  - Eighth attempt on May 6, 2016, failure rate of 31%.

Due to failing the examination on the eighth attempt, with a failure rate of 31% on the applicant's last examination, the office recommends applicant #103496 complete 31% or 46.5 hours of the initial 150 hours of training in Oregon Laws and Rules.

The table below includes the recommended training hours based on the failure rate of the applicant's last examination.

Examination Content Area	Total # of examination questions	Failure %	Recommended Training Hours
Definitions	21	3%	4.5
Facility Standards	35	15%	22.5
Practice Standards	6	0%	0
Facility Operations	6	3%	4.5
Examinations	5	2%	3
Licensing / Certification	9	5%	7.5
Chemicals	8	3%	4.5
<b>Total</b>	<b>90</b>	<b>31%</b>	<b>46.5</b>

Training hours must be reported via a Certificate of Additional Training Form signed by an authorized representative of a licensed cosmetology career school.

**Applicant # 029497**  
**For LR**

# Issue Statement

## Issue:

Determine additional training requirements for applicant #029497 prior to taking the Oregon Laws and Rules Examination for the tenth attempt.

## Discussion / Recommendation:

To qualify for certification applicants must receive a passing score of at least 75% on the Oregon Laws and Rules Written Examination which contains 90 questions.

- Attempt History:
- First attempt on November 3, 2006, failure rate of 81%
  - Second attempt on January 30, 2007, failure rate of 57%.
  - Third attempt on May 9, 2007, failure rate of 44%.
  - Fourth attempt on May 9, 2007, failure rate of 93%.
  - Fifth attempt on May 15, 2007, failure rate of 35%.
  - Sixth attempt on May 23, 2007, failure rate of 32%.
  - Seventh attempt on May 30, 2013, failure rate of 68%.
  - Eighth attempt on April 25, 2014, failure rate of 57%.
  - Ninth attempt on April 19, 2016 , failure rate of 48%

Due to failing the examination on the ninth attempt, with a failure rate of 48% on the applicant's last examination, the office recommends applicant #029497 complete 48% or 72 hours of the initial 150 hours of training in Oregon Laws and Rules.

The table below includes the recommended training hours based on the failure rate of the applicant's last examination.

Examination Content Area	Total # of examination questions	Failure %	Recommended Training Hours
Definitions	21	11%	16.5
Facility Standards	35	17%	25.5
Practice Standards	6	3%	4.5
Facility Operations	6	2%	3
Examinations	5	1%	1.5
Licensing / Certification	9	6%	9
Chemicals	8	8%	12
<b>Total</b>	90	48%	72

Training hours must be reported via a Certificate of Additional Training Form signed by an authorized representative of a licensed cosmetology career school.

**Applicant # 114884  
For HA**

# Issue Statement

## Issue:

Determine additional training requirements for applicant #114884 prior to taking the Hair Design Written Examination for the eighth attempt.

## Discussion / Recommendation:

To qualify for certification applicants must receive a passing score of at least 75% on the Hair Design Written Examination which contains 100 questions.

- Attempt History:
- First attempt on December 16, 2015, failure rate of 38%
  - Second attempt on January 7, 2016, failure rate of 39%.
  - Third attempt on January 19, 2016, failure rate of 35%.
  - Fourth attempt on March 11, 2016, failure rate of 34%.
  - Fifth attempt on March 23, 2016, failure rate of 35%.
  - Sixth attempt on April 27, 2016, failure rate of 42%.
  - Seventh attempt on July 27, 2016, failure rate of 29%.

Due to failing the examination on the seventh attempt, with a failure rate of 29% on the applicant's last examination, the office recommends applicant #114884 complete 29% or 420.5 hours of the initial 1450 hours of training in Hair Design.

The table below includes the recommended training hours based on the failure rate of the applicant's last examination.

Examination Content Area	Total # of questions	Failure %	Recommended Training Hours
<b>Anatomy and Physiology</b>			
Histology of the Hair and Scalp	13	4%	58
Anatomy of the Head	3	1%	14.5
<b>Microbiology</b>			
Bacteriology	4	2%	29
<b>Hair Services</b>			
Treatment of the Hair and Scalp	5	1%	14.5
Hair Care Procedures	2	0%	0
Design Elements	8	2%	29
Cutting and Styling Procedures	14	3%	43.5
Chemical Procedures	7	3%	43.5
Chemical Texture Procedures	9	3%	43.5
Hair Coloring Procedures	4	2%	29
Hair Lightening Procedures	4	1%	14.5
<b>Implements, tools and Equipment</b>			
Items	6	1%	14.5
<b>Product Knowledge and Chemistry</b>			
Products	11	3%	43.5
Chemistry	4	1%	14.5
<b>Safety and Infection Control</b>			
Safe Usage and Devices	2	2%	29
Federal Regulations and Standards	4	0%	0
<b>Total</b>	<b>100</b>	<b>29%</b>	<b>420.5</b>

Training hours must be reported via a Certificate of Additional Training Form signed by an authorized representative of a licensed cosmetology career school.

# **Director Report**

# **Licensing and Fiscal Statistical Reports**



# Board of Cosmetology

Licensing Division Statistics as of August 8, 2016  
2015 - 2017 Biennium

## Authorizations Issued

Quarter	Barber	Hair Design	Natural Hair Care	Esthetics	Nail Technology	Facility Licenses	Independent Contractor	Freelance	Total Authorizations
1st	19	252	8	243	196	193	216	82	1,209
2nd	17	234	12	259	175	186	257	73	1,213
3rd	15	246	11	235	184	207	238	85	1,221
4th	27	258	6	245	168	198	249	86	1,237
5th	13	68	3	66	70	91	85	25	421
6th	-	-	-	-	-	-	-	-	-
7th	-	-	-	-	-	-	-	-	-
8th	-	-	-	-	-	-	-	-	-
<b>Total:</b>	<b>91</b>	<b>1,058</b>	<b>40</b>	<b>1,048</b>	<b>793</b>	<b>875</b>	<b>1,045</b>	<b>351</b>	<b>5,301</b>

## Renewals Processed

Quarter	Barber	Hair Design	Natural Hair Care	Esthetics	Nail Technology	Facility Licenses	Independent Contractor	Freelance	Total Renewals	% Renewed Online
1st	542	3,040	-	1,685	1,585	1,102	1,133	36	9,123	52.71%
2nd	316	2,203	-	1,414	1,375	899	956	19	7,182	58.09%
3rd	350	2,499	8	1,754	1,564	1,097	1,453	58	8,783	59.69%
4th	374	2,547	3	1,683	1,505	1,058	1,315	55	8,540	57.12%
5th	271	1,547	1	697	742	438	456	12	4,164	53.67%
6th	-	-	-	-	-	-	-	-	-	-
7th	-	-	-	-	-	-	-	-	-	-
8th	-	-	-	-	-	-	-	-	-	-
<b>Total:</b>	<b>1,853</b>	<b>11,836</b>	<b>12</b>	<b>7,233</b>	<b>6,771</b>	<b>4,594</b>	<b>5,313</b>	<b>180</b>	<b>37,792</b>	<b>56.26%</b>

# Board of Cosmetology

Examination Statistics as of August 8, 2016

2015 - 2017 Biennium

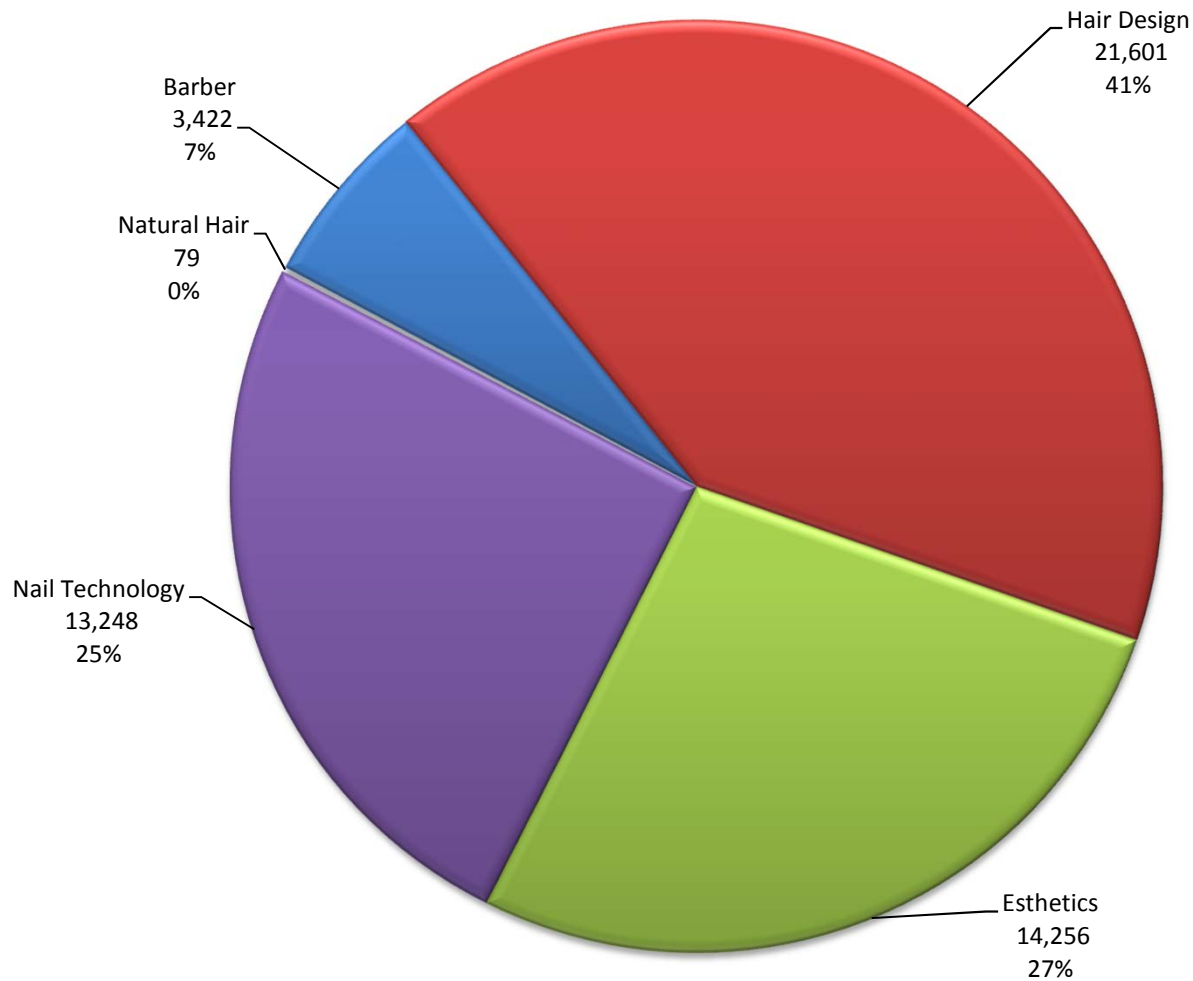
## Examination Statistics

Quarter	OR Laws and Rules			Barber			Hair Design			Natural Hair Care			Esthetics			Nail Technology		
	Passed	Failed	% Passed	Passed	Failed	% Passed	Passed	Failed	% Passed	Passed	Failed	% Passed	Passed	Failed	% Passed	Passed	Failed	% Passed
<b>1st</b>	469	256	65%	19	17	53%	264	81	77%	7	2	78%	255	40	86%	199	126	61%
<b>2nd</b>	471	239	66%	19	24	44%	231	66	78%	12	1	92%	258	65	80%	178	113	61%
<b>3rd</b>	510	233	69%	14	47	23%	254	121	68%	11	-	100%	232	155	60%	182	94	66%
<b>4th</b>	545	317	63%	29	52	36%	260	126	67%	6	-	100%	244	162	60%	165	115	59%
<b>5th</b>	163	85	66%	11	17	39%	68	33	67%	3	2	60%	69	56	55%	71	33	68%
<b>6th</b>	-	-		-	-		-	-		-	-		-	-		-	-	
<b>7th</b>	-	-		-	-		-	-		-	-		-	-		-	-	
<b>8th</b>	-	-		-	-		-	-		-	-		-	-		-	-	
<b>Total:</b>	2,158	1,130	66%	92	157	37%	1,077	427	72%	39	5	89%	1,058	478	69%	795	481	62%

# Board of Cosmetology

## Cosmetology Practitioners as of August 8, 2016

### 2015 - 2017 Biennium



Total Volume: **52,606**

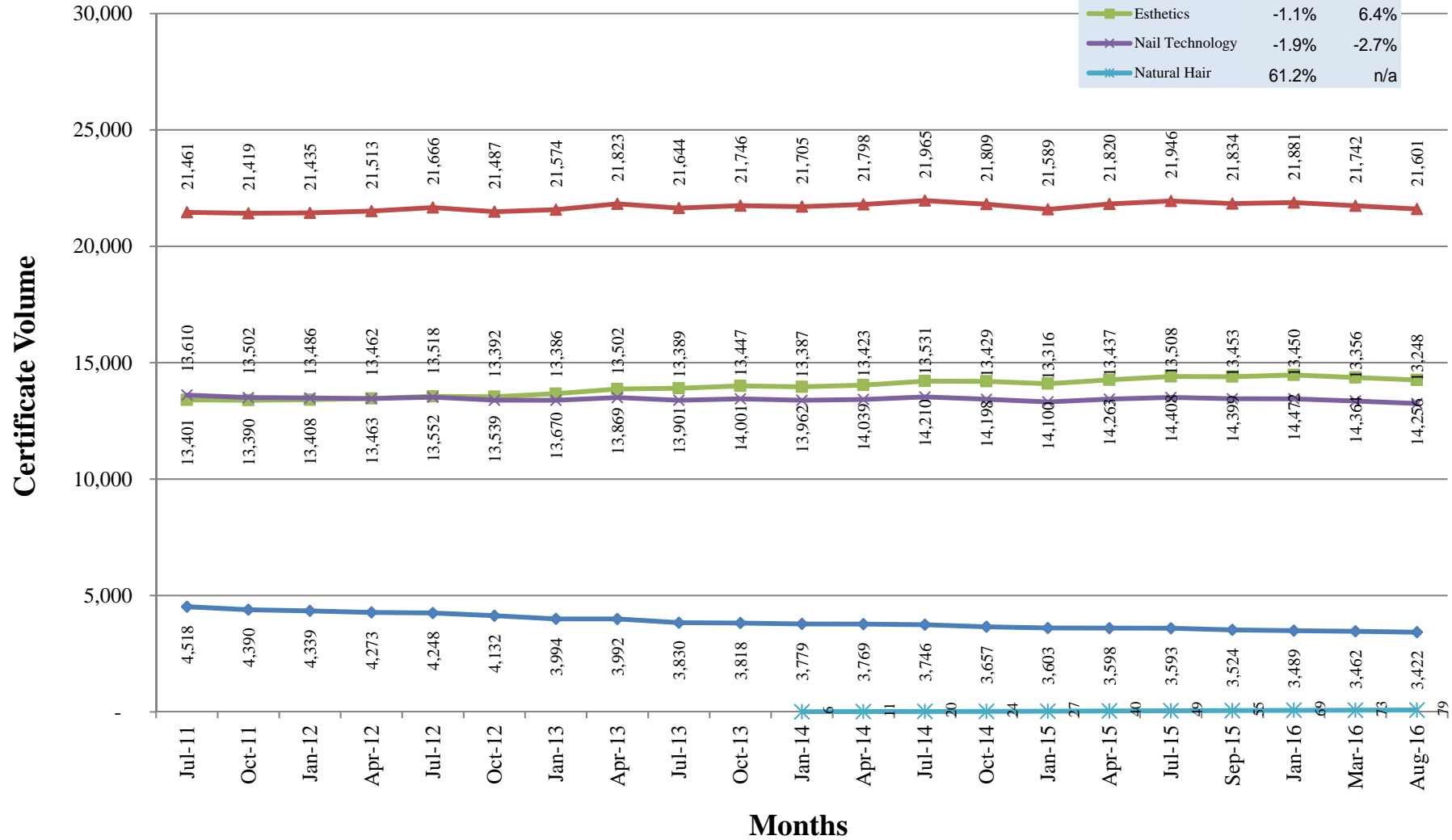
# Board of Cosmetology

## Practitioner Certificate Volume

July 2011 - August 2016

### Growth Rates

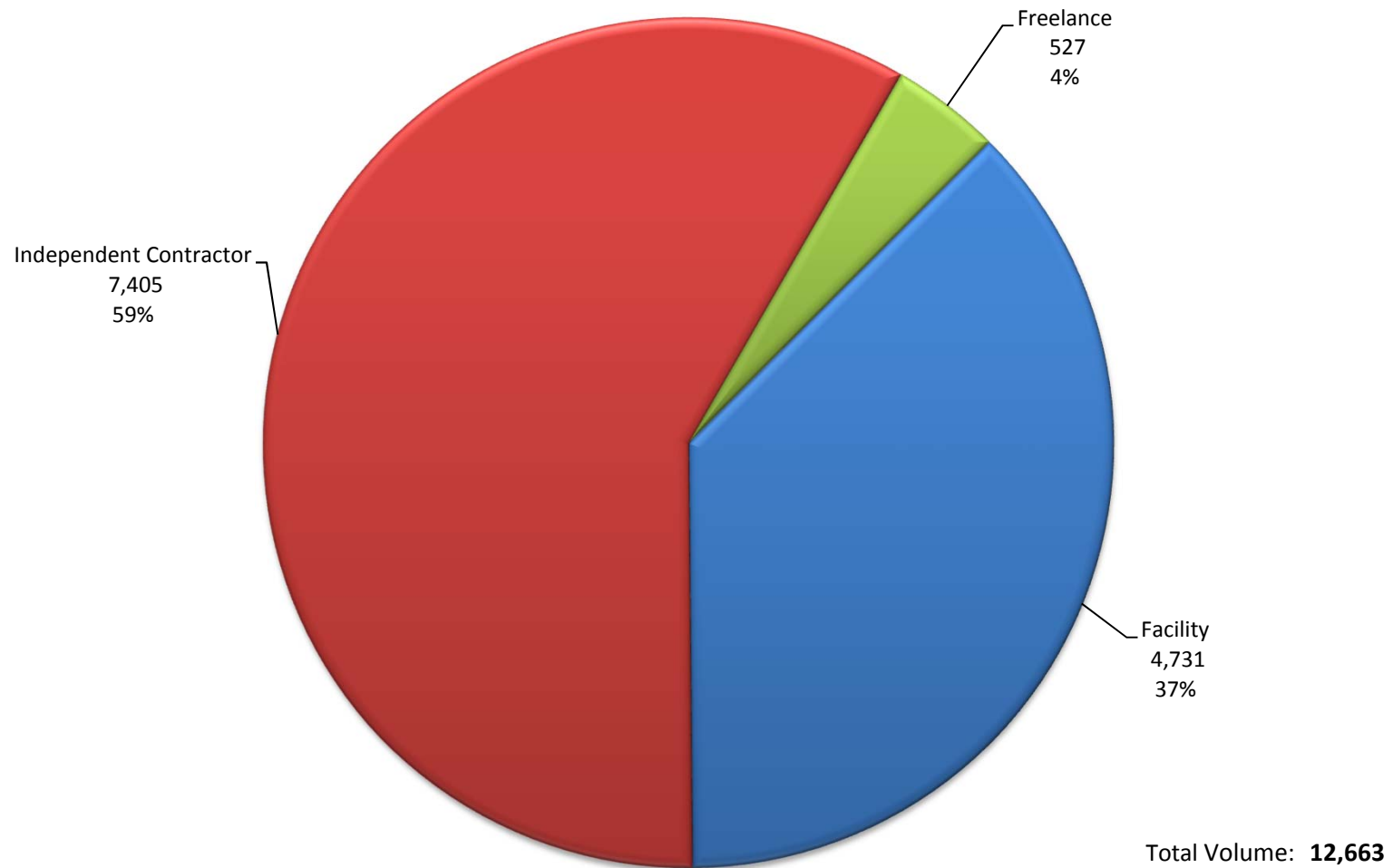
	1-Year	5-Years
Barber	-4.8%	-24.3%
Hair Design	-1.6%	0.7%
Esthetics	-1.1%	6.4%
Nail Technology	-1.9%	-2.7%
Natural Hair	61.2%	n/a



# Board of Cosmetology

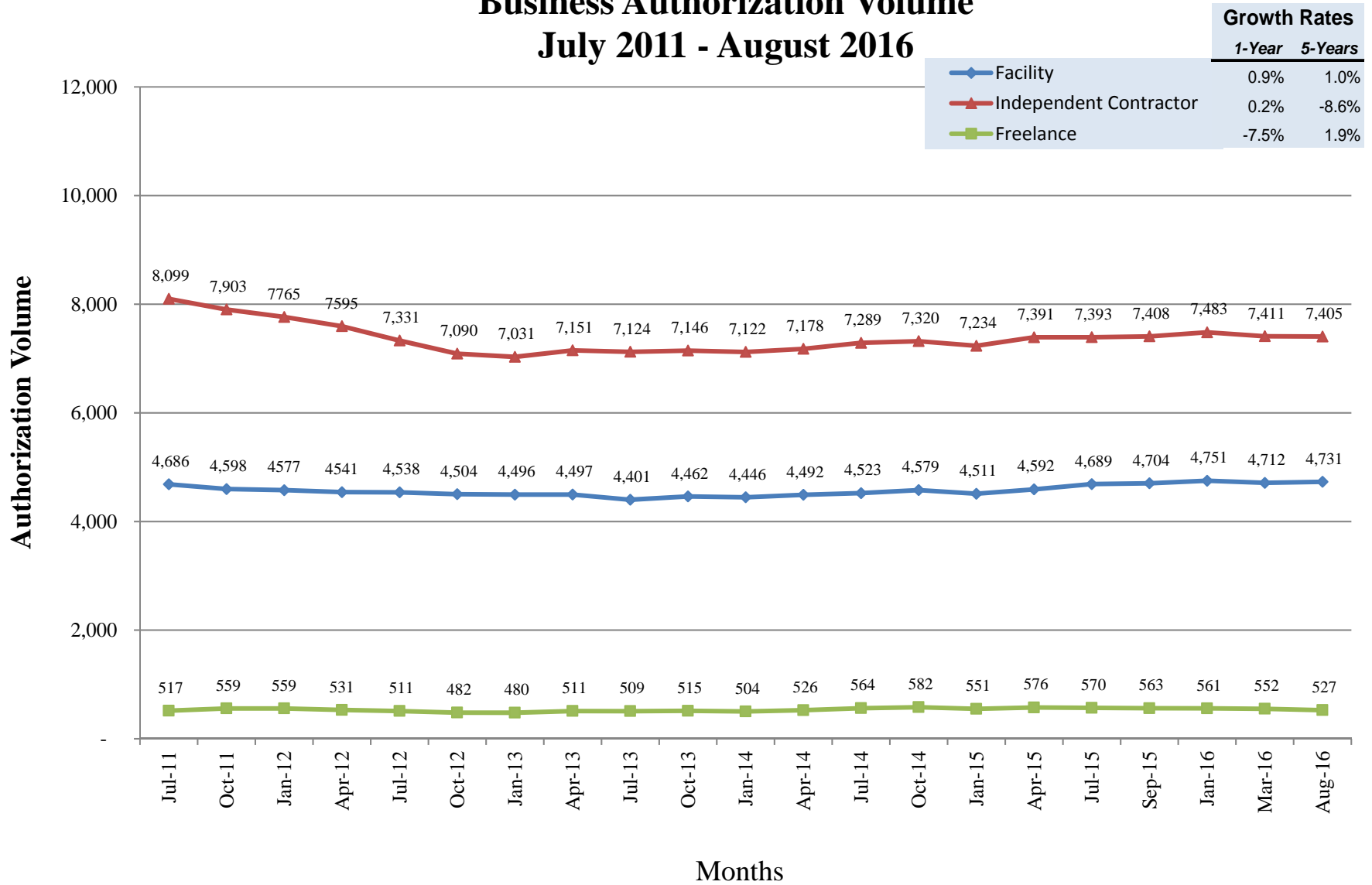
Business Authorizations as of August 8, 2016

2015 - 2017 Biennium



# Board of Cosmetology

## Business Authorization Volume July 2011 - August 2016



**HEALTH LICENSING OFFICE  
Fund 3520 - COSMETOLOGY  
STATEMENT OF CASH FLOW  
FOR THE PERIOD 07/01/15 - 08/08/16**

CURRENT

<b>15-17' Beginning Cash Balance</b>	\$ 1,892,569.00
Revenues	\$ 3,419,936.73
Expenditures	\$ 3,694,645.29
Less: Accrued Expenditures	\$ -
Less: Total Expenditures	<u>\$ (3,694,645.29)</u>
Subtotal: Resources Available	\$ 1,617,860.44
Change in (Current Assets)/Liabilities	\$ -
<b>Ending Cash Balance (Actual)</b>	<b><u>\$ 1,617,860.44</u></b>

Indirect Charges are calculated using the following rates:

\* Based on average Licensee Volume

Shared Assessment %	91.60%
Examination %	94.08%
Small Board Qualification %	0.00%
Inspection %	91.77%

**HEALTH LICENSING OFFICE  
Fund 3520 - COSMETOLOGY  
STATEMENT OF CASH FLOW  
FOR THE PERIOD 07/01/15 - 06/30/17**

PROJECTED

<b>15-17' Beginning Cash Balance</b>	\$ 1,892,569.00
Revenues	\$ 6,908,273.85
Expenditures	\$ 7,150,926.37
Less: Accrued Expenditures	\$ -
Less: Total Expenditures	<u>\$ (7,150,926.37)</u>
Subtotal: Resources Available	\$ 1,649,916.48
Change in (Current Assets)/Liabilities	\$ -
<b>Ending Cash Balance (Projection)</b>	<b><u>\$ 1,649,916.48</u></b>

Indirect Charges are calculated using the following rates:

\* Based on average Licensee Volume

Shared Assessment %	91.60%
Examination %	94.08%
Small Board Qualification %	0.00%
Inspection %	91.77%

\*Projections are based on Revenue and Expenditure history

# **Policy Report**





# ADMINISTRATIVE RULE SCHEDULE

## HEALTH LICENSING OFFICE BOARD OF CERTIFIED ADVANCED ESTHETICIANS

Date	Action	Time
<b>Temporary Administrative Rules – Grandfathering Requirements</b>		
March 21, 2016	Rules Advisory Committee review and provide input on temporary administrative rules to become effective on June 1, 2016.	10 am
April 11, 2016	Rules Advisory Committee continue to review and provide input on temporary administrative rules to become effective on June 1, 2016.	10 am
June 17, 2016	Rules Advisory Committee final review of temporary administrative rules to become effective on July 1, 2016.	10 am
July 1, 2016	Effective date of temporary administrative rule	
July 1, 2016	Begin issuing certification for advanced estheticians	
December 27, 2016	Temporary Administrative Rules expire (180 days)	
<b>Permanent Administrative Rules – Certification Requirements and Scope of Practice</b>		
July 11, 2016	New board member orientation and board meeting to approve administrative rulemaking schedule & provide input regarding Rules Advisory Committee membership	10 am
July 25, 2016	Board meeting to review administrative rules prior to RAC meeting on August 15 – Conference Call	9 am
August 15, 2016	Rules Advisory Committee meeting including fiscal impact	10 am
September 7, 2016	Board meeting approve proposed administrative rules	10 am
October 1, 2016	Notice of proposed administrative rules in Oregon Bulletin	
October 12, 2016	Public rule hearing	10 am
October 28, 2016	Last day for public comment	5 pm
November 16, 2016	Board meeting review public comment, hearing officer report and adopt permanent administrative rules.	10 am
December 1, 2016	Permanent Administrative Rules effective	

<b>Permanent Administrative Rules – Education and Training</b>		
January 19, 2017	Board Meeting provide input on Rules Advisory Committee	
February 1-15, 2017	Determine Rules Advisory Committee membership	
February 17, 2017 March 8, 2017 March 21, 2017	Rules Advisory Committee meeting including fiscal impact	10 am
February 17, 2017 March 8, 2017 March 22, 2017	Rules Advisory Committee meeting	10 am
April 4-6, 2017	Board meeting approve proposed administrative rules	10 am
May 1, 2017	Notice of proposed rules in Oregon Bulletin	
May 24, 2017	Public rule hearing	10 am
May 29, 2017	Last day for public comment	5 pm
June 13-15, 2017	Board meeting review public comment, hearing officer report and adopt permanent rules	10 am
July 1, 2017	Permanent Administrative Rules filed. Note some rules will become effective on July 1, 2017 and others will become effective January 1, 2018	

The Health Licensing Office (HLO) will begin a series of ongoing rulemaking to implement the requirements of [HB 2642](#) from the 2015 Legislative Session. The initial temporary rules will be adopted by HLO not the Board of Certified Advanced Estheticians due to statutory language preventing the Board from meeting before July 1,

The initial rulemaking will be filed as temporary rules which are effective for 180 days. HLO will draft the temporary rule and utilize the Rules Advisory Committee to provide input and recommendations before the temporary rule becomes effective. The temporary rule will provide requirements including application and supervision to obtain a certification in advanced esthetics on July 1, 2016. These requirements are broadly described under Section 8 of HB 2642, the rule will expand on the law and provide clearer guidance for certification process as it relates to grandfathering and certification provisions.

The second phase of rulemaking will be for the Board to adopt permanent rules, including temporary rules which will expire on December 23, 2016. This phase will also include specifying scope of practice for basic and advanced esthetics. For example an individual certified in esthetics through Board of Cosmetology may perform temporary hair removal or reduction by waxing, tweezing or threading but are prohibited from performing temporary hair removal or reduction by use of a laser. The use of a laser would be limited to certified advanced estheticians or to individuals specified in ORS 676.635.

The third phase of rulemaking will be to establish advanced nonablative esthetics training and education requirements for implementation on January 1, 2018 when the grandfathering provisions expire. The training and education may require curriculum/course of study, practical application, supervision (direct/indirect) and timeline to obtain the training and education.

Please send all public comment or questions to:  
Samie Patnode, Policy Analyst  
700 Summer St NE, Suite 320, Salem, OR 97301-1287  
[samie.patnode@state.or.us](mailto:samie.patnode@state.or.us) . Work: (503) 373-1917

All meetings are held at the Health Licensing Office, Rhoades Conference Room, 700 Summer St, Suite 320, Salem, OR 97301, unless otherwise specified. Members of the public are invited and encouraged to attend all board and committee meetings. However, audience members will not be allowed to participate. For current information regarding administrative rules or the rulemaking process visit the Web at <http://www.oregon.gov/OHA/hlo/Pages/Board-Certified-Advanced-Estheticians.aspx>

**DIVISION 005**  
**BOARD OF CERTIFIED ADVANCED ESTHETICIANS**  
**GENERAL ADMINISTRATION**

**819-005-0000**

**Definitions**

As used in OAR 819-005-0000 to 819-040-0000:

- (1) "Applicant" means a natural person applying to be certified as a "certified advanced esthetician" as that term is defined in ORS 676.630(2).
- (2) "Board" means the Board of Certified Advanced Estheticians.
- (3) "Modality" means
  - (a) Skin rejuvenation;
  - (b) Photo rejuvenation;
  - (c) Body contouring;
  - (d) Dyschromia reduction;
  - (e) Cellulite reduction;
  - (f) Hair removal or reduction; and
  - (g) Nonablative tattoo removal.

**(4) "Nonablative" as defined under ORS 676.630 means involving an action performed on the skin or hair of a person that does not result in the wounding of skin or underlying tissue.**

~~(4)~~ **(5)** "Office" means Health Licensing Office.

~~(5)~~ **(6)** "Provisional certificate" means an authorization to perform advanced nonablative esthetics procedures as defined in ORS 676.630(1) under supervision for purposes related to education or training.

~~(6)~~ **(7)** "Temporary certificate" means an authorization to practice advanced nonablative esthetics for a limited time

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**DIVISION 020**  
**BOARD OF CERTIFIED ADVANCED ESTHETICIANS**  
**APPLICATION REQUIREMENTS FOR CERTIFICATION**

**819-030-0015**

**Advanced Esthetician Permanent Certification through Grandfathering**

**(1) A permanent certification authorizes the holder to practice advanced nonablative esthetics.**

**(2) A permanent certification is valid for one year and becomes inactive on the last day of the month one year from the issuance or renewal.**

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**819-030-0030**

**Application Requirements for Permanent Certification through Grandfathering**

**An applicant for a temporary certificate must:**

**(1) Comply with the requirements of OAR chapter 331 division 30;**

**(2) Submit a completed application form prescribed by the Office, containing the information listed in OAR 331-030-0000, and payment of all required fees;**

**(3) Be at least 18 years of age. Applicant must provide to Office official documentation confirming date of birth, such as a copy of the applicant's birth certificate, driver's license, or passport;**

**(4) Hold an active esthetic certificate through the Oregon Board of Cosmetology pursuant to ORS 690.046-690.047 and be in good standing with no current or pending disciplinary action;**

**(5) Provide name, license number and address of the Oregon Board of Cosmetology facility listed under ORS 690.005 where advanced nonablative esthetics procedures are performed by the applicant, pursuant to ORS 676.655(2)(a);**

**(6) Attest to maintaining client disclosure forms that include, at minimum, disclosure of the existence of professional liability insurance, pursuant to ORS 676.655(2)(b)**

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(7) Submit information identifying the individual with whom the applicant has entered into a collaborative agreement pursuant to ORS 676.655(2)(c). The collaborative agreement must be with one of the following health care professional who holds an active license in good standing with no current or pending disciplinary action:

(a) Physician licensed under ORS chapter 677;

(b) Nurse practitioner licensed under ORS 678.375 to 678.390;

(c) Dentist licensed under ORS 679 who works at the same location as the certified advanced esthetician and who has the authority to prescribe drugs listed in Schedule III, IV or V; OR

(d) Naturopathic physician licensed under ORS 685 who works at the same location as the certified advanced esthetician and who has the authority to prescribe drugs listed in Schedule III, IV or V.

(8) Submit documentation of qualification for certification through one of the following pathways:

(a) Pathway One: 500 Supervised Hours of Experience – An applicant under pathway one must:

(A) Submit documentation to the Office showing proof of employment for at least 500 hours as a laser operator under the supervision of one of the following licensed health care professionals whose scope of practice includes the practice of advanced nonablative esthetics procedures and whose license is in good standing with no current or pending disciplinary action with the health care professional's respective regulatory body:

(i) A physician licensed under ORS chapter 677;

(ii) A nurse practitioner licensed under ORS 678.375 to 678.390;

(iii) A dentist licensed under ORS 679;

(iv) A naturopathic physician licensed under ORS 685; OR

(B) Submit passing score of a Board approved written examination in accordance with OAR 819-020-0080 within two years before the date of application; and

(b) Pathway Two: 168 Hours of Experience and 40 Hours of Education – An applicant under pathway two must:

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(A) Submit documentation showing completion of forty hours of education related to laser theory and fundamentals and twenty-four hours of practical experience in each modality defined under OAR 819-005-0000. Documentation may include but is not limited to manufacturer training certificates, educational transcripts, supervision records signed by a supervisor, employment records and client records: and

(B) Submit passing score of a Board approved written examination in accordance with OAR 819-020-0080 within two years before the date of application;

#### **819-020-0030**

##### **Advanced Esthetician Temporary Certification**

(1) A temporary certification authorizes the holder to temporarily practice advanced nonablative esthetics while waiting to pass the Board-approved qualifying examination required under ORS 676.640

(2) A temporary certification is valid through December 31, 2017 or until a permanent certificate is obtained.

#### **819-020-0040**

##### **Application Requirements for Temporary Certification**

An applicant for a temporary certificate must:

- (1) Comply with the requirements of OAR chapter 331 division 30;
- (2) Submit a completed application form prescribed by the Office, containing the information listed in OAR 331-030-0000, and payment of all required fees;
- (3) Be at least 18 years of age. Applicant must provide to Office official documentation confirming date of birth, such as a copy of the applicant's birth certificate, driver's license, or passport;
- (4) Hold an active esthetic certificate through the Oregon Board of Cosmetology pursuant to ORS 690.046-690.047 and be in good standing with no current or pending disciplinary action;
- (5) Provide name, license number and address of the Oregon Board of Cosmetology facility listed under ORS 690.005 where advanced nonablative esthetics procedures are performed by the applicant, pursuant to ORS 676.655(2)(a);

(6) Attest to maintaining client disclosure forms that include, at minimum, disclosure of the existence of professional liability insurance, pursuant to ORS 676.655(2)(b)

(7) Submit information identifying the individual with whom the applicant has entered into a collaborative agreement pursuant to ORS 676.655(2)(c). The collaborative agreement must be with one of the following health care professional who holds an active license in good standing with no current or pending disciplinary action:

(a) Physician licensed under ORS chapter 677;

(b) Nurse practitioner licensed under ORS 678.375 to 678.390;

(c) Dentist licensed under ORS 679 who works at the same location as the certified advanced esthetician and who has the authority to prescribe drugs listed in Schedule III, IV or V; OR

(d) Naturopathic physician licensed under ORS 685 who works at the same location as the certified advanced esthetician and who has the authority to prescribe drugs listed in Schedule III, IV or V.

(8) Submit documentation of qualification for certification through one of the following pathways:

(a) Pathway One: 500 Supervised Hours of Experience – An applicant under pathway one must:

(A) Submit documentation to the Office showing proof of employment for at least 500 hours as a laser operator under the supervision of one of the following licensed health care professionals whose scope of practice includes the practice of advanced nonablative esthetics procedures and whose license is in good standing with no current or pending disciplinary action with the health care professional's respective regulatory body:

(i) A physician licensed under ORS chapter 677;

(ii) A nurse practitioner licensed under ORS 678.375 to 678.390;

(iii) A dentist licensed under ORS 679;

(iv) A naturopathic physician licensed under ORS 685; OR

(b) Pathway Two: 168 Hours of Experience and 40 Hours of Education – An applicant under pathway two must:

(A) Submit documentation showing completion of forty hours of education related to laser theory and fundamentals and twenty-four hours of practical experience in each



modality defined under OAR 819-005-0000. Documentation may include but is not limited to manufacturer training certificates, educational transcripts, supervision records signed by a supervisor, employment records and client records.

**819-020-0050**

**Advanced Esthetician Provisional Certification – Education and Training**

- (1) A provisional certification authorizes the holder to practice advanced nonablative esthetics under supervision for the purpose of education and training for each modality defined to OAR 819-005-0000 and in laser theory and fundamentals.
- (2) A provisional certification is valid through December 31, 2017 or until a temporary or permanent certificate is obtained.

**819-020-0060**

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**Application Requirements for Provisional Certification – Education and Training**

An applicant for a provisional certificate must:

- (1) Comply with the requirements of OAR chapter 331 division 30;
- (2) Submit a completed application form prescribed by the Office, containing the information listed in OAR 331-030-0000, and pay all required fees;
- (3) Be at least 18 years of age. Applicant must provide to the Office official documentation confirming date of birth, such as a copy of the applicant's birth certificate, driver's license, or passport;
- (4) Hold an active esthetic certificate through the Oregon Board of Cosmetology pursuant to ORS 690.046-690.047 and be in good standing with no current or pending disciplinary action;
- (5) Submit information identifying the applicant's proposed supervisor. The proposed supervisor must meet the requirements listed under OAR 819-020-0070 (1)(a) or (b);
- (6) Provide name, license number and address of the Oregon Board of Cosmetology facility listed under ORS 690.005 where advanced nonablative esthetics procedures are performed by the applicant pursuant to ORS 676.655(2)(a);
- (7) Attest to maintaining client disclosure forms that include, but are not limited to, at minimum, disclosure of the existence of professional liability insurance pursuant to ORS 676.655(2)(b)

(8) Submit information identifying the individual with whom the applicant has entered into a collaborative agreement pursuant to ORS 676.655(2)(c). The collaborative agreement must be with one of the following health care professional who holds an active license in good standing with no current or pending disciplinary action:

- (a) Physician licensed under ORS chapter 677;
- (b) Nurse practitioner licensed under ORS 678.375 to 678.390;
- (c) Dentist licensed under ORS 679 who works at the same location as the certified advanced \_\_\_\_\_ esthetician and who has the authority to prescribe drugs listed in Schedule III, IV or V; OR
- (d) Naturopathic physician licensed under ORS 685 who works at the same location as the certified advanced esthetician and who has the authority to prescribe drugs listed in Schedule III, IV or V.

819-020-0070

#### Supervisor Approval and Requirements

~~(1)~~ **(1)** To be approved as a supervisor of a provisional certificate holder, a **licensed health care professional** individual must:

(a) Hold an active license as a physician under ORS chapter 677, a nurse practitioner licensed under ORS 678.375 to 678.390, a dentist licensed under ORS 679, a or naturopathic physician licensed under ORS 685, \_\_\_\_\_ and whose scope of practice includes **relevant** the practice of advanced nonablative esthetic procedures. ~~The supervisor must have no current or pending disciplinary action with a regulatory body.~~ **If the supervisor has any current or pending disciplinary further information may be requested by the Office.** and

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~~(A)~~ **(b)** Attest to practicing advanced nonablative esthetics for at least three years prior to the date of application in the modality in which they will be supervising the provisional certificate holder;

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OR

**(2) To be approved as a supervisor of a provisional certificate holder, an advanced esthetician temporary certification holder must:**

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~~(b)~~ **(a)** Hold an active esthetic certificate through the Oregon Board of Cosmetology pursuant to ORS 690.046-690.047 and be in good standing with no current or pending disciplinary action;

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~~(A)~~ **(b)** Hold an active permanent or temporary advanced nonablative esthetics certification under ORS 676.630 to 676.660 through the Board of Certified Advanced Estheticians with no current or pending disciplinary action with the Office;

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~~(B)~~ **(c)** Attest to practicing advanced nonablative esthetics for at least three years prior to the date of application in the modality for which they will be supervising the provisional certificate holder.

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~~(2)~~ **(3)** For each modality, the supervisor must do, at a minimum, (a) - (c):

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(a) Directly supervise the provisional certificate holder for at least the first ten hours of supervision. Direct supervision means the supervisor is present in the facility and actively involved in direct oversight and training including allowing the provisional certificate holder to assist in the procedure;

(b) Indirectly supervise the provisional certificate holder for at least the next fourteen hours of procedures. Indirect supervision is being available for direct consultation in person or from offsite including but not limited to phone or video conferencing; and

(c) Upon completion of the above twenty-four hours listed in (a) through (b) of this rule in a modality, or additional hours if required by a supervisor under (6), the provisional certificate holder must meet with the supervisor in that modality at least once every 30 days to discuss the provisional certificate holder's procedures and questions, and provide information on contraindications and appropriate referrals or consultations.

(d) At the option of the supervisor if the provisional certificate holder has obtained at least twenty-four hours of practical experience in the modality the supervisor is supervising

(3) The supervisor must have the provisional certificate holder obtain at least forty hours of education in laser theory and fundamentals listed in the 2011 American National Standard Z136.1 and American National Standards Laser Safety Education Program Z136.3. The education must include the following topics:

(a) The Laser

(A) Physics and biological effects

(B) Dosimetry and beam parameters

(C) Components of the laser system, delivery devices, and instrumentation

(D) Overview of clinical applications

(b) Administrative Controls

(A) Laser committee

- (B) Role of the LSO, DLSO, LSSC
  - (C) Development of policies and procedures
  - (D) Documentation methods
  - (E) Regulations, standards and recommended professional practices
  - (F) Certification criteria and skills validation
  - (c) Procedural Controls
  - (A) Controlled access
  - (B) Eye protection
  - (C) Reflection hazards
  - (D) Flammability hazards and draping
  - (E) Electrical safety
  - (F) Management of plume
  - (G) Equipment testing, aligning, and troubleshooting
- (4) A supervisor must exercise management, guidance, and control over the activities of the provisional certificate holder and must use reasonable professional judgment when supervising. A supervisor is responsible for all matters related to the provisional certificate holder's advanced nonablative esthetics procedures.
- (5) A supervisor must document the provisional certificate holder's education and training on a form prescribed by the Office.
- (6) A supervisor must provide the supervision described under subsection (2) of this rule in the modality in which they are supervising for the duration of time the individual holds a provisional certificate.
- (7) If the supervisor determines the provisional certificate holder needs further direct or indirect supervision, the supervisory may require hours in addition to what is described under subsection (2) of this rule
- (8) The supervisor may require supervision in addition to what is described under subsection (2) of this rule.
- (9) A supervisor must notify the Office in writing within 10 calendar days if a provisional certificate holder is no longer being supervised, and must provide the number of hours

of education and training the provisional certificate holder completed on a form prescribed by the Office.

(10) The Office may withdraw its approval of a supervisor if the supervisor provides incomplete or inadequate education or training during supervision, provides incompetent or negligent education or training, as those terms are defined in OAR 331-020-0070, fails to exercise management, guidance, and control over the activities of the provisional certificate holder, fails to exercise reasonable professional judgment when supervising, is disciplined by the supervisor's licensing board, or falsifies documentation.

### **819-020-0080**

#### **Requirements for a Provisional Certificate Holder**

(1) For each modality, the provisional certificate holder must:

(a) For at least the first ten hours of supervision, the provisional certificate holder must assist the supervisor performing procedures in a modality under the supervisor's direct supervision as described under OAR 819-020-0070;

(b) For at least the next fourteen hours of supervision, the provisional certificate holder must perform services under the supervisor's indirect supervision, as described under OAR 819-020-0070.

(c) Upon completion of the above twenty-four hours in a modality listed in (a) and (b) of this rule, or additional hours if required by a supervisor or additional hours if required by a supervisor. The provisional certificate holder must meet with the supervisor in that modality at least once every 30 days to discuss the provisional certificate holder's procedures and questions, and provide information on contraindications and appropriate referrals or consultations.

(2) The provisional certificate holder must obtain at least forty hours of education in laser theory and fundamentals listed in the 2011 American National Standard Z136.1 and American National Standards Laser Safety Education Program Z136.3. The education must include the following topics:

(a) The Laser

(A) Physics and biological effects

(B) Dosimetry and beam parameters

(C) Components of the laser system, delivery devices, and instrumentation

(D) Overview of clinical applications

(b) Administrative Controls

(A) Laser committee

(B) Role of the LSO, DLSO, LSSC

(C) Development of policies and procedures

(D) Documentation methods

(E) Regulations, standards and recommended professional practices

(F) Certification criteria and skills validation

(c) Procedural Controls

(A) Controlled access

(B) Eye protection

(C) Reflection hazards

(D) Flammability hazards and draping

(E) Electrical safety

(F) Management of plume

(G) Equipment testing, aligning, and troubleshooting

(3) A provisional certificate holder must notify the Office within 10 calendar days of changing a supervisor or obtaining an additional supervisor.

(4) A provisional certificate holder is prohibited from practicing in a modality until the supervisor, having experience in that modality, is approved by the Office.

**819-020-0080**

**Approved Certified Advanced Estheticians Examination for Grandfathering**

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**The Board has approved the following examinations for advanced esthetics:**

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**(1) The Laser Training Institute computer based laser training;**

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**(2) The American Board Surgery fundamental laser science/tissue reaction, laser safety and cosmetics procedures**

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**(3) Allied Beauty Experts Certified Laser Professional ;**

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**DIVISION 040**

**BOARD OF CERTIFIED ADVANCED ESTHETICIANS**

**FEES**

**819-040-0000**

**Fees**

(1) An applicant or authorization holder is subject to provisions of OAR 331-010-0010 and 331-010-0020 regarding payment of fees, penalties and charges.

(2) Fees established by the Health Licensing Office, are as follows:

(a) Application for Provisional Certification: \$100

(b) Original Provisional Certification: \$100

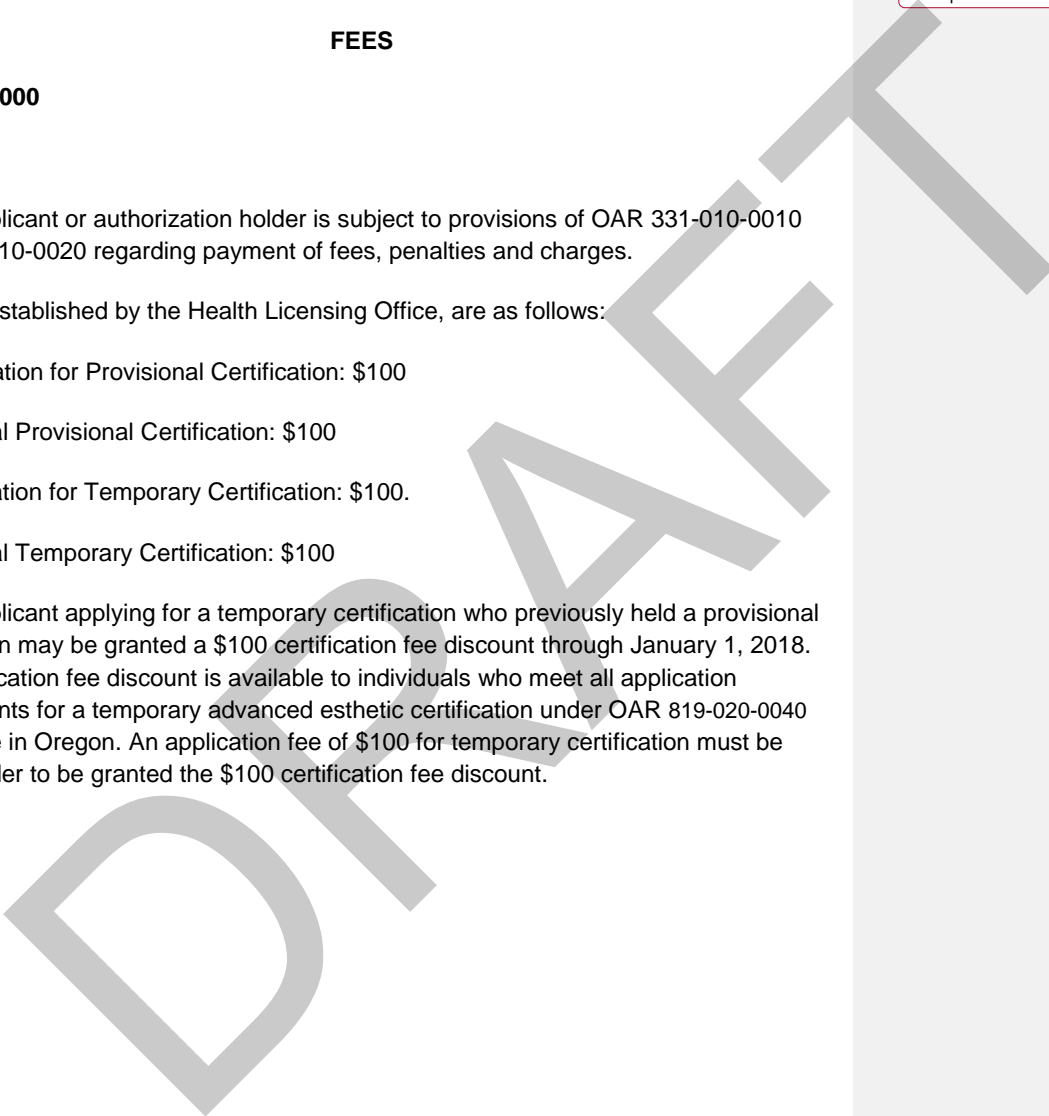
(c) Application for Temporary Certification: \$100.

(d) Original Temporary Certification: \$100

(3) An applicant applying for a temporary certification who previously held a provisional certification may be granted a \$100 certification fee discount through January 1, 2018. The certification fee discount is available to individuals who meet all application requirements for a temporary advanced esthetic certification under OAR 819-020-0040 and reside in Oregon. An application fee of \$100 for temporary certification must be paid in order to be granted the \$100 certification fee discount.

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# **Letter Regarding Cosmetology Schools**

**BARBARA SMITH WARNER**  
**STATE REPRESENTATIVE**  
DISTRICT 45



**HOUSE OF REPRESENTATIVES**

Juan Baez-Arevalo  
Director, Private Postsecondary Education  
Higher Education Coordinating Commission  
775 Court Street NE  
Salem, OR 97301

Sylvie Donaldson  
Interim Director & Division Manager  
Health Licensing Office  
700 Summer Street NE, Suite 320  
Salem, OR 97301

August 17, 2016

Director Baez-Arevalo and Interim Director Donaldson:

I am writing to ask for your immediate attention to and action on cosmetology school issues that were brought to my concern by constituents over a year ago, and whose resolution I recently learned have made no progress in that time. Specifically, that cosmetology licensing exams be provided, as they have in the past, in alternate languages (especially Spanish and Vietnamese), and that passage rate calculations not demonstrate bias against non-English speaking students.

Cosmetology schools play a vital role in the "Middle 40" of Oregon's 40-40-20 education goals by preparing students for careers in the hair, nail, and esthetics fields. Students from diverse backgrounds seek careers in cosmetology, and many new Oregon residents apply for licenses after being trained in other states or countries. These students go on to open small businesses across the state, bringing in significant revenue through licensing fees and taxes. As the offices in charge of licensing and school oversight, your decisions on test protocols and school deputization are critical in the development of students and the foundations of their careers.

For ESL students, taking a licensing test in English, with no additional time allotment, is a challenge that leads to unnecessary test retakes and additional costs. As I have in previous conversations, I strongly urge you to consider re-implementing testing in Spanish and Vietnamese to allow students to demonstrate their mastery of subjects. Thirty-two other states test in both Spanish and Vietnamese, and the common text books, upon which testing is based, are printed in both. At a minimum, I hope that other options, like additional time, would be pursued for ESL students.

I also would urge the HECC look into adjusting its passage rate calculations. Counting one student's multiple tests against the school as additional failures, instead of a single count that the student had to take the test more than once, unfairly punishes schools who accept ESL students. With passage rates playing such a key role in the selection of deputized schools, and therefore in new school attendance, the numbers of actual students and passage rates should not be distorted.

As we near the 2017 legislative session, I will continue to monitor this and other related issues. When I first met with your predecessors in 2015, I was told to expect quick action on the test language piece, and I am very concerned that no progress has been made, and that other barriers seem to be erected for non-native English speakers. Please do not hesitate to contact me or my staff with any questions or information you have. Thank you, again, for your work to help students succeed in Oregon.

Sincerely,

Barbara Smith Warner  
State Representative, HD 45  
NE Portland, Maywood Park and Parkrose

CC: Board of Cosmetology

08/16/2016

BY THIS LETTER WE NEED TO EXPRESS OUR WISHES THAT THE WRITTEN EXAM IN SPANISH; IS DONE EITHER PAY THE PERSON WHO WILL TAKE THE TEST OR PAY AN EXTRA FEE INTERPRETER.

FIRMS ARE TO TELL YOU THAT WE ARE MANY WHO WOULD BE WILLING TO DO THE TEST IF THIS IS WE PROVIDE .

THEN THE PEOPLE WHO AGREE WITH THIS REQUEST.

THANKS FOR YOUR ATTENTION :

Selene Lizarraga	Silvia Vega
Suivy Hoerta	Esmeralda Zamora
Mariela Garcia	Guadalupe Soto
Ana Osuna	Fabiola Lopez
Geovanny Sapp	Jose Rodriguez
Hiram Lizarraga	Jesica Aguayo
Michell Sanchez	Christina Lopez
Rocio Mendez	Leticia Gomez
Yolanda Pinto	Diego Herrera
Hiram Lizarraga	Ester Ballesteros
Ivan Lizarraga	Beatriz Rodriguez
Gladys Vazquez	Juan Lopez
Delia Vazquez	Mary Cruz Zamora

anna Karen Lopez

Aida Espinoza

Paulina Castro

Gloria Ortiz

Maria Vasquez

Angelica Santos

Rene Melgar

Guadalupe Mejia

JACEL SANCHEZ

Jorge Ochoa

Julio Rival

Karla Sandria

Pablo VILORIA

FRANCISCA KEYMOLEN

Imelda Velasquez

Maria Sepeda

Juana Martinez

Hilda Reyna.

Samantha Arroyo

Rosario Santoyo

# **Regulatory Report**

# Health Licensing Office



700 Summer St. NE, Suite 320  
Salem, OR 97301-1287  
Phone: (503) 378-8667  
Fax: (503) 370-9004  
Web: [www.oregon.gov/oha/hlo](http://www.oregon.gov/oha/hlo)  
E-mail: [hlo.info@state.or.us](mailto:hlo.info@state.or.us)

## ***Board of Cosmetology***

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*August 22, 2016*

### ***2011 – 2013 Biennium***

Between July 1, 2011 and June 30, 2013, 384 complaints were received by the Office. Total open 1. Total closed 383.

<b>ANONYMOUS</b>	<b>CLIENTS</b>	<b>OTHER</b>
81	97	206

### ***2013 – 2015 Biennium***

Between July 1, 2013 and June 30, 2015, 387 complaints were received by the Office. Total open 20. Total closed 367.

<b>ANONYMOUS</b>	<b>CLIENTS</b>	<b>OTHER</b>
79	103	205

***2015 – 2017 Biennium***

Between July 1, 2015 and July 30, 2016, 172 complaints were received by the Office. Total open 84. Total closed 88.

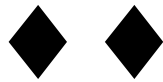
<b>ANONYMOUS</b>	<b>CLIENTS</b>	<b>OTHER</b>
39	39	94

Other: Licensees  
General Public  
Internal

# **Public/Interest Parties Feedback**



# Executive Session



ORS 192.660(2)(f) for the purpose of considering  
information or records exempt from public inspection.

# **Items for Board Action**

# Executive Session



ORS 192.660(2)(f) for the purpose of considering  
information or records exempt from public inspection.

# **Items for Board Action**

# **Other Board Business**

