



# Oregon

John A. Kitzhaber, MD, Governor

## *Health Licensing Agency*

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**To:** The Honorable Margaret Doherty, Chair, House Committee  
on Business and Labor

**From:** Randy Harnisch, Policy Analyst, Oregon Health Licensing Agency

**Date:** May 8, 2013

**Re:** **SB 836 – Clarification of Existing Cosmetology Exemption**

Senate Bill 836 was first heard in the Senate Committee on Business and Transportation on April 8, 2013. At that hearing there was testimony that seemed to suggest that the language in the statute that created a limited exemption for make-up professionals working for theatrical productions or professional photography studios was the result of recent action taken by the Oregon Health Licensing Agency. The speaker testified that the “without compensation” component of the theatrical and professional photographer exemption was added to the law in 2012.

The reference to “without compensation” has been in the law since the exemption was first enacted in 1993. While the current statute has not changed since 1993, the Oregon Health Licensing Agency was asked for clarification of that language in mid-2012. Our legal counsel advised the agency at that time that an unlicensed individual was not required to hold a cosmetology license if the individual is providing services “without compensation” for the sole purpose of preparing an individual for a professional photograph or theatrical performance. While the May 2012 letter contained the most recent interpretation of the statutory language, “without compensation,” the statutory language has not been altered since it was first adopted in 1993.

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