

SB 217 A STAFF MEASURE SUMMARY

Carrier: Sen. Weber

Senate Committee On Education**Action Date:** 03/21/23**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 5-1-1-0**Yeas:** 5 - Anderson, Dembrow, Frederick, President Wagner, Weber**Nays:** 1 - Robinson**Exc:** 1 - Gelser Blouin**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Ellen O'Brien, LPRO Analyst**Meeting Dates:** 1/26, 3/21**WHAT THE MEASURE DOES:**

Requires that applicants for cosmetology certification complete education requirements established by Board of Cosmetology and approved by Health Licensing Office (HLO) and removes authority of State Board of Education to establish cosmetology education requirements. Transfers authority to waive educational requirements for applicants with active authorization or equivalent education from Board of Cosmetology to Health Licensing Office. Requires one member of Board of Cosmetology with active authorization to also represent licensed cosmetology career school. Grants Board of Cosmetology authority to direct Health Licensing Office to approve school's curriculum. Repeals requirement that Health Licensing Office inspection of facilities include assessment of school compliance with health, safety, and infection control requirements established by Higher Education Coordinating Commission (HECC). Permits schools teaching curriculum approved by HECC before operative date to continue teaching curriculum unless approval is required pursuant to rules adopted by Board of Cosmetology. Exempts persons performing spray tanning services using handheld airbrush tanning device from certification requirements. Allows Health Licensing Office to waive education requirements for applicants with active authorization from any jurisdiction. Operative July 1, 2024. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Implications for natural hair care practitioners
- Oversight of cosmetology schools compared to other private career schools

EFFECT OF AMENDMENT:

Exempts persons performing spray tanning services using handheld airbrush tanning device from certification requirements. Allows Health Licensing Office to waive education requirements for applicants with active authorization from any jurisdiction.

BACKGROUND:

The State of Oregon's Health Licensing Office is a central licensing and regulatory office. It works with 17 boards, councils and programs that oversee health-related professions, including the Board of Cosmetology. The Board of Cosmetology regulates the professions of barber, esthetician, hair design, nail technologist, and natural hair care.

The Higher Education Coordinating Commission (HECC) is the state regulator for private career schools. Career schools must receive approval from HECC in order to legally operate and offer valid licenses or diplomas. ORS chapter 345 provides HECC the authority to regulate private career schools, set licensing standards, and investigate complaints against a career school. OAR Chapter 715 contains rules adopted by HECC to regulate license applications, fees, programs, personnel, etc. for all private career schools, regardless of field of practice.

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Senate Bill 217 A transfers authority for cosmetology curriculum, professional licensing, and facility inspections from Higher Education Coordinating Commission to the Board of Cosmetology and Health Licensing Office, and exempts person performing certain spray tanning services from certification requirements.