

SHAMPOO SERVICES

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Senate Bill 751 (S-1) as passed by the Senate
Sponsor: Sen. Marty Knollenberg
House Committee: Regulatory Reform
Senate Committee: Regulatory Reform
Complete to 9-4-18

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 751 would allow a cosmetology student to perform shampoo services in a cosmetology establishment on members of the public without a license if both the student and the cosmetology establishment met certain conditions.

Under provisions of the Occupational Code and departmental rules regulating the practice of cosmetology, an individual cannot perform any of the regulated services on a member of the public without a license, whether or not the person is compensated for those services. An exception is provided in Section 1205(5)(c) of the Code for a student attending a cosmetology school or an apprentice of a cosmetology establishment; a student or apprentice is allowed to practice on the public if he or she has completed at least 350 hours of instruction in the general cosmetology curriculum, including both theory and practical hours.

Senate Bill 751 would amend Article 12 of the Occupational Code to allow, if certain conditions were met, a cosmetology establishment to employ a cosmetology student who is not licensed as a cosmetologist to perform shampoo services on the public. The individual could continue to perform shampoo services without a license at the cosmetology establishment for up to 30 days after the date he or she is scheduled to graduate from the school of cosmetology. “Shampoo services” would be defined to mean preparing a customer for a shampoo, or shampooing or blow-drying a customer, for a licensed cosmetologist.

Conditions for a cosmetology student

For the exception proposed by the bill to apply, an individual would have to meet all of the following conditions:

- Be enrolled in a school of cosmetology.
- Have completed at least the 350 hours of instruction in the school’s general cosmetology curriculum required under Section 1205(5)(c) of the Code. This would include at least the minimum number of practical applications established by the director of the Department of Licensing and Regulatory Affairs (LARA) in departmental rules.
- The employing cosmetology establishment has received written verification—in the form of a letter—from the school of cosmetology the student attends, on the

school's letterhead, that is dated and signed by the school's director or manager and that states all of the following:

- The individual's full name.
- That the individual is currently enrolled in the school.
- That the individual has completed the required 350 hours of instruction.
- The individual's expected graduation date.

Conditions for a cosmetology establishment

In addition to the conditions for a student, a cosmetology establishment employing a cosmetology student to perform shampoo services would have to do all of the following:

- Maintain records of the student's employment during employment and for at least three years after employment ends. The records would include the verification letter from the student's cosmetology school.
- Allow LARA access to the records.
- Ensure that only shampoo services, and no other cosmetology services, are performed by the student.
- Ensure that a licensed cosmetologist is present in the establishment when the student is performing shampoo services.

The school of cosmetology

If a school of cosmetology provided a verification letter to a cosmetology establishment, the school would have to retain a copy of the letter in the student's school record for at least three years after the student's expected graduation date.

MCL 339.1203a

FISCAL IMPACT:

Senate Bill 751 would not have a fiscal impact on any unit of state or local government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.