

# The H.B. 2029 Report

## License Consolidation

1. Identify what is unique to each profession that the board regulates and determine whether any licenses should be consolidated.

A.R.S. § 32-501 and A.R.S. § 32-301 Definitions:

**Aesthetics** means any one or a combination of the following practices if they are performed for cosmetic purposes:

- a. Massaging, cleansing, stimulating, manipulating, exercising, beautifying or applying oils, creams, antiseptics, clays, lotions or other preparations, either by hand or by mechanical or electrical appliances.
- b. Arching eyebrows or tinting eyebrows and eyelashes.
- c. Removing superfluous hair by means other than electrolysis or threading.

**Barbering** means any one or a combination of the following practices if they are performed on a person's head, face, neck or shoulders for cosmetic purposes:

- a. Cutting, clipping or trimming hair.
- b. Massaging, cleansing, stimulating, manipulating, exercising, beautifying or applying oils, creams, antiseptics, clays, lotions or other preparations, either by hand or by mechanical or electrical appliances.
- c. Styling, arranging, dressing, curling, waving, permanent waving, straightening, cleansing, singeing, bleaching, dyeing, tinting, coloring or similarly treating hair.
- d. Providing hair attachments, extensions, hairpieces, and wigs when performed by a barber.
- e. Shaving or trimming a beard.
- f. Providing skin care.

**Cosmetology** means any one or a combination of the following practices if they are performed for cosmetic purposes:

- a. Massaging, cleansing, stimulating, manipulating, exercising, beautifying or applying oils, creams, antiseptics, clays, lotions or other preparations, either by hand or by mechanical or electrical appliances.
- b. Arching eyebrows or tinting eyebrows and eyelashes.
- c. Removing superfluous hair by means other than electrolysis or threading.
- d. Nail technology.
- e. Hairstyling.

**Hairstyling** means any of the following:

- a. Cutting, clipping or trimming hair.
- b. Styling, arranging, dressing, curling, waving, permanent waving, straightening, cleansing, singeing, bleaching, dyeing, tinting, coloring or similarly treating hair.
- c. Removing superfluous hair from the neck up by means other than electrolysis or threading.

**Nail technology** means any of the following:

- a. Cutting, trimming, polishing, coloring, tinting, cleansing or otherwise treating a person's nails.
- b. Applying artificial nails.
- c. Massaging and cleaning a person's hands, arms, legs and feet.

**Salon** through the cosmetology statute means any of the following:

- a. An establishment that is operated for the purpose of engaging in the practice of cosmetology, aesthetics, nail technology or hairstyling, or any combination of the listed practices.
- b. An establishment together with a retrofitted motor vehicle for exclusive use as a mobile facility for the purpose of engaging in the practice of cosmetology, aesthetics, nail technology or hairstyling, or any combination of the listed practices, that is operated and dispatched through the establishment.
- c. A retrofitted motor vehicle that is exclusively used as a mobile facility for the purpose of engaging in the practice of cosmetology, aesthetics, nail technology or hairstyling, or any combination of the listed practices and that is operated and dispatched from a business that has a physical street address on file with the board.

**Shop or salon** through the barbering statute means an establishment that is operated for the purpose of engaging in the practice of barbering.

**Recommendation:**

The Arizona Barbering and Cosmetology Board (BCB) believes that the aesthetics, barbering, cosmetology, hairstyling, and nail technology licenses should remain as their own as each license type has specific education and training requirements.

However, the Board believes that the barber shop, aesthetics salon, cosmetology salon, hairstyling salon, and nail technology salon licenses can be consolidated.

[A.R.S. § 32-501\(15\)](#) defines a salon as any of the following:

- a. An establishment that is operated for the purpose of engaging in the practice of cosmetology, aesthetics, nail technology or hairstyling, or any combination of the listed practices.
- b. An establishment together with a retrofitted motor vehicle for exclusive use as a mobile facility for the purpose of engaging in the practice of cosmetology, aesthetics, nail technology or hairstyling, or any combination of the listed practices, that is operated and dispatched through the establishment.
- c. A retrofitted motor vehicle that is exclusively used as a mobile facility for the purpose of engaging in the practice of cosmetology, aesthetics, nail technology or hairstyling, or any combination of the listed practices and that is operated and dispatched from a business that has a physical street address on file with the board.

Current cosmetology statute never references a barber shop or barbering services but [A.R.S. § 32-301\(7\)](#) states:

“Shop” or “salon” means an establishment that is operated for the purpose of engaging in the practice of barbering.

If a business owner wants to have a barber and a cosmetologist working in their salon, they must apply and pay for two different licenses: a salon license and a barber shop license.

Before the consolidation, the two licenses would have two separate Boards performing inspections. Now, every BCB investigator has both cosmetology salons and barber shops to do routine inspections and complaint-driven investigations.

Additionally, a cosmetology salon license includes hairstyling, nail technology, and aesthetics services but there is currently no other salon or barber shop license that includes multiple license types and barbering. If a business owner wants to add a specific service that falls under a different license type, they are unable to do so unless they apply for a corresponding license.

The most fair and equitable solution is to dispose of the various existing salon and barber shop licenses and instead create one standard establishment license that would apply to all of the professions. Then, if an owner with an establishment license wishes to add a barber to their hairstyling staff to offer additional services, they may do so without having to apply and pay for another type of salon license.

Creating one establishment license will allow establishment owners/licensees the flexibility to offer and hire individuals who are not tailored to one specific license type.

The Board is in the process of consolidating the Arizona Administrative Codes where each establishment will have the same safety and sanitation requirements (which are currently extremely different), the same fees, and the same licensing requirements. This will also aid in

the flexibility of the Board’s consolidation where barber shop sanitation is drastically different than a cosmetology salon.

## Fee Structure

2. Study the fee structure for each profession that the board regulates and determine whether changes are needed.

The below table shows the barbering and cosmetology fees that are currently in statute ([A.R.S. § 32-507](#) and [A.R.S. § 32-328](#)).

- ★ Cosmetology in the following section refers to cosmetologists, aestheticians, nail technicians, and hairstylists
- ★ The barbering statute and cosmetology statute indicate the maximum fees that the Board may charge for each service
- ★ DNE = Does not exist
- ★ The current charge is what the Board currently charges pursuant to Arizona Administrative Code

Current Charge	Barbering Statute	Fees	Cosmetology Statute	Current Charge
\$175	\$200	Reciprocity	\$150	\$60
\$40	DNE	Initial License	DNE	\$60
\$80	\$100	License Renewal	\$60 every 2 years	\$60
First-time: \$105 Second-time: \$130 Third-time: \$155	\$150	Late Renewal	\$60	\$60 + \$30 per every 2 inactive years
\$100	\$200	Examination	\$100	DNE
\$77	DNE	Practical Examination	\$100	\$77
\$100	\$200	Instructor Examination	Determined by Board	DNE
DNE	DNE	Review of Examination	\$50	DNE
DNE	DNE	Regrading of Examination	\$25	DNE

Written: \$25 Practical: \$50	\$50 for Practical	Re-examination	DNE	DNE
\$50	\$100	Instructor License	Determined by Board	DNE
\$60	\$100	Instructor License Renewal	Determined by Board	DNE
First-time: \$85 Second-time: \$110 Third-time: \$135	\$150	Instructor Late Renewal	Determined by Board	DNE
\$1,000	\$1,000	School Initial Inspection/License	DNE	\$600
\$500	\$500	School Change of Location	Determined by Board	DNE
\$500	\$500	School Change of Ownership	Determined by Board	DNE
\$400 (annual)	\$500	School License Renewal	\$500	\$250
First-time: \$425 Second-time: \$450 Third-time: \$475	\$550	School Late Renewal	\$600	\$350
\$150	\$250	Initial Inspection/License for Shop/Salon	DNE	\$110
\$85	\$200	Shop/Salon Location Change	Determined by Board	\$20 for any salon change
\$85	\$150	Shop/Salon Ownership Change	Determined by Board	\$20, same as the above charge. Both ownership and location are included in the \$20 fee.
\$50	\$100	Shop/Salon Renewal	\$50	\$50

First-time: \$75 Second-time: \$100 Third-time: \$125	\$150	Shop/Salon Late Renewal	\$80	\$80
	<b>Barber</b>	<b>Potential Additional Fees Charged by Board</b>	<b>Cosmetology</b>	
\$.035 per record	DNE	Documents & Publications	Determined by board	\$.035 per record
DNE	DNE	Board-Administered Classes	\$100	\$25
\$30	DNE	Certificate of License or Hours	\$30	\$30
DNE	DNE	Audio/Video/Compute r/Discs/other Copying Charge	\$1 per page, or \$15 per tape of audio, video, image, or information	\$15 per tape
DNE	\$10	Dishonored/Insufficie nt Funds Checks	\$20	\$20
\$20	DNE	Duplicate License	\$30	\$10
\$.25 per licensee	DNE	Licensees Computer Name & Address Printout	\$0.25 per name	\$.25 per licensee
DNE	DNE	Inactive License Penalty	\$60 fee & proof of education	\$60 + \$30 for every additional 2 years of delinquency

**Recommendation:**

The Arizona Barbering and Cosmetology Board recommends consolidating the statutes to the highest amount between the barber statutes and the cosmetology statutes as it indicates the maximum amount the Board can charge. The Board would then determine in the Arizona Administrative Code the fee for each service based upon an annual fee analysis ensuring licensees are not overcharged or undercharged.

The below table shows the Board's recommended change to the highest amount between the barber statute and the cosmetology statute.

- ★ Cosmetology in the following section refers to cosmetologists, aestheticians, nail technicians, and hairstylists
- ★ The barbering statute and cosmetology statute indicate the maximum fees that the Board may charge for each service
- ★ DNE = Does not exist

Board Change Recommendations	Current Charge	Barbering Statute	Fees	Cosmetology Statute	Current Charge
\$175	\$175	\$200	Reciprocity	\$150	\$60
\$60	\$40	DNE	Initial License	DNE	\$60
\$100	\$80	\$100	License Renewal	\$60 every 2 years	\$60
\$150	First-time: \$105 Second-time: \$130 Third-time: \$155	\$150	Late Renewal	\$60	\$60 + \$30 per every 2 inactive years
\$100	\$100	\$200	Examination	\$100	DNE
\$100	DNE	\$50	Practical Examination	\$100	DNE
\$200	\$100	\$200	Instructor Examination	Determined by Board	DNE
\$25	Written: \$25 Practical: \$50	DNE	Re-examination	DNE	DNE
\$100	\$50	\$100	Instructor License	Determined by Board	DNE
\$100	\$60	\$100	Instructor License Renewal	Determined by Board	DNE
\$150	First-time: \$85 Second-time:	\$150	Instructor Late Renewal	Determined by Board	DNE

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	\$110 Third-time: \$135				
\$1,000	\$1,000	\$1,000	School Initial Inspection/License	DNE	\$600
\$500	\$500	\$500	School Change of Location	Determined by Board	DNE
\$500	\$500	\$500	School Change of Ownership	Determined by Board	DNE
\$400	\$400 (annual)	\$500	School License Renewal	\$500	\$250
\$600	First-time: \$425 Second-time: \$450 Third-time: \$475	\$550	School Late Renewal	\$600	\$350
\$150	\$150	\$250	License for Shop/Salon	DNE	\$110
\$150	\$85	\$200	Shop/Salon Location Change	Determined by Board	\$20 for any salon change
\$150	\$85	\$150	Shop/Salon Ownership Change	Determined by Board	\$20, same as the above charge. Both ownership and location are included in \$20 fee.
\$100	\$50	\$100	Shop/Salon Renewal	\$50	\$50
\$150	First-time: \$75 Second-time: \$100 Third-time: \$125	\$150	Shop/Salon Late Renewal	\$80	\$80
\$.50 per page	\$.50 per page	DNE	Documents & Publications	Determined by Board	\$.50 per page



\$100	DNE	DNE	Board-Administered Classes	\$100	\$25
\$30	DNE	DNE	Certificate of License or Hours	DNE	\$30
\$3 per transaction	DNE	DNE	Alternative Payment Method (Credit Card, Debit Card, etc.)	Charge = Cost of Alternative Method to Board	\$3 per transaction
\$15 per tape	DNE	DNE	Audio/Video/computer/Discs/other Copying Charge	\$1 per page, or \$15 per tape of audio, video, image, or information	\$15 per tape
\$20	DNE	\$10	Dishonored/Insufficient Funds Checks	\$20	\$20
\$30	\$20	DNE	Duplicate License	\$30	\$10
\$.25 per licensee	\$.25 per licensee	DNE	Licensees Computer Name & Address Printout	\$0.25 per name	\$.25 per licensee
None	DNE	DNE	Inactive License Penalty	\$60 & proof of education	\$60 + \$30 for every 2 additional delinquent years

## Instruction Hours/Reciprocity

- Determine whether a reduction of instruction hours that are required for current licenses is necessary and how a reduction of instruction hours might affect reciprocity with other states.

Barber: [A.R.S. § 32-322](#): At least 1,200 hours of completed training (250 hours for a person with a cosmetology license).

Cosmetologists: [A.R.S. § 32-511](#): If the applicant is not in an apprenticeship program, at least 1,500 hours of completed training.

Hairstylists: [A.R.S. § 32-512.01](#): At least 1,000 hours of completed training.

Nail Technicians: [A.R.S. § 32-512](#): At least 600 hours of completed training.

Aestheticians: [A.R.S. § 32-510](#): At least 600 hours of completed training.

The below chart shows the five states around Arizona—Nevada, Colorado, Arizona, Utah, New Mexico, and California—and their barber and cosmetology reciprocity policies and minimum hour requirements for licensure.

State	Cosmetology	Hairstyling	Aesthetics	Nail Technology	Instructor	Barbering
Nevada	1600	1000	600	600	700	1500
Colorado	1500	1200	600	600	2 years of experience	1500
Arizona	1500	1000	600	600	350	1200
Utah	1600	1600	600	300	1000	1000
California	1000	600	600	400	0	1000
New Mexico	1600	1600	600	350	1000	1200

+Note: Utah and New Mexico require hairstylists to obtain cosmetology licenses to practice hairstyling, thus why the hour requirements are substantially higher than those neighboring states.

The Arizona Barbering and Cosmetology Board has identified 10 states that have or will soon have lower-hour requirements for barbering and/or cosmetology licenses: California, Florida, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Texas, Vermont, and soon to be Virginia. Each of these states prohibits their state barbering and cosmetology boards from approving applicants for licensure through reciprocity if the applicant obtained their license from a state with substantially lower hour requirements.

**Recommendation:**

Arizona is right in the middle in terms of hour requirements. The two licensure types that differ the most are the nail technology requirements and instructor requirements. Arizona requires 600 hours for nail technology whereas three states (Utah, California, and New Mexico) require almost half of that requirement. Arizona requires significantly fewer hours for an instructor license with the lowest for the states that have required hours. With this analysis of the surrounding states, the Board does not believe that a reduction of hours is necessary.



Whether an individual is eligible for a license through reciprocity is determined solely by whether the individual possesses ownership of a license from another state or from another country with substantially similar requirements. Reciprocity is a purely license-for-license process. If the legislature were to lessen or lengthen the hour requirements to obtain a barbering, cosmetology, aesthetics, nail technology, or hairstyling license within the state of Arizona, individuals seeking to obtain licenses through reciprocity would be unaffected.

However, individuals seeking to obtain out-of-state licenses through reciprocity using their existing Arizona-issued license may be rejected if their license was obtained in a state (Arizona, in this case) with substantially lower hour requirements than the state in which they are applying. For example, California requires a minimum of 1,000 hours of instruction to obtain a cosmetology license and may refuse to accept reciprocity applications from Arizona if the legislature were to decrease the hour requirements to below 1,000 hours.

## Summary

When the Arizona State Board of Barbers and the Arizona Board of Cosmetology were consolidated, they became one of the largest regulatory boards. The Board issues 16 categories of licenses to establishments, schools, and individuals who qualify by reciprocity, universal recognition, or by successfully completing a written and practical examination.

With the ask of looking at each profession and license type and determining whether any of them should be consolidated, the Board determined that the salon license and barber shop license could be consolidated into one establishment license. Creating one establishment license will allow flexibility to offer and hire individuals who are not tailored to one specific license type.

Additionally, in reviewing the fee structure for each license, the Board recommends updating the statutes to reflect the highest amount between the cosmetology statutes and barber statutes. This will allow the Board to make the determination for the exact cost of each service in their Arizona Administrative Codes.

Lastly, in reviewing the instruction hours for each license and referencing them with states immediately surrounding Arizona, the Board does not believe a reduction of instruction hours is necessary. The Board is right in the center for instruction hours and does not drastically differ compared to surrounding states. Additionally, if Arizona were to reduce instruction hours, it could negatively affect individuals who are currently licensed in Arizona trying to go through reciprocity to become licensed in another state.