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**MICHIGAN BOARD OF COSMETOLOGY
RULES COMMITTEE WORK GROUP
MEETING MINUTES**

APRIL 23, 2020

The Michigan Board of Cosmetology, Rules Work Group, met on April 23, 2020. The meeting was held via Zoom, pursuant to Executive Order 2020-48.

CALL TO ORDER

Linda Ward, Chairperson, called the meeting to order at 2:00 p.m.

ATTENDANCE

Members Present: Linda Ward, Chairperson
Scott Weaver
Kathryn Wilkinson

Members Absent: None

Staff Present: Kimmy Catlin, Board Support, Board and Committees Section
Dena Marks, Policy Analyst, Board and Committees Section

Public Present: Susan Kolar
Kathy Pavlik
Kasey Smith

RULES DISCUSSION – A copy of the current rules is attached to this document.

Marks explained the timeline and process for rule promulgation. Marks reminded the public that this meeting was set to review the comments received from the public hearing and that the Rules Committee will make the final recommendation on the proposed rule changes to the Board.

Rule 338.2161 Cosmetology Curriculum

Comment made at hearing: The commenter stated that artificial nails were rarely used in the industry and requested that the term “artificial nails” be changed to gel nail application because this has largely replaced acrylic nails.

Ward stated that the term “artificial” can mean gel, acrylic, powder, etc., and allows for open interpretation.

Weaver agreed with Ward and stated that the term allowed for new technology.

Wilkinson agreed as it was all encompassing.

The Rules Committee agreed that no changes were necessary to this proposed rule.

Rule 338.2169a Cosmetologist, esthetician, electrologist, manicurist, and natural hair culturist curriculum

Comment made at hearing: The commenter stated that the increased hours in esthetics and manicuring services was not warranted because most students were focused on hair care services.

Ward stated that these hours are sufficient.

Weaver agreed and stated that it allowed a licensee to transfer.

Wilkinson agreed.

Rule 338.2169a Cosmetologist, esthetician, electrologist, manicurist, and natural hair culturist curriculum

Comment made at hearing: The commenter stated that the omission of minimum practical applications should be restored to ensure that each student has a basic working knowledge of all areas.

Table 11

Marks stated that the minimum practical applications should be included based on statute.

Weaver expressed concern with how to track applications.

Marks stated it was a statutory requirement.

Weaver stated schools currently do not track this.

Marks stated the rules must provide the minimum practical applications.

Weaver said they can track hours but not applications.

Wilkinson explained that it would be different for everyone because education is individualized.

Weaver recommended matching applications to hours.

Ward was in support of that idea because she did not want confusion among licensees.

Sager questioned if there would be a way to combine hours.

Marks stated that statute did not allow a combination of the minimum practical applications with practical application hours.

Ward stated it will be easier to keep separate.

Discussion was held.

Weaver recommended matching practical and application hours.

Ward recommended not to break down services and simply provide a total number of services.

Wilkinson agreed.

The Rules Committee agreed that subsection(b) should total 425.

Marks inquired about subsection (c).

Weaver suggested to leave 50 as the minimum.

Wilkinson agreed.

Pavlik stated that 50 was too high as estheticians have a different number of hours to complete.

Weaver suggested reducing the amount to 25.

Both Wilkinson and Ward agreed with Weaver.

The Rules Committee agreed that both subsections (c) and (d) should be 25 hours.

Kolar stated lowering the number impacts more.

Weaver stated it was just a minimum and it could be exceeded.

Table 12

Marks requested that the Committee provide her with the number of hours they would like to see students meet.

Weaver stated he could not give insight because he was not too familiar with those applications.

Marks stated the 150 minimal applications came from the current requirements.

The Rules Committee agreed to leave the 150 minimal applications.

Table 13

Weaver suggested to leave the 50 hours.

The Rules Committee agreed.

Table 14

Weaver suggested to leave the 50 hours.

The Rules Committee agreed.

Table 15

Ward stated that subsection (a) should say electrology instead of natural hair.

Marks stated she will correct the table.

Weaver suggested to leave at 40.

The Rules Committee agreed.

Rule 338.2169b Cosmetologist instructor and cosmetologist limited instructor curriculum; electrologist instructor, limited electrologist instructor, and limited specialist instructor curriculum.

Comment made at hearing: The commenter stated that the omission of minimum practical applications should be restored to ensure that each student has a basic working knowledge of all areas.

Table 16

Marks stated that it is currently 150 and it was changed to 120 to match the hours.

Weaver suggested lowering subsection (d) to 10.

The Rules Committee agreed.

Weaver suggested reducing subsections (a) and (c) to 20 and leave subsection (e) at 40.

The Rules Committee agreed.

Table 17

Weaver suggested to leave it as is.

Marks stated subsection (a) = 10, subsection (c) = 20, subsection (d) = 10, and subsection (e) = 40.

Pavlik stated that the two categories should match and be reduced due to the total number of hours being different.

Ward suggested that subsection (e) should be 15.

The Rules Committee agreed.

Proposed New Rule. Licensure of Nail Technician

Comment made at hearing: The commenter stated that the board should consider approving instruction for nail technicians from a nail technician school and not require that instruction to be offered by a cosmetology school.

Ward advised that no changes were necessary.

Marks stated the statute does not permit it.

The Rules Committee agreed that no changes were necessary.

Smith inquired about the current pandemic.

Marks stated this was not the place to discuss that matter as the meeting was for the comments made on the draft rules at the public hearing.

ADJOURNMENT

The meeting adjourned at 3:39 p.m.

Prepared by:
Kimmy Catlin, Board Support
Bureau of Professional Licensing

April 27, 2020

Cosmetology – General Rules – 2019 – 028 LR
Public Comment Summary
Rules Committee and Board responses to October 17, 2019 Public Comment

Testimony/Comments Received:

1. Pamela Ehrke, Warren Woods Tower High School
2. Debra Herr-Dempsey, TNG Worldwide
3. Sue Kolar, Instructor, Mott Community College

Rule 338.2161 Cosmetology Curriculum

Rule Numbers	Commenter	Comment
338.2161	3	The commenter stated artificial nails are rarely used in the industry and requests that artificial nails be changed to gel nail application because this has, largely, replaced acrylic nails.
Rules Committee Response	R 338.2161 The rules committee disagreed that artificial nails are rarely used and that the term is broad enough to include new techniques.	

BOARD RESPONSE: THE BOARD _____ WITH THE RULES COMMITTEE’S RECOMMENDATION.

Rule 338.2169a Cosmetologist, esthetician, electrologist, manicurist, and natural hair culturist curriculum

Rule Numbers	Commenter	Comment
338.2169a Table 11	3	The commenter stated that the increased hours in esthetics and manicuring services is unwarranted because most students are focused on hair care services.
338.2169a Tables 11-15	3	The commenter stated that the omission of minimum practical applications should be restored to ensure that each licensee candidate has a basic working knowledge of all areas.
Rules Committee Response	<p>R 338.2169a Table 11 The rules committee disagreed with the commenter. The rules committee had previously considered the increased number of hours in esthetics and manicuring services and believes that the allocation of hours gives the student a balanced education.</p> <p>R 338.2169a Tables 11-15: The rules committee agreed that the minimum practical applications should be included.</p>	

Based on the subcommittee’s response, proposed rule 338.2169a, would read as follows:

R 338.2169a Cosmetologist, esthetician, electrologist, manicurist, and natural hair culturist curriculum.

Rule 69a. (1) Students and apprentices who are enrolled the study of cosmetology 1 year or later after the promulgation of this rule shall complete a curriculum pursuant to the following table:

TABLE 11

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
(a) Health and safety related to hair care services, manicuring services, skin care services, and natural hair cultivation that include all of the following topics: <ul style="list-style-type: none"> (i) Anatomy and physiology. (ii) Chemical safety. (iii) Diseases and disorders. (iv) Laws and rules. (v) Occupational safety. (vi) Personal hygiene. (vii) Sanitation. (viii) Equipment, supply, and tool safety. 	75	125	200	Health and safety must be included in all practical applications.
(b) Hair care services and natural hair cultivation that include all of the following topics: <ul style="list-style-type: none"> (i) Arranging. (ii) Artificial Hair. (iii) Bleaching. (iv) Cleansing. 	200	600	800	425

<ul style="list-style-type: none"> (v) Curling. (vi) Cutting. (vii) Coloring and bleaching. (viii) Dressing. (ix) Perming. (x) Relaxing. (xi) Singeing. (xii) Straightening. (xiii) Tinting. (xiv) Waving. (xv) Natural hair cultivation. 				
<p>(c) Esthetic services that include all of the following topics:</p> <ul style="list-style-type: none"> (i) Beautifying the skin using cosmetic preparations, chemicals, and liquids, including body wrapping. (ii) Cleansing the skin with hands and equipment. (iii) Temporary hair removal. (iv) Facials, makeup, and eyelashes. 	100	150	250	25

(d) Manicuring services that include all of the following: (i) Artificial nails, extensions, and repairs. (ii) Manicuring. (iii) Pedicuring.	100	150	250	25
Totals	475	1025	1500	475

(2) Students and apprentices who are enrolled in the study of electrology 1 year or later after the promulgation of this rule shall complete a curriculum pursuant to the following table:

TABLE 12

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
(a) Health and safety related to electrology services that include all of the following topics: (i) Anatomy and physiology. (ii) Chemical safety. (iii) Diseases and disorders. (iv) Laws and rules. (v) Occupational safety.	50	50	100	Health and Safety must be included in all practical applications.

(vi) Personal hygiene. (vii) Sanitation. (viii) Equipment, supply, and tool safety.				
(b) Electrology services that includes the topic of removal of the hair with electricity.	125	175	300	150
Totals	175	225	400	150

(3) Students and apprentices who are enrolled in the study of esthetics 1 year or later after the promulgation of this rule shall complete a curriculum pursuant to the following table:

TABLE 13

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
(a) Health and safety related to esthetic services that include all of the following topics: (i) Anatomy and physiology. (ii) Chemical safety.	50	50	100	Health and Safety must be included in all practical applications.

(iii) Diseases and disorders. (iv) Laws and rules. (v) Occupational safety. (vi) Personal hygiene. (vii) Sanitation. (viii) Equipment, supply, and tool safety.				
(b) Esthetic services that include the following topics: (i) Beautifying the skin using cosmetic preparations, chemicals, and liquids, including body wrapping. (ii) Cleansing the skin with hands and equipment. (iii) Temporary hair removal. (iv) Facials, makeup, and eyelashes.	125	175	300	50
Totals	175	225	400	50

(4) Students and apprentices who are enrolled in the study of manicuring 1 year or later after the promulgation of this rule shall complete a curriculum pursuant to the following table:

TABLE 14

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
(a) Health and safety related to manicuring services that include all of the following topics: (i) Anatomy and physiology. (ii) Chemical safety. (iii) Diseases and disorders. (iv) Laws and rules. (v) Occupational safety. (vi) Personal hygiene. (vii) Sanitation. (viii) Equipment, supply, and tool safety.	50	50	100	Health and Safety must be included in all practical applications.
(b) Manicuring services that include all of the following topics: (i) Artificial nails, extensions, and repairs. (ii) Manicuring. (iii) Pedicuring.	125	175	300	50
Totals	175	225	400	50

(5) Students and apprentices who are enrolled in the study of natural hair cultivation 1 year or later after the promulgation of this rule shall complete a curriculum pursuant to the following table:

TABLE 15

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
(a) Health and safety related to natural hair cultivation that include all of the following topics: (i) Anatomy and physiology. (ii) Chemical safety. (iii) Diseases and disorders. (iv) Laws and rules. (v) Occupational safety. (vi) Personal hygiene. (vii) Sanitation. (viii) Equipment, supply, and tool safety.	50	50	100	Health and Safety must be included in all practical applications.
(b) Natural hair cultivation services that include all of the following topics: (i) Braiding. (ii) Extending. (iii) Locking.	125	175	300	40

(iv) Twisting. (v) Weaving. (vi) Wrapping.				
Totals	175	225	400	40

Rule 338.2169b Cosmetologist instructor and cosmetologist limited instructor curriculum; electrologist instructor, Limited electrologist instructor, and limited specialist instructor curriculum.

Rule Numbers	Commenter	Comment
338.2169b Tables 16-17	3	The commenter stated that the omission of minimum practical applications should be restored to ensure that each licensee candidate has a basic working knowledge of all areas.
Rules Committee Response	R 338.2169b Tables 16-17: The rules committee agreed that the minimum practical applications should be included.	

Based on the subcommittee’s response, proposed rule 338.2169b, would read as follows:

R 338.2169b Cosmetologist instructor and cosmetologist limited instructor curriculum; electrologist instructor, limited electrologist instructor, and limited specialist instructor curriculum.

Rule 69b. (1) Students who are enrolled in the study of cosmetology instructor or cosmetology limited instructor 1 year or later after the promulgation of this rule shall complete a curriculum pursuant to the following table:

TABLE 16

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications

(a) Orientation and review of the cosmetology curriculum.	25	50	75	20
(b) Introduction to teaching.	30	0	30	0
(c) Teaching skills that include all of the following topics: (i) Course outlining and development. (ii) Lesson planning. (iii) Teaching techniques. (iv) Teaching aids. (v) Developing, administering, and grading examinations.	80	85	165	20
(d) Administration skills that include all of the following topics: (i) Laws and rules. (ii) Record keeping. (iii) School administration.	15	10	25	10
(e) Teaching theory and practical hours that include all of the following topics: (i) Assisting in the clinic and theory classrooms.	0	205	205	40

(ii) Practice teaching in the clinic and theory classrooms.				
Totals	150	350	500	90

(2) Students who are enrolled in the study of electrology instructor, electrology limited instructor, esthetics limited specialist instructor, manicuring limited specialist instructor, or natural hair cultivation limited specialist instructor 1 year or later after the promulgation of this rule shall complete a curriculum pursuant to the following table:

TABLE 17

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
(a) One of the following: (i) For an electrology instructor or electrology limited instructor, orientation and review of the electrology curriculum. (ii) For an esthetics limited specialist instructor, orientation and review of the esthetician curriculum. (iii) For a manicuring limited specialist instructor, orientation and review of the manicuring curriculum.	10	15	25	10

(iv) For a natural hair cultivation limited specialist instructor, orientation and review of the natural hair cultivation curriculum.				
(b) Introduction to teaching.	30	0	30	0
(c) Teaching skills that include all of the following topics: (i) Course outlining and development. (ii) Lesson planning. (iii) Teaching techniques. (iv) Teaching aids. (v) Developing, administering, and grading examinations.	80	85	165	20
(d) Administration skills that include all of the following topics: (i) Laws and rules. (ii) Record keeping. (iii) School administration.	15	10	25	10
(e) Teaching theory and practical hours that include all of the following topics:	0	55	55	15

(i) Assisting in the clinic and theory classrooms. (ii) Practice teaching in the clinic and theory classrooms.				
Totals	135	165	300	55

BOARD RESPONSE: THE BOARD _____ WITH THE RULES COMMITTEE’S RECOMMENDATION.

Proposed New Rule Licensure of Nail Technician

Rule Numbers	Commenter	Comment
Proposed new rule	2	The commenter stated that the board should consider approving instruction for nail technicians from a nail technician school and not require that instruction be offered by a cosmetology school.
Rules Committee Response	The rules committee disagreed that a new rule should be added for the licensure of a nail technician. MCL 339.1209 provides for the licensure of a manicurist who has completed training at a cosmetology school or an apprenticeship. The statute does not permit a manicurist to be licensed without the training from one of these entities, and it does not provide for a separate license for nail technicians.	

BOARD RESPONSE: THE BOARD _____ WITH THE RULES COMMITTEE’S RECOMMENDATION.