

May 2, 1963.
Ways and Means. *Calendar 5/4*

House File 593
By COMMITTEE ON WAYS
AND MEANS.

Passed House, Date..... Passed Senate, Date.....
Vote: Ayes..... Nays..... Vote: Ayes..... Nays.....
Approved.....

A BILL FOR

An Act relating to cosmetology.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section one hundred forty-seven point one (147.1),
2 Code 1962, is hereby amended by inserting in line five (5) of
3 subsection two (2) of such section before the first word "of"
4 the words "or instructor".

1 Sec. 2. Section one hundred forty-seven point seventy-four
2 (147.74), Code 1962, is hereby amended by adding thereto the
3 following:

4 "The holder of a cosmetologist's license shall have the right
5 and privilege to place the initials 'R.C.' immediately following
6 his or her name to designate him or her as a registered cosmetol-
7 ogist."

1 Sec. 3. Section one hundred forty-seven point eighty (147.80),
2 Code 1962, is hereby amended as follows:

3 1. By inserting in line two (2) of subsection five (5) of
4 such section after the word "cosmetology" the words ", cosmetology
5 instruction".

6 2. By striking from line five (5) of subsection seven (7) of
7 such section the words ", or cosmetology".

8 3. By inserting after the word "dollars," in line five (5) of
9 subsection seven (7) of such section the words "and except the

10 renewal fee of a license to practice cosmetology or cosmetology
11 instruction shall be five (5) dollars.”

12 4. By striking subsection eleven (11) of such section and
13 inserting in lieu thereof the following:

14 “For a license to conduct a school teaching cosmetology, five
15 hundred (500) dollars; for the renewal of a license to conduct a
16 school teaching cosmetology an annual fee of one hundred (100)
17 dollars; and for transfer of such license upon change of owner-
18 ship one hundred (100) dollars.”

19 5. By adding the following new subsection:

20 “For a license to operate a beauty shop, twenty-five (25) dol-
21 lars; and for renewal of a license to operate a beauty shop an
22 annual fee of five (5) dollars; and for transfer of a license to
23 conduct a beauty shop upon change of ownership of a beauty shop,
24 five (5) dollars.”

1 Sec. 4. Section one hundred fifty-seven point one (157.1),
2 Code 1962, is hereby repealed and the following enacted in lieu
3 thereof:

4 “‘Cosmetology’ when used in this title means any one or a
5 combination of practices generally performed by persons known as
6 cosmetologists, hairdressers, or any other person holding him-
7 self out as practicing cosmetology by whatever designation and
8 upon whatever place or premises. Cosmetology shall include but
9 is not limited to the following:

10 1. Arranging, dressing, curling, waving, cleaning, singeing,
11 bleaching, coloring, removing, or similar work upon the hair of
12 any person whether such work be performed with the hands or by
13 mechanical or electrical apparatus or appliance, or by the use of
14 cosmetic preparations, antiseptics, tonics, lotions, creams, or

15 by any other means.

16 2. In any manner massaging, cleaning, stimulating, manipu-
17 lating, exercising, beautifying, or performing similar work upon
18 the scalp, face, neck, arms, hands, or upper part of the body of
19 any person or cutting the hair of or manicuring the nails of any
20 female.

21 3. The removing of superfluous hair by the use of electricity
22 or otherwise.

23 'Board' when used in this chapter means the board of cosmetology
24 examiners."

1 Sec. 5. Section one hundred fifty-seven point three (157.3),
2 Code 1962, is hereby amended by adding thereto the following:

3 "No person shall instruct students or student instructors in
4 cosmetology or manage a cosmetology school except:

5 1. A licensed cosmetology instructor. The state department
6 of health shall issue a cosmetology instructor's license to any
7 licensed cosmetologist who has completed a six (6) month one
8 thousand (1,000) hour instructor's course in cosmetology, as
9 prescribed by the board, at a licensed cosmetology school and has
10 passed an instructor's examination given by the board. A li-
11 censed cosmetology instructor shall be assisted in the instruc-
12 tion of students by a person qualified to instruct students in
13 Iowa high schools.

14 2. Any licensed cosmetologist may instruct students or stu-
15 dent instructors in cosmetology, without the assistance of a per-
16 son qualified to instruct in Iowa high schools, if:

17 a. Such cosmetologist has, in lieu of passing an instructor's
18 examination given by the board, passed an instructor's examina-
19 tion conducted by the licensed cosmetology school in which said

20 cosmetologist proposes to instruct, and

21 b. The licensed cosmetology school has filed with the board
22 and the board has approved the examination questions and answers
23 together with an evaluation of the practical portion of the exam-
24 ination which was given. A person having passed a cosmetology
25 instructor's examination other than one conducted by the board
26 shall not be entitled to a cosmetology instructor's license.

27 Except for clinical practice by students in licensed cosme-
28 tology schools, cosmetology shall be practiced only in beauty
29 shops licensed by the state department of health."

1 Sec. 6. Section one hundred fifty-seven point six (157.6),
2 Code 1962, is hereby amended by adding thereto the following:

3 "In addition to other needful rules, the board shall adopt
4 rules for cosmetology schools prescribing for:

5 1. Minimum area per student of clinic and classroom area.

6 The total minimum clinic and classroom area for a school shall
7 not be less than three thousand (3,000) square feet. Until the
8 earlier date of July 4, 1968 or until the expiration of the cur-
9 rent term of any lease of a building used for a cosmetology
10 school in effect on July 4, 1963, existing licensed cosmetology
11 schools shall not be required to increase floor area for the
12 number of students enrolled on July 4, 1963.

13 2. Amount and type of equipment.

14 3. Applicant's financial responsibility.

15 4. Minimum number of bona fide students for cosmetology
16 schools initially licensed after July 4, 1963.

17 5. Compliance with sanitary rules.

18 6. Filing of names of instructors employed.

19 7. Allowance of interruptions of training due to emergency,

20 accident, or sickness. Rules shall not allow a period of more
21 than fifteen (15) months to elapse from the time of enrollment
22 until completion of a course in cosmetology.

23 8. Character endorsement by five (5) persons, of new owners,
24 partners, stockholders, and managing officers of cosmetology
25 schools.

26 9. At least annual inspections of all schools by a quorum of
27 the board.

28 10. Filing of a corporate surety bond by cosmetology schools
29 initially licensed after July 4, 1963 in the penal sum of ten
30 thousand (10,000) dollars in favor of the state, conditioned that
31 the school shall afford its students the full course of instruc-
32 tion provided by this Act in default of which a proportionate
33 amount of the tuition paid by the student shall be refunded."

1 Sec. 7. Section one hundred fifty-seven point seven (157.7),
2 Code 1962, is hereby amended by adding thereto the following:

3 "All persons owning a beauty shop, and all cosmetologists
4 instructing in a school of cosmetology on July 4, 1963, shall be
5 entitled respectively to a beauty shop or cosmetology instruc-
6 tor's license, without examination, provided that application
7 therefor and the required annual renewal license fee are filed
8 within ninety (90) days after said date."

1 Sec. 8. Section one hundred fifty-seven point eight (157.8),
2 Code 1962, is hereby repealed and the following enacted in lieu
3 thereof:

4 "The board at its option, with the approval of the governor,
5 may appoint a licensed cosmetologist as its executive secretary,
6 who shall serve at the pleasure of the board. The commissioner
7 of public health, with the approval of the board, shall appoint

8 such inspectors and clerical assistants and incur such other
9 expenses as may be necessary to properly administer and enforce
10 the provisions of law relating to the practice of cosmetology.

11 Enough full-time inspectors shall be appointed to provide not
12 less than one full-time inspector for each one thousand (1,000)
13 combined number of licensed beauty shops and schools. No two
14 (2) inspectors shall reside, at the time of their respective
15 appointments, in any one (1) county. They shall be licensed
16 cosmetologists and shall have had at least five (5) years prac-
17 tical experience.

18 There is hereby annually appropriated out of the cosmetology
19 fund in the state treasury a sum sufficient to pay the compensa-
20 tion and the expense of said executive secretary, examiners, in-
21 spectors and clerical assistants, and other necessary expense of
22 administering and enforcing this Act. For each fiscal year end-
23 ing June 30th, the commissioner of public health shall submit a
24 budget to cover the operating expenses estimated to be necessary
25 to cover the costs of administering and enforcing this Act, to
26 the executive council for approval, and no expenditures in excess
27 of such budget shall be made without its prior approval.

28 All fees provided for by this Act and all other fees paid to
29 the department of health by the practitioners of cosmetology
30 shall be paid over to the treasurer of state, who shall keep such
31 fees in a separate fund to be known as the cosmetology fund.
32 Such fund shall be continued from year to year and the treasurer
33 shall keep a separate account thereof, showing receipts and dis-
34 bursements authorized therefrom, and it shall be used for no
35 other purpose than the administration and enforcement of the laws
36 relating to the practice of cosmetology, provided however, that

37 in each year in which the balance of said fund exceeds thirty-five
38 thousand (35,000) dollars on March 1st, the amount of the excess
39 shall be transferred to the general fund of the state.”

1 Sec. 9. Section one hundred fifty-seven point fourteen
2 (157.14), Code 1962, is hereby repealed and the following en-
3 acted in lieu thereof:

4 “Each licensed cosmetology school shall:

5 1. Employ at least two (2) instructors for up to and includ-
6 ing the first thirty (30) students enrolled, and one (1) ad-
7 ditional instructor for each additional fifteen (15) students.

8 2. Keep daily attendance records, maintain regular class
9 hours, establish grades, require completion by students of two
10 hundred ten (210) hours of instruction before rendering clinical
11 services.

12 3. Hold examinations.

13 4. Require a school term for a complete course of at least
14 two thousand one hundred (2,100) hours of continuous training,
15 not to exceed more than eight (8) hours in any one (1) day, in-
16 cluding practical demonstrations and theoretical studies and
17 study in sanitation, sterilization, other safety measures, and
18 the use of antiseptics, cosmetics, and electrical appliances.

19 No school shall pay compensation to any student, directly or
20 indirectly. The number of instructor-trainees in a school shall
21 not at any one time exceed more than three (3) for the first two
22 (2) qualified instructors, and thereafter, one (1) additional
23 trainee for each additional qualified instructor. Until July 4,
24 1965, in case of proven hardship, the board may permit the sub-
25 stitution of instructor-trainees for up to one half ($\frac{1}{2}$) the
26 required number of qualified instructors.

27 No instructor or instructor-trainee shall be permitted to
28 practice cosmetology on the public other than that part of
29 practical work which shall pertain directly to the teaching of
30 practical subjects to students.

31 Each cosmetology school shall at all times display in a
32 conspicuous place within its clinic area a sign reading: ALL
33 SERVICES IN THIS SCHOOL PERFORMED BY STUDENTS WHO
34 AS COSMETOLOGISTS. All advertising of clinical services of
35 schools of cosmetology shall include the phrase: 'All services
36 performed by students.' in print of as large type and prominence
37 as any other matter, excluding the school name and price, if
38 given. In the case of radio and television advertising, said
39 phrase shall be repeated at the beginning and end of the adver-
40 tisement.

41 All students at the time of enrollment in a cosmetology school
42 shall be at least seventeen (17) years of age and have had an ed-
43 ucation equivalent to four (4) years of high school, as evidenced
44 by a diploma from an accredited high school or the passage of a
45 general educational development test, or a test certified by the
46 superintendent of public instruction to be its equivalent."

1 Sec. 10. Chapter one hundred fifty-seven (157), Code 1962,
2 is hereby amended by adding the following new section:

3 "The board shall appoint a five (5) member committee of li-
4 censed cosmetologists to assist in prescribing all curricula
5 which shall be taught by schools of cosmetology, not less than
6 two (2) of whom shall be school owners. The committee shall meet
7 at the direction of the board and receive the same compensation
8 and reimbursement for expenses as the members of the examining
9 board.

- 10 A majority of the board shall constitute a quorum for the
- 11 transaction of all business.”

EXPLANATION OF HOUSE FILE 593

The purpose of this bill is to bring the law on cosmetology up to date by clarifying certain sections of the Code. This bill also provides additional protection for the general public by setting up standards for people who teach cosmetology and for people who practice cosmetology.

HOUSE FILE 593

1 Amend House File 593 as follows:

2 1. By striking the last sentence of subsection one (1) of
3 section five (5) commencing on line 10 thereof, and inserting in
4 lieu thereof the following:

5 "In the conduct of instructor's examinations the board shall
6 be assisted by a person qualified to instruct students in Iowa
7 high schools."

8 2. By striking the words "or student instructors" from
9 lines fourteen (14) and fifteen (15), and the words "without the
10 assistance of a person qualified to instruct in Iowa high schools,"
11 from lines fifteen (15) and sixteen (16) of paragraph two (2) of
12 section five (5) thereof.

13 3. By adding to section eight (8) thereof, the following:

14 "Initially the cosmetology fund shall be constituted from
15 fees paid by practitioners of cosmetology and owners of approved
16 schools of cosmetology during the period, January 1, 1963, to the
17 effective date of this Act, and afterwards from fees paid as
18 above provided."

19 4. By striking the words "not less than" from line five (5)
20 of section ten (10) thereof.

21 5. By adding after the word "cosmetology" in line 15 or paragraph
22 2 of section 5, the following words:

23 "without an instructor's license".

24 6. By adding after the word "board," in line 18 of paragraph
25 2a of section five (5), the words:

26 "has completed a regular instructor's course,"

27 7. By adding after the word "has" in line 21 of paragraph
28 2b of section five (5), the following words:

29 "registered the cosmetologist's name and".

30 8. By striking from line 22 of paragraph 2b of section five
31 (5) the words: "and the board has approved".

32 9. By striking the sentence beginning on line 24 of paragraph 2b
33 of section five (5), beginning with the words "A person" and
34 ending on line 26 thereof with the word "license".

35 10. By striking from line 21 of paragraph 7 of section six
36 (6) the word: "fifteen (15)" and inserting in lieu thereof
37 the word: "twenty (20)".

*Adopted
5/7*

Filed
May 6, 1963.

VERMEER of Marion.

HOUSE FILE 593

1 Amend House File 593 as follows:

2 Amend section 9, line 42, by striking the words "have
3 had" and inserting in lieu thereof the words "at the time
4 of application for a license, such student shall have".

✓ Filed and adopted
May 7, 1963.

CAMP of Clinton.
MESSERLY of Black Hawk.