

NIC Bulletin

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Fish Pedicures – Approve vs. Disapprove

Two states share their views on why they approve or disapprove of “fish pedicures” through regulation from their Board’s licensing department.

In the past few months most of the states regulatory agencies have taken a position on “fish pedicures” if they should be allowed as a service in the salons. Many states have disapproved of the service being performed due to it being in violation according to their regulations. Most states require that proper sanitation and disinfecting standards must be met for the implements being used when exfoliating (removing dead skin) on the feet.

Ohio: At this time one of the states that has approved of the procedure of fish pedicures is Ohio. Board Administrator Kevin Miller

spoke on how we don’t live in a sterile environment and the board wants to be business friendly to the salons as long as they follow the proper sanitation requirements to protect the public.

Board members Charles Penzone and Dr. Marilyn Huheey (ophthalmology) paid a visit to the salon that wanted to provide the fish services to see for themselves if it met regulations. Dr. Huheey served as the client to see the process that the practitioner used and to see if each sanitation guideline was followed. After the complete service, Dr. Huheey quoted “I see no reason why this should not be approved. As long as the licensee follows the basic sanitation guidelines and examines the clients feet as

any other procedure, this is no big deal,” she concluded.

The Board will only approve the service if the salon meets the board’s inspection. Mr. Miller stated that each salon will be judged individually, case by case. At this time only one salon has met the board’s approval and is safe for the public. Mr. Miller said “More and more licensees are looking to find new ways for beautification.” He also quoted “I see this as a fad and it won’t replace pedicures.”

The service costs \$45.00 (which doesn’t include a pedicure.) Before any one rushes out to bring this new service to the salon, the cost needs to be considered. Each fish

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Arkansas Board to Become Advisory Only

An act to create the Cosmetology Technical Advisory Committee in the State of Arkansas was passed into law.

Effective July 1, 2009, the State Board of Cosmetology is to be abolished and will be transformed to the State Board of Health and the Department of Health.

The intent is to improve the health of the citizens of Arkansas in an effective and efficient manner and provide for a more effective administration of the delivery of cosmetology related programs.

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Myrtle Beach, South Carolina Conference Site



The NIC Conference will be held in Myrtle Beach, SC on September 26-28, 2009.

The Hilton Myrtle Beach Resort will be the hotel where the Conference will be held. The Hilton Myrtle Beach Resort sits on a pristine beach front at the north end of Myrtle Beach’s Grand Strand. Thanks to its mild climate, Myrtle Beach is a great place to be any time of the year and a destination where you will want to bring the family.

The room rates for single or double accommodations are \$149.00 plus applicable taxes. For reservations call 866-454-8309. Please state that you are with the National Interstate Council of State Boards of Cosmetology to receive the Conference rate.

For more information call Debra Norton at (501) 227-8262 or debranorton@sbcglobal.net.

President

LaFaye Austin
3401 Caton Place • Enid, OK 73701
580-233-9734
lafayeAustin1010@suddenlink.net

Immediate Past President

Rosanne Kinley
2101 N. Main St. • Anderson, SC 29625
864-356-5010 • images1@carol.net

Vice President

Jackie Dahlquist
212 South 'A' Avenue • New Underwood, SD 57761
605-391-2721 • dahl2@gwtc.net

Secretary/Treasurer

Steve Colarusso
160 Comanche Lane
Lake Havasu City, AZ 86403
928-854-3292 (w) • madscot@ctaz.com

Region 1 Director

Kay Kendrick
308 Main St. • Thomson, GA 30824
706-595-8826 (w) • 706-373-3921 (c)
kaykendrick@bellsouth.net

Region 2 Director

Betty Leake
12261 Redhawk Heights • Tebbetts, MO 65080
573-581-6885 (w) • bleake@mexico.k12.mo.us

Region 3 Director

Diane Pennington
644 Highway 50 • Gillette, WY 82716
307-687-0051
dianepennington@yahoo.com

Region 4 Director

Fran Brown
521 W. 600 N.
Layton, UT 84041

Board Administrator Rep.

Eddie Jones
PO Box 11329
Columbia, SC 29211-1329
803-896-4830
jonese@llr.sc.gov

National Examination Committee (NEC)

Larry Walthers, Chairman
144 Old Washoe Drive
Washoe Valley, NV 89704
775-884-1001 (w)
larry@platinumdayspa.com

Aurie Gosnell, Coordinator of Testing Emeritus

Oakleaf Village
800 N. Lake Drive Apt. #336
Lexington, SC 29072
803-358-2789 (h)

NIC Office

7622 Briarwood Circle
Little Rock, AR 72205
www.nicTesting.org
(501) 227-8262 - work • (501) 227-8212 - Fax
Debra Norton, Coordinator
Debranorton@sbcglobal.net

Message From the President



Greetings!!

2009 is off to a wonderful start. We recently signed a contract with the State of California to provide the NIC Cosmetology, Barber, Electrology, Esthetics and Nail Technology written examinations starting May 1, 2009. We welcome the state of California to the NIC testing program.

The Region meetings are upon us. I encourage all of you to attend the meeting in your region. Regions 3 and 4 will meet April 4-5 in Sacramento, CA and Regions 1 & 2 will meet May 2-3 in Branson, MO. Our Region Directors, Kay Kendrick, Betty Leake, Diane Pennington and Fran Brown have spent many hours putting together an excellent education program for these meetings. Please mark the dates of the meeting in your region on your calendar.

I would like to take this opportunity to acknowledge the hard work and dedication of the National Examination Committee (NEC), NIC Executive Board Members, Kirby Morris, Marketing and International Relations Director and Mary Manna, NEC Coordinator. Together this group works tirelessly in maintaining the NIC National Testing Program and keeping the states and industry partners informed on the benefits

of a standardize, valid and legally defensible National Testing program. The program has experienced phenomenal growth over the past three years in the number of states participating in the National Testing Program and expanding participation to include both written and practical examinations. Since 2006 Pennsylvania, Oregon, North Carolina, Ohio, Utah and Iowa have selected NIC as their provider of cosmetology and related licensure examinations, with Georgia and Washington adding the NIC practical and written examinations respectively. With over 36 states, the District of Columbia and Guam participating in the NIC Testing Program, NIC provides the only truly national examination program. No other provider of cosmetology and related examinations meets this standard. I encourage all states to participate in the NIC National Testing Program to achieve national endorsement of licensees in our Industry and standardization of competency requirements across the United States.

I look forward to seeing you at the upcoming Region meetings.

Respectfully,

A. LaFaye Austin
President

State Happenings

Florida - The Florida Board of Cosmetology has banned fish pedicure procedures from being performed in the State.

Oklahoma - New rules and regulations were just passed to prohibit fish pedicures in the state of Oklahoma.

Georgia - The Board has prohibited fish pedicures in the state of Georgia.

Arkansas Board... Continued from page 1

The ten member board will be downsized to a five member Advisory Committee. The Committee will be composed of a working licensed cosmetologist, a licensed nail technician, an owner of a cosmetology school a licensed aesthetician and a public consumer. The terms are for two years each with no member serving more than ten years. The Committee will be appointed by the Health Department, not the Governor.

Note: There has been a move to increase the committee to seven members instead of five since the bill was signed into law.

Memories

From Aurie Gosnell



Life has become easier yet more complicated these days. Can you remember when you realized that you were truly a part of the “good old days?”

I always keep thinking that people from my generation (age) are really just as modern and up-to-date as everyone else. In the past year it has provided some realistic jolts to my contemporary self-confidence.

Listening to younger friends and family talk about their homes, jobs and families reminded me of difference between our generations. During our lunch chatter, younger mothers were so surprised that many of us “older ladies” grew up only taking one bath a week (usually on Saturday night) and hair washing wasn’t an everyday event. We survived with one car, gas was 14¢ a gallon and sugar, rubber and bubble gum were among the things rationed during the war. I used to roll and pin curl the neighbor ladies hair for a mere 2¢ and 5¢ if I was lucky.

As for communications, our phones were on the wall, and most of us were on party lines with at least eight or more families. I can still remember the ring. We all had a different amount of rings and really had to stop and listen when the phone rang to hear if it was our ring.

Since television was so new and computers weren’t invented yet (or if they were, we didn’t know it), radio and newspapers were

the chief information sources. If we didn’t use the telephone we also wrote (mostly by hand) letters and mailed them with a 3¢ stamp. This was part of some ways on how the NIC and the states kept in touch with each other.

Sometimes in our fast moving society, it feels as if we’re walking with one foot in the past and one in the present. It’s hard to identify even with the various types of licensure categories that the industry is made up of today and that NIC is so fortunate to provide exams for the licensure.

I remember in 1957 there were some individuals who advocated the elimination of the study of theory of cosmetology in the schools. This attitude, for the most part, was created by the over-emphasis of theory of a purely medical nature. These advocates of the two extremes, one the medical theorist and the other non-theorist could have both been equally harmful to the profession of cosmetology. It finally was settled by everyone agreeing “that every cosmetologist should have a thorough training in theory, to be consistent with the problems that arise in the beauty parlors (that’s what they were called then) and were to be of a functional nature.” Even today the thorough and complete knowledge of cosmetology theory is absolutely necessary to supplement the artistic ability and to create the true profession. When the development of

the NIC theory exam was put into motion, we used the theory knowledge as being the strong foundation to help build a successful profession.

This takes me back on how we began the development of the NIC theory exam through our testing program and to where our program is today. The NEC Committee has developed 14 examinations for the different licensure categories available today in both written and practical. I remember we worked so hard to get just the written theory cosmetology exam 40 years ago. Not in my wildest dreams did I ever think we’d come so far with so many selected categories in the profession for licensure.

There are so many things that I cherish and miss about the “good old days” but there are just as many things I’m thankful for today. Life is easier, even if it’s more complicated. We can choose to keep on learning. We can even choose which “techy” things we want to conquer. I’m happy for all the gadgets that work with any TV and my cell phone is fine. But for now, I’m drawing the line when it comes to the internet and using text messaging. Maybe when I’m older, I’ll learn how to do it. By then, it may be a part of the “good old days.”

The Gift of Friendship

Friendship is a priceless gift that cannot be bought or sold
But its value is far greater, than a mountain made of gold.
For gold is cold and lifeless it can neither see nor hear,
And in time of trouble, it is powerless to cheer.
It has no ears to listen, no heart to understand,
It cannot bring you comfort, or reach out a helping hand,
So when you ask God for a gift be thankful if he sends
Not diamonds, pearls or riches, but the love of a real true friend

News Flash

The California Board of Barbering and Cosmetology will start to administer the NIC Written Theory exams in Cosmetology, Barbering, Nail Technician, Esthetics and Electrology on May 1, 2009.



Did You Know?

That SMT (Schroeder Measurement Technologies, Inc.) for the month of December 2008 scored in the score processing 8,579 jobs (scored examinations on site, and remote.) For the year of 2008 a total of 116,000 NIC examinations were scored.

In 1957 the Oklahoma State Board of Cosmetology started to require haircutting to be a part of their State Board Examination. Each female student taking the examination had to have hair long enough to shape, since students would exchange work on each other during the practical examination. Each male student was required to furnish his own model.

2008 Annual Conference Highlights • Jackson Hole, WY





Hand Washing a Must

Jeri Betts, Administrator from the office of Licensing and Regulation in Maine, every year at our Annual Conference entertains the delegates with the proper procedure on how to wash your hands. This little tid-bit is a must that we need to remember, thanks to Jeri.

HANDWASHING

Hand washing is one of the most important actions that can be taken to prevent the transfer of microorganisms from one person to another person. Hand washing removes microorganisms from the folds and grooves of the skin by lifting and rinsing them from the skin surface.

In the salon, hands should be washed before and after each service. At the end of the day, hands should be thoroughly washed to prevent carrying microorganisms outside of the salon.

HELPFUL HINTS:

- Avoid bar soap, since it is more likely to become contaminated with bacteria.
- Antibacterial soaps are more likely to kill resident microorganisms in deeper

layers of the skin than plain soap or detergents.

- Antibacterial soaps may also have “residual benefits”. Test data will determine if the product inhibits the growth of resident micro-organisms for prolonged periods of time.



PROPER HAND WASHING PROCEDURE

1. Dispense paper and use it to turn the water on. Dispense an additional 10 to 12 inches and leave hanging in place... *do not tear it off.*
2. Wet hands, apply soap and clean hands, nails and between fingers. Scrub for 15 seconds.
3. Rinse hands, then tear off paper towel and dry.
4. Turn water off with paper towel... *not with your clean hands!*
5. If more paper is needed, use the paper in your hand on the dispenser handle.

Important Note:

Use the paper in your hand to turn the doorknob to exit the restroom. Your predecessors may not have followed the above procedure!

Region I and II Meeting

Region 1 and 2 will meet Saturday, May 2 until Sunday at noon, May 3, 2009. The meeting will be held in Branson, Missouri. The meeting will be held at the Hilton Branson Convention Center Hotel.

Tentative agenda topics are: Test Development by Dana Anderson-Pancoe, SMT and Larry Walthers, NEC Chairman; Online Board meetings by Eddie Jones, Administrator SC Board; Rule Making 101, Kay Kendrick, Region 1 Director; Communication Breakdown, Jackie Dahlquist, NIC Vice President; Distant Learning, Gerard McAvey, Milady; Cheating in Testing, Kay Kendrick and Betty Leake; Licensure/Regulation by Tina Crow Halcomb, Missouri Legal Council.

Registration fee is \$75 and may be sent to the NIC office at 7622 Briarwood Circle, Little Rock, AR 72205.

Room rates are \$149.00 for a single or double a day plus applicable taxes. For reservations at the Hilton Branson Convention Center call (417) 336-5400. The deadline date for reservation is April 1, 2009.

For more information please contact Debra Norton at (501) 227-8262 or debranorton@sbcglobal.net.

Regulation on Eyelash Extensions

The state of Alaska has had an influx of people going out of state to companies that give training and certification in the area of eyelash extensions. The companies are telling their graduates that professional licensing is not required by the state to perform the procedure of the extensions.

The state of Alaska considers false eyelashes to be a part of applying makeup according to their regulation requiring an esthetician or hairdressing license.

Colleen Wilson, Licensing Examiner for the Alaska State Board of Barbers and Hairdressers would like to hear from other states if eyelash extensions are within their scope of practice. Colleen can be contacted at (907) 465-2547 or commerce.state.ak.us/occ/pbah.htm

Region III and IV Meeting

Regions III and IV will meet April 4th and 5th, 2009 at the Sheraton Grand Sacramento Hotel in Sacramento, CA. Region III Director, Diane Pennington and Region IV Director Fran Brown have put together a program full of valuable information for the boards.

Some of the major topics that will be presented are “Laser Updates and What’s New”; “Sanitation and Infection Control the National Standards, Do You Actually Know Them?” “Superbug and What’s on the Horizon”; “Crossover In Our Industry, Massage and Teeth Whitening”; “Why We Regulate” and “online GED’s,

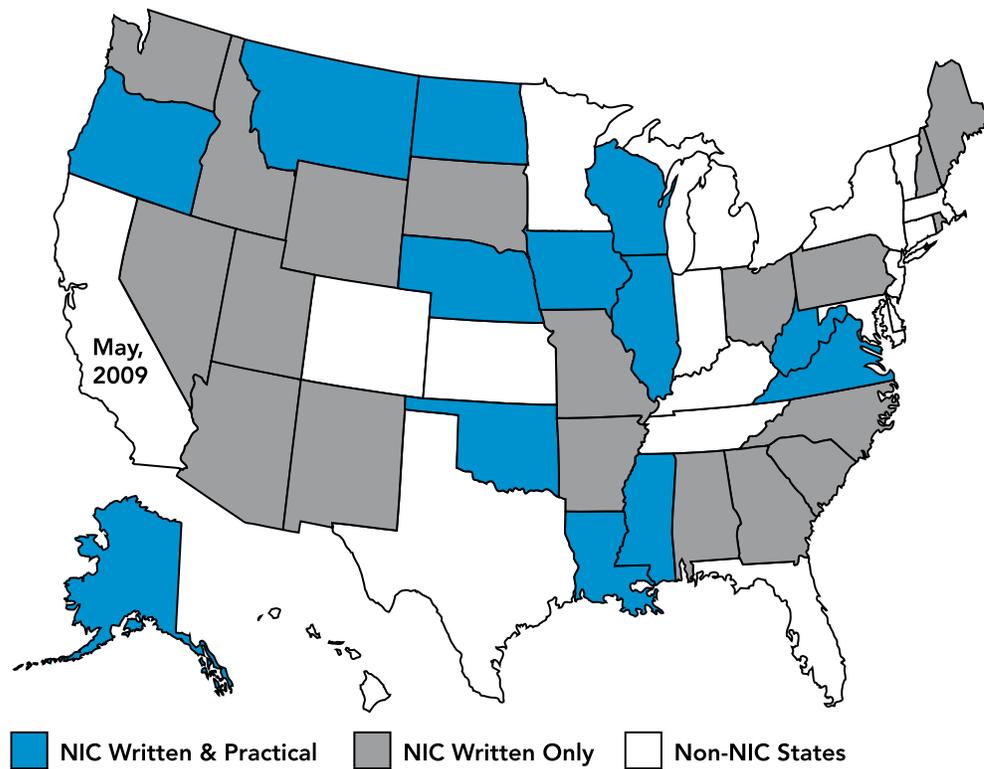
Licenses and How It Works and What We Can Do.” The program will conclude with a cracker barrel session. The attendees will also get to hear a short program on the history of Sacramento by the Sacramento Historical Society.

Room rates are \$114.00 for a single and \$164.00 for a double a day plus applicable tax. For reservations call (800) 325-3535. To receive the special rate you must state that you are with the National Interstate Council of State Boards.

If you have any questions feel free to contact Debra Norton at (501) 227-8262 or debranorton@sbcglobal.net

Use of NIC national test in the United States and U.S. Territories

use of a "universal" national test is seen as a way to facilitate licensing reciprocity among states.



Fish Pedicures...

Continued from page 1

costs \$100.00 apiece and 30-40 are needed for them to perform a service, according to the salon staff. You can only do just a few fish pedicures a day because the fish can only eat so much a day. Remember, you can't go to the local aquarium to buy any type of fish.

Oregon: After much research on the fish used for pedicuring, the state of Oregon viewed the service as a threat to the public. By doing a complete review, the board came to the conclusion that even if it is possible to perform the service in a manner that would satisfy their many concerns about it, thus far "fish pedicures" have not done so.

The board concluded that any chemical for sanitation that would be used for adequately killing bacteria would also harm or kill the fish. The fish themselves are considered "implements" in that they remove dead skin. "Conditioners" put in the water are generally not bactericidal, or tuberculocidal or hospital-grade disinfectants.

Anything on the feet, be it dirt or cleansing solutions, pathogens or diseases, could wind up in the water and the fish may ingest whatever is present and then excrete it back into the water. If there are any abrasions or cuts (from the fish "nibbling" on dead skin) the feet would be vulnerable to any fungi or bacteria passed along by the fish.

The argument had been made that having the "fish pedicure" is an example of ones freedom or choice even though the clients rights to choose is seen to be outweighed by the states interest in protecting the consumer. Oregon DOL sees clearly their obligation is to protect the general public.

MRSA, blood borne pathogens, mycobacterium fortuitum (flesh eating bacteria) and super-bugs are all on the rise and the DOL and the Board has pointed out that this type of pedicure, using the fish, may compromise the health of the client.

The Board also expressed their dismay of cruelty to the fish by either being poisoned by the chemicals or crushed by feet. A prac-

Indiana Changes Verification

The Indiana Board of Cosmetology Examiners released the following message to all state boards:

"The State of Indiana is changing the method it uses to verify licensure for Indiana licensees. The new procedure will allow the applicant to request a digitally certified certification letter and license status information that they can forward to your licensing board. What you will receive is a pdf file with two pages - the letter and the status page. Both will have a US Postal mark to verify authenticity as of the date it shows. This process is admissible in all courts. You will also have a web link in the letter that allows you to verify that the file is authentic, digitally signed, and has not been modified

"Like all states, Indiana is faced with cost and budget constraints. This new procedure is accurate, efficient, can easily be verified as authentic, cost effective for the practitioner and for the state, and much faster than paper sent via regular mail. Indiana is not the first state to look for more efficient methods of doing business."

tice that has an inhumane treatment to a live creature for the sake of "something different" is not acceptable to the profession.

Kraig Bohot, Communications Coordinator, Oregon Health-Licensing Agency, said "We are regulators to protect the health and safety of the public, spoiling fun for people errs on the side of caution of the public. It will be fun to watch to see what happens in the future with Ohio. We don't want to stop the practice from providing the services of pedicures to the consumer but would need to take a look definitely against piranha procedures (jokingly.)"

The effort made for this information is to bring to you each side of the states' reasoning on why they approve and disapprove of "fish pedicures." Now you can be the judge.

For more information:

Kraig Bohot, (503) 373-1939, kraig.bohot@state.or.us

Kevin Miller (614) 466-3834, ohiocosbd@cos.state.oh.us

Make plans to attend
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September 26-28, 2009
Myrtle Beach
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Bulletin

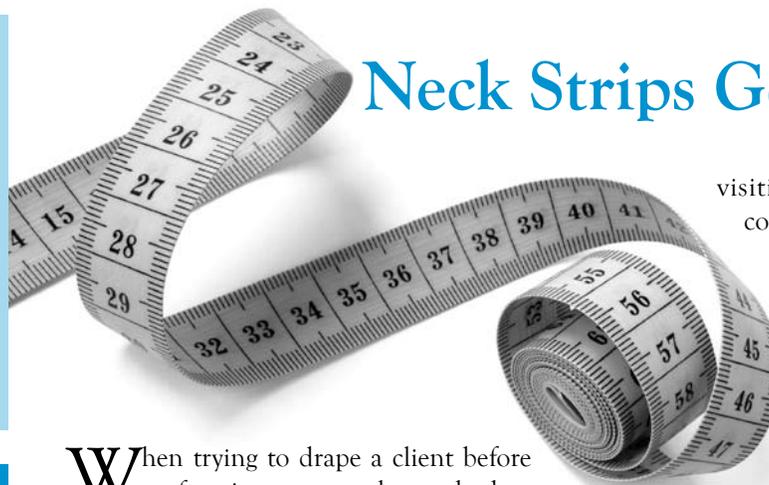
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Editor: Lois Wiskur
P.O. Box 687, Pierre, SD 57501
605-224-1661

Graphic Designer: Tami Collins, Pierre, SD
www.tamicollins.com
tamicollins@pie.midco.net

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Pierre, SD • cmpi@midconetwork.com

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Neck Strips Gone Short

visiting with the company's consumer complaint department by venting much frustration about the neck strips, the company was very understanding and sympathetic over the problem.

To compensate for the frustration a complimentary carton of neck strips was received. Now the new neck strips were about 1/2 inch longer but the width was no wider. After trying the new neck strip the company wanted to be contacted to see if they fit the clients neck better.

All the states require in the statute for their licensure to provide a protective covering to be used under the cape when draping a client when performing a service. This should keep the sales of the product flourishing and not become flat. This is one requirement and method for proper sanitation that isn't going to go away.

So the moral of the story is to keep on stretching and pulling those neck strips and hope they will be made just a little longer and wider. A neck strip is like a dollar, you keep stretching it to see how far it will go.

Lois Wiskur

When trying to drape a client before performing a cosmetology or barbering service, have you ever had to pull and stretch the neck strip that is being used to make sure it reaches around the client's neck before putting the cape on? We all can answer that question with a "yes." The purpose of the neck strip is to protect the client by providing it as a method of proper protection to make sure the cape doesn't come in direct contact with the client's skin. Working professionals must be frustrated when they realize that the neck strips are no longer big enough to completely go around the neck. They have either been made shorter (which they are) or the clients are getting to be larger people. Think about clients who are in the field of sports, such as professional football players, who have larger torsos. Trying to get a neck strip to fit around their neck is nearly impossible.

This frustration forced the need to contact the company making the product. After

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Lois Wiskur
Box 687
Pierre, SD 57501