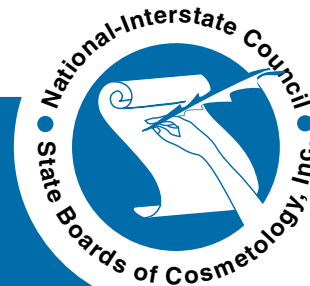


NIC Bulletin

Official Publication of the National-Interstate Council of State Boards of Cosmetology, Inc.



From the president

Greetings! And *wow*, what a busy spring this has been.

I know I've been traveling a lot and I'm looking forward to summer. When you're thinking about those long hot summer days, we can all be looking forward to our annual NIC conference in Whitefish, Montana.

There, on the edge of beautiful Glacier National Park, we will

be able to convene together to listen to our speakers, learn from our educators and discuss our mutual problems. All of this, with beautiful mild days, cool clear nights and the beautiful views of Big Sky Country.

I've got my hotel reservations and plane tickets all ready to go and am planning on a wonderful convention for all of us. Let's all head for the mountains and have a great conference.

I have been to four region meetings this year, and let me say they were all a great opportunity for board members to get together and discuss special issues. I attended the Region 4 meeting in Mesa, Arizona on April 18, which was hosted by Kimber

Hicks of Idaho, with assistance from the Arizona State Board.

On April 25, I attended the Region 2 meeting in Memphis, Tennessee, which was hosted by Sharon Marks

of Kentucky, with assistance from the Tennessee State Board.

I attended the Region 3 meeting in scenic Jackson, Wyoming on May 23, hosted by Brenda Mathre and the Wyoming State Board. On June 13, I attended

the Region 5 meeting in Columbia, South Carolina, hosted by Alan Ray.

A big "A" for effort goes to Rose Policastro, Region 1 director, who planned, organized, wrote, called and called again to plan the Region 1 meeting for May 6 in Teaneck, New Jersey. The meeting was cancelled due to lack of participation.

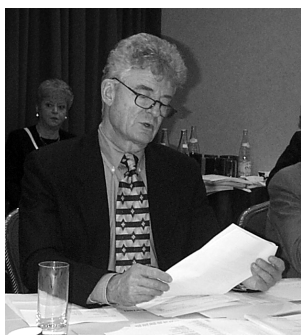
My hat goes off to all the region directors for all their hard work and efforts to provide quality education for our state board members.

On May 1-4, I attended the International Chain Salon Association meeting in Scottsdale, Arizona and spoke at their opening session.

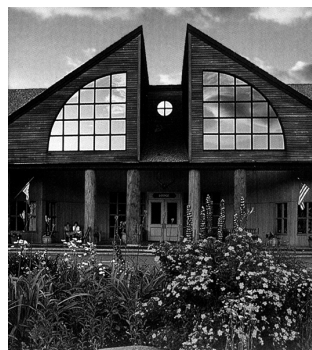
It has been a busy spring, and it has been my pleasure to serve and represent you as NIC president. There's a lot to do for NIC in the next two months. And I'm looking for-

ward to seeing you in Montana for the NIC conference. See you soon.

Michael Hill
NIC president



Michael Hill



Annual Conference Aug. 27-29 in Whitefish, Montana

In this issue of the bulletin, you'll find a detailed schedule of conference events for Aug. 27-29. The board administrators' conference is scheduled for the two days preceding the annual conference, Aug. 25-26.

See the wonders of Glacier National Park and the beauty of Northwestern Montana. Enjoy gourmet dining, pool, sauna and other amenities at Grouse Mountain Lodge—all while focusing on "Industry Standards for the Millennium," this year's theme.

See you in Montana!



NIC 1998-99

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Alan Ray

First VP reports to Executive Board

Due to an oversight, the second vice president's report to the Executive Board at its March meeting was omitted from the last issue of the bulletin. We're including it here in this issue. Our apologies.—Editor

I attended the fall Executive Board meeting in Memphis, Tennessee.

I accepted all committee appointments assigned to me by President Hill, and executed the responsibilities associated with these appointments in a timely manner.

During the month of November, I had the opportunity to serve NIC as a subject matter expert in the preparation of an instructor written examination in Columbia, South Carolina.

I have communicated with President Hill from time to time.

Thank you for giving me the opportunity to serve as second vice president of this great organization.

Kitty Pierre

Second Vice President

Internal Revenue Service Beauty Industry Outreach Program

By Don Segal, IRS Beauty Industry Employment Tax Coordinator

The Internal Revenue Service has begun to address tax issues in the beauty industry. Tip reporting, income reporting, income and information return filing and worker classification issues are some of the issues in the forefront of the educational program. As part of the voluntary Tip Rate Determination and Education



IRS

Examples of these responsibilities include reporting tips received of \$20 or more per month to the employer for inclusion on Form 941 and Form W2, reporting commissions distributed to workers on Form 1099 and having workers report chair rental payments made to salon owners on Form 1099.

Program, the beauty industry can participate in the Tip Rate Alternative Commitment Agreement, which helps the employer establish a method for tip reporting and tip education for employees. Additionally, booth or chair rental and independent contractor education can be provided to assist the workers and employers in meeting their tax reporting responsibilities.

The Internal Revenue Service is already working with licensing boards in several states to provide information to licensees through the licensing boards and would like to expand those efforts to all states.

For further information call the IRS Beauty Industry Employment Tax Coordinator, Don Segal, at 203-773-2086 or send e-mail him at don.p.segal@m1.irs.gov.

NIC Reciprocity Committee reports survey results

A recent survey completed by the NIC Reciprocity Committee questioned state boards about required hours, continuing education, testing, long-range plans, record-keeping, importance of reciprocity, education requirements and age minimums. Committee Chair and NIC First Vice President Larry Walthers (Nev.) summarized the results as follows:

- *Cosmetology hours required for licensure.* A large majority of states require 1500 cosmetology hours for licensure.
- *Continuing education requirements.* Of the states responding, 54 percent have some continuing education requirements.
- *Use of the NIC practical national test.* Of the states responding, 38 percent indicated they use the NIC national practical test. Five of

the responding states do not require a practical examination.

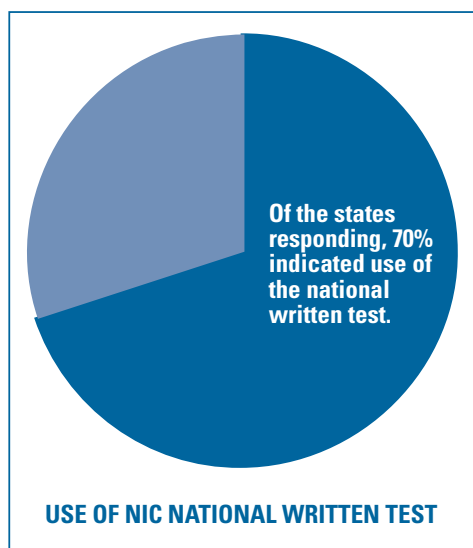
- *Use of a national data bank for application information.* Of the states responding, 86 percent answered “yes” or “maybe” they would use a national data bank.
- *Retaining records.* Of the states responding, 54 reported that they retain records “forever.”
- *Obtaining records about current licenses.* Of the states responding, 88 percent reported that records

could be obtained in a month or less.

- *Importance of reciprocity.* Reciprocity is “very important.” Sixty-five percent of the states responding to the survey gave ratings of 8–10 on a 10-point scale.
- *Minimum education requirements for licensure.* Just 40 percent of states responding require a high school diploma. Seven states did not respond.
- *Documentation from other state boards.* A total of 57 percent of responding states will only accept documents from another state board.
- *Use of the NIC written national test.* Of the states responding, 70 percent indicated use of the NIC national written test.
- *Releasing test results to a data bank.* Of the states responding, 89 percent answered “yes” or “maybe.” Three states did not answer.
- *Minimum age for licensure.* Most responding states require that applicants be 16–18 years old.

Of the states responding, 86 percent answered “yes” or “maybe” they would use a national data bank.

Sixty-five percent of the states responding to the survey gave ratings of 8–10 on a 10-point scale.



Nominations for honorary membership

To nominate a candidate for honorary membership in the National-Interstate Council at the 1999 conference, the following guidelines and rules must be complied with:

- The candidate must be a past member of any cosmetology board who has “rendered distinguished service” and must have contributed to NIC above and beyond the regular duties expected of all
- The candidate must be elected to such honorary membership by a two-thirds majority vote of those present at an annual conference.
- The nominee’s name, qualifications form and

members. The accomplishments of the nominee, not membership or having held office, are of “paramount importance.”

resume must be sent by July 24 to Chairperson Lois Wiskur, Box 687, Pierre, SD 57501. She may also be reached at 605-224-1661.

A special point system has been established for eligibility. Candidates must acquire at least 100 points for services and accomplishments.

Honorary members are “afforded all courtesies except voting privileges.”

1999 conference agenda announced

The agenda for the 1999 National-Interstate Council 44th annual conference has been set. The conference will be held at Grouse Mountain Lodge in Whitefish, Montana Aug. 27–29. It will be preceded by board administrators' meeting Aug. 25–26.



For conference registration information, contact Conference Cochair Jeanne Worsch, 1315 Ranchview Rd., Helena, MT 59602, 406-444-4288. Registration does not reserve a hotel accommodation; the

Grouse Mountain Lodge must be contacted separately, 800-321-8822. For the preferential room rate, identify the "NIC 1999 Conference."

The major airport serving Whitefish, Montana is Glacier Park International Airport in Kalispell. The airport is 15 minutes from the Grouse Mountain Lodge.

The Lodge offers complimentary transportation to and from the airport. Be sure to indicate your flight schedule on the hotel reservations form so the hotel can coordinate your arrival and pickup from the airport.

Major airlines serving Glacier Park International Airport are Delta, Northwest, Horizon and Big Sky, Alaska and SkyWest of Delta.

The Amtrak station is located in Whitefish, three

miles from the Lodge. Complimentary transportation to and from the train station is also available. Amtrak's route runs from Seattle through Whitefish to Chicago. Connections from other cities are available.

Thursday, Aug. 26

- 8 a.m.–5 p.m.—Conference registration.
- 5 p.m.—New member orientation.
- 6:30 p.m.—Welcome reception (wine and hors d'oeuvres).

Friday, Aug. 27

- 7:30 a.m.–noon—Conference registration.
- 7:30 a.m.—Opening ceremonies, breakfast and concurrent educational presentation. *Speaker: Montana Governor Marc Racicot and Lt. Governor Judi Martz.*
- 10:15 a.m.—Conference convenes.
- 11:15 a.m.—"Mobility—Advantages State to State," panel presentation and discussion.
- 12:30—Lunch.
- 2 p.m.—"Stretching for the Millennium," presentation by Carolyn Teter, Wyoming Deputy Chief of Staff to the Governor.
- 3:45 p.m.—Officer reports.
- 6 p.m.—President's barbecue (outdoors).

Saturday, Aug. 28

- 7:30 a.m.—Breakfast.
- 9 a.m.—"Industry Updates: Representatives of Our Sister Organizations."
- 10:30 a.m.—NIC and SMT testing presentation.

- 12 p.m.—Luncheon and educational presentation.
- 1:30 p.m.—Educational—Breakout sessions.
 - Session 1: "Legislative action: MMA, Booth Rental, Braiding, Clock Hours vs. Credit Hours."
 - Session 2: "How can we stretch for the millennium?"
 - Session 3: "Disciplinary Action—The Board's Role, Administrator's Role and Licensee's Role."
- 3:45 p.m.—Team leader reports from breakout sessions.

Sunday, Aug. 29

- 7:30 a.m.—Breakfast and educational presentation.
- 9 a.m.—"Internal Revenue Service Beauty Industry Outreach Program." *Presentation by Don Segal, Beauty Industry Employment Tax Coordinator.*
- 10:15 a.m.—Election of officers.
- 11:45 a.m.—Luncheon and educational presentation. *Pam Lappies, Milady/SalonOvations.*
- 2 p.m.—Panel presentation summarizing the breakout sessions and general group discussion: "Getting Up to Speed and Ready for the Millennium."
- 3:30 p.m.—Business.
- 6:30 p.m.—Presidential installation banquet.

Greetings from conference organizers!

Wendell Petersen, conference cochair

The Montana Board of Cosmetology and I are looking forward to welcoming you to our Montana, the "Big Sky Country." Our location for the 44th Annual NIC Conference is the beautifully rustic Grouse Mountain Lodge, with views of the mountain ranges of Glacier National Park and the Canadian Rockies. We hope that if you find time away from the activities of the conference, that you can visit Glacier Park, the Historic Conrad Mansion in Kalispell, and beautiful Flathead Lake, or take the gondola to the top of Big Mountain Ski Resort.

Wishing you all safe travels and an educational conference. See you in Montana.

Wendell Petersen
NIC Conference Chair

Jeannie Worsech, conference cochair

Text to come Friday, July 9.

ence, it is my goal to offer a program that will be of interest to all states. We all have the same or similar problems, and working together can benefit all. The Education Committee has tried to gear the program to fit the theme. Our guest speaker for the conference will be Carolyn Teter, Wyoming Deputy Chief of Staff. Part of Carolyn's duties include working with over 26 boards and commissions in Wyoming. With her diverse background, Carolyn knows the benefit of change and how it can help us be prepared for the future. The goal of the Education Committee is to give you food for thought, and avenues to take that thought into the 21st Century. I look forward to seeing you all and enjoying our time in the beautiful setting for this year's conference.

Cathy Wells, board administrators education program

It seems truly impossible that another year has passed and the 1999 Annual NIC Conference is just around the corner. As chairperson of the Board Administrators Committee, I'd like to take just a minute to encourage you all to attend the conference this year. There is so much to be learned from one another and the conference has always provided a forum for us to exchange ideas, problems and concerns, as well as learn from those who have expertise in a broad variety of issues which we all face as regulators.

Although the agenda for the two-day board administrators meeting preceding the full conference has not yet been finalized, there are topics being considered which

should peak the interest of all who, on a daily basis, toil over the best way to do business in an efficient and effective manner. We're looking at "age old" issues as well as those which seem to "crop up" each year. And hopefully, we'll walk away with better ideas to approach those issues. The following agenda topics are being considered at this time:

- Becoming More Proactive
- Reciprocity/Endorsement
- Customer Satisfaction
- State Certification
- Developing a National Data Base
- Current Technologies
- Continued Education
- Public Access to Licensee Records
- Providing Education for Our Board Members
- Examination Issues
- Open Forum to Address/Share New Endeavors

As you can see, we are planning an aggressive program that we may or may not cover in its entirety. The tentative agenda with registration form will be mailed to each Board Office by mid-July. To be successful in our endeavor, we aren't looking for "a few good men." What we truly need is *participation from the many!!!* Please plan to attend—and on behalf of the Board Administrators Committee, we look forward to seeing you in August.

Cathy Wells
Colorado



Betty Abernethy, education program

As Education Chairperson for the 1999 National Confer-

State news from the Far West

Oregon: 1999 legislative update

An important bill was moved by the Oregon 1999 House Human Resource Committee to Ways and Means with a “do-pass” recommendation, according to Oregon board administrator Susan K. Wilson. Writing for the June issue of *Northwest Stylist & Salon*, Wilson explained that A-Engrossed HB 2465 will reorganize the Health Licensing Office into “a more understandable unit.” Details of the legislation, as reported in *Northwest Stylist & Salon*, are—

- The bill does not have fiscal impact. The only identified fiscal impact is moving approved expenditure and revenue authority from three agencies to one agency.
- The bill does not create an additional agency. Instead, it creates a single budget merging three reporting budgets into one agency.
- The bill does not change budget preparation and standards for approval, which will remain the responsibility of the governor and legislature.
- The bill does not create an Oversight Licensing Authority. The measure does not contain language found in the original legislation. That language has been removed.
- The bill does greatly improve efficiency in time and processing of fiscal and personnel transactions and eliminates duplication of efforts.

“A-Engrossed HB 2465 defines the licensing office, corrects and streamlines the current reporting structure and offers efficiencies for improvement to ensure quality,” Wilson summarized.

She also reported that the Oregon Joint Ways and Means Committee has finished the governor’s recommended budget for barbers and hairdressers and has passed both chambers. The budget was approved with two new enforcement positions.

Senate Bill 290, the Board of Barbers and Hairdressers’ housekeeping bill, changes the name of the board to “Oregon Board of Cosmetology,” refines provisions pertaining to independent contractor registrations and establishes temporary facility permits and updates outdated language held over from the 1977 board merger. This bill, she reported, received opposition from an “interested citizen who had a chance to testify about our board and issues important to him.” He raised the issue of alternative training to career colleges. The legislature asked the Oregon board to consider the request. The bill passed both the Senate and the House.

Oregon: consumer guide developed

The Oregon Health Licensing Office, to accomplish its goal of “increased consumer involvement,” is developing a consumer guide. The Board has reviewed a draft form of the guide, which outlines areas of service and what to look for when receiving service.

Northwest Stylist & Salon (June issue) reported that the Board is considering a variety of methods for distributing the brochure, including the following:

- Press release.
- Notifying salons and licensees via *Northwest Stylist & Salon* that the guide is available and explaining how it may be purchased.
- Flyer to all licensees announcing the availability of the guide and explaining how it may be purchased.
- TV coverage and newspaper articles.
- Downloading the guide from the Health Licensing Office website.
- Request assistance from associations to help defray cost of distribution of the guide.

Oregon: three new board members

Three new Oregon board members will replace three outgoing members, according to Monica J. Ieisten, Board Liaison, writing for the June issue of *Northwest Stylist and Salon*.

“The time has come,” she said, “once again to bid farewell to board members whose terms have ended. . . . The Health Licensing Office provided the following members with a plaque congratulating them on their years of service and thanking them for the time, energy and talent they gave to the endeavors of the board during their term of office. Their many contributions have helped shape the board in a positive manner and their commitment on various committees is commendable.”



The outgoing board members are Brenda Hoxley, Jacqueline J. Backus and Dianna Martin-Peterson.

New members will serve three-year terms beginning July 1:

- *Candace Beckley*—Partner in ownership of Beauty A’La Carte in Portland, instructor at Beau Monde College of Beauty and Mt. Hood Community College.
- *Greg Best*—Owner of G Best Hair and Color in Portland, vice president of the International Haircolor Exchange, honorary advisor for Mt. Hood Community College and Edward Wadsworth Institute for Hair Design.
- *Cindy Lee Davidson*—School director and instructor at Northwest College of Hair Design in Hillsboro.

Washington: mission statement and vision statement

The Washington State Cosmetology, Barbering, Esthetics and manicuring Advisory Board’s mission statement was reported in the May issue of *NW Stylist & Salon*: “To develop recommendations to the Director of the Department of Licensing, which promotes protection of the consumer and addresses concerns of the licensees relating to RCW 18.16, within the authority granted by state to the Advisory Board.”

The board’s vision statement is “To promote safety, we educate and practice professionally and competently.”

California: pending legislation

Several pieces of California legislation pertaining to cosmetology were reported in the June issue of *California Stylist & Salon*:

- *Cosmetology: licensing—hair braiding*, AB132 (Migden) as amended March 22, would provide that the practice of cosmetology does not include hair braiding or natural hair braiding. Hair braiding is defined as a service that results in tension on hair strands or roots by twisting, wrapping, weaving, extending, locking or braiding hair by hand or mechanical device, provided that the service does not include the application of dyes, reactive chemicals, or other preparations to alter the color of the hair or to straighten, curl, or alter the structure of the hair. The bill was passed through the Assembly March 25 and referred to the Senate Business and Professions Committee for review April 7.
- *Massage, noninvasive facials*, AB 1427 (Wiggins) as amended April 15, would exclude persons who have graduated from a massage school in California licensed to operate by the Bureau of Private Postsecondary and Vocational Education, or similar out-of-state massage school, from needing a cosmetology or barbering license if they are providing non-invasive facials either alone or in the course of providing a massage. They have defined “non-invasive facial” as a facial that does not involve chemical skin peels, chemical packs, chemical masks, chemical scrubs, skin extractions, waxing, depilatories, applying eyelashes, eyebrow arching, hair removal, electrolysis, the use of electrical current,

electrical modalities, dermal lights, heat lamps or steam. On April 20, the bill passed through the Committee on Consumer Protection, Governmental Efficiency, and Economic Development. It passed through the Assembly April 29.

- *School approval and examination requirements*, AB 1585 (Baugh) would allow a nonprofit trade organization that has been in existence for five years and has a membership composed exclusively of trade schools providing instruction in barbering, cosmetology or related courses to provide a school a certification that states that it can allow students to obtain a license without having to take the examination. This organization would be able to establish curriculum and training requirements for the schools. A school holding this certification would not have to be approved by the Barbering and Cosmetology Program of BPPVE. A school with this certification would submit a written request to the Program for a student to be licensed, and within seven days the Program must issue a license to the student. On March 24 this bill was referred to the Committee on Consumer Protection, Governmental Efficiency, and Economic Development. Two hearings have been set but were cancelled by the author.
- *Program to Board, examination scoring*, SB 214 (Polanco) would reestablish the nine-member Board of Barbering and Cosmetology to oversee



Bulletin

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service to the cosmetology
industry.

the former Program's functions. Additionally, it would change the scoring methodology for the examination by averaging the practical and written examination scores. It would also eliminate the requirement for the practical examination to prevail over the written examination. On April 26 this bill passed through the Senate Business and Professions committee. On May 3 it was referred to the Senate Committee on Appropriations.

- *Cosmetology: licensing*, SB 235 (Haynes) would provide that the practice of cosmetology not include the mere sale, fitting or styling of wigs and hair-pieces, the mere shampooing of hair or a service that results in tension on hair strands or roots by twisting, wrapping, weaving, extending, locking or braiding hair by hand or mechanical device, provided that the service does not include the application of dyes, reactive chemicals or other preparations to alter the

color of the hair or to straighten, curl or alter the structure of the hair. This bill would also make corresponding changes to the list of practices constituting cosmetology and would additionally delete from this list the specific practices of brushing or beautifying of hair and a general category of practices that otherwise treat the hair by any means. On April 5 this bill passed through the Senate. On April 29 it was referred to the Committee on Consumer Protection, Government Efficiency, and Economic Development.

- *Booth renting*, SB 1134 (Karnette) as amended April 7. This bill establishes specific guidelines for independent contractors working in establishments where barbering, cosmetology or electrolysis services are being performed, as well as guidelines for owners of establishments where independent contractors are working. This bill also establishes that independent contractors will regis-

ter with the Barbering and Cosmetology Program and receive certificates of registration. This bill passed the Senate Business and Professions Committee April 12 and was set for hearing by the Senate Committee on Appropriations May 10.

- *Omnibus bill*, SB 1307 as amended April 14, would allow the Program to separate fees obtained during the application process. The Program proposed a provision of this bill that would allow the Program to refund only a specific portion of the application processing fee rather than the complete fee to an individual who withdraws his or her application prior to the examination. This bill passed the Senate Business and Professions committee April 19 and was scheduled to be heard by the Senate Committee on Appropriations May 10.

We'd like to include news about activities in your state. Please add me to your mailing list.—Editor

NIC Bulletin

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State news from the Far West

First Class