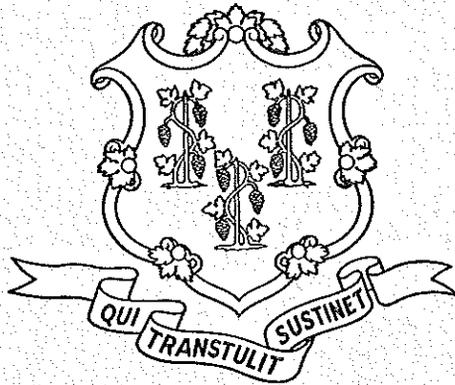


Connecticut General Assembly



Legislative Program Review and Investigations Committee

SUNSET REVIEW

Regulation of Hairdressers and Cosmeticians

Vol. I-1

January 1, 1980

CONNECTICUT GENERAL ASSEMBLY

LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE

The Legislative Program Review and Investigations Committee is a joint, bipartisan, statutory committee of the Connecticut General Assembly. It was established in 1972 as the Legislative Program Review Committee to evaluate the efficiency and effectiveness of selected state programs and to recommend improvements. In 1975 the General Assembly expanded the Committee's function to include investigations and changed its name to the Legislative Program Review and Investigations Committee. During the 1977 session, the Committee's mandate was again expanded by the Executive Reorganization Act to include "Sunset" performance reviews of nearly 100 agencies, boards, and commissions, commencing on January 1, 1979.

The Committee is composed of twelve members, three each appointed by the Senate President Pro Tempore and Minority Leader, and the Speaker of the House and Minority Leader.

This is the first of five annual reviews emerging from the first round of "Sunset" research.

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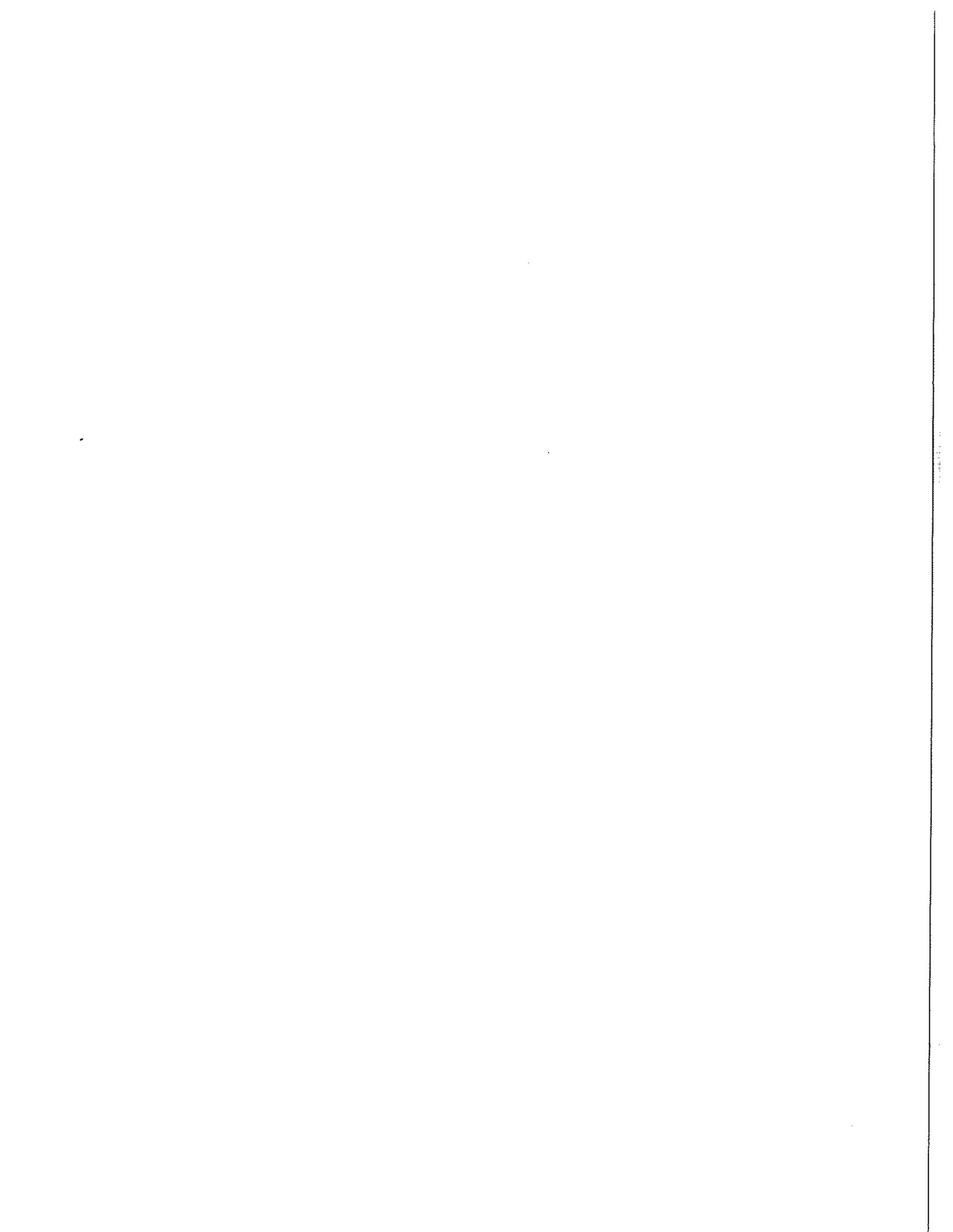
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SUNSET REVIEW 1980

REGULATION OF HAIRDRESSERS AND COSMETICIANS

Vol. I-1



REGULATION OF HAIRDRESSERS AND COSMETICIANS

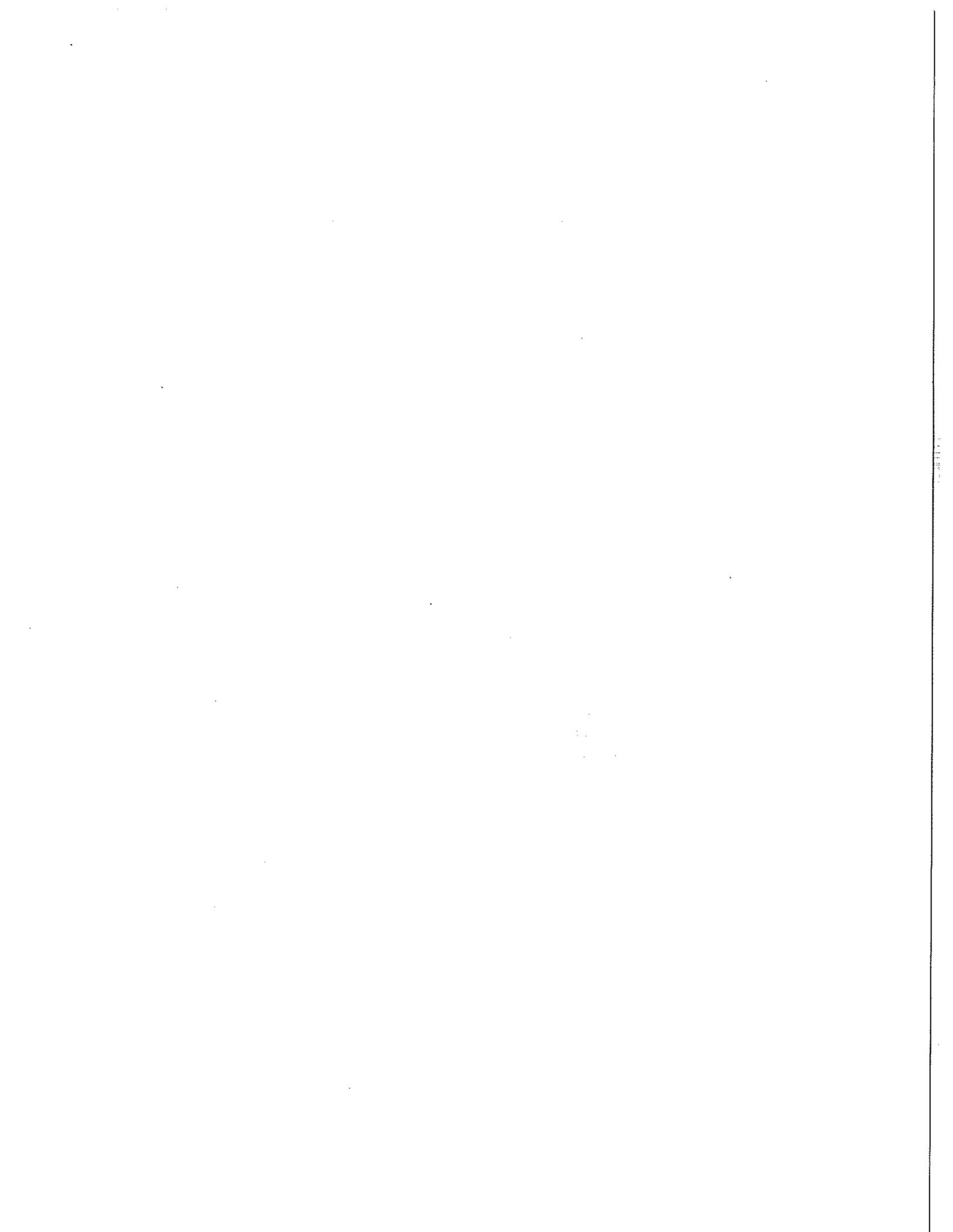
The Regulation of Hairdressers and Cosmeticians was reviewed by the Legislative Program Review and Investigations Committee in compliance with the Sunset mandate of P.A. 77-614. The nine criteria outlined in that act (Title 2c, Chapter 28) provided the basis upon which committee decisions were made. These criteria required legislators to address three fundamental questions in evaluating the boards and commissions slated for 1980 Sunset review:

1. Is regulation of the occupation or profession necessary to protect the public from harm?
2. What is the appropriate level of regulation?
3. Who should regulate the occupation or profession and how should it be regulated?

This board-specific report is supplemental to the Sunset Review 1980 - General Report which contains the background, methods, and recommendations of Sunset Review 1980. To appreciate fully the contents of this board-specific report, it is necessary to review and refer to the General Report, particularly the section "Model Legislation" which provides a single statutory framework to be applied uniformly and consistently to all regulated entities under Sunset review.

This specific report contains the following sections:

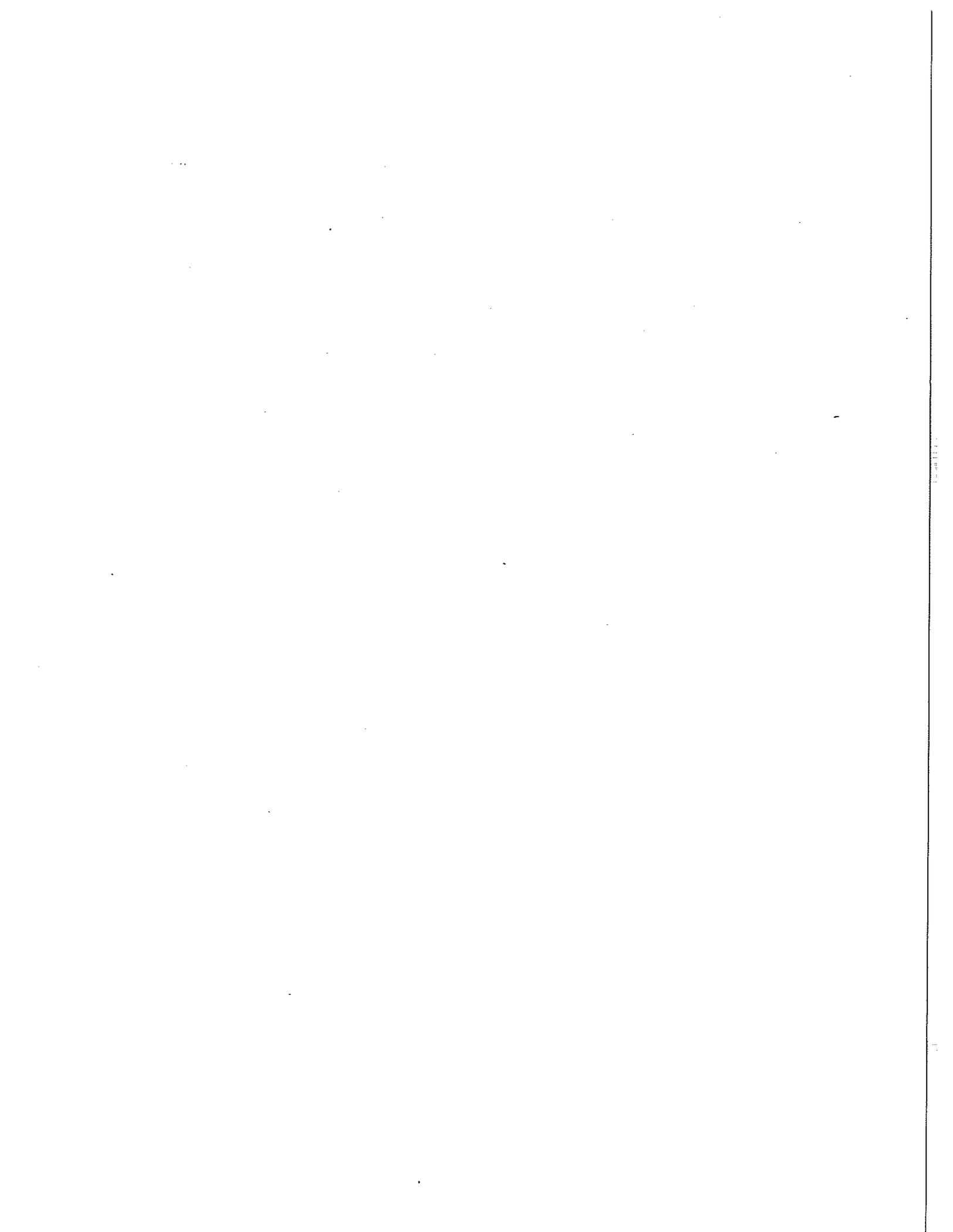
- Description of entity reviewed;
- Recommendations and discussion for entity reviewed; and
- Entity survey and analysis.



SECTION I

DESCRIPTION OF ENTITY

Definition and Background
Structure
Functions
Entry Requirements



Definitions and Background

Hairdressing and cosmetology includes: dressing, arranging, curling, waving, weaving, cutting, singeing, and bleaching the hair; treating the scalp; massaging, cleansing, stimulating, manipulating, exercising, or beautifying the face, neck, and arms by use of hands, appliances, or preparation; and manicuring the nails. Although the statutes limit the practice of hairdressing and cosmetology to female patrons, a 1974 court decision ruled that hairdressers and cosmeticians may provide their services to customers of either sex.¹

The practice of hairdressing and cosmetology has been regulated by the state for over 50 years to protect the public from the spread of communicable disease and to assure a minimum level of competence among practitioners. Over the years the need to control disease has diminished, but the equipment and chemicals employed by practitioners continue to require a minimum level of training and knowledge for safe, skillful use.

Presently, all states license both establishments and individuals that provide hairdressing and cosmetology services, although the number and type of licenses granted vary. In Connecticut, five distinct practitioner licenses are offered, with three constituting a career ladder for hairdresser/cosmeticians. The entry level licensee or operator is allowed to perform all services under supervision, while receiving practical training and experience. The assistant (second level) licensee may perform all functions without supervision but only the top level licensee, the registered hairdresser and cosmetician, can manage a shop and supervise licensed operators and manicurists.

The separate, limited license of manicurist permits the holder to do manicures, facials, shampoos, and eyebrow arching. Manicurists provide services under supervision and only in licensed salons. The second separate license category is instructor. Beauty schools operating in Connecticut are required to employ licensed instructors.

¹ Barbering services, on the other hand, are not statutorily restricted to either sex. Until recently, few women patronized barber shops and few men sought beauty salon service. Both barbers and hairdressers noted, in public hearing testimony, the growing trend toward "unisex" salons or shops.

Two types of establishments, beauty salons and beauty schools, are licensed in Connecticut. Hairdressing and cosmetology practice is restricted to a licensed salon where minimum sanitary and safety standards can be most effectively enforced. Licensed hairdressers, therefore, are prohibited with one limited exception from providing any regulated service in their own or anyone else's home. Salons are also prohibited from operating in connection with a barber shop or any other business.

Schools for instruction in hairdressing and cosmetology must also be licensed before operating in Connecticut. The majority of the beauty schools in the state are private, profit-making enterprises. Hairdressing and cosmetology training programs are also offered in 14 state-run schools. Licensure ensures that equitable administrative practices (e.g. fees charged, refund policy, default insurance) which protect the student, and adequate education and training programs which protect the public in general, are instituted and maintained in all schools.

Nearly 18,000 individuals are currently licensed to provide hairdressing and cosmetology services in Connecticut.¹ Over 2,200 beauty salons and 45 beauty schools held valid licenses in 1978.

Structure

The Department of Health Services rather than a professional board is responsible for supervising all matters concerning hairdressing and cosmetology. The licensure program implemented by the department's hairdressing and cosmetology section is now included within the centralized regulatory activities of the recently formed Medical Quality Assurance Division.

Functions

In regulating hairdressing and cosmetology, the department performs the following mandated functions:

- adopt regulations for administering hairdressing and cosmetology statutes;

¹ As of 1979, the licenses were distributed as follows: 6,632 registered hairdresser and cosmetician; 5,363 assistant; 5,643 operator; 175 manicurist; and 604 instructor.

- develop and prescribe the course of study required for licensure;
- license all schools for instruction in hair-dressing and cosmetology (except those conducted by the State Board of Education);
- prescribe and administer licensure examinations;
- investigate any alleged violations of hair-dressing and cosmetology provisions; and
- conduct hearings on complaints and, as a result, may suspend or revoke licenses for violations.

Requirements for Licensure

To receive a beauty salon license, the applicant (either the shop manager or proprietor) must pay a \$30.00 fee and the Department of Health Services must find that the salon is suitable and sanitary with respect to its location and appointments and will be conducted in compliance with law and regulation. Specific requirements concerning the operation, equipment and sanitation of salons are contained in the Department of Health Services regulations. Salon licenses must be renewed annually and the fee is \$10.00.

Each licensed salon is statutorily required to be under the management of a registered hairdresser and cosmetician, although for 14 days in any three month period, an assistant hairdresser, in the absence of a registered hairdresser, may manage a shop.

A beauty school is eligible for licensure if the department finds the school's location and appointment is suitable and sanitary, its equipment and facilities are adequate, and it will be conducted in accordance with law and regulation.¹ In addition, to receive a beauty school license, the applicant (the proprietor) must be of good moral character and pay a \$50.00 fee.

Specific requirements concerning the physical facility, equipment, operation, and education and sanitation standards are detailed in regulation. Beauty school licenses must be renewed annually and the fee is \$50.00.

¹ Students enrolled in a licensed school must be at least 16 years old and have successfully completed the eighth grade or its equivalent.

In order to receive the operator license (entry level hairdressing and cosmetology license), applicants must be at least 17 years old, have completed the tenth grade (or its equivalent) and at least one year of study and training in a licensed beauty school and pass a written examination. In addition, regulations require that applicants for the operator license receive a total of 2,000 hours of instruction as a student in a licensed school.

Anyone at least 18 years old who has had two years of practical experience and training under a registered hairdresser and cosmetician and has held an operator's license for at least one year, may receive an assistant hairdresser and cosmetician license. Assistant hairdressers who have met these requirements and have held the assistant license for at least one year, or persons who are at least 18 years old, have held an assistant license for three years and have been under the personal supervision of a registered hairdresser for five years, are eligible to take a written examination for the registered hairdresser and cosmetician license.

To receive a manicurist's license, the applicant must be at least 17 years old, have completed at least 500 hours of study and training during at least a three month period in a licensed school, and pass a written and a practical examination.

The instructor's license is given to those candidates who hold a registered hairdresser and cosmetician license, have a high school diploma (or its equivalent), and pass a written, oral and practical examination.

The initial fee for each type of license is: \$10.00 for operator and assistant levels; \$15.00 for manicurist; and \$25.00 for registered hairdresser and cosmetician and instructor levels.

Operators, assistants and registered hairdresser and cosmeticians licensed in other states which have equivalent licensure standards and reciprocal licensing arrangements with Connecticut, may be licensed as such provided they are of good moral character and pay a \$25.00 fee.

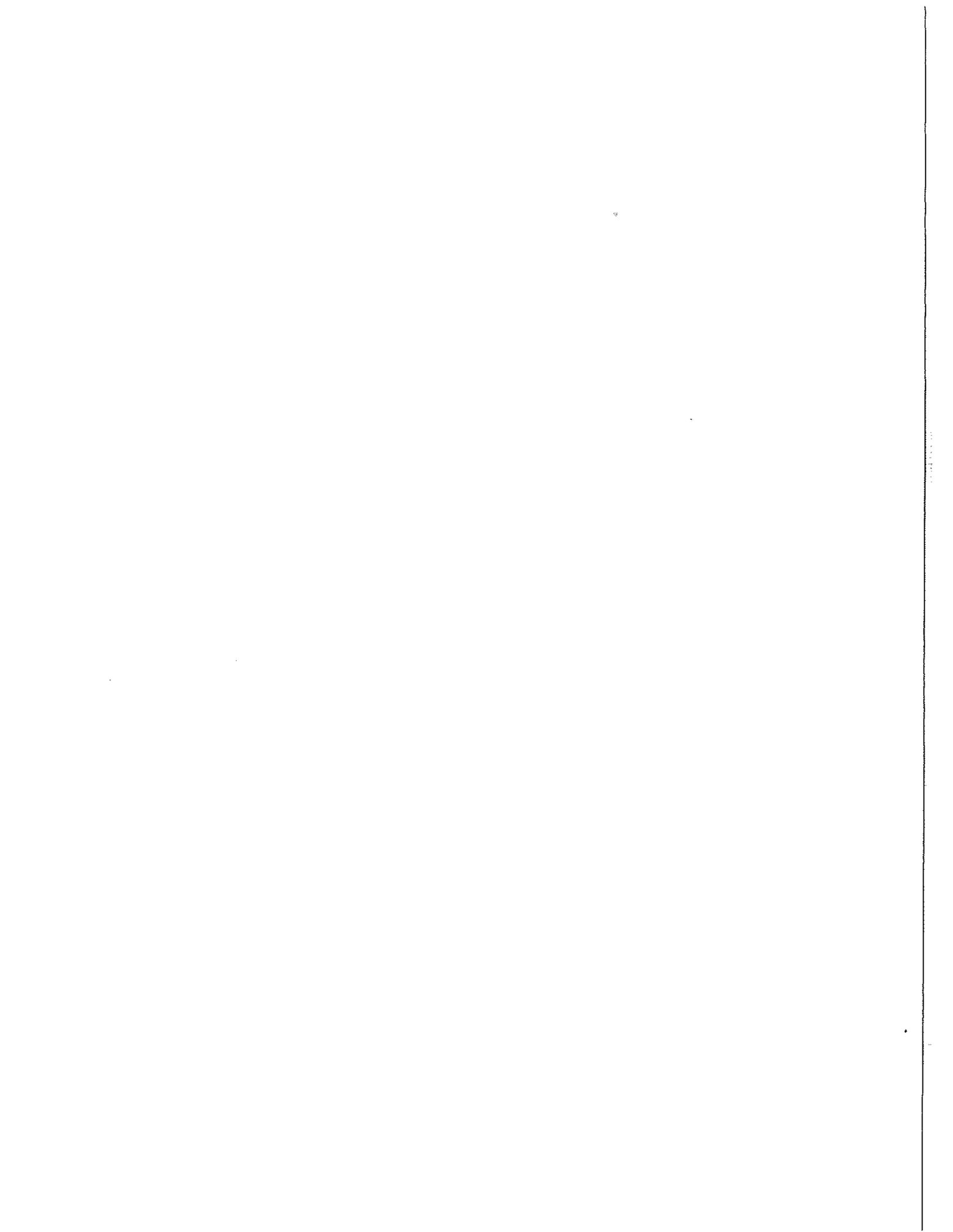
Out-of-state applicants who are ineligible for reciprocal licensure must be examined and pay a \$25.00 fee. Those with two years of licensed experience in another state may apply for an operator license, while those with five years of licensed experience in another state may apply for an assistant hairdresser and cosmetician license. Annually, all licensees must renew their licenses and pay a \$5.00 fee.

The Department also grants temporary beauty show (guest) permits for a \$25.00 fee. Persons licensed in another U.S. jurisdiction or a foreign country may operate at a hair-dressing or cosmetology educational show or demonstration held for (licensed) Connecticut hairdressers. Such permits are valid for the duration of such a show or demonstration, but cannot exceed a one week period.



SECTION II

RECOMMENDATIONS AND DISCUSSION



Recommendations for the Regulation of Hairdressing
and Cosmetology (Chapter 387)

1. Continue license for registered hairdresser and cosmetician.
2. Continue license for operator.
3. Terminate license for assistant hairdresser and cosmetician.
4. Terminate license for instructor.
5. Terminate license for manicurist.

Licensure was found to be the most appropriate and necessary level of regulation for hairdressing and cosmetology. However, the Committee found that only two of the current five licensing levels were necessary to assure safe, competent hairdressing and cosmetology services. Licensure is inappropriate for manicurists since they perform, under supervision, a limited range of functions involving no serious harm. The assistant hairdresser and cosmetician license also cannot be justified in terms of public health and safety. It was found that instructors of hairdressing and cosmetology would be regulated more appropriately by an education agency. Development of a mechanism other than licensure for assuring an instructor's teaching ability is recommended as part of the Department of Health Service's (DOHS) required report (See Model Legislation - Required Reports).

6. Register beauty salon, with required initial inspection by the DOHS.

To clarify terminology and consistently apply the various regulatory levels, the Committee recommends that establishments such as beauty salons be registered. The public is protected adequately under this regulatory mechanism since salons which fail to meet or maintain established health and safety standards can be prohibited from operating.

7. Transfer beauty school licensure responsibility to the State Department of Education.

The Committee found that the required licensure of educational institutions operating in the state is most appropriately handled by an agency responsible for education not health regulation. The Department of Health Services would continue to have school approval authority in conformance with Model Legislation (See Entry Requirements - Approval of Schools).

8. Continue regulatory functions within the Department of Health Services.

The Legislative Program Review and Investigations Committee (LPR&IC) has found that the DOHS has performed entry and enforcement functions for hairdressing and cosmetology adequately. Responsibility for ensuring safe and sanitary practice is most appropriately placed with the state agency responsible for health regulation--the Department of Health Services.

9. Amend Chapter 387 to include Model Legislation standards, procedures, responsibilities, appropriate repealed sections and all other relevant sections.

Model Legislation addresses and ameliorates previous and potential concerns about regulatory procedures and policies. By providing a single regulatory framework for all boards and practices under the aegis of the Department of Health Services, the Model Legislation insures consistency, objectivity and uniformity in the execution of regulatory functions. Specific areas of concern in the regulation of hairdressing and cosmetology and the solution offered by the Model Legislation are listed below.

- a. Powers and Duties of the Department of Health Services - *Model Legislation delineates the Commissioner's powers and duties relative to those practices which are regulated without a board. The uniform provisions of this Model Legislation (See Part II) will apply to regulation of hairdressing and cosmetology. The Commissioner of Health Services retains his discretionary authority under Executive Reorganization to seek the advice and assistance of a licensed hairdresser and cosmetician in the execution of regulatory functions.*
- b. Business Practices - *The Committee found that regulation of business practices and statutory restrictions on business practices were not relevant to ensuring and enforcing minimum standards of competence. Such business practices recommended for repeal are included in the following regulation (See Model Legislation - Business Practices):*
- *Reg. 20-251-1, Prohibition on operating salon in connection with barber shop.*
- c. Entry Requirements - *The Committee found that the hairdressing and cosmetology statutes governing entry requirements contained certain qualifications not relevant to determining an applicant's competence. Such requirements --age and good moral character-- are recommended for deletion.*

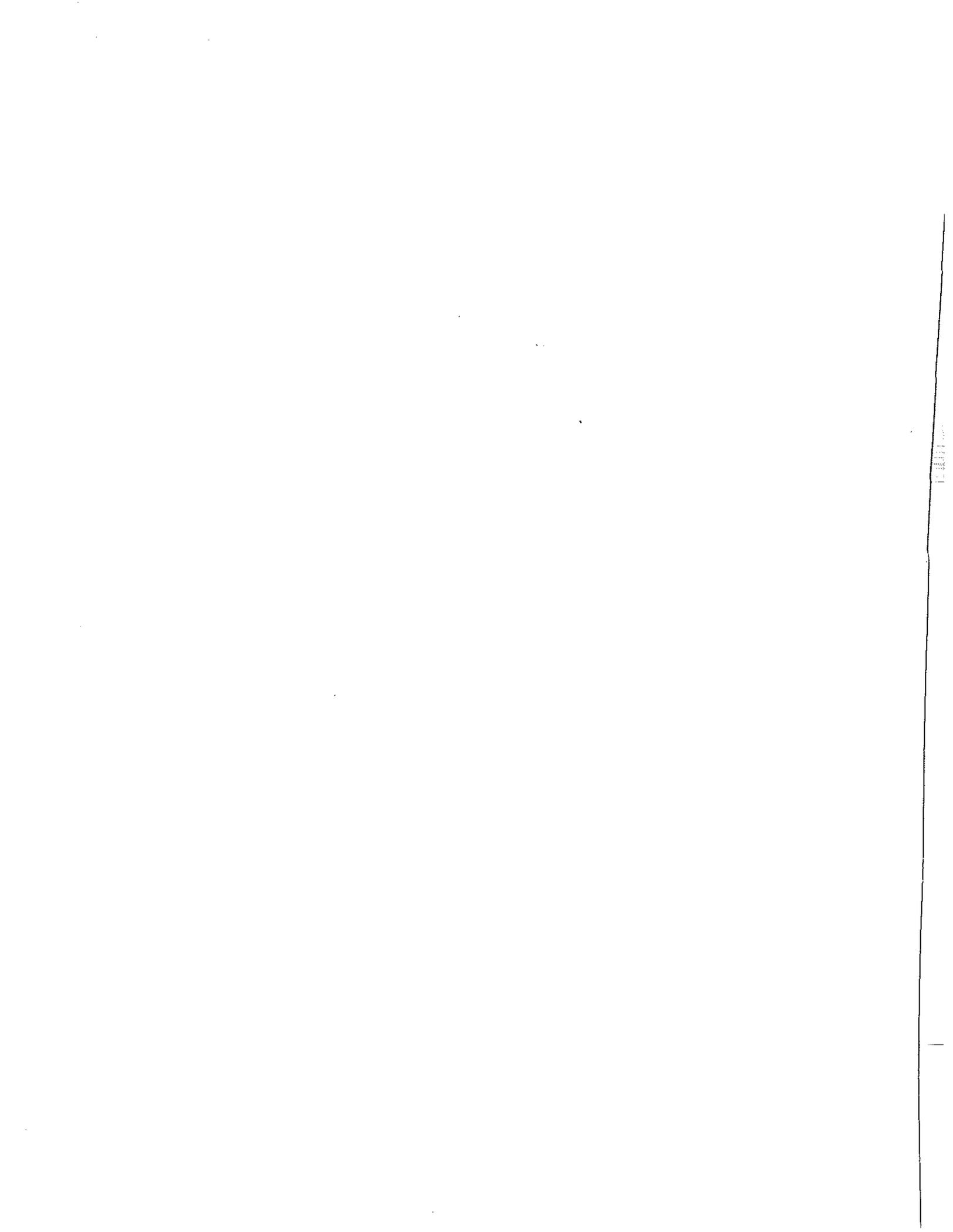
Model Legislation also provides for an intensive review and revision of entry requirements by the board and the Department of Health Services to bring them in conformance with the principles outlined in the Model Legislation and the current state of the art in the practice of hairdressing and cosmetology.

- d. Renewal Standards - *The Committee found that standards for licensure renewal required review and revision to bolster the enforcement of continued competence. Model Legislation (Required Reports) provides for such updating.*
 - e. Grounds for Professional Discipline - *The Committee found a great variance among the statutes in this area. Model Legislation provides grounds for professional discipline which are focused on the delivery of service and quality of care rendered by the practitioner. Application of these grounds to all professions regulated under the aegis of the DOHS insures a rational and uniform basis for adjudication and imposition of disciplinary sanctions.*
 - f. Receiving and Processing Complaints - *An area of considerable controversy, mechanisms for receiving and processing complaints in the Model Legislation are delineated to provide a standardized and equitable procedure for the complainant and the charged practitioner.*
 - g. Disciplinary Sanctions - *Model Legislation explicates a range of disciplinary sanctions and requires consistency and uniformity in their application.*
10. Eliminate statutory restrictions on the practice of hairdressing and cosmetology concerning the gender of patrons (C.G.S. 20-250).

The statutory definition of hairdressing and cosmetology states that it is a practice performed on females. Although a 1974 court case found this statutory restriction to be unconstitutional, the laws have not been revised to reflect the court ruling. Licensed hairdressers and cosmeticians do in fact provide services to patrons of either sex.

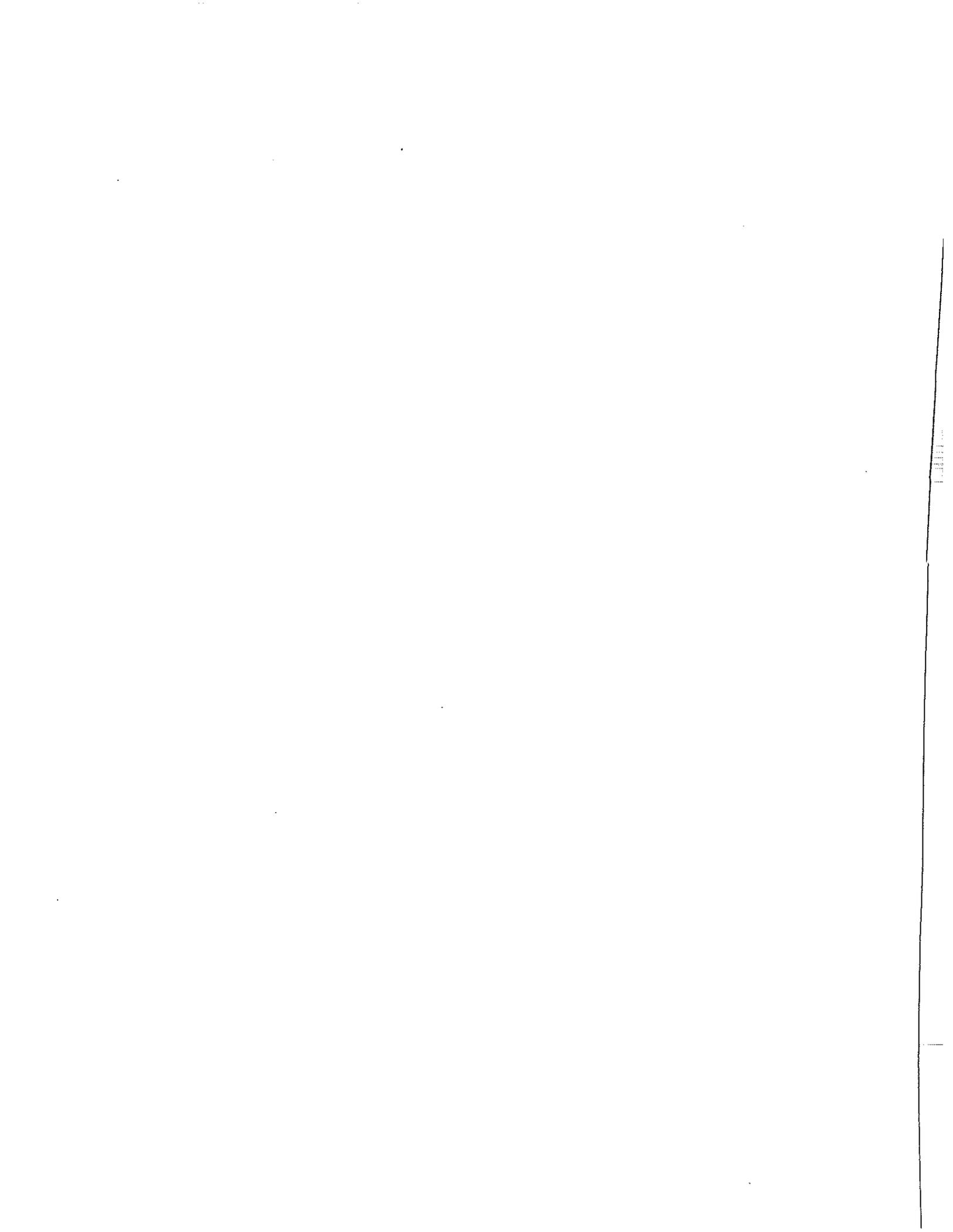
11. Repeal C.G.S. Section 20-266, the committee on fair practices.

According to the Department of Health Services, the hairdressing and cosmetology fair practices committee authorized under this section does not exist presently and may have never been formed. The Commissioner may seek the advice and assistance of licensed hairdressers and cosmeticians under provisions of the Executive Reorganization Act. Therefore, the Committee found that this statutory provision is unnecessary.



SECTION III

ENTITY DATA AND ANALYSIS



ENTITY DATA AND ANALYSIS

Section 2c-6 of Connecticut's Sunset Law mandates that the entity reviewed demonstrate a "public need for (its) reestablishment" and that "it has served the public interest and not merely the interests of the persons regulated." All boards, commissions and departments evaluated in Sunset Review 1980 received a questionnaire which addressed the nine statutorily specified Sunset criteria.

This questionnaire, the primary instrument used to evaluate the entity's "burden of proof," was followed by staff interviews with key board members and members of the professional associations for further clarification and amplification.

The following section contains the questionnaire sent to DOHS for the Regulation of Hairdressers and Cosmeticians. Where appropriate, Committee staff has edited the agency response without altering or diluting the argument. Committee staff then analysed the agency response. Because of the methodological constraints posed by Sunset evaluation and implementation of Executive Reorganization occurring simultaneously, manageable quantitative data were difficult to obtain. Qualitative analysis, based on relevant information and data derived from a variety of sources, was used primarily in the Committee staff comment. This annotation appears in italics below the agency response.

1. WOULD THE TERMINATION OF LICENSING REQUIREMENTS FOR YOUR PROFESSION SIGNIFICANTLY ENDANGER THE PUBLIC HEALTH, SAFETY, OR WELFARE? PLEASE EXPLAIN.

Yes. The department has supervision over all matters concerning hairdressing and cosmetology.

This begins with the developing and supervision of a curriculum of study to ensure that licensed cosmetologists have the specialized knowledge and skills to serve and protect the public. We establish and maintain minimum standards governing licensure of persons seeking to practice cosmetology.

Daily, more than 40,000 patrons attend over 2,200 beauty salons, involving 18,000 licensed personnel in Connecticut.

More than 1,000 students attend thirty-one (31) licensed proprietary beauty schools and fourteen (14) state vocational schools.

The termination of licensing would invite untold risks of permanent physical damage to the head, face, neck and arms of patrons, in the misuse of chemicals, formulated products, instruments and equipment by untrained and unskilled persons.

Contagious skin conditions would not be identified and referred for medical attention.

Proper work area space requirements would be ignored and handicap the safety of the patron and the efficiency of the operator.

Recorded licensees are identified. Inspectors professionally trained, educated and experienced in cosmetology can appraise the hundreds of skills and techniques interacting within a beauty school or salon. Prompt identification is made of harmful, dishonest and fraudulent practices of both licensed and unlicensed operators in service to the consuming public....

The primary reasons for regulating the practice of hairdressing and cosmetology are to ensure that practitioners are adequately trained to safely provide services at a level of quality expected by the public and to ensure that these services are delivered in safe and sanitary surroundings. All 50 states regulate the practice of hairdressing and cosmetology through licensure.

2. COULD THE PUBLIC BE ADEQUATELY PROTECTED BY ANOTHER STATUTE, OFFICE, OR PROGRAM? IF SO, WHICH ONE(S)?

No. Cosmetology is a unique expertise.

Complaints filed with the Department of Consumer Protection arising from cosmetology services are forwarded to this office, since they do not have the expertise to evaluate the operations, systems and methods in this field.

Implementation of the hairdressing and cosmetology licensure program is most appropriately handled by the state agency responsible for health regulation--the Department of Health Services. The department has adequately performed entry and enforcement functions which ensure safe and sanitary practice of hairdressing and cosmetology.

3. COULD THE PUBLIC BE ADEQUATELY PROTECTED BY A LESS RESTRICTIVE METHOD OF REGULATION THAN THE CURRENT LICENSING REQUIREMENTS, SUCH AS CERTIFICATION OR REGISTRATION? PLEASE EXPLAIN.

No. The present methods of licensure provide the minimum of restrictions to ensure basic protections for the safety and health of the public.

Over 18,000 cosmetology licenses are renewed annually to individuals of moderate education who find cosmetology a professional purpose and livelihood. Continuing attention is essential to provide guidance and corrective action where necessary.

Less restrictions than currently in use would cause a chain reaction breakdown in the entire regulatory function, invite deterioration of professionalism and subsequent threat to public safety and health.

Transitional changes are in demand and are accommodated....

Licensure is the appropriate level of regulation when a practice involves independent judgment, a potential for physical harm to the public and special skills and knowledge necessary to assure a minimum level of competence. Hairdressing and cosmetology involves all of these factors. However, only two of the current five individual licensing levels are needed to adequately protect the public health, safety and welfare.

The registered hairdresser and cosmetician license authorizes independent performance of all services and mandates supervisory responsibility

over other personnel along with the beauty salon. The operator is also licensed to provide the full range of hairdressing and cosmetology services to customers under supervision, but the degree of supervision may vary within and among shops. Licensure is appropriate in the cases of the operator and the registered hairdresser and cosmetician since it assures minimum competency.

The assistant hairdresser and cosmetician license involves no public health and safety justification. It is granted to licensed operators after one year of experience, authorizes independent practice and management of a beauty salon for limited time periods. This license is intended to ensure that salons with only one registered hairdresser and cosmetician will be managed by an experienced, responsible hairdresser if the professional is absent. Mechanisms other than licensure are available for this purpose.

The manicurist license authorizes a limited scope of hairdressing and cosmetology services to be performed under supervision. None of these services involve significant danger to the public. Manicurists who work in barber shops performing similar services are not required to be licensed. Therefore, the LPR&IC recommends discontinuing the manicurist licensing level.

Public hearing testimony and staff research revealed that licensure of instructors currently does not ensure teaching ability. The major requirements for this license are graduation from high school and a valid registered hairdresser and cosmetician license. Determination and evaluation of teaching qualifications would be handled more appropriately by an agency responsible for education. In this case, the State Department of Education rather than the Department of Health Services should be responsible for assessing instructors of hairdressing and cosmetology.

For similar reasons, licensure of beauty schools is more appropriately handled by an agency responsible for education not health regulation (all such schools must be licensed, according to state law). Therefore, the State Department of Education rather than the Department of Health Services should be responsible for assuring the educational quality of beauty schools. The Department of Health Services would continue to inspect beauty schools for public health reasons and could also be consulted in development of the required hairdressing and cosmetology curriculum. The Department of Health Services staff expressed support for transfer of this function.

The state regulates beauty salons to ensure safe and sanitary environments for hairdressing and cosmetology. To clarify terminology and

consistently apply the various regulatory levels (i.e., licensure, certification and registration, the committee recommends that establishments such as salons be registered and initially inspected by the Department of Health Services. Any salon which fails to meet or maintain established sanitary standards could be prohibited from registering and, therefore, operating. The public is adequately protected from any health and safety hazards under this regulatory mechanism.

4. DOES YOUR BOARD OR COMMISSION HAVE THE EFFECT OF INCREASING THE COSTS OF GOODS OR SERVICES TO THE PUBLIC EITHER DIRECTLY OR INDIRECTLY? PLEASE EXPLAIN THE BASIS FOR YOUR ANSWER.

Minimally. The schools pay \$50 annually for license renewal and a beauty salon pays \$10 for annual license renewal.

Licensing, because it restricts entry and requires an investment in education and training to meet entry standards, indirectly increases costs to the consumer. However, the actual impact of licensure on the fees charged for hairdressing and cosmetology services, as well as the value of the social benefits derived from such regulation (e.g., public protection, assurance of quality services, etc.), are difficult to quantify at this time.

5. IF YOUR BOARD HAS THE EFFECT OF INCREASING COSTS, IS THE ADDITIONAL COST JUSTIFIED THROUGH PUBLIC BENEFITS ATTRIBUTABLE TO THE ACTIONS OF THE BOARD? PLEASE EXPLAIN.

The minimal cost merits no justification.

(See above comment, #4).

6. IS THE EFFECTIVENESS OF YOUR BOARD OR COMMISSION HAMPERED BY EXISTING STATUTES, REGULATIONS OR POLICIES, INCLUDING BUDGET AND PERSONNEL POLICIES. IF SO, PLEASE BE SPECIFIC IN YOUR ANSWER.

The existing General Statutes and Rules and Regulations are well structured for guidance and benefits to the public and the industry. Clearly defined requirements leave little margin for discretion and are among the best in 50 states.

License revenues of approximately \$182,000 are received and accounted for in this section and are deposited into the General Fund. We have no cost analysis for budget comparison.

A staff of one Senior Inspector, three Inspectors and four clerks, does the best job possible without diluting our responsibilities to the public. Additional staff would reduce delays in services to the public and licensees.

7. WHAT STATUTES AND REGULATIONS IMPINGE DIRECTLY ON THE OPERATIONS OF YOUR BOARD? PLEASE LIST OR ATTACH COPIES.

- (a) General Statutes of Connecticut, Revision of 1958, Chapter 387.
- (b) The Uniform Administrative Procedure Act, Chapter 54, Connecticut General Statutes.
- (c) The Public Health Code of the State of Connecticut.

8. TO WHAT EXTENT HAVE QUALIFIED APPLICANTS BEEN PERMITTED TO ENGAGE IN THE PROFESSION(S) OR OCCUPATION(S) LICENSED BY YOUR BOARD? PLEASE COMMENT ON WAITING PERIODS, DELAYS, PAPERWORK, ETC.

Qualified applicants are permitted to work after passing oral, written and practical examinations which are given quarterly.

Qualified applicants may experience a waiting period between the time of the successful completion of 2,000 hours of training and the date of the next quarterly examination.

Following the examination, the waiting period is approximately two to three weeks until notification by letter of the result. Applicants who have passed, use the letter of notification as qualification for employment.

The license follows two to three weeks later.

Connecticut's requirement that students complete 2,000 hours of training before applying for an entry level license (operator) is one of the strictest in the country. The national average is approximately 1,500 hours. The hour requirement is considered unnecessarily high by many in the hairdressing field and has presented problems for out-of-state licensees seeking reciprocity in Connecticut.

The department is currently studying the feasibility of revising the training requirements. Additionally, LPR&IC is recommending that all boards and the Department of Health Services review entry standards (see Model Legislation--Required Reports) and report proposed changes to the 1981 General Assembly. Problems associated with licensing out-of-state practitioners is also addressed by the LPR&IC Model Legislation.

9. WHAT ACTIONS HAS YOUR BOARD OR COMMISSION TAKEN TO INSURE COMPLIANCE WITH FEDERAL AND STATE AFFIRMATIVE ACTION POLICIES AND TO ENCOURAGE ACCESS BY WOMEN AND MINORITIES INTO YOUR PROFESSION?

The requirement for American citizenship has been dropped.

Beauty schools enroll all applicants who meet the requirements of age (16) and education (10th grade) stipulated in the Statutes.

Schools are encouraged to seek National Accreditation to qualify for Federal funding for needy applicants.

Committee staff research found no evidence to the contrary, although the hairdressing and cosmetology statutes still contain provisions which limit the practice to female patrons. A 1974 court case found these statutory restrictions to be unconstitutional. While licensed hairdressers and cosmeticians do, in fact, provide their services to patrons of either sex without reprisal, the statutes should be revised to reflect the court ruling.

10. WITHIN THE PAST FIVE (5) YEARS, WHAT CHANGES IN STATUTE, RULES OR REGULATIONS HAS YOUR BOARD OR COMMISSION RECOMMENDED WHICH WOULD BENEFIT THE PUBLIC AS OPPOSED TO LICENSEES?

None.

11. WHAT HAS YOUR BOARD OR COMMISSION DONE TO ENCOURAGE PUBLIC PARTICIPATION IN THE FORMULATION OF YOUR RULES, REGULATIONS AND POLICIES?

A public meeting was held for opinions on proposed changes in the Rules and Regulations.

A public member has been added to the committee considering these changes and attends all meetings.

12. WHAT HAS BEEN YOUR PROCESS THROUGH DECEMBER 31, 1978 TO RESOLVE PUBLIC COMPLAINTS CONCERNING PROFESSIONALS REGULATED BY YOUR BOARD OR COMMISSION?

When a complaint is received it is assigned for investigation as promptly as possible.

The facts are impartially considered.

In many cases a letter from this office to the violator recommending adjustment secures a correction. Serious violations lead to a compliance meeting, a hearing, or a formal hearing with possible probation or revocation of license.

A complaint is an administrative function until it leads to a hearing at which time the appointed hearing officer would adjudicate the matter.

An appeal may be taken from any action of the department to the Common Pleas Court.

Committee staff research found the above description accurate. No significant changes in the process occurred as a result of the 1977 Reorganization Act (P.A. 77-614).

13. WITHIN THE PAST FIVE (5) YEARS, WHAT STATUTES, RULES, OR REGULATIONS HAS YOUR BOARD OR COMMISSION PROPOSED OR ADVOCATED TO PROTECT YOUR PROFESSION FROM THE LICENSURE OF UNQUALIFIED PERSONS?

None.