

SALON LAWS AND RULES NEED SCRUTINY

LAWMAKERS AND GOVERNOR NEED TO REVIEW COSMETOLOGY PROFESSION AND LICENSING BOARD

EDITORIAL WRITING

The Iowa Board of Cosmetology Arts and Sciences has released a list of administrative charges against La'James International College in Iowa City. The board alleges the for-profit cosmetology school failed to keep equipment clean, lacked enough instructors and failed to adequately supervise students. These students are trying to obtain the 2,100 hours of training and education the state requires for a license to work in a beauty salon.

The board's action was made public two months after The Des Moines Register editorial board began raising concerns about La'James,

which has five locations in Iowa. We have reported on complaints from numerous current and former students. The Iowa attorney general's office is now investigating the school's practices, and a lawsuit has been filed in Webster County by a former student alleging that La'James forged student loan documents.

But Iowans shouldn't only be asking questions about La'James. They should also be asking questions about the state cosmetology board, which is responsible for overseeing thousands of workers and salons, plus the 27 cosmetology schools in Iowa.

In the past 13 years, the board has received 57 complaints about the schools. The recent charges against La'James marked the first time it has taken public action against a school in 20 years.

The charges are based on an investigation and inspection conducted in June 2012. A hearing on the charges is not scheduled until January 2014. That means the school will continue to recruit and enroll new students for a year and a half after the state licensing board found problems at La'James.

That delay is troubling, but there are other concerns state leaders should address about this board's resources, operations and responsibilities.

Licensing boards in Iowa are generally composed of seven people appointed by the governor. Most members work in the industry being regulated. The names of the cosmetology board members are listed on the Iowa Department of Public Health's Web site, but no contact information is included and the agency refused to provide it.

Employees said the agency wanted to coordinate responses through the cosmetology board office to ensure accuracy and consistency. Newly appointed board members may not be aware of previous responses on a matter, the staff said. In the end, the agency provided the information to us.

That information should be readily available on the board's Web site. Iowans should be able to easily contact members of any board that licenses, oversees and has the power to sanction nearly 23,000 Iowa workers and businesses.

Though hair salons are not subject to regular inspections, Iowa lawmakers decided it was important for the state to regularly check on cosmetology schools. The law requires these institutions to be inspected annually. Like inspections of entities from restaurants to nursing homes, it's reasonable to expect these evaluations are conducted by trained people.

Well, that isn't the case.

Cosmetology board members conduct inspections of schools. That's right. Volunteer board members trained by other volunteer board members visit schools and fill out five-page inspection reports that require checks on everything from sanitizing equipment to disposing of used needles to procedures for spilled blood — areas that are technical and complex.

In the 118 pages of inspection reports for 2011, not a single school was out of compliance in any of the 60 areas being inspected.

Participating board members are licensed cosmetologists, but that doesn't mean they are qualified to conduct inspections for the state. And these same individuals may vote on sanctioning a school.

The cosmetology board is a group of industry insiders given authority by the state to regulate more than 20,000 individuals and businesses. Iowa law and administrative rules include many provisions that raise questions about whether the board has been focused on protecting public health or protecting the cosmetology workers and businesses.

Continued on next page

For example, an Iowa cosmetologist licensed before July 2005 can perform a chemical peel on someone's face if she obtains additional training, but a cosmetologist licensed after that date must go back to school to obtain an entirely new license in esthetics. At La'James, that's a 750-hour program.

You have to be a licensed cosmetologist to braid, curl or shampoo a wig or hairpiece "when done in conjunction with haircutting or hairstyling by any means," state law says. Why is a cosmetology license required to style a wig?

The Legislature and Gov. Terry Branstad should review the entire law related to the cosmetology profession. Lawmakers should significantly reduce the training hours required to be a cosmetologist, nail technician and esthetician.

Elected officials also need to examine whether a board of industry insiders should have so much responsibility and power over workers — or whether such a board should represent Iowans in general rather than insiders.