

## **HEAD FIRST INTO THE UNKNOWN: IMPACTS OF INDUSTRY DEREGULATION**

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The beauty profession is one which takes passion, creativity, and education and training to ensure consumer and professional safety. That is why right now, to become a licensed beauty professional, you must complete an educational program, and pass your state board exam. State boards oversee licensing, as well protect consumer safety. The regulations put in place to oversee the safety of services provided by beauty professionals are working well and have done so for a number of years.

But there's an underlying theme circulating the halls of state legislatures – less government regulation. Some state law makers have already, or are in the process of, considering occupational licensing deregulation. With the support of organizations like the Goldwater Institute and the Institute for Justice, licensing regulations within the professional beauty industry are seen as a roadblock to work – nothing more than a scheme put in place to discourage market competition.

So, what if the professional beauty industry was deregulated? What would the impact look like? It would without doubt affect everyone from manufacturers, distributors, to salon owners and licensed professionals. Most importantly, it is the consumers – YOUR clients – who would suffer the most.

### **ENTER AT YOUR OWN RISK**

Consumers trust that the beauty professional providing their service is educated, trained, and licensed - simply put, that they know what they are doing and are not putting them at a safety risk. Some may argue there is no real safety risk in deregulation; that services can simply be provided to consumers at their own risk. Try explaining that theory to a woman who had the unfortunate experience of having her eyebrows waxed at a nail salon. She suffered third degree burns, developed a staph infection, and is now awaiting plastic surgery to attempt to repair the damage done to her face. Speak to the consumers that have suffered from a chemical burn, or contracted a disease such as Methicillin-Resistant Staphylococcus Aureus (MRSA), a highly contagious and difficult to treat bacterial infection easily passed with sharp tools that have not been properly sanitized.

A consumer has the right and opportunity to report unsanitary salons, the spread of infection, injury, or any other matter of concern to the state board. The state board can conduct an inspection and administer appropriate sanctions. If a state were deregulated who would the consumer contact? The board overseeing licensed beauty professionals would no longer exist. If a salon is unsanitary and proper disinfection procedures were not being followed, who would inspect the salon and correct the issues?

Deregulation doesn't stop with just the elimination of the state board. Completion of an accredited program and licensing would no longer be necessary or provided. Individuals without any formal education or training would be able to rent a space, open a salon, or just set up shop in their kitchen, and be ready to open for business. These individuals would have no idea what to look

for regarding lice, open cuts/wounds, and the many other health hazards out there; would not know how to properly sanitize their space, or disinfect their tools; understand the proper use and application of chemicals on the hair, scalp, or skin; or, how to properly handle tools and use them on a client.

## **UNKNOWN CONSEQUENCES**

Just like any service industry, if a consumer is injured during a service they have the legal right to contact an attorney and file a claim for damages. In our industry, professionals usually have insurance that cover these types of claims – just like a doctor would. Some insurance providers would not provide insurance coverage to an unlicensed individual, while other insurance companies may offer coverage at extremely expensive rates. So if a consumer were injured by an untrained service provider, without liability insurance, and filed that same claim, the service provider would be left holding the bill.

Without education requirements, what would happen to the thousands of beauty schools and educators in our country? Would schools have anyone left to teach if an education was no longer required? For distributors and manufacturers of professional-only products: would unlicensed individuals have access to those products? Could a distributor provide these products to a salon that employs unlicensed people?

From schools to manufacturers to insurance liability and accountability issues, deregulation would destroy a professional industry striving to uphold safe practices and professionalism. Licensed beauty professionals elevate the industry through their best practices resulting from a formal education and training necessary to meet the needs and expectations of the consumer. The number of beauty professionals continues to rise and, in an industry dominated by women and minority business owners and licensees, the professional beauty industry encourages growth, and competition.

The industry's regulations exist to ensure proper training and education, and to protect the public. Today the consumer has the ability to file a complaint, and a salon can be inspected. The push for deregulation is unwarranted in the beauty industry.

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## **ABOUT THE AUTHOR**

Myra Irizarry is the Director of Government Affairs for the Professional Beauty Association (PBA). PBA advocates for the rights of every member and is dedicated to tracking, introducing and responding to legislation at both the state and federal levels with potential to affect the beauty industry. Along with our Government Advocacy program, PBA provides our members with Education, Signature Events, Charitable Outreach, Research and Business Resources. Visit [probeauty.org](http://probeauty.org) for more information. Contact Myra directly at [myra@probeauty.org](mailto:myra@probeauty.org).