

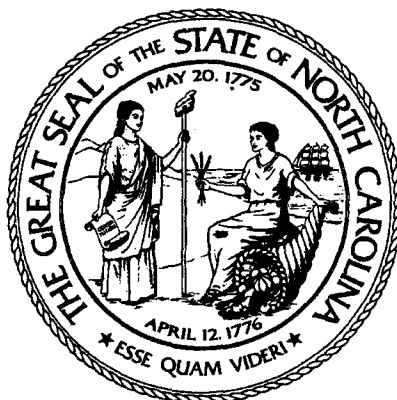
LEGISLATIVE COMMITTEE ON NEW LICENSING BOARDS

Assessment Report
for

Manicurists

Senate Bill 237
Senate Bill 916





LEGISLATIVE COMMITTEE ON NEW LICENSING BOARDS

May 19, 1997

The Legislative Committee on New Licensing Boards is pleased to release this assessment report on the licensing of manicurists. This report constitutes both the preliminary and final assessment report.

W. Frank Mitchell
Representative Frank Mitchell, Chairman

Linwood Jones
Prepared by:
Linwood Jones, Counsel



LEGISLATIVE COMMITTEE ON NEW LICENSING BOARDS

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Representative Wilma Sherrill

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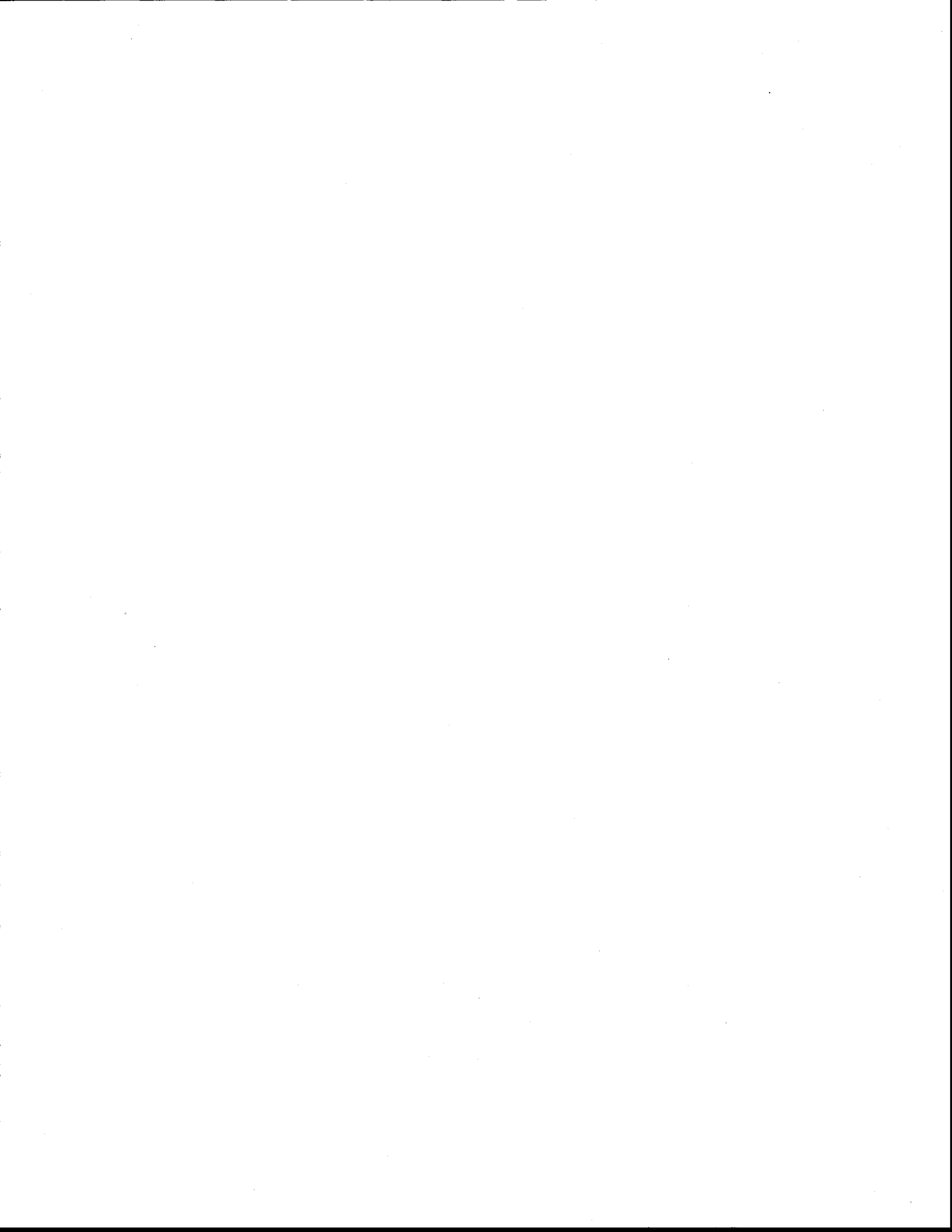
Representative Gene Wilson

Senator Allen Wellons

Representative Douglas Yongue

**Counsel: Mr. Linwood Jones
Mrs. Linda Attarian**

90LLJ-0265C



PREFACE

The Legislative Committee on New Licensing Boards is a 9-member joint committee of the House and Senate created and governed by statute (Article 18A of Chapter 120 of the General Statutes). The primary purpose of the Committee is to evaluate the need for a new licensing board or the proposed licensing of previously unregulated practitioners by an existing board. The Committee has been in existence since 1985.

The Committee solicits written and oral testimony on each licensing proposal in carrying out its duty to determine whether the proposal meets the following criteria:

- (1) Whether the unregulated practice of the profession can substantially endanger the public health, safety, or welfare, and whether the potential for such harm is recognizable and not remote or dependent upon tenuous argument.
- (2) Whether the profession possesses qualities that distinguish it from ordinary labor.
- (3) Whether practice of the profession requires specialized skill or training.
- (4) Whether a substantial majority of the public has the knowledge or experience to evaluate the practitioner's competence.
- (5) Whether the public can effectively be protected by other means.
- (6) Whether licensure would have a substantial adverse economic impact upon consumers of the practitioner's good or services.

The Committee issues an assessment report on its findings and recommendations. The recommendation in the report is not binding on other committees considering the proposal.



Manicurists

Currently, the North Carolina Board of Cosmetic Arts Examiners regulates cosmetologists practicing in this State. The Board also regulates manicurists that practice in cosmetic art shops. However, it does not currently have the statutory authority to regulate manicurists who work outside of cosmetic art shops. Nail shops, for example, where no cosmetic arts are practiced, are beyond the regulatory control of the Board of Cosmetic Arts.

The Board estimates that of the approximately 6,000 manicurists in the State, about one-half are regulated and one-half are not. (The proposed expansion of the Board's regulatory authority over the half that are not now regulated triggered the review jurisdiction of the Legislative Committee on New Licensing Boards). The Board is unable to estimate the number of patrons of manicuring services. Under Senate Bill 237 and Senate Bill 916, all manicurists would be required to be licensed. The Board indicates that 44 states require all of their manicurists to be licensed. Senate Bill 237 would require all manicurists to meet the current licensure standards: 150 hours of schooling and passage of the Board examination. Senate Bill 916, which is a comprehensive rewrite of the cosmetology laws, would require 300 hours of schooling and passage of the examination for all manicurists.

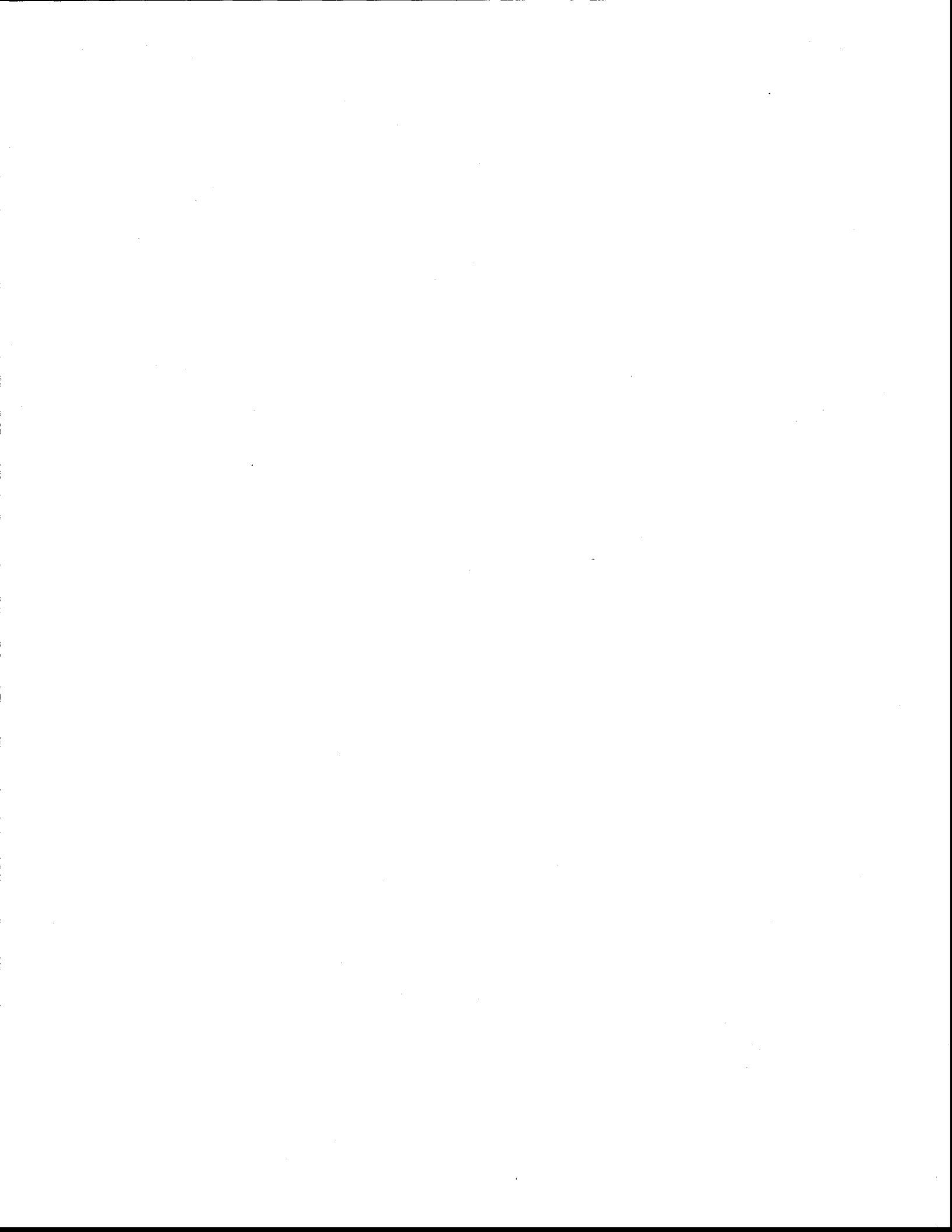
The Board's lack of jurisdiction over non-cosmetic art shops means that it cannot inspect their premises to ensure that they are sanitary, nor can it ensure that the manicurists are trained to prevent the spread of disease. The sponsor cites an instance in which a nail salon was closed down due to the spread of hepatitis among the patrons and notes that "unsanitary conditions prevail in many unlicensed salons." The sponsor also points out that manicurists work with a number of instruments that can potentially spread fungal or other diseases from one patron to another as well as instruments such as electric files that can injure patrons.

The Legislative Committee on New Licensing Boards finds that the sponsors have met the six statutory criteria by which the Committee judges licensure proposals, as follows:

- (1) The unregulated practice of the profession can substantially harm or endanger the public health, safety, or welfare, and the potential for such harm is recognizable and not remote nor dependent upon tenuous argument.
- (2) The practice of the profession possesses qualities that distinguish it from ordinary labor.
- (3) The practice of the profession requires specialized skill and training.
- (4) A substantial majority of the public does not have the knowledge or experience to evaluate the practitioner's competence.

- (5) The public cannot be effectively protected by other means.
- (6) Licensure would not have a substantial adverse economic impact upon consumers.

The Legislative Committee on New Licensing Boards recommends the licensing of all manicurists. This assessment report constitutes both the preliminary and the final assessment report for the licensing of manicurists. The report is based on the proposed licensing of manicurists as set out in Senate Bill 237 and Senate Bill 916, the response to the Committee's questionnaire (attached), and testimony before the Committee on May 12, 1997.



MANICURISTS

15 April 1987

To Whom It May Concern:

The following answers are in response to the memorandum presented to us by the North Carolina Legislative Committee concerning New Licensing Boards. We hope this information will help in our sincere effort to protect the public from any further spread of disease due to lack of state regulation of our profession.

- 1) The North Carolina State Board of Cosmetology presently supervises a mandatory licensing program for nail technicians who practice in licensed beauty salons. These practitioners are required to pass a formal training program and pass a state exam which includes written, practical and oral components. Practitioners operating outside a beauty salon have no requirements or supervision. These practitioners can operate without rules and regulations for sanitizing instruments used in the application of manicuring and pedicuring services to the consumer. This practice is a detriment to the health of the unsuspecting consumer. Body fluids can easily be transferred from consumer to consumer without proper sanitizing requirements being followed. These practitioners have not been trained to follow these procedures and without proper control from a health board or licensing board, diseases can easily be spread.
- 2) Many complaints from consumers have been made. These consumers complain that they are given a false sense of security that the practitioner they have chosen are licensed because they see a local "privilege license" hanging on the wall of the salon. The consumer assumes that because there is a license on the wall the technician has passed licensing requirements given by the state, and that proper sanitizing rules are being followed. These consumers have experienced extreme pain due to the untrained use of electric files and other implements used. These practitioners are not trained properly to use the equipment necessary to perform artificial nail enhancements. They are using these electric files directly on natural nails and are destroying the nail bed and drawing blood. Some of these clients nails have been filed so thin that they are bleeding under the artificial nail enhancements.
- 3) In Jacksonville North Carolina the nail salon had to be closed down due to the spread of hepatitis to their consumers. Unsanitary conditions prevail in most if not

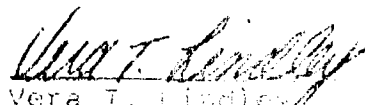
all of these unlicensed salons. Consumers are contacting nail fungi which enters the blood stream and can cause serious illness.

- 4) Of course there is potential for substantial harm and danger. It is possible that as much or more harm can come to the consumer by an untrained nail provider as an untrained cosmetologist. Anyone who comes in physical contact with another individual involving the use of implements such as shears, clippers, rippers or files have the potential to damage the consumer if not used properly. Danger can be recognized by damage to the consumers nails and the spread of fungi causing the natural nail to separate entirely from the nail bed.
- 5) Yes, for example New York State grandfathered in nail technicians with proof that they had practiced the profession for at least five (5) years. These technicians had to produce copies of at least five (5) years of Federal and State Income tax forms. Upon receiving this information, the State Board allowed these individuals to take the same written, oral and practical test that is given to practitioners after completing their formal education in the field.
- 6) The public will be assured of competent services and will be less likely to suffer from damage and disease which could result in expensive medical treatment.
- 7) There will be no economic disadvantage of licensing to the public. There is adequate competition to control prices. If licensing is not required there will continue to be the spread of disease to the public.
- 8) With proper training and supervision, practitioners will be able to work in beauty salons and other licensed public establishments rather than their homes or inferior store fronts. This will enable them to provide quality service in a more robust income producing environment.
- 9) After initial training and licensing procedures there will be no economic disadvantage of becoming licensed. There can only be positive advantages of becoming licensed to the practitioner and the consumer.
- 10) It is clear that cutting, filing, drilling and grinding by an untrained professional in an unsanitary environment can cause serious nail damage and create the hazard of transmitting infectious diseases to the consumer. Schools are plentiful and licensure is readily available to prospective practitioners. There will be no higher cost to the public.
- 11) Bacteriology, sanitation, recognition of nail diseases

and discover, proper handling of blood spills, safety precautions, proper use of implements in manicuring, pedicuring, and the application of artificial nail enhancers, correctly.

- 12) As licensed certified nail technicians we have hands on contact with the human body, therefore if not properly trained, there is the possibility of diseases being spread among the public.
- 13) Yes, the licensing requirements will cover all practitioners of the profession. There will be no exemption.
- 14) In North Carolina, there are over 2,000 licensed manicurists accounted for. There are at least two (2) unlicensed, untrained people practicing in this profession to every one (1) licensed manicurist. There is no real way to estimate how many people utilize these services.
- 15) When the public sees the certified manicurist license issued by the North Carolina State Board of Cosmetic Art, they should feel assured that they are receiving proper and sanitary services.
- 16) Yes, there is an established code of ethics among our group. The ethics that are expected of our profession is the very first thing we are taught in school. At present there is no mandatory number of continuing education hours required per year. Many professionals are involved in continuing education programs, many are not. There should be a mandatory number of hours per year of continuing education that a professional nail technician receives for the safety and welfare of the consumer.

Respectfully Submitted to:



Vera T. Lindley
Licensed Manicurist
919-636-3474

406 Pine Crest Road
New Bern, North Carolina
28562

Manicurist association seeks tighter regulation of profession

KEITH VAN WAGNER
HAYLOCK NEWS

"This should have been done a long time ago," said Mary Villanueva, owner of Sassy Nails in Haylock speaking of the inaugural meeting of the newly formed, tentatively titled Association of Certified Nail Technicians.

The group numbering close to thirty and representing manicurists from all over eastern North Carolina, met in New Bern last Monday to voice their concerns on the current state of regulation in the nail industry.

Villanueva, along with three other organizers of the meeting, Vera Lindway, Gracie Welker, and Debbie Davis, are worried the lack of extensive regulations by the North Carolina Board of Cosmetic Arts allow for unlicensed, and potentially dangerous nail technicians to operate.

"Our first priority," said Villanueva, "is the safety of our clients."

Nail technicians, in the care for and creation of sculptured nails, use more sophisticated equipment than most in the general public may be aware of. Drills for the cutting and fitting of the nail, sanders, and caustic chemicals are everyday tools used by manicurists sculpting nails.

According to Kitty Pierre, an instructor at the Craven Community College School of Cosmetology, and a member of the Board of Cosmetic Arts, health concerns in the handling of nails is a very serious concern.

Improper use of nail sculpting implements can cause, among other things, nail burns, bruised

nail plates, and loss of the nail due to fungus forming under the nail.

Villanueva said that infectious diseases like hepatitis and even AIDS could be spread through the implements if not sanitized properly.

At the meeting of the Association of Certified Nail Technicians, Lindway and other professionals discussed plans for a petition drive to lobby the state for tighter regulations. It is Villanueva's hope to have the petitions completed by November to present to State Senator Beverly Perdue (D-Craven).

"For years we have been in good competition with ourselves," said Lindway. "But now that's changed," referring to the increase in the area's unlicensed nail technicians and her hope of creating a professional association.

According to Pierre, who supports the licensing of nail technicians, the NC State Board of Cosmetic Arts has tried in the past to get legislation passed regarding manicurists, without success.

"I think the Legislature thought it was just pressing on nails," said Pierre. "But its much more advanced than that - everyone uses sanders and drills."

William Gillam, who drove from Jacksonville where he is the owner of Hair and Nail Solutions, offered his assessment of the need for legislation in the nail industry and the forthcoming petition drive.

"Our concern is a healthy environment," said Gillam. "Its a shame we have to go through this to get it done."

The group plans to meet again on August 14.



3-20-97

To Whom it may concern,

Approximately two and a half months ago I had sculptured nails put on my nails. Shortly after I noticed something green on my nail. I removed the sculptured nails and still the dark green discoloration was on my nails along with an indentation in my nail. It was so gross to look at and I was so depressed at how people made so much over it no matter where I went.

I went back to "See Nails" and asked for help, she was unconcerned and offered me no assistance. I pleaded with her to tell me what was happening with my nail. At that time I learned it was an unlicensed shop and so were the people doing the nails.

I then went to another shop to have my nails done but they would not do them, because of a fungus they said was growing on my nail. After being explained the full extent of my problem, I understand how important it is to let someone that is

dealing with such dangerous chemicals and such to work on my nails without being properly trained and examined by someone.

After my experience that I've had, isn't there anything we can do to get these people trained by licensed schools, as this is and has caused me such great distress if I will not go to any shop which is not licensed by the state cosmetology department or whoever is supposed to issue these licenses.

Thank you
Donna Fancher

North Carolina State
Board of Cosmetology



To Whom It May Concern:

Listed below are the types of licenses issued by this agency.

License Type	Total Issued	License Year
School	117	94-95
Cosmetology	48,485	92-95
Apprentice	1,187	94-95
Manicurist	2,895	94-95
Teacher	779	94-96
Salon	12,511	95

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In the past, the North Carolina Cosmetic Art Board has tried to no avail to get legislation enacted to cover the services of all nail establishments and all nail services and protect the integrity of our services. Realizing we must adhere to a free market standard, the consumer is entitled to and expects all businesses to maintain the same standards under the jurisdiction of the North Carolina Cosmetic Art Board and state commission. It is requested that an amendment be passed to protect the consumer's health, safety, and welfare as well as protect the integrity of our services. We want all businesses to be required to maintain complete, current, and appropriate standards so that the consumer knows they are getting a product endorsed and regulated by the North Carolina Cosmetic Art Board.

- | | |
|--|----------------------|
| 1. Sarah A. Hill | 26. Joyce Vandenberg |
| 2. 1004 Beacon Hill Rd.
Wendell, NC 28086 | 27. Jennifer Fuller |
| 3. Betty Wiley (919) 244-0697 | 28. Betty Thompson |
| 4. Virginia B. Carter | 29. Alice Jones |
| 5. [Signature] | 30. Leta Hester |
| 6. [Signature] | 31. Anne Dunn |
| 7. [Signature] | 32. Betty Carey |
| 8. Margaret B. Fisher | 33. Wendy Patten |
| 9. Paula Sybil | 34. Beth Carey |
| 10. [Signature] | 35. [Signature] |
| 11. Virginia H. Washburn | 36. Rebekah Griffin |
| 12. [Signature] | 37. Earl Griffin |
| 13. Martha Allgood | 38. Geneva Powers |
| 14. Virginia K. Palmeter | 39. [Signature] |
| 15. Jewel Moore | 40. [Signature] |
| 16. [Signature] | 41. Ann M. Carter |
| 17. [Signature] | 42. [Signature] |
| 18. Dora Caraway | 43. Wendy Tyler |
| 19. Shirley Allingame | 44. Nancy Rainey |
| 20. [Signature] | 45. Mary M. Sanders |
| 21. Grace Beavers | 46. [Signature] |
| 22. [Signature] | 47. [Signature] |
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November 8, 1995

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Regarding the issue of T.B. relative to emery boards.

Center for Disease Control (CDC) - Dr. Stein, Atlanta, GA
Myosh Infectious Disease Center (Division of CDC) - Dr. J. Martin

To quote Dr. Linda Martin, "Emery boards are not a problem with T.B. There is an article in *Goodhousekeeping Magazine* regarding T.B. in nail salons. The article is false. Myosh is going to contradict said article."

Dr. Martin also stated that T.B. is an air handling organism - exhale, inhale. Many immigrants carry T.B. Many immigrants do nails. This is where the problem exists. End quote.

The following are quotes from *The American Lung Association*. "Tuberculosis is spread from person to person through the air. When people with T.B. in their lungs or throat cough, sneeze, sing or even talk, the germs that cause T.B. may be spread into the air. If another person breathes in these germs there is a chance they may become infected with tuberculosis."

"It is not easy to become infected with tuberculosis. Usually a person has to be close to someone with T.B. for a long period of time. T.B. is usually spread between family members, close friends and people who work or live together. T.B. is spread most easily in closed spaces over a long period of time."

"T.B. is back with a vengeance. New cases rose precipitously last year. New York City 38%; Texas, 17%; California, 16%; nationwide, 10%."

How emery boards equate into the airborne disease appears political. *Emery boards are not carriers - people are carriers.* Apparently some has created for gain, as it applies to T.B., a problem to deal with this problem from the wrong direction.

We, through Myosh will contact the states and set the issue straight. Perhaps masks should be mandatory. We are seeking preventative measures such as requiring all Nail Technicians to be inoculated or tested to erase T.B.

Sincerely,

James Rudolph
Board



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Beauty answers

safe havens

New legislation is helping to bring salon health hazards under control

One should be afraid of pins but not being them—at least not so much as to raise one's eyebrows. Little stilettos, ranging from 1 to 4 inches, over the past few years, have won the exposure of potential harm from a low-maintenance beauty practice has sent people running scared from salons, fearing cuts resulting from skin rather than contagious disease. Salons and the government are now responding to these fears with new procedures to ensure that all anyone carries out the salon door is Chris T Reed. The room is glowing complexion.

"It's surprising that clients have taken so long to acknowledge the risks involved in going to a salon," says New York dermatologist Deborah S. Sarnoff. "People worry about being exposed to diseases in doctors' and dentists' offices, yet they don't think twice about a total stranger using a razor in a salon." While the Centers for Disease Control and Prevention in Atlanta have no reported cases of HIV or hepatitis B transmission resulting from a salon visit, they do acknowledge that the risk exists, revealing that most of hepatitis B transmission have occurred in establishments offering acupuncture, tattooing, and ear piercing. "I don't see why you wouldn't contract HIV in a salon," says Sarnoff. "All it takes is an entry point—which could be created by something as seemingly harmless as a cuticle pusher."

Despite health threats, salons have been slow to change their ways, particularly in the \$8 billion nail industry, where client turnover is high and a squirt of Sea Breeze often stands in for "precautions." "Nails and skin can really suffer after manicures and pedicures," says Sarnoff. "I often see infections manifesting in yellowish-greenish run discoloration from bacteria, as well as yeast infections, fungus, feet scoured by blades, and contact dermatitis." Salon pedicures do not stop at nails, however. Facials involving extractions pose another threat, particularly when an aesthetologist not only removes black fluid but breaks the

skin, causing open sores that are vulnerable to germs and bacteria. Body work, such as vapor wax scrubs, and waxing can also create sensitive skin, but of microscopic cuts that provide a perfect breeding ground for infection. "Perhaps the most potentially dangerous treatment, though, is electrolysis," says Sarnoff. "Being pricked by needles hundreds of times is almost like mild surgery. The probes used *must* be either disposable or sterilized after each client."

One year's salon sanitary conditions vary in quality is that government regulations for salons change from state to state and have traditionally been fairly lax. In July 1994, however, New York became one of the first states to amend its existing health regulations. Among these extra-wide rules is the prohibited use of "Credit" knives during pedicures and the use of emery boards on more than one person. All implements that do not penetrate the skin must be soaked in an Environmental Protection Agency-approved hospital-grade disinfectant for a minimum of 10 minutes. Any implements that *do* penetrate the skin or enter pores must be decontaminated, sterilized by an autoclave, or soaked for no less than ten hours in a liquid sterilant registered with the EPA.

As consumer fears increase, other states are sure to follow with similar regulations, and in the meantime, salon professionals are initiating their own safety systems. Jan Arnold, President of San Diego's Creative Nail Design Systems, has produced the Blue Guard System—a three-step program that includes a surface disinfectant, a hand sanitizer, and a surgical-quality skin scrub. In L.A. and New York, it's all the rage for clients to tote personal tool kits to the nail salon or have ones kept on file for them. At Manhattan's Kim Lipine salon, regular clients have assigned drawers to hold their personal tools. Client kits to check out include those by OPI and Tweezerman. Star Nail's Client Guard kit even contains a client card so that a technician can keep a customer's vital stats and nail history—a man-

nure IP chart, if you will.) Aveda-trained aestheticians around the country wear vinyl gloves (latex breaks down in oils) during facials and body scrubs and wrap sanitized cotton squares three times around their gloves during comedone extraction. Annie Avastian, a Beverly Hills aesthetician, has taken the safe facial one step further, developing a plastic blemish extractor that clients can take to their facialists and toss out at the end of their treatments.

Until salons are thoroughly policed, though, a little common sense on the part of the clients never hurts. "A salon should sparkle," says Arnold. "If it doesn't look or smell clean, it probably isn't. And signs of education are essential—technicians should be able to tell you exactly what they are using and why. If they can't, run." ANNEWILSON/STACB

VOGUE BEAUTY 85



GETTING NAILLED
A MANICURE
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HAZARDOUS
TO YOUR HEALTH

Five million Americans have hepatitis. Do you?

Hepatitis B and C viruses are more common and can be more infectious than AIDS. There are often no recognizable signs or symptoms. Untreated hepatitis can lead to scarring of the liver or even liver failure. You are most at risk for hepatitis if you have been exposed to infected blood or body fluids through sharing body piercing, or sharing razors, toothbrushes or nail files. Unprotected sex or any drug use, especially with intravenous drugs also puts you at risk. You can get tested for hepatitis B and C. Get tested. In many cases, hepatitis can be treated.

Get tested.

If you are at risk, see your doctor or call the American Liver Foundation for free information.



301-800-223-0179

North Carolina State
Board of Cosmetology



April 25, 1997

TO: Legislative Committee on New Licensing Boards

FROM: Douglas H. Van Essen
Executive Secretary

A handwritten signature in cursive script that reads "Douglas H. Van Essen".

SUBJECT: Questionnaire (Manicurists)

As requested, here are our responses to your questionnaire as they pertain to manicurists:

1. In what ways has the marketplace failed to regulate adequately the profession or occupation?

The Board currently regulates only those manicurists practicing in licensed cosmetic art shops. Licensed manicurists are required to complete a Board approved training program and then pass an examination (written and practical) conducted by the Board. However, manicurists working outside a licensed cosmetic art shop are exempted from any State licensing requirement. These manicurists are allowed to operate in unlicensed nail salons, exempt from any sanitation or training requirements. This puts the consumer at great risk. Most consumers are simply unclear about State licensing procedures. They use nail salons with the belief that salon employees are properly trained and licensed in their field. Without following proper sanitation requirements, bodily fluids could be easily transferred between unsuspecting customers, thus enhancing the spread of disease. The Cosmetic Arts Board has approved training and inspection programs in place to prevent this situation from happening.

2. Have there been any complaints about the unregulated profession or occupation?

The Board has received numerous complaints about unlicensed manicurists over the last few years. The most frequent complaint comes from individuals being given a false sense of security that the manicurist in question is licensed, because of a business privilege license posted in the shop. Consumers feel that the privilege license ensures trained personnel following State sanitation requirements. This is not the case. The result is a consumer experiencing extreme pain due to the untrained use of electric drills, files, and other implements. These "manicurists" are not trained to properly utilize equipment used to perform artificial nail enhancement. Consequently, electric files are being used directly on natural nails and are destroying the nail bed and drawing blood. A few clients

are even getting their nails filed so thin that they are actually bleeding under the artificial nail enhancers.

3. In what ways has the public health, safety, or welfare sustained harm or is in imminent danger of harm because of the lack of state regulation?

In Jacksonville, a nail salon had to be closed down due to the spread of hepatitis to their customers. Unsanitary conditions prevail in many unlicensed salons. This can aid the spread of nail fungi into an individual's bloodstream, resulting in serious illness.

4. Is there potential for substantial harm or danger by the profession or occupation to the public health, safety, or welfare? How can this potential for substantial harm or danger be recognized?

Without a doubt! It is certainly possible that a consumer could be harmed by an untrained manicurist. Anyone who comes in physical contact with another individual through the use of implements such as clippers, nippers, or files has the potential to be harmed if those items are not used properly. The potential for substantial harm can be readily recognized by visual damage to a consumer's nails and from the natural nail separation from the nail bed as a result of fungi.

5. Has the potential harm or danger to the public been recognized by other states or the federal government through the licensing or certification process?

Currently 44 states and the District of Columbia license all manicurists within their state. Most recently, New York State began licensing manicurists who provided proof that they had practiced in the profession for at least 5 years, using tax documentation as proof. Following submission of acceptable proof, an applicant is then allowed to take the written and practical examination. Upon passage of that examination, the applicant is licensed without having to satisfy published training requirements.

6. What will be the economic advantage of licensing to the public?

No economic advantage gained, but public health protection will be strongly enhanced.

7. What will be the economic disadvantage of licensing to the public?

No economic disadvantage noted.

8. What will be the economic advantages of licensing to the practitioners?

Properly trained and licensed manicurists and manicuring shops will no longer have the unfair competition posed by unlicensed individuals or shops. However, the key point continues to be public health protection.

9. What will be the economic disadvantages of licensing to the practitioners?

No economic disadvantages noted as a fair level of competition will be achieved for all practitioners.

10. Please give other potential benefits to the public of licensing that outweigh the potential harmful effects of licensure such as a decrease in the availability of practitioners and higher cost to the public.

The public will benefit from services by a trained professional in a sanitary environment. No significant increase in cost to the public is expected, due to fair competition between shops.

11. Please detail the specific specialized skills or training that distinguish the occupation or profession from ordinary labor.

Specialized skills of the manicurist include bacteriology, sanitation, recognition of nail diseases and disorders, proper handling of blood spills, safety precautions, proper use of manicuring implements, pedicures, and the proper application of artificial nail enhancers.

12. What are the other qualities of the profession or occupation that distinguish it from ordinary labor?

Manicurists make physical contact with their customers, therefore it is imperative that they be properly trained in their profession to prevent the spread of disease.

13. Will licensing requirements cover all practicing members of the occupation or profession?

Yes, manicurists working outside of a cosmetic art shop will no longer be exempted.

14. What is the approximate number of persons who will be regulated and the number of persons who are likely to utilize the services of the occupation or profession?

Currently, there are approximately 3,000 manicurists licensed by the Board. We would expect an additional 3,200 manicurists to be licensed should this Bill be ratified. We are unable to estimate the number of consumers who utilize manicuring services in the State.

15. What kind of knowledge or experience does the public need to evaluate the services offered by the practitioner?

The manicurist license provides the proof needed by the public to ensure Board approved training and sanitation techniques are utilized by the license holder.

16. Does the occupational group have an established code of ethics, a voluntary certification program, or other measures to ensure a minimum quality of service?

There is an established code of ethics within the manicuring profession. Ethics are an integral part of the manicuring school curriculum. Additionally, many manicurists are voluntarily involved in continuing education programs throughout the State. Topics for continuing education include manicuring techniques, sanitation, and safety.

