

Health and Human Services Committee
LB 343
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Good morning, Senator Riepe, and members of the Health and Human Services Committee. My name is Thomas Williams (T-H-O-M-A-S W-I-L-L-I-A-M-S) and I am Chief Medical Officer and Director of the Division of Public Health for the Department of Health and Human Services (DHHS). I am here to testify in support of LB 343 which was offered by my Division as part of the Governor's Occupational Licensure Reform Legislation Package. These proposed changes will break down barriers and expand job opportunities for Nebraskans seeking licenses. Thank you, Senator Riepe, for introducing this bill and working with the Department to make the following changes.

LB 343 removes the requirement to register cosmeticians and cosmetic establishments. There are already a number of exceptions currently in the statutes that allow for any person to provide cosmetic services without a registration. This eliminates an unnecessary license in this profession without impacting life and safety issues. (*Examples include: theatrical presentations, other entertainment functions, and any retail or wholesale establishment when the application of the products is in direct connection with the sale or attempted sale of such products at retail.*)

This bill removes the definition of an Electrology establishment. While Nebraska currently licenses electrologists who provide permanent hair removal services, it is not necessary and there is no statutory authority to license an electrology establishment under the statute.

LB 343 removes the definition and requirements to register as a guest artist. A guest artist is a person who provides continuing education in all of the license types under the cosmetology practice act. (*Cosmetology, esthetics, electrology, nail technology and/or body art*)

This bill updates the operating requirements for schools, by eliminating the definition of student types (*full-time, part-time, special study student, etc.*), removes outdated requirements to obtain a school license (*submission of student entrance notifications and contracts to DHHS, education evaluation scale, and proposed hours of operation and class scheduling plan*), removes the requirement for specified square footage (size) of the school, removes the requirement for a maximum number of students that must be enrolled in a school, changes 'guest teacher' to 'guest educator' and allows the guest educator to teach both theory and practice to students in a school.

LB 343 removes the requirement that a student must have his/her tuition obligation paid to the school from which s/he is transferring before being allowed to transfer to another school.

LB 343 also removes the requirement that the school manager is equally liable for any and all violations occurring in the school; this change would require only the owner of a school to be liable.

Additionally, this bill reduces the number of hours of training required for a license as a cosmetologist and instructor and removes the requirement students must also obtain training credits as follows:

- Cosmetologist: Reduce the hours from 2100 to a minimum of 1500;
- Cosmetology Instructor: Reduce the hours from 925 to a minimum of 600 (*and add that an instructor can also be licensed if s/he has 350 hours of training beyond the program of studies as a cosmetologist and 2 years of experience as a cosmetologist.*)
- Esthetic Instructor: Retain 300 hours of training, (*but add that an esthetic instructor can also be licensed if s/he has a current license as an esthetician and 2 years of experience as an esthetician immediately prior to application as an instructor.*)

This bill reduces the number of hours of training for a nail technician and nail technology instructor from 'a minimum of 150 and not more than 300 hours' to 'not requiring a minimum number of hours and not more than 200 hours'.

LB 343 also reduces the number of hours of training required for a license as a massage therapist from 1,000 hours to a minimum of 500 hours.

LB 343 revises the required training subject areas as follows:

- Retain 100 hours in physiology and 100 hours in anatomy
- Add 100 hours in kinesiology
- Remove 100 hours for each of the following: massage, pathology, hydrotherapy, hygiene and practical demonstration, and health service management; and also remove the remaining 300 hours in subject areas related to the clinical practice of massage therapy.

The proposed amendment will retain the 100 hours of massage as part of the training.

LB 343 reduces the number of hours of training required for a license as a barber from 2,100 to not less than 1,500 hours.

Finally, this bill exempts audiologists who regularly dispense hearing instruments from the requirement that they must also be licensed as a hearing instrument specialist and removes the specific requirements for an audiologist to obtain the hearing instrument specialist license.

Current law has restrictive requirements as well as obsolete provisions. This proposal will remove outdated language and provide flexibility to schools, while maintaining the policy of assuring applicants have appropriate training and education to obtain a license in Nebraska.

I would like to thank the Platte Institute and the individual occupational experts working with us to reduce the regulatory burden on occupations in Nebraska. Thank you for the opportunity to testify before you today. We believe LB 343 will help DHHS continue in our mission of helping people live better lives. I ask the Committee to advance LB 343 to General file and I am happy to answer any questions you may have.