



Board of Cosmetology Licensing

Project Description

September 2020

BACKGROUND

The Board of Cosmetologist Examiners (BCE) regulates cosmetology in Minnesota.¹ Cosmetology is the practice of providing cosmetic care for the hair, nails, and skin in exchange for compensation. Although state law charges BCE with licensing cosmetology practitioners and protecting public health and safety, it is not one of Minnesota's health licensing boards. Rather, it is classified in law as one of the state's "non-health-related licensing boards."

BCE is governed by a seven-member board whose members are appointed by the Governor. It is managed by an executive director and has about 25 staff who work in the areas of licensing, inspections, and compliance enforcement.

Staff within BCE's Licensing Division process license applications from several types of practitioners as well as from establishments, including cosmetology salons and schools. In the last quarter of calendar year 2019, about 32,500 practitioners, about 5,300 salons, and 36 schools, held BCE licenses.

Cosmetology licensure in Minnesota has undergone numerous changes in recent years. For example, in 2015 and 2016 respectively, the Legislature increased licensing requirements for practitioners who apply eyelash extensions and who perform certain cosmetic skin procedures. Conversely, in 2019, the Legislature deregulated hair braiding and, in 2020, it deregulated hair and make-up styling.

EVALUATION ISSUES

1. What types of licenses does BCE issue and how are those licenses structured? To what extent does Minnesota's licensing structure protect public health while minimizing unnecessary barriers to licensure for individuals and entities seeking licensure?

2. What processes does the board use to issue licenses?
3. To what extent does BCE communicate with licensees about licensing issues in a clear and timely manner?

DISCUSSION

The Legislative Audit Commission directed the Office of the Legislative Auditor to evaluate BCE in response to concerns about a wide range of issues. For example, some stakeholders have expressed concerns over the structure of cosmetology licensure in Minnesota, including the number of different types of licenses they must hold or the number of fees they must pay to practice their profession or operate their businesses. Some have expressed concerns about how BCE has interpreted its regulatory authority, how those interpretations have changed over time, or how BCE has communicated changes to licensees.

Because many of the concerns we heard during our scoping phase pertained to licensing issues, we focused our evaluation on BCE's licensing activities. We do not plan to evaluate BCE's inspections or compliance-enforcement activities, or to conduct an in-depth audit of its expenditures.

To conduct the evaluation, we will use a range of research methods. Notably, we will conduct a literature review to identify best practices in licensing and to compare Minnesota's licensing structure with those of other states. We will review state law, BCE's licensing data, and BCE's policies and procedures. We will also interview and survey BCE officials as well as a sample of current and former licensees, among other things.

This evaluation is scheduled to be completed in April 2021. For additional information, contact Laura Schwartz, evaluation manager, at 651-296-1232 or laura.schwartz@state.mn.us.

¹ BCE goes by the "Board of Cosmetology."