



Janet T. Mills  
Governor

STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL  
& FINANCIAL REGULATION  
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION



Joan F. Cohen  
Commissioner

TESTIMONY OF  
PENNY VAILLANCOURT, DEPUTY COMMISSIONER  
NEITHER FOR NOR AGAINST L.D. 1861

*LD 1861, An Act to Require Training on Textured Hair for Aestheticians, Barber Hair Stylists, Cosmetologists and Hair Designers*

Sponsored by Senator Talbott Ross

BEFORE THE JOINT STANDING COMMITTEE ON  
HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

Public Hearing: May 6, 2025, 1:00 PM

Good afternoon, Senator Bailey, Representative Mathieson, and Members of the Committee. My name is Penny Vaillancourt, and I am the Deputy Commissioner of DPFR. Thank you for the opportunity to provide testimony on behalf of the Office of Professional and Occupational Regulation ("OPOR"). The longtime OPOR manager who managed Barbering and Cosmetology Program ("BC") retired last week and we are currently without a manager of this program and five other programs under her unit. We are actively recruiting.

This bill amends the Barbering and Cosmetology Licensure Act to require OPOR to adopt by rule a requirement for cosmetology schools to include content specific to the care, styling and treatment of coiled, curly or wavy hair, which is defined in the bill as "textured hair." Cosmetology schools train aestheticians, barber hair stylists, cosmetologists and hair designers.

It is our understanding that the intent of the bill is not to increase the number of cosmetology hours required for licensure but rather to require that the existing hours include training in textured hair. We will leave it to the schools to respond to whether textured hair is currently part of their curriculum and what impact if any the proposed change would have on their curriculum or length of study.

OPOR/BC Rules 02 041 Chapter 27 governs licensing of BC schools, which I have attached. As you can see in the description of required curriculum on pages 70-75, the curriculum is described very generally. We note that the rule sets for *recommended* – not required curriculum. Specific requirements like those proposed in LD 1861 could potentially be achieved by defining textured hair and then adding textured hair to each of the categories describing the curriculum and additionally stating that it was a required component of training.

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With respect to Subsection (4) of the bill requiring that the curriculum include “[t]he cultural and historical significance of textured hair in diverse communities” we would need greater clarity from the Committee as to what specifically should be covered in the curriculum.

Based on conversation with the proponents, they do not intend that textured hair be a required component of the written and practical licensure exams. If this additional exam content is required, we note that OPOR has no control over the national exams. We have reached out to the exam providers to learn more about the feasibility of offering these additional exams and costs, if any. While we are still gathering information, we did learn that the National Interstate Council of State Boards of Cosmetology (NIC) has a stand-alone exam in “Natural Hair” (both a written and a practical examination), however it would require an applicant to take an additional set of exams needed on top of the basic competency exams now taken. This would double the testing load from 2 exams to 4 for each candidate.

OPOR has attached licensure data identifying the number of active BC license categories, including three barber and cosmetology schools in Maine that would be subject to this requirement.

Thank you for the opportunity to share our thoughts. I would be happy to answer questions now or at the work session.

**SELECTION FILE SUMMARY**  
**STATE OF MAINE - DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**  
**OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION - BARBERING AND COSMETOLOGY**  
**LICENSING PROGRAM**

Selection File Name: PENNY LD 1861

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**SUMMARY BY LICENSE PREFIX**

<b>AA - TRAINEE AESTHETICIAN</b>		
	A - Active	10
		<hr/>
	SUBTOTAL:	10
<b>ABH - TRAINEE BARBER HAIR STYLIST</b>		
	A - Active	23
		<hr/>
	SUBTOTAL:	23
<b>AC - TRAINEE COSMETOLOGIST</b>		
	A - Active	38
		<hr/>
	SUBTOTAL:	38
<b>AE - AESTHETICIAN</b>		
	A - Active	1,465
		<hr/>
	SUBTOTAL:	1,465
<b>AHD - TRAINEE HAIR DESIGNER</b>		
	A - Active	6
		<hr/>
	SUBTOTAL:	6
<b>AM - TRAINEE NAIL TECHNOLOGIST</b>		
	A - Active	47
		<hr/>
	SUBTOTAL:	47
<b>BH - BARBER HAIR STYLIST</b>		
	A - Active	557
		<hr/>
	SUBTOTAL:	557
<b>CO - COSMETOLOGIST</b>		
	A - Active	8,252
		<hr/>
	SUBTOTAL:	8,252
<b>CTE - CAREER TECHNICAL EDUCATION SCHOOL</b>		
	A - Active	5
		<hr/>
	SUBTOTAL:	5
<b>EB - LEVEL TWO ESTABLISHMENT</b>		
	A - Active	1,587
		<hr/>
	SUBTOTAL:	1,587
<b>ES - LEVEL ONE ESTABLISHMENT</b>		
	A - Active	1,977
		<hr/>
	SUBTOTAL:	1,977
<b>HD - HAIR DESIGNER</b>		
	A - Active	29
		<hr/>
	SUBTOTAL:	29
<b>INT - INSTRUCTOR</b>		

**SELECTION FILE SUMMARY****STATE OF MAINE - DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION  
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION - BARBERING AND COSMETOLOGY  
LICENSING PROGRAM**

Selection File Name: PENNY LD 1861

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	A - Active	150
	SUBTOTAL:	<u>150</u>
MA - NAIL TECHNOLOGIST		
	A - Active	2,168
	SUBTOTAL:	<u>2,168</u>
MS - MOBILE ESTABLISHMENT		
	A - Active	1
	SUBTOTAL:	<u>1</u>
SH - BARBER AND COSMETOLOGY SCHOOL		
	A - Active	3
	SUBTOTAL:	<u>3</u>
TA - TEMPORARY AESTHETICIAN		
	A - Active	30
	SUBTOTAL:	<u>30</u>
TBH - TEMPORARY BARBER HAIR STYLIST		
	A - Active	3
	SUBTOTAL:	<u>3</u>
TC - TEMPORARY COSMETOLOGIST		
	A - Active	32
	SUBTOTAL:	<u>32</u>
TM - TEMPORARY NAIL TECHNOLOGIST		
	A - Active	17
	SUBTOTAL:	<u>17</u>
SUMMARY BY LICENSE STATUS		
	A - Active	<u>16,400</u>
	TOTAL ALL LICENSES:	16,400

- 3) Hygiene, bacteriology, health and nutrition of the skin, and basic first aid including, emergency eye flushing and drenching;
- 4) Skin analysis, disorders and diseases;
- 5) Facial and skin therapy machines, apparatus and devices, equipment, tools, and implements, as these apply to the aesthetic practice services;
- 6) Electricity, machines and apparatus;
- 7) Massage techniques;
- 8) Facials and skin treatment with and without the use of machines including, but is not limited to: hair removal; waxing; extractions; make-up application and removal; artificial lash applications and lash and brow tinting;
- 9) Client consultation, client intake and records and client preparation; human relations and professional ethics; and
- 10) Establishment management; state laws and applicable rules.

B. **Recommended Curriculum Breakdown.** The following is the recommended curriculum breakdown and hours guideline for theory, practice laboratory and clinical training for an accepted and adequate course of study. For purposes of cross over credit hours, areas identified with a "C" may be considered for credit toward another course of study under or obtained in a medical course of study from a college or university.

HOURS	AESTHETICS STUDY
50	Anatomy, histology, physiology of the skin, and chemistry including, but is not limited to: bone muscles; nerves; arteries; and glands as applied to the practice of aesthetics. ("C")
50	Skin structure, analysis and growth; skin health and nutrition, diseases and disorders; recognizing treatable cases and those requiring referral for medical treatment. ("C")
130	Bacteriology, hygiene, principles and practices of infection prevention and control, exposure to blood and bodily fluids, sterilization, disinfecting, sanitation, universal precautions, basic first aid and benefits and differences of cleaning, sanitation, disinfecting and sterilizing. ("C")
20	Business and salon/establishment management including, but is not limited to: the Program laws and applicable rules; unassigned, the study of theory and subjects in which an individual student may be deficient and elective subjects related to the practice of aesthetics.
70	Massage techniques, basic facial, and spa body treatments.
180	Facial and skin treatment with and without the use of machines including, but is not limited to: hair removal; eyebrow tweezing; body waxing; cleansing; extractions; make-up application and removal; artificial lash applications and lash and brow tinting.
75	Facial and skin therapy equipment, machines, devices, equipment, tools, and implements, as these apply to the practice of aesthetics including, but is not limited to: basics of electricity as applied to the practice of aesthetics; service tables and equipment; foot baths and spas; re-usable and disposable implements and tools; ultraviolet light units and lamps; electrical and non-electrical devices and venting system.

25	Client consultation, client intake and records and client preparation, human relations and professional ethics.
600	TOTAL HOURS

C. **Aesthetics Clinic.** The clinic area for aestheticians shall be a separate room and it shall be equipped with:

- 1) Aesthetic lounge chair;
- 2) Steamer and vaporizer;
- 3) High frequency machine (galvanic and vacuum);
- 4) Floor model magnifying lamp;
- 5) Cabinets;
- 6) Utility stool;
- 7) Utility table;
- 8) Protective gloves; and
- 9) Any other materials and equipment deemed necessary by the school.

10. **Barbering Course of Study/Program**

A. **Curriculum Component.** Every school shall furnish theory, practice and clinical experience and instruction to include the following components:

- 1) Anatomy, hygiene, bacteriology, infection control, disinfecting, sterilization and sanitation and basic first aid including, emergency eye flushing and drenching;
- 2) Barbering implements, tools and equipment;
- 3) Shampooing;
- 4) Scalp and skin disorders and diseases;
- 5) Haircutting;
- 6) Hairstyling;
- 7) Arranging, care and styling of wigs and hairpieces;
- 8) Shaving, trimming beards and mustaches;
- 9) Thermal waving, curling and blow dry styling;
- 10) Manicuring;
- 11) Permanent waving;

- 12) Chemical hair relaxing;
- 13) Hair coloring, tinting and bleaching;
- 14) Facials and scalp massage and treatment; and
- 15) Establishment management; state laws and applicable rules.

B. **Recommended Curriculum Breakdown.** The following recommended curriculum breakdown and hours is a guideline for an accepted and adequate course of study. For purposes of cross over credit hours, areas identified with a "C" may be considered for credit when crossing over to another practice area or obtained in a medical course of study from a college or university.

HOURS	BARBERING STUDY
35	Bacteriology, hygiene, principles and practices of infection prevention and control, exposure to blood and bodily fluids, sterilization, disinfecting, sanitation, universal precautions, basic first aid and benefits and differences of cleaning, sanitation and sterilizing. ("C")
85	General sciences including, but is not limited to the following: hygiene; anatomy and physiology; skin and nail structure; growth; nutrition; disorders and diseases; properties of the hair and scalp and basics of chemistry and electricity. ("C")
115	Business and salon/establishment management to include, but is not limited to: the Program laws and applicable rules; unassigned; the study of theory and subjects in which an individual student may be deficient and elective subjects related to the practice of barbering.
25	Barbering practice equipment, tools, implements, and devices including, but is not limited to: styling; manicuring; facial and scalp treatment equipment; scissors; razors; clippers; trimmers; devices; dryers; thermal and other irons and their use; safety; sanitation; sterilization and precautions.
500	Haircutting principles and techniques.
105	Hairstyling including, but is not limited to: thermal hair styling and straightening; finger waving; pin and roller curls; wrapping; blow-dry styling and comb out techniques.
445	Permanent waving, hair coloring, tinting, bleaching and chemical straightening.
40	Shampooing, conditioning and scalp care.
90	Trimming beards and mustaches, shaving and facials.
40	Manicuring, limited to fingernails.
20	Cutting, fitting, coloring or styling hairpieces or wigs.
1,500	TOTAL HOURS

# 11. **Cosmetology Course of Study/Program**

A. **Curriculum Components.** Every school shall furnish theory, practice and clinical experience and instruction, to include the following components:

- 1) Anatomy, hygiene, bacteriology, infection control, disinfecting, sterilization and sanitation and basic first aid including, emergency eye flushing and drenching;
- 2) Chemistry, electricity and light therapy;

- 3) Shampooing;
- 4) Scalp and skin disorders and diseases;
- 5) Hair shaping;
- 6) Finger waving;
- 7) Hairstyling;
- 8) Arranging, care and styling of wigs and hairpieces;
- 9) Permanent waving;
- 10) Hair coloring, tinting and bleaching;
- 11) Chemical hair relaxing;
- 12) Thermal hair straightening;
- 13) Thermal waving, curling and blow dry styling;
- 14) Manicuring;
- 15) Facials; and
- 16) Establishment management; state laws and applicable rules.

- B. **Recommended Curriculum Breakdown.** The following recommended curriculum breakdown and hours is a guideline for an accepted and adequate course of study. For purposes of cross over credit hours, areas identified with a “C” may be considered for credit when crossing over to another practice area or obtained in a medical course of study from a college or university.

HOURS	COSMETOLOGY STUDY
35	Bacteriology, hygiene, principles and practices of infection prevention and control, exposure to blood and bodily fluids, sterilization, disinfecting, sanitation, universal precautions; basic first aid and benefits and differences of cleaning, sanitation, disinfecting and sterilizing. (“C”)
85	General sciences including, but is not limited to the following: hygiene; anatomy and physiology; skin and nail structure, growth, nutrition, disorders and diseases; properties of the hair and scalp and basics of chemistry and electricity. (“C”)
80	Business and salon/establishment management including, but is not limited to: the Program laws and applicable rules; unassigned; the study of theory and subjects in which an individual student may be deficient and elective subjects related to the practice of cosmetology.
225	Chemical texture services including, but is not limited to: soft curl permanents; permanent waving and chemical hair relaxing/straightening.
25	Cosmetology practice equipment, tools, implements, and devices including, but is not limited to: styling; manicuring; skin care and scalp treatment equipment; scissors; razors; clippers; trimmers; devices; dryers; thermal and other irons and their use and safety, sanitation, sterilization and precautions.



285	Hair coloring, tinting and bleaching
300	Haircutting principles and techniques (all implements).
225	Hairstyling including, but is not limited to: thermal hair styling and straightening; finger waving; pin and roller curls; wrapping; blow-dry styling and comb out techniques.
80	Nail technology including, but is not limited to: manicuring; pedicuring; nail enhancements and their various applications, sanitation, safety and precautions.
40	Shampooing, conditioning and scalp care.
100	Skin care including, but is not limited to: facials and facial massage; hair removal; scalp treatments; use of cosmetics and art of make-up applications.
20	Cutting, fitting, coloring or styling hairpieces or wigs.
1,500	TOTAL HOURS

## 12. Limited Barbering Course of Study/Program

A. **Curriculum Components.** The course work shall consist of theory, practice laboratory, and client-based clinical practice in the following subject areas:

- 1) Anatomy, hygiene, bacteriology, infection control, disinfecting, sterilization and sanitation and basic first aid including, emergency eye flushing and drenching;
- 2) Barbering implements, tools and equipment and general safety and safe use standards;
- 3) Shampooing;
- 4) Scalp and skin disorders and diseases;
- 5) Haircutting;
- 6) Hairstyling;
- 7) Hairpiece fitting, styling and care;
- 8) Shaving and trimming beards and mustaches;
- 9) Thermal styling, curling and blow dry styling;
- 10) Facials and scalp massages;
- 11) Establishment and business management; and
- 12) Program laws and applicable rules.

B. **Recommended Curriculum Breakdown.** The following recommended curriculum breakdown and hours is a guideline for an accepted and adequate course of study. For purposes of cross over credit hours, areas identified with a "C" may be considered for credit when crossing over to another practice area or obtained in a medical course of study from a college or university.

HOURS	LIMITED BARBERING STUDY
65	Bacteriology, hygiene, principles and practices of infection prevention and control, exposure to blood and bodily fluids, sterilization, disinfecting, sanitation, universal precautions; basic first aid and benefits and differences of cleaning, sanitation, disinfecting and sterilizing. ("C")
85	General sciences including, but is not limited to the following: hygiene; anatomy and physiology; skin structure, hair structure and growth, nutrition, disorders and diseases; properties of the hair and scalp and basics of chemistry and electricity. ("C")
75	Barbering practice equipment, tools, implements, and devices including, but is not limited to: styling; facial and scalp treatment equipment; scissors; razors; clippers; trimmers; devices; dryers; thermal and other irons their use, safety, sanitation, sterilization and precautions.
30	Shampooing, conditioning and scalp care.
275	Basic haircutting principles and techniques.
115	Hairstyling, cutting, arranging and styling, blow-dry styling, and comb out techniques.
60	Barbering facial and scalp massage and trimming and shaving beards and mustaches.
20	Cutting, fitting or styling hairpieces or wigs.
75	Business and salon/establishment management including, but is not limited to: state laws and applicable rules; the study of theory and subjects in which a student may be deficient and elective subjects related to the practice of limited barbering.
800	TOTAL HOURS

13. **Nail Technology Course of Study/Program**

A. **Curriculum Components.** Every school shall furnish practical experience and theory instruction, to include the following components:

- 1) Sterilization, disinfecting, sanitation, infection control, antiseptics, hygiene, bacteriology and basic first aid including, emergency eye flushing and drenching;
- 2) Physiology;
- 3) Anatomy of the hands, arms and feet;
- 4) Bone muscles, nerves, arteries, and glands, as applied to nail technology and pedicuring;
- 5) Structure of the skin and nails;
- 6) Nail disorders, how to treat those that can be treated and recognizing those not to be treated;
- 7) Nail technology and pedicuring tools and equipment and their use;
- 8) Application of polish (liquid or powder);
- 9) Science and theory of nail technology and pedicuring;
- 10) Application and removal of various types of artificial nails;