

House File 711 - Introduced

HOUSE FILE 711
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HF 49)

A BILL FOR

1 An Act relating to the practice of barbering and cosmetology
2 arts and sciences, including establishment training
3 programs, schools of barbering and cosmetology arts and
4 sciences, and course of study.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 157.2, subsection 1, Code 2025, is
2 amended by adding the following new paragraph:
3 NEW PARAGRAPH. h. Persons providing services pursuant to an
4 establishment training program authorized pursuant to section
5 157.12D.
6 Sec. 2. Section 157.2, subsection 3, Code 2025, is amended
7 to read as follows:
8 3. With the exception of hair removal, manicuring, and nail
9 technology services, persons licensed under this chapter or
10 participating in an establishment training program authorized
11 pursuant to section 157.12D shall not administer any procedure
12 in which human tissue is cut, shaped, vaporized, or otherwise
13 structurally altered.
14 Sec. 3. Section 157.3, Code 2025, is amended by adding the
15 following new subsection:
16 NEW SUBSECTION. 3. Notwithstanding subsection 1, a person
17 who completes the application form prescribed by the board
18 and submits satisfactory proof, signed by the supervising
19 licensees, of having completed two thousand hours of supervised
20 practice under an establishment training program pursuant to
21 section 157.12D shall be allowed to take the examination for a
22 license to practice the appropriate practice of the barbering
23 and cosmetology arts and sciences.
24 Sec. 4. Section 157.8A, Code 2025, is amended to read as
25 follows:
26 **157.8A Use of schools of barbering and cosmetology arts and**
27 **sciences.**
28 1. A school of barbering and cosmetology arts and sciences
29 may be used for purposes other than student instruction so long
30 as the other activities do not disrupt classes.
31 2. An instructor employed by a school of barbering and
32 cosmetology arts and sciences may perform barbering and
33 cosmetology arts and sciences services at the school of
34 barbering and cosmetology arts and sciences for compensation
35 while not instructing students.

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1 3. The board shall adopt rules for the implementation of
2 this section.

3 Sec. 5. Section 157.10, subsection 1, Code 2025, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. d. The board may approve a course of study
6 allowing a student to simultaneously study for licenses to
7 practice both esthetics and nail technology. A student who
8 partially completes a combined course of study for licensure
9 for the practice of esthetics and nail technology is not
10 eligible for licensure for the practice of esthetics or nail
11 technology unless the student has completed the licensure
12 requirements for the practice of esthetics or nail technology.
13 The board shall adopt rules pursuant to chapter 17A for the
14 implementation of this paragraph.

15 Sec. 6. Section 157.10, Code 2025, is amended by adding the
16 following new subsection:

17 NEW SUBSECTION. 4. The board shall not approve a program of
18 study that includes a course of study with substantially lower
19 requirements than the requirements imposed by this chapter or
20 the board for a similar license. The board shall not approve
21 a program of study that is substantially duplicative of an
22 approved program currently operating in this state.

23 Sec. 7. Section 157.11, subsection 3, Code 2025, is amended
24 to read as follows:

25 3. A licensed school of barbering and cosmetology arts and
26 sciences at which students or licensees practice barbering and
27 cosmetology arts and sciences is exempt from licensing as an
28 establishment.

29 Sec. 8. NEW SECTION. **157.12D Establishment training**
30 **program.**

31 1. An establishment training program is created. The
32 board shall create an establishment training program and allow
33 establishments to register to participate in the program. An
34 establishment licensed pursuant to section 157.11, including
35 an establishment operating in a residence pursuant to section

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1 157.6 may participate in the program by registering with the
2 board.

3 2. An establishment that registers with the board may employ
4 persons, without regard to the person's licensure status, to
5 provide the services of shampooing, cutting, coloring, and
6 styling hair under the supervision of a licensee who regularly
7 provides the services. A person providing services without
8 a license must first complete two hours of education related
9 to barbering and cosmetology laws in this state and rules and
10 sanitation, as determined by the board by rule, before offering
11 services permitted under the program. The establishment owner
12 is responsible for ensuring the education, training, skills,
13 and competence of persons who provide services in the owner's
14 establishment.

15 3. An establishment participating in the establishment
16 training program shall comply with all facility and minimum
17 equipment requirements, safety and infection control
18 provisions, inspection requirements, management requirements,
19 and establishment licensing renewal requirements. The
20 department shall inspect an establishment participating in the
21 program as the department deems necessary to ensure compliance
22 with these requirements.

23 4. The establishment shall disclose in writing prior to
24 the consumer's receipt of services from an unlicensed provider
25 that the establishment is participating in the program and
26 that the provider is not licensed. The disclosure shall be
27 clearly legible and state: "This licensed establishment is
28 registered to participate in an establishment training program.
29 This establishment employs unlicensed providers who work under
30 the supervision of licensed providers. The services you are
31 receiving are from an unlicensed provider participating in this
32 program."

33 5. In addition to any other remedy provided by law, in
34 an action based on an injury alleged to have occurred in an
35 establishment participating in the establishment training

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1 program, a prevailing party may recover reasonable attorney's
2 fees and receive other equitable relief as determined by the
3 court.

4 6. In addition to any other disciplinary powers established
5 pursuant to this chapter, the board may, when it has probable
6 cause to believe that human health is endangered, order an
7 establishment participating in the program to immediately cease
8 participation in the program. The board shall conduct formal
9 proceedings pursuant to this chapter to determine whether the
10 problem has been corrected, whether to suspend, revoke, or
11 reinstate the establishment's participation in the program, and
12 whether to suspend, revoke, or reinstate the establishment's
13 license.

14 7. For the purposes of this section, "*supervision*" means
15 within the physical presence of a licensee and the licensee is
16 available to assist in providing services.

17 Sec. 9. Section 157.13, subsection 1, Code 2025, is amended
18 by adding the following new paragraph:

19 NEW PARAGRAPH. d. When the practice is performed by a
20 person without a license under the supervision of a licensee in
21 an establishment registered with the board pursuant to section
22 157.12D.

23 Sec. 10. Section 157.13, subsection 4, unnumbered paragraph
24 1, Code 2025, is amended to read as follows:

25 If the board has reasonable grounds to believe that a person
26 or establishment which is not licensed under this chapter and
27 that is not participating in an establishment training program
28 pursuant to section 157.12D has engaged, or is about to engage,
29 in an act or practice which requires licensure under this
30 chapter, or otherwise violates a provision of this chapter, the
31 board may issue an order to require the unlicensed person or
32 establishment to comply with the provisions of this chapter,
33 and may impose a civil penalty not to exceed one thousand
34 dollars for each violation of this chapter by an unlicensed
35 person or establishment. Each day of a continued violation

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1 after an order or citation by the board constitutes a separate
2 offense, with the maximum penalty not to exceed ten thousand
3 dollars.

EXPLANATION

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5 The inclusion of this explanation does not constitute agreement with
6 the explanation's substance by the members of the general assembly.

7 This bill relates to the practice of barbering and
8 cosmetology arts and sciences.

9 The bill requires the board of barbering and cosmetology
10 arts and sciences (board) to create an establishment training
11 program (program). The bill allows an establishment to
12 participate in the program by registering with the board. The
13 bill allows an establishment participating in the program to
14 employ unlicensed persons to perform certain cosmetology arts
15 and sciences under the supervision, defined in the bill, of
16 a licensee who regularly provides those services. The bill
17 requires an unlicensed person participating in the program to
18 first receive education regarding barbering and cosmetology
19 laws and rules and sanitation. The owner of an establishment
20 participating in the program is responsible for ensuring the
21 education, training, skills, and competence of persons who
22 provide services in the owner's establishment.

23 The bill requires an establishment participating in the
24 program to comply with all facility and minimum equipment
25 requirements, safety and infection control provisions,
26 inspection requirements, management requirements, and
27 establishment licensing renewal requirements. The bill
28 requires the department of inspections, appeals, and licensing
29 to inspect an establishment participating in the program
30 as often as it deems necessary to ensure compliance with
31 these requirements. The bill also requires an establishment
32 participating in the program to inform a consumer receiving
33 services from an unlicensed person in writing prior to
34 the provision of services. The bill allows a person who
35 has completed 2,000 hours of supervised practice under an

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1 establishment training program to apply to take the examination
2 for a license to practice the appropriate practice of the
3 barbering and cosmetology arts and sciences.

4 The bill allows a party prevailing in an action based
5 on an injury alleged to have occurred in an establishment
6 participating in the program to recover reasonable attorney's
7 fees and receive other equitable relief as determined by the
8 court. The bill allows the board to order an establishment
9 to immediately cease participation in the program if it has
10 probable cause to believe that human health is endangered.
11 The bill requires the board to formally investigate an
12 establishment subject to discipline under the bill and
13 allows the board to reinstate or revoke the establishment's
14 participation in the program, and to suspend, revoke, or
15 reinstate the establishment's license.

16 The bill allows an instructor employed by a school of
17 barbering and cosmetology arts and sciences to perform
18 barbering and cosmetology arts and sciences services at the
19 school for compensation while not instructing services.

20 The bill also allows the board to approve a course of
21 study allowing a student to simultaneously study for licenses
22 to practice both esthetics and nail technology. The bill
23 prohibits the board from approving a program of study
24 that includes a course of study with substantially lower
25 requirements than the requirements imposed by the Code or the
26 board for a similar license. The bill also prohibits the
27 board from approving a program of study that is substantially
28 duplicative of an approved program currently operating in this
29 state.