



townhall.virginia.gov

Periodic Review and Small Business Impact Review Report of Findings

Agency name	Board for Barbers and Cosmetology
Virginia Administrative Code (VAC) Chapter citation(s)	18 VAC41-70
VAC Chapter title(s)	Esthetics Regulations
Date this document prepared	October 5, 2023

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Acronyms and Definitions

Define all acronyms used in this Report, and any technical terms that are not also defined in the "Definitions" section of the regulation.

"DPOR" means the Department of Professional and Occupational Regulation.

Legal Basis

Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia or Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

The promulgating agency is the Board for Barbers and Cosmetology ("the Board").

Code of Virginia § 54.1-201(A)(1) gives the Board the power and duty to “establish the qualifications of applicants for certification or licensure by any such board, provided that all qualifications shall be necessary to ensure either competence or integrity to engage in such profession or occupation.”

Code of Virginia § 54.1-201(A)(5) gives authority to the Board to promulgate regulations. It states, in part, that the Board has the power and duty “[t]o promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) necessary to assure continued competency, to prevent deceptive or misleading practices by practitioners and to effectively administer the regulatory system administered by the regulatory board.”

Alternatives to Regulation

Describe any viable alternatives for achieving the purpose of the regulation that were considered as part of the periodic review. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving its purpose.

No alternatives were considered as part of this periodic review. The regulation enables the Board to fulfill the statutory requirements established in Chapters 2 and 7 of Title 54.1 of the Code of Virginia. Further, the regulation is necessary to ensure that the Board’s statutory requirements are executed in the least burdensome and most efficient and cost-effective manner possible while protecting the health, safety, and welfare of the citizens of Virginia.

Public Comment

Summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency’s response. Be sure to include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. Indicate if an informal advisory group was formed for purposes of assisting in the periodic review.

Commenter	Comment	Agency response
CommentID: 217121 Christine Werne / The Chrysm Institute of Esthetics	Current requirements of a minimum of 600 hours in Esthetics and an additional minimum of 600 hours in Master Esthetics should remain the requirement in Virginia and not be reduced because (i) the scope of Esthetics has continued to broaden, and additional subject matter is required, not less; and (ii) the current requirements allow schools to appropriately train competent and safe practitioners. Performance of Master treatments requires a greater number of hours in education and experience to be able to practice safely. In addition to learning proper application, students must additionally	Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to assemble a panel of advisors representing businesses, public schools, private career and technical schools to conduct a comprehensive review of the education and training Virginia mandates to obtain an esthetics or master esthetics license, apart from this periodic review. The Board encourages regulants and the public to participate in this process by providing public comment during any meetings of the panel or the Board.

	<p>experience customization of each treatment and technique to many different skin types and conditions which each have different indications, contraindications, and application requirements. Students need to have experience on a multitude of different skin types and conditions to be able meet DPOR’s mission, to ensure practitioners practice safely and consumers are protected from potential harm.</p>	
<p>CommentID: 217121 Christine Werne / The Chrysm Institute of Esthetics</p>	<p>Esthetics and Master Esthetics should not be combined because this would delay entry into the workforce or prohibit entry into the workforce at all.</p> <p>Not all applicants will excel or prefer to learn the more advanced education provided in Master Esthetics. Requiring completion of these additional education and training hours may preclude these individuals from completing the program or entering the workforce.</p> <p>A separate Esthetics and Master Esthetics program equips practitioners with more thorough knowledge and provides increased career opportunity.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review. The Board encourages regulants and the public to participate in this process by providing public comment during any meetings of the advisory panel or the Board.</p> <p>The purpose of the Board is to protect the health, safety, and welfare of the public who receive esthetics services by ensuring those who are licensed to practice are minimally competent and that minimum standards of practice are sufficient to ensure safety.</p>
<p>CommentID: 217122 Alessia Spielvogel / The Chrysm Institute of Esthetics</p>	<p>(Note: the comment indicates the comment is from Christine Werne.)</p> <p>Current requirements of a minimum of 600 hours in Esthetics and an additional minimum of 600 hours in Master Esthetics should remain the requirement in Virginia because there are so many more products, services and treatments being developed.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours.</p> <p>The Board intends to assemble a panel of advisors representing businesses, public schools, private career and technical schools to conduct a comprehensive review of the education and training Virginia mandates to obtain an esthetics or master esthetics license, apart from this periodic review. The Board encourages regulants and the public to</p>

	<p>The Esthetics and Master Esthetics curriculum requirements in Virginia were established in 2007. In the 16 years since its inception, there has been and continues to be tremendous innovation in the skincare industry. It is paradoxical to reduce the number of required hours during a time when there are so many more products, services, and treatments being developed. The ubiquity of misinformation and aggressive marketing spread through social media, content creators, and influencers makes it imperative to legally require formal training to ensure that practitioners offering these services are fully knowledgeable, experienced and can better discern the validity, effectiveness, and safety of legitimate clinical skincare.</p>	<p>participate in this process by providing public comment during any meetings of the panel or the Board.</p>
<p>CommentID: 217122 Alessia Spielvogel / The Chrysm Institute of Esthetics</p>	<p>(Note: the comment indicates the comment is from Christine Werne.)</p> <p>Esthetics and Master Esthetics should not be combined because completing a 600-hour esthetics program permits practitioners to enter the field working in spas, salons, waxing boutiques, lash businesses and more and some students are not interested in master services and treatments at all.</p> <p>Many students who wish to obtain Master Esthetics licensure want to work in the field to gain experience and greater understanding before entering the Master Esthetics program. Master Esthetics has a rigorous curriculum. It sets everyone up for the greatest success by allowing those who make the decision to continue into Master Esthetics to gain industry experience beforehand</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review. The Board encourages regulants and the public to participate in this process by providing public comment during any meetings of the advisory panel or the Board.</p> <p>The purpose of the Board is to protect the health, safety, and welfare of the public who receive esthetics services by ensuring those who are licensed to practice are minimally competent and that minimum standards of practice are sufficient to ensure safety.</p>

	<p>and not mandating that all individuals be taught Master services that they may not have the interest or ability to provide.</p>	
<p>CommentID: 217203</p> <p>Matt England: Licensed Master Esthetician, Instructor, SME, Textbook Author</p>	<p>Requirements that must be taught have increased due to technological advances, yet schools have not been granted additional hour requirements.</p> <p>Employers have asked for more highly qualified individuals to fill their job requirements over the last 11 years, which is corelated to the increase in technological advances within the industry and consumer demand, but we have not been afforded additional time to teach those requirements. By restricting online theory topics, hour reductions and merging of esthetics and master esthetics, the board is enacting barriers into the profession and obstacles for the school.</p> <p>Many students are single mothers who are very restricted financially and having the ability to do work online in the convenience of their own home which helps reduce the burden of childcare. Many students do not have available or reliable transportation. Allowing online topics permits people to come to school who would not normally be able to do so due to financial burdens.</p> <p>The US Department of Education has one of the highest standards allowing for online theory and so do the national accrediting agencies. More importantly, the entity that regulates post-secondary schools in Virginia called SCHEV, whose primary task is protecting student interests. Allows all theory to be taught online.</p> <p>Allowing online theory helps everyone and harms no one. This is not a consumer safety issue. If</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours.</p> <p>The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>

	<p>students can pass the licensing exam, why does it matter?</p>	
<p>CommentID: 217203 Matt England: Licensed Master Esthetician, Instructor, SME, Textbook Author</p>	<p>By removing choices and forcing people who don't want to or are not capable of embarking upon master level academic topics you are enacting barriers into entry into the profession and putting people at risk.</p> <p>Not everybody wants to learn chemicals and the in-depth procedures in the master level. Many of the schools that focus on basic training are accredited and we were able to research their placement rates and they were passing the required rate to maintain their accreditation and financial aid approval.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p>
<p>CommentID: 217203 Matt England: Licensed Master Esthetician, Instructor, SME, Textbook Author</p>	<p>Reducing hours/education would put an unfair burden on employers and bring safety risk to clients because employers are not set up to be educators.</p> <p>Employers have expressed grave concerns regarding the potential for hour reductions or education reductions. These employers have indicated they are not interested in, and do not have the manpower or financial ability to develop in-depth new employee training programs.</p> <p>Consumer demand will not decrease, employer demand will not decrease, there will be a wide gap between a prepared graduate and the job that they must stretch to reach that they are not prepared to be successful in.</p> <p>Since the implementation of the curriculum, the industry has grown, technology has advanced and so have the number of topics that schools have been responsible for adding. Hours should stay the</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>The purpose of the Board is to protect the health, safety, and welfare of the public who receive esthetics services by ensuring those who are licensed to practice are minimally competent and that minimum standards of practice are sufficient to ensure safety.</p> <p>It is not the role of the Board to enhance the profession or reputation of the industry. Once the training standards for performing services safely are met, students should be eligible to obtain a license.</p>

	same or be increased, but not decreased.	
<p>CommentID: 217203</p> <p>Matt England: Licensed Master Esthetician, Instructor, SME, Textbook Author</p>	<p>Board decisions should be made on factual data and not because one person on the Board believes that because someone cannot afford a higher level of educational attainment that the master esthetics license should no longer exist.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>The Board intends to assemble a panel of advisors representing businesses, public schools, private career and technical schools to conduct a comprehensive review of the education and training Virginia mandates to obtain an esthetics or master esthetics license.</p>
<p>CommentID: 217204</p> <p>LT, Licensed Master Esthetician, Instructor, SME & Textbook Author</p>	<p>Current school programs are providing sufficient education to ensure safety and the ability to serve the demands of consumers as a direct result of the required hours and curriculum topics in the regulations.</p> <p>The regulations and curriculum requirements that lead to the ability to sit for the licensure examination are meeting its intended goal.</p> <p>Employers do not want to incur the additional expense associated with additional training or have the desire or ability to develop and enact new hire training programs to rectify any deficiencies that new hires that would incur as a direct result of curriculum reductions or hour reductions.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours.</p> <p>The Board intends to assemble a panel of advisors representing businesses, public schools, private career and technical schools to conduct a comprehensive review of the education and training Virginia mandates to obtain an esthetics or master esthetics license, apart from this periodic review. The Board encourages regulants and the public to participate in this process by providing public comment during any meetings of the panel or the Board.</p>
<p>CommentID: 217204</p> <p>LT, Licensed Master Esthetician, Instructor, SME & Textbook Author</p>	<p>Online theory education helps students with schedule flexibility and ability to work a job and handle family responsibilities and reduces childcare expenses. It reduces out of pocket expenses for students traveling to school and makes education easier to obtain. Some students would not be able to attend school without it.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely</p>

	<p>Beauty school textbooks are written on the 8th grade level, which is supportive of no restrictions or limitations should be imposed on theory online education as it is lesser academic level than community college and university level academic topics and beauty school students should not be discriminated against.</p> <p>There is nothing in the Code of Virginia that prohibits online theory.</p>	<p>practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217204</p> <p>LT, Licensed Master Esthetician, Instructor, SME & Textbook Author</p>	<p>Reducing the hours results in the reduction in the amount of education delivered. This in turn reduces the preparedness of graduates entering the field and their ability to be prepared to protect the health welfare and safety of the citizens of the Commonwealth of Virginia while delivering services.</p> <p>It would be unreasonable to expect school administrators to reduce the number of hours when the amount of topics schools is required to teach have only increased.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>The purpose of the Board is to protect the health, safety, and welfare of the public who receive esthetics services by ensuring those who are licensed to practice are minimally competent and that minimum standards of practice are sufficient to ensure safety.</p> <p>It is not the role of the Board to enhance the profession or reputation of the industry. Once the training standards for performing services safely are met, students should be eligible to obtain a license.</p>
<p>CommentID: 217204</p> <p>LT, Licensed Master Esthetician, Instructor, SME & Textbook Author</p>	<p>Our concerns are that we want to ensure any decisions that are made are done so with information that is valid and reliable by individuals who are fully capable of doing so without bias or the perception of bias.</p>	<p>The Board intends to assemble a panel of advisors representing businesses, public schools, private careers, and technical schools to conduct a comprehensive review of the education and training Virginia mandates to obtain an esthetics or master esthetics license, apart from this periodic review. The panel of advisors effectively mitigates bias and ensures a diverse range of perspectives and expertise.</p> <p>The Board encourages regulants and the public to participate in this process by providing public comment during any meetings of the panel or the Board.</p>

<p>CommentID: 217205 Esthetician Student</p>	<p>Online school should continue to be taught because it affords people benefits and opportunities that would otherwise be unavailable. It allows people to work a job, care for family, and even perform civic duties. If online schooling were not available, I would have to quit my job and rely on government assistance. I would not be able to pursue this opportunity or education.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217206 Esthetician Student</p>	<p>Online school should continue to be taught because I work full time at night and go to school in the morning.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217207 Student</p>	<p>Online school is the only way I can gain an education and work to support myself Not everyone has the luxury to afford or have time to attend school without online classes. I would not be able to get an education without online classes.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory</p>

		<p>that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217208 Esthetics student</p>	<p>Without online classes I would not be able to afford gas or childcare.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217209 Esthetics student</p>	<p>I have a full-time job and don't have a car. Online courses are the only way I can be in a different school than my partner. My partner goes to VCU and has online classes. Why should I not be able to do the same? I am a woman, and its 2023. I think everyone would love it if we can make decisions that are equal to men.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>

<p>CommentID: 217210</p> <p>Student of Esthetics</p>	<p>Online classes allow for a more flexible schedule and allows for a single parent like me to work full time and go to school. I would not be able to attend a school that did not offer online classes.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217211</p> <p>Master Student</p>	<p>Online classes help me be able to work and save money while still being able to focus on my career. Without online classes, I would not be where I am at today.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217212</p> <p>Student who does online</p>	<p>Online school benefits me in allowing me to work to take care of my responsibilities and go to school. If online classes were not offered, things would be a lot harder for me.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory</p>

		<p>that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217213 Esthetic student</p>	<p>Online school allows me to work full time and go to school. I would be in a very difficult situation if I had to commute to school five days a week. I would not be able to attend school without online classes.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217214 Student</p>	<p>In person classes multiple days a week is not attainable by most students. If not for online classes, I would not be attending.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>

<p>CommentID: 217215 Future Esthetician</p>	<p>Don't ruin people's chances for education choices by taking away online classes.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217216 Esthetic student</p>	<p>I believe we should be treated the same way universities are. Online school is helpful especially if you have jobs kids etc.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217217 Esthetician in training</p>	<p>If it weren't for online options, I wouldn't be able to receive an education.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory</p>

		<p>that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217218 Esthetician student</p>	<p>Online school is very beneficial, and I wouldn't be able to go to school without online classes.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217219 Esthetician student</p>	<p>I would not be able to receive an education if classes were not online.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>

<p>CommentID: 217220 Esthetic student</p>	<p>I would not be able to go to school and work part time without online classes.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217221 Esthetician class student</p>	<p>Online classes help me balance between work, school, and family.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217222 Student Esthetician</p>	<p>Online esthetics students are no different than those in any other college that has online classes. I would not be able to be in school without online classes. I am a single mother, and the school schedule allows me to work a full-time job and be a part of my child's life.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory</p>

		<p>that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217223 Student</p>	<p>Online classes help students to have an outside life and save money and time. I would not be in school if we were not allowed online classes.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217224 Esthetics student</p>	<p>Other schools are allowed online so we should not be discriminated against by attending this school. Because of online classes, I am able to take care of my daughter and work. It helps me financially.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>

<p>CommentID: 217225</p> <p>Student</p>	<p>Online classes allow students to have the opportunity to continue their education and support themselves. Online classes provide more information and learning than a four-hour in-person class. Without online classes, I would have more expenses, more absences, lost time, less time to work, and less time in my day.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217226</p> <p>Future aspiring esthetician</p>	<p>Online work has allowed me to maintain a job that funds my education. I believe online curriculum should be allowed. College and university students are allowed this benefit, and I believe we deserve the same. Not having online education would rob me of an educational experience and future career.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217227</p> <p>Student Esthetics</p>	<p>We should be treated the same as other students at university and maintain online classes. I would not be in school today if there were no online classes.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory</p>

		<p>that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217228 Student Esthetics</p>	<p>Online classes should be available to everybody, and I wouldn't be in school without them. Some people, especially women, are not able to make it to class, let alone work full time five days a week considering child-care costs, commute time, and personal schedules.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217229 Esthetics student</p>	<p>Online school allows me to work and save money while receiving an education. If my school was set up another way, it would be impossible for me to pursue this career.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>

<p>CommentID: 217230</p> <p>Master esthetics student</p>	<p>Not allowing online classes for esthetician and cosmetology schools should not be a discussion. Online classes for esthetician and cosmetology schools should not be any different than other schools and colleges. If online classes were not an option, I would not be able to attend school because of childcare expenses and time.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217231</p> <p>Esthetician students</p>	<p>Online classes have been extremely valuable. I have more control over my life and schedule with online classes. Colleges and universities all offer online course and esthetics students should be able to use as well. As a mother and provider, I would not be able to pursue my dream career I had to attend live classes several times a week.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217232</p> <p>Master Esthetics student</p>	<p>Theory portion of the classes is appropriate to be offered online. I have ADHD so personally I prefer online theory class because it allows me to be free of distractions the schedule also allows me to still have time to work as well as other activities.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory</p>

		<p>that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217233 Anonymous student</p>	<p>Taking school online has been beneficial in many ways. It has helped me become more responsible with my time and work independently. Without online classes, I would not be able to attend since I have to work. Online classes allow me to provide for myself and give me a chance to expand my knowledge and grow as a person.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>
<p>CommentID: 217234 Future master Esthetician</p>	<p>My commute to school is two and a half hours each way. I would not be able to attend school without online classes. I have school-aged children and a partially disabled husband. I would not have the opportunity for a career change without online classes.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>Board staff requested the Board to distinguish the difference between curriculum topics that were solely theory that could be taught online and curriculum topics that were solely practical in nature and should be taught in person. Practical topics require specialized equipment, laboratories, or facilities that may not be easily accessible outside of the physical classroom. In-person instruction ensures the well-being of students and minimizes risks associated with handling potentially dangerous materials and substances.</p>

<p>CommentID: 217236</p> <p>Master Esthetician instructor/business owner</p>	<p>The level of education and standards should be kept at a level so if graduates move to another state, they have an equal opportunity to find jobs and succeed in all aspects of their work. Master education in Virginia has given Virginia estheticians a high standard and great reputation compared to other states.</p>	<p>Thank you for your comments regarding the future discussion of Esthetic and Master Esthetic hours. The Board intends to study the Esthetic and Master Esthetic training hours, along with the possibility of combining the licenses, apart from this periodic review.</p> <p>The purpose of the Board is to protect the health, safety, and welfare of the public who receive esthetics services by ensuring those who are licensed to practice are minimally competent and that minimum standards of practice are sufficient to ensure safety. It is not the role of the Board to enhance the profession or reputation of the industry. Once the training standards of performing the services safely are met, students should be eligible to obtain a license.</p>
--	--	---

Effectiveness

Pursuant to § 2.2-4017 of the Code of Virginia, indicate whether the regulation meets the criteria set out in the ORM procedures, including why the regulation is (a) necessary for the protection of public health, safety, and welfare, and (b) is clearly written and easily understandable.

The regulation meets the criteria set forth in the Office of Regulatory Management procedures. The regulation contains the requirements for obtaining a license, renewal and reinstatement of licenses, safety and sanitation procedures, standards of professional conduct, to ensure competence and integrity of all licensees and that the health and sanitary standards and safety are adequate in spas, schools, and other facilities where esthetics services are provided, and administer the regulatory program in accordance with Chapters 2 and 7 of Title 54.1 of the Code of Virginia. The regulation is necessary for the protection of public health, safety, and welfare and is clearly written and understandable.

Decision

Explain the basis for the promulgating agency’s decision (retain the regulation as is without making changes, amend the regulation, or repeal the regulation).

If the result of the periodic review is to retain the regulation as is, complete the ORM Economic Impact form.

On August 14, 2023, the Board voted to retain the regulation “as is” without any change, as explained further in the “Small Business Impact” section. In accordance with the Governor’s Executive Directive Number One (2022), the Board is currently undertaking a separate action to perform a comprehensive line-by-line review of this regulation.

Small Business Impact

As required by § 2.2-4007.1 E and F of the Code of Virginia, discuss the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, discuss why the agency's decision, consistent with applicable law, will minimize the economic impact of regulations on small businesses.

Code of Virginia §§ 54.1-201(A)(1) and 54.1-201(A)(5) mandate the Board promulgate regulations. The continued need for the regulation is established in statute. Repeal of the regulation would remove the current public protections provided by the regulation. The Board provides protection to the safety and welfare of the citizens of the Commonwealth by ensuring that only those individuals that meet specific criteria set forth in the statutes and regulations are eligible to receive a esthetician, master esthetician, instructor, salon, or school license, or temporary permit. The Board is also tasked with ensuring that its regulants meet standards of practice that are set forth in the regulations.

The public comments received addressed concerns regarding the Board's future discussion of reducing or combining the Esthetics and Master Esthetics curriculum and licenses. The Board has formed a Regulatory Advisory Panel to review this subject.

The Esthetics Regulations are clearly written, easily understandable, and do not overlap, duplicate or conflict with federal or state law or regulation.

The most recent periodic review of the regulation occurred in 2019. Currently, the Board is conducting a comprehensive review of the regulation.
