

March 25th, 2016

From: Katie Cotton
100 Hartsdale Ct
Greer, SC 29650

The Honorable Nikki R. Haley
Office of the Governor
1205 Pendleton Street
Columbia, South Carolina 29201

To The Honorable Nikki R. Haley

Thank you for taking the time to read my letter. My name is Katie Cotton, and I am a professional makeup and hair artist in the upstate of South Carolina. I moved to this state 10 years ago from Los Angeles.

I worked professionally as a makeup and hair artist in Los Angeles before moving to South Carolina. My husband and I moved to this state seeking a better way of life after having our first child. Upon moving to this state, I did contact the LLR in regards to what licensing was required in this state. At the time, they urged me to go to cosmetology school as it would "provide lots of opportunity for me" but when mentioning I had no desire to work in a salon, but only to specialize in makeup and hair special event services as well as photoshoot and production makeup and hair, I was told a cosmetologist license was only required by those who worked in a salon.

Since that was not my passion to cut/color hair, or provide facials and other skin altering services, I decided to get a business license and insurance as well as a retail license so that I could demonstrate products and provide speciality makeup and hair styling (updos, curling, etc) only. I have operated this way for the last 10 years and have found a lot of success in my market. I have come to be highly recommended by my peers and truly love my job, focusing on the bridal market. I do also still provide makeup and hair services for lots of photoshoots, commercials as well as some political work. I have never received a complaint (I am almost certain a competitor is the one who reported me to the LRR) but have received hundred of 5 star reviews as well as awards for the services I provide.

In February of this year, I was contacted by the LLR to provide more information about my work as someone had filed a complaint that I was performing cosmetology services without a license. I complied to their request of a formal letter outlining what I did. I have included that letter to them with this letter. Shortly after they received my response, I received a phone call asking more questions. At the time, they told me to continue business while they reviewed everything and I told them to please contact me if there were any further questions, or any further things I needed to do.

Today, almost 6 weeks later, I received a cease and desist letter ordering me to stop all business. I was not given a warning, or any options of what to do in order to continue my business. This is traumatic for my business and my family as I have a booked bridal party even tomorrow! I simply can not tell a bride the night before her wedding day that I wont be coming! It will ruin her whole day! And I care very deeply about my clients. Not to mention, I am the main financial provider for my family. To simply stop all business at the drop of a hat not only hurts my clients but deeply hurts my family as well.

In all honestly, the most frustrating thing about being forced to have a license for cosmetology is the fact that very little is taught about the services I will actually do in cosmetology schools as they focus on salon procedures. In the meanwhile, there are many individuals that sell mary kay, avon, and a lot of other companies products including ones that specialize in facials and things that truly would be considered the estheticians territory that are fine because they are demonstrating the product when they truly have no background knowledge of sanitation or safety. There are plenty of people who work at counters in the mall that also are deemed ok and there are even hair demos in the mall kiosks with flat irons, curling irons and hair sprays. All these are ok, while what I do, is not. I am not against regulating these services, but firmly believe that there should be a program that is specific to the needs and lessons of a freelance makeup and hair artist. Lessons to teach how to turn any space into a sanitary and safe space for the clients/models/actors, etc. I do realize that such a program does not exist, but to have those who want to specialize in such a service, should be provided with such a program if taking classes on the subject is mandatory by the LRR.

In the very least, I want to continue my business I have worked so very hard to build, to continue the charity work I have done and to continue to provide for my family as soon as possible. If I must go to a full cosmetology program and complete 1600 hours of services that I do not intend to continue doing, then this is what I will do, however to demand that I can not continue with my clients and earn some of the money that will be necessary to pay for this education and still keep my family afloat is going to be something that I simply do not see as possible. Schooling can cost between 6000-10000. This all for services I wont do again.

I am asking for your help to in the very least, allow me to continue services while completing this education that they demand I take. It would be even more wonderful to create a law that allows others to work, perhaps under a different program. There are so many working opportunities for people that do NOT include working in a salon. And a great many more people that probably are indeed working "illegally" because they, like me, did not think their services counted as a cosmetologist. I do realize however, that this may be something you do not have the time to put into motion.

Any help you, or any of your people can give me, is greatly appreciated!

Sincerely,
Katie Cotton

Kathy Meadows
Investigator
South Carolina Department of Labor, Licensing and Regulation

File#: 2015-172

Dear Ms Meadows,

I received your letter today in the mail. Thank you for enclosing the copy of the Board of Cosmetology's statute (40-13-20).

I was unaware that I was going against any of these guidelines, as I do not do what I believed was Cosmetology. Additionally, when I moved to this state 10 years ago, I did contact the Department of Labor, Licensing and Regulation to make sure that I would be following the same guidelines as I followed in my previous state of California and all seemed to be fine and legal, so I did continue my business here.

Let me explain my business to you, and then hopefully we can work out anything further that needs to be done as I am certainly not trying to break any laws or regulations.

I do not, and have not ever performed any skin care practice from facials, to waxing, etc. The only practice I have ever done was to apply makeup to the face, for which I was told if I had a retail license and sold makeup and was using products I sold, that this was allowed. I am extremely diligent on all sanitation practices. I use makeup brushes that have been disinfected, then washed, and then dried before every single client. It is as if the client has brand new brushes every single time. I use spatulas to remove product from containers and palettes to work from. I use 91%-99% alcohol on all tools including any lip or eye pencils as well as to sharpen the pencil to a new point for every single client. And for all things that I can use a disposable application tool for (like mascara, lipstick, etc) I do use these and never return the disposable back to the product. I do have a business license as well as business insurance as well.

I first studied makeup in Indiana at Ball State University from the department of Theatre and Dance. While I grew up in the theatre with both of my parents being designers, I knew from a young age that I wanted to do makeup in this field. I did take courses from the university where, even though I did know about sanitation from being "around it" we were taught strict guidelines to keep everything sanitary and healthy. Upon my graduation, I moved to California and did makeup for productions of both large and small scale working on film sets, commercials, photo shoots and also fashion shows. After the birth of my first child, my husband and I decided to move to South Carolina. After moving here, and knowing that I wanted to continue my passion of makeup artistry, it was then that I contacted the board to make sure that laws were the same or similar to those of California. Ideally I did want to join the union, but as there is no specific union here in South Carolina, I did

follow up on getting the retail license as well as business insurance to perform makeup artistry in this state.

I do sometimes meet with clients in a studio I do have set up in my home. It does use a different door than the rest of my home. This space is also set up with my retail license as the location that I sell from. Again, I am so apologetic that I did not realize this meant it needed to be sanctioned as a salon as well. The majority of the time, however, I go on location to wherever the client needs for me to be, whether it is her home, photo studio, hotel, etc.

I have worked with a wide array of clients since living here in South Carolina, from Politicians to CEO's of large companies, models for well known clothing brands, and some of my favorites, brides and their bridal parties. I have never once received a complaint from any of my clients and in fact, have received numerous awards in the area and have garnered many clients to be repeat clients and high recommendations to their friends and colleagues.

As mentioned previously, there never was any intention to skirt any laws. I truly did think after my initial conversation with someone from the board, that as long as I did complete certain things like the retail license, business license and business insurance that I had crossed my t's and dotted my i's. If there is further licensing that I need to complete, I am willing to do so. However, I am in high hopes that I do not need to complete the full round for cosmetology because as it is to my knowledge, that there is very little time spent on makeup artistry and much more on cutting, coloring, chemical treatments, and the like which are things that I never have intention on working into my business. It is not about money spent on the journey, but much more about time spent on practices that I will never continue. Is there a separate program simply for makeup (and even hair styling that does not come with cutting and coloring, but maybe simply updo's, and other simple styling requiring nothing but a brush and bobbi pins) that I am overlooking? If there is not such a program, I think that there is a great need for one. There are so many that work in these types of jobs, that I have even witnessed myself that do NOT follow the strict guidelines for sanitation, etc that I think should be followed. People that work at counters selling makeup, and on production sets could greatly benefit from this.

I look forward to hearing back from you. I truthfully want to make sure that I am able to continue doing what I love and supporting my family with it. It is all I have ever really done and just want to make sure that I can continue on my career path, so please do let me know what ever other things I need to do.

Best Regards,
Katie Cotton