

Exhibit "A"

Ad Hoc Committee's Draft of the ADVANCED ESTHETIC & LASER CERTIFICATION SUMMARY

Dated: August 13, 2013

Prepared by: Robbie Buckley

Rebecca Covey

Judith Culp

Dr. Jerry Darm

Mary Nielsen

Melissa Neubert

Dr. Jeffrey Scott

Erika Wilson

Advanced Esthetics means any of the following practices performed for the purpose of keeping the face and body healthy and attractive and not for medical diagnosis or mental ailments:

(a) The use of FDA registered non-ablative energy and other devices, and/or topicals and therapies for esthetic procedures, but not for incision, or ablation of living tissue, including:

- | | |
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| (1) All services of a licensed Esthetician | (7) Pigment lentigo reduction. |
| (2) Non-ablative skin resurfacing | (8) Non-ablative acne reduction |
| (3) Non-ablative laser tattoo removal | (9) Skin needling not for the purpose of acupuncture |
| (4) Non-ablative body contouring | (10) Non-ablative laser peel |
| (5) Non-ablative photo rejuvenation | (11) Laser hair reduction |
| (6) Facial vein reduction | (12) Cellulite reduction |
| | (13) Non-ablative skin rejuvenation |

(b) Superficial peels

Supervision : *Collaborative agreement means agreement by a health care professional who is licensed in Oregon has prescriptive authority and whose scope of practice allows the supervision, and who is readily accessible by telecommunication, treatment plan in place and may provide medical attention if needed within 48 hours.

Advanced Esthetician or facility must carry professional liability insurance.

"Health Professional" means a person licensed of this title [MD, DO, NP, (RN, LPN, MA, NA, Nurse Anesthetist, DPM, DC) ND, PA] However their scope of practice must allow the supervision. (Generally an MD, DO, ND and NP)

Truth in Advertising- In order to advertise as a medical facility the facility must have a collaborative agreement with a MD, DO, ND or NP.

Facility

License holder of a facility where laser services are performed must be a licensed esthetician with an advanced certificate, or other licensed medical provider.

Each facility offering laser services must have a designated Laser Safety Officer, per current ANSI Standards. This LSO is responsible for the training/orientation program of each laser operator in the facility and for verifying that each operator is sufficiently trained to ensure patient safety.

Practice Standards for Advanced Certifications, including Laser

Oregon license in esthetics in good standing

Facility in which the Advanced Esthetics Esthetician is employed/owns must have a current license in good standing.

Prior to rendering services to a client, the Advanced Esthetics certified esthetician must obtain:

Client demographic information

Health/medical history, updated and reviewed prior to each treatment.

Consultation and treatment plan for each new service

Informed consent for each service

Treatment record must be completed after each service

Client must be given home care instructions and instructions about who to contact in the event of an emergency pertaining to service

Grandfathering: Prior to enactment of Advanced Esthetics certification date, an applicant for an Advanced Esthetician certificate must have an active license in good standing as an esthetician, pay the appropriate license fee, and provide the department with proof of having satisfied one or more of the following requirements:

(i)(A)(I) A minimum of thirty-five hours employment as a provider

of superficial depth peels under the delegation or supervision of a licensed physician, advanced registered nurse practitioner, or physician assistant, or other licensed professional whose licensure permits such delegation or supervision; or

(II) Seven hours of training in theory and application of superficial depth peels; and

(B)(I) A minimum of one hundred fifty hours employment as a laser operator under the delegation or supervision of a licensed physician, advanced registered nurse practitioner, or physician assistant, or other licensed professional whose licensure permits such delegation or supervision; or

(II) Seventy-five hours of laser training;

(ii) A national or international diploma or certification in esthetics that is recognized by the department by rule;

(iii) An instructor in esthetics who has been licensed as an instructor in esthetics by the department for a minimum of three years;

or

(iv) Completion of one thousand two hundred hours of an esthetic curriculum approved by the department.

Initial Education/Qualified Training Center:

Pathway 1: Estheticians licensed through a 500 Hour Basic Esthetics Course may attend a Certified Training Center that provides 700 Hours of Advanced Curriculum.

Pathway 2: Estheticians may attend a Private Career School that offers a combined Basic and Advanced Program Curriculum of 1200 hours.

Advanced Curriculum may include but is not limited to:

General Sciences: Infection Control, Advanced histology of cells and skin, Advanced anatomy and physiology including the lymphatic drainage system, Advanced chemistry, Basic First Aid, CPR, Laser, light energy and radio frequency theory

Skin Sciences: Advanced skin disorders, Skin analysis, Classification systems, (Fitzpatrick, Glagau), Skin care ingredients and Chemistry, Health and Lifestyle,

Esthetics: Advanced facial techniques, Advanced facial massage techniques, Advanced facial techniques and devices, Advanced temporary hair removal, Permanent hair reduction theory, Introduction to laser light therapy, Advanced makeup techniques

Spa and Alternative Therapies: Spa treatments, alternative therapies, botanicals and aromatherapy, ayurvedic theory and treatments

Medical: Esthetician's role in pre and post op medical treatments, medical terminology, cosmetic procedures, surgical and non-surgical, basic knowledge and understanding of prescription drugs and OTC's

Business Skills: Scope of practice, financial business skills, sales and marketing, business operations, sanitation, safety, agencies and compliance, risk management

Laser Training and Certification: Any Advanced Esthetician that chooses to perform laser light energy device technology shall be required to take specific training and obtain a special certification apart from the Advanced Esthetic certification

Training shall include 40 hours of initial didactic training in theory and application, including laser safety protocols per the most recent ANSI guidelines, 24 hours of hands-on training, and the completion of 10 supervised treatments per modality. Treatment types include but are not limited to:

Laser hair removal

Non-ablative skin rejuvenation

IPL/ laser for the purpose of skin rejuvenation, wrinkle reduction, skin tightening, facial erythema, acne reduction, facial telangectasia reduction
lentigo reduction,

Non-ablative tattoo removal,

Non-invasive body contouring, including cellulite reduction

Basic first aid and CPR

Training shall be completed through an approved training facility or via an approved apprenticeship.

Laser certification may be established via National Council on Laser Certification, or American Board of Laser Surgery or other nationally recognized certification organization upon completion of hands-on training.

Training from other states with similar educational requirements and licensure will be accepted. (Allows Master Estheticians from Utah, Virginia, Washington to have reciprocity)

Qualified Training Facility Guidelines

A person seeking to initiate a training center for advanced esthetics must submit an application through Private Career Schools, containing a description of the training, including a syllabus and list of courses.

A laser training center must list a designated Laser Safety Officer.

A laser training center must provide proof of a collaborative agreement with a health care professional with prescriptive authority for review of laser injuries within 48 hours of an injury greater than a 2nd degree burn and within one week of a lesser injury

Training information must include

- Laser Safety per most current ANSI standards
- Laser theory including fundamentals of laser operation
- Biological effects of laser on the eye and skin
- Non-beam hazards
- Control measures for safety
- Written protocols for every device in use

The training center must comply with all Oregon Department of Education requirements. (This is automatic if it leads to a license or certificate)
Training center educators must meet ODE instructor qualifications and hold the required licensure/certification for the program they are instructing.

Laser Certification Apprenticeship

The Apprentice must be currently certified as an Advanced Esthetician.

A person seeking to operate an apprenticeship program must apply to the Bureau of Labor & Industries, Apprenticeship & Training Division for approval.

The name of the licensed esthetician serving as the preceptor must be listed, as well as the licensed facility where all training will take place.

A designated area must be established where didactic training will take place.

Equipment being used during training must be listed.

Books and training materials for teaching theory must be listed.

Training must include current law pertaining to esthetics.

Apprenticeship permit must be received prior to beginning training.

The licensed esthetician preceptor must hold an advanced esthetic certificate and be certified for a minimum of three years. The esthetician must be present while the apprentice is training.

The esthetician may not charge the apprentice a fee for training.

The apprentice shall not work more than 7 hours per day and not more than 40 hours per week.

The apprentice is not allowed to receive wages for training but is allowed to receive tips.

Each apprentice shall be tested via written and practical exams, established by the preceptor.

A preceptor is responsible for recording the apprentice's time and treatments.

A facility that has successfully trained one apprentice may train additional, but may not have more than 2 apprentices at the same time.

The apprentice must accumulate 100 hours of training time per modality. Once the apprentice has obtained 30% of hours of training, he/she may work with the public under the preceptor's supervision.

The apprentice shall cease training once all hours have been completed.

If the apprentice does not complete the program, a written notice from both parties must be sent to appropriate authorities.

Records of completion shall be maintained for a period of time determined by the Health Licensing Authority.

Continuing Education

Hours of continuing education, as specified by the Health Licensing Office, pertaining to the industry must be obtained every two years to continue licensure. Continuing education verification must be produced upon request of the Board of Cosmetology.

Exhibit "B"

From: Rebecca Covey <rebecca.exhale@gmail.com>
Date: August 13, 2014 at 4:39:24 PM PDT
To: "melissa@drdarm.com" <melissa@drdarm.com>
Subject: Re: Two Page Summary

Thanks Melissa, I am getting ready to forward our draft to Holly Mercer now.

Rebecca Covey

Sent from my iPhone

On Aug 13, 2014, at 4:33 PM, melissa@drdarm.com wrote:

Rebecca,

I spoke with Dr. Darm and we both agree with a draft and to continue working on this.

Sincerely,
Melissa

-----Original Message-----

From: "Rebecca Covey" <rebecca.exhale@gmail.com>
Sent: Wednesday, August 13, 2014 3:40pm
To: melissa@drdarm.com
Subject: Fwd: Two Page Summary

Melissa,

Sorry for the delayed response. I was out of town for a few days.

I found this copy that Mary had forwarded to you in July. If you get a chance I just spoke to Holly and would love to chat for a minute.

Thank you,
Rebecca Covey

Begin forwarded message:

From: Mary Nielsen <mary@spectrumlasertraining.com>
Date: July 31, 2014 at 4:16:04 PM PDT
To: Jerry Darm <drdarm@msn.com>, melissa@drdarm.com, Rebecca Covey <rebecca.exhale@gmail.com>, Julie Simpson <julie.exhale@gmail.com>, Ryan Covey <ryandcovey@msn.com>, "erika@columbialaserskincenter.com" <erika@columbialaserskincenter.com>, Robbie Buckley <rcbb712@gmail.com>, Judith Culp <judithculp66@gmail.com>
Subject: Two Page Summary

Here is a revised Two Page Summary (Its 3 pages) that includes the additions of what we discussed yesterday.

We can dialogue via email about changes and then move forward. Thanks! Mary

To Jerry and Melissa, the intent is to create an Advanced Certification for estheticians, rather than a licensure. Semantics, I know, but apparently, important.

Mary Nielsen

Director, Spectrum Advanced Aesthetics

Mailing Address:	School Location:
7894 SW Hansen Lane	6950 SW Hampton St. Ste 220
Tigard, OR 97224	Tigard, OR 97223
www.spectrumlasertraining.com	
503-719-2688	

Exhibit "C"

Amendments 02/04/5/2015

SECTION 1

- (1) "Advanced non-ablative esthetics procedure" means a procedure that uses a laser, light, radio frequency, ultrasound, plasma or other device or modality registered with the United States Food and Drug Administration for the purpose of performing non-ablative procedures on the skin or hair, including, but not limited to:
- (a) Skin rejuvenation
 - (b) Photo rejuvenation
 - (c) Body contouring
 - (d) Dyschromia reduction
 - (e) Cellulite reduction
 - (f) Hair removal or reduction, and
 - (g) Non-ablative tattoo removal
- (2) "Certified Advanced Esthetician" means a person certified to practice advanced non-ablative esthetics procedures under sections 1 to 6 of this 2015 Act.

SECTION 3

- (1) Except as provided in subsection (2) of this section, the Board of Certified Advanced Estheticians shall issue a certificate to practice advanced nonablative esthetics procedures to an applicant who:
- (a) Is at least 18 years of age;
 - (b) Is a certified practitioner in good standing in the field of esthetics
 - (c) Provides proof of successful completion of Cardiopulmonary Resuscitation Certification and a Basic First Aid course.
 - (d) Provides proof to the board of professional liability insurance.
 - (e) Provides proof to the board of a collaborative agreement with a health care professional capable of prescriptive authority whose scope of practice allows the supervision, who is readily accessible by telecommunication, treatment plan in place, agreeing to provide medical attention if needed within 48 hours
 - (f) Meets any educational requirements established by the board by rule
 - (g) Successfully completes any training requirements established by the board by rule;
 - (h) Passes an examination adopted by the board by rule and administered by the Health Licensing Office; and
 - (i) Pays a fee adopted by the board by rule.

Facility License

License holder of a facility where advanced aesthetic services are performed must be a licensed esthetician with an advanced certificate, or other licensed medical professional capable of prescriptive authority whose scope of practice allows the supervision Each facility offering laser services must have a designated Laser Safety Officer, and operate per current ANSI Standards.

Qualified Training Facility Guidelines

A person seeking to establish a training center for advanced esthetics certification must submit an application through the Higher Education Coordinating Council's Private Career School containing a description of the training, including a syllabus and list of courses.

An advanced esthetician training center must list a designated Laser Safety Officer.

A laser training center must provide proof of a collaborative agreement with a health care professional capable of prescriptive authority whose scope of practice allows the supervision, who is readily accessible by telecommunication, treatment plan in place, agreeing to provide medical attention if needed within 48 hours

Training information must include

- Laser Safety per most current ANSI standards
- Theory of action with laser, light, radio frequency, plasma, ultrasound, or other device or modality registered with the United States Food and Drug Administration for the purpose of performing non-ablative procedures on the skin or hair including fundamentals of operation
- Biological effects of laser, light, radio frequency, ultrasound, plasma or other device or modality registered with the United States Food and Drug Administration for the purpose of performing non-ablative procedures on the eye and skin
- Non-beam hazards
- Control measures for safety
- Written protocols for every device in use

The training center must comply with all Oregon Higher Education Coordinating Commission requirements. Training center educators must meet ODE instructor qualifications and hold the required licensure/certification for the program they are instructing.

GRANDFATHERING IN: Prior to enactment of the Certified Laser Esthetician certification date, an applicant for a Certified Laser Esthetician certificate must have an active license in good standing as an esthetician, pay the appropriate license fee, and provide the HLO and Board of Certified Laser Estheticians with proof of having satisfied one or more of the following requirements:

(A) A minimum of five hundred employment as a laser operator under the delegation or supervision of a licensed physician, advanced registered nurse practitioner, or naturopathic physician, or other licensed professional whose licensure permits such delegation or supervision; (a) Is licensed in good standing to practice esthetics procedures in the state; and

(b) Pays a fee adopted by the board by rule.

or

(B) Forty hours of laser theory and fundamentals and a minimum of 24 hours of practical hands-on skills of a treatment modality listed in Section 1; (a) Is in good standing to practice esthetics procedures in the state; and

(b) Pays a fee adopted by the board by rule.

or

(C) Certification from a nationally recognized laser certification such as National Council on Laser Certifications, American Board of Laser Surgery or Allied Professional Association Laser Certification. (a) Is in good standing to practice esthetics procedures in the state; and

(b) Pays a fee adopted by the board by rule.

or

(D) Is certified to practice advanced nonablative esthetics procedures in a state where the requirements to practice advanced nonablative esthetics procedures are substantially similar to the requirements to practice advanced nonablative esthetics procedures in this state;

(a) Is in good standing to practice advanced nonablative esthetics procedures in the state where the applicant is certified to practice advanced nonablative esthetics procedures; and

(b) Pays a fee adopted by the board by rule.

