

Good afternoon. I am Mary Nielsen. I own and operate a laser training center in Tigard, Oregon. I am a licensed esthetician in Oregon and an esthetic instructor. I also own and operate a skin and laser clinic in Washington. I am a licensed Master Esthetician in Washington as well as an LPN.

I've been in medical esthetics for over 15 years and have worked as a contracted educator and trainer for laser companies, providing training to staff on new equipment throughout the Pacific Northwest and western Canada.

I started the laser training center two and half years ago because I could see a huge need for better training. Laser companies are under no mandate to provide a specific amount of training and the goal of a trainer is to get the customer familiar with the buttons and knobs on that particular machine, not teach laser theory, fundamentals or safety.

I'd like to offer some background on how House Bill 2642 came into existence.

Oregon affords its citizens a wide variety of beautiful landscapes to be active and engaged. From windsurfing in the Gorge to clam digging at the beach to backpacking in the mountains, fly fishing in rivers, and snowboarding in mountains, our active lifestyle options have perpetuated a culture that as people live longer, they want the image they see in the mirror to reflect the vitality they feel inside their bodies.

Like the rest of the country, they are turning to non-surgical, cosmetic options to look younger. Technology has afforded them the capability of taking years off their appearance through treatments that are safe and effective when done properly.

Oregon cosmetology regulations have not kept current with our rapidly evolving technology. The Board of Cosmetology issued information in 2006 in documents titled "Facial Forward" which seemed to indicate that estheticians providing laser services beyond laser hair removal was acceptable, and even included references to injectable services such as Botox and facial fillers.

Because of heavy media attention about 17 months ago that focused on one or two laser facilities that were operating with poorly trained staff that resulted in burns and other injuries, the Board of Cosmetology intended to impose an emergency ban on estheticians performing laser services for 180 days. A public hearing was held in October 2013. It was attended by estheticians, physicians and concerned consumers. Estheticians were gravely concerned about losing their ability to make a living for at least 6 months. Facility owners were concerned about the loss of income as well as the inability to make the payments on laser equipment they had purchased. Lasers are not cheap. Consumers were upset that they would lose a service they wanted because of a few bad apples.

The Board wisely decided against the ban and instead opted to organize a Rules Advisory Committee to provide guidance to the Board of Cosmetology for estheticians providing advanced treatments with lasers and other energy devices. The Rules Advisory Committee was composed of licensed estheticians, owners, cosmetology school operators and two physicians. I was on that committee. We met several times and it became apparent that we could not move forward without a legislative change in the statutes.

The committee disbanded and some members formed an Ad Hoc Committee that continued to meet to refine our position. We approached Val Hoyle, Margaret Doherty and John Huffman, who agreed to submit our proposal for legislation.

I met with Mark Mayer for the initial draft, which essentially creates a new Board to govern estheticians who will operate laser and other energy devices. We understand the dangers involved with lasers and agree that there are laser services that are beyond the scope of an esthetician, and belong in the medical realm. Our proposal divides laser services into ablative and non-ablative categories. Estheticians should be able to provide non-ablative services. Non-ablative treatments do not kill any tissue. Non-ablative treatments are intended for the beautification and anti-aging of the skin, getting rid of sun damage and improving fine lines and texture. The intent of the committee working on this bill was to consider evolving technology and by drawing the line between ablative

and non-ablative, we have done that. Treatments that were once considered only ablative, tattoo removal, for example, now have non-ablative options.

The initial draft needs more clarification. Rebecca Covey from Esthetix MD in Bend, Holly Mercer from the Board of Cosmetology, Mark Mayer from the Legislative Counsel office, Cody Chasteen from Val Hoyle's office, Lindsay Baker from Val Hoyle's office, Jennifer Lewis-Goff, Legislative Coordinator for the Oregon Health Authority, representative from the Radiation Protection Services and myself met and we have amendments that include additional consumer safety protections such as requiring a collaborative agreement with a medical professional who has prescriptive ability to attend to someone with a laser injury, mandatory first aid and CPR, equipment inspection and calibration requirements, and a requirement to operate under ANSI standards. ANSI is the American National Standards Institute, a national organization with a focus on device safety and Laser Safety Officers.

Other states have recognized the need for legislation requiring additional education and safety requirements surrounding the operation of cosmetic lasers. Washington, Utah, and Virginia have Master Esthetician licensure requirements.

I believe this legislation is historic for Oregon. It will keep consumers safe, standardize education and training and keep estheticians employed in family wage jobs.

Thank you.