

## **Proposed Amendment Revisions 02/18-/2015 (Layman's terms)**

### **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.

### **BOARD OF CERTIFIED ADVANCED ESTHETICIANS**

Board will be comprised of 7 members, 5 members who are certified advanced estheticians, 2 members from the general public and a non-voting member from Radiation Protection Services.

### **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 non-ablative 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. (Move to action under rule making)
  - (d) Provides disclosure 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 Higher Education Coordinating Commission by rule
- (g) Successfully completes any training requirements established by the Higher Education Coordinating Commission 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 Commission'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 Advanced Esthetician certification date, an applicant for a Certified Advanced 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 Advanced 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. (Also included in statute for certification after grandfathering)

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. (Also included in statute for certification after grandfathering)

Or

(E) Certified Advanced Esthetician program that combines education and training, approved by the Certified Advance Esthetician board and passes an exam determined by the board;