

March 17, 2021

Rep. Rachel Prusak, Chair of House Health Care Committee

Reps. Cedric Hayden & Andrea Salinas, Vice Chairs

Members of the House Health Care Committee

Representatives,

I am speaking against HB2970. I have the unique opportunity to understand both sides of the issues at stake with HB 2970. If I go back to 2013 under the Board of Cosmetology we were in the same predicament that the Esthetician's (CE) currently find themselves in which is how the BCAE came into existence.

I absolutely stand beside Estheticians and support their use of the equipment they use daily to enhance their clients appearance and keep their scope of practice. These galvanic current devices are NOT harmful and have been used upwards of 20-40 years safely by basic Estheticians (CE); some do and some do NOT require FDA approval.

However, the current bill needs work. It strikes out FDA approval that is required by OSHA/ANSI standards for operating the advanced laser and light technology CAE's are using, in order to allow CE's to use galvanic equipment that does not necessarily need to be FDA approved. So it creates a problem by trying to solve one. CAE's have been trained to use these FDA approved devices and may only operate the device under a collaborative agreement with a qualified medical provider. Taking out the language requiring FDA approval negates CAE's legal compliance with OSHA/ANSI relate to operating laser and light equipment and endangers the consumer.

The BCAE has protected consumers in Oregon and has developed training and rules that protect CAE's scope of practice. The rule making for CAE should stay within their BCAE board. When the BCAE board was initially being formed they asked the Board of Radiology (BR) to collaborate. This board is used to working with similar professions who operate lasers. The BCEA currently has a non-voting member from the BR. The BCAE is a successful board seeing only one complaint this biennium versus over several hundred when only the Board of Cosmetology existed.

We sympathize and agree that basic Estheticians were unintentionally and inadvertently affected by the legislation's vague language and this does need to be fixed but we can do so with a few different, specific changes.

I believe we can accomplish this via consensus in a standardized uniform way that protects consumers and Estheticians without risking consumer safety. We also must protect the livelihoods and future of all Esthetician's whether CE or CAE in Oregon. I support Estheticians in their right to do what they have always been allowed to do and CAE's to continue to elevate their practice; However, you would never allow nurses to oversee or regulate doctors for the same reason that basic estheticians should never be allowed to oversee or regulate advanced estheticians.

Dr. John D. Willer