

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 2998

By: Hasenbeck, McEntire, and
Pittman of the House

and

Daniels and Hicks of the
Senate

COMMITTEE SUBSTITUTE

An Act relating to laser hair removal; creating the
Laser Hair Removal Act; providing short title;
providing definitions; limiting hair removal
performance to certain instruments; requiring certain
credential; mandating certain training and education
program; requiring physician oversight of certain
facilities; providing exemption; mandating
establishment of protocols; describing supervision
requirements; regulating professional conduct of
laser practitioners; providing for codification; and
providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 538.1 of Title 59, unless there
is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Laser Hair
Removal Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 538.2 of Title 59, unless there is created a duplication in numbering, reads as follows:

1. "Health professional" means a physician, physician assistant as defined in Section 519.2 of Title 59 of the Oklahoma Statutes, Advanced Practice Registered Nurse as defined in Section 567.3a of Title 59 of the Oklahoma Statutes, Registered Nurse as defined in Section 567.3a of Title 59 of the Oklahoma Statutes, or Licensed Practical Nurse as defined in Section 567.3a of Title 59 of the Oklahoma Statutes;

2. "Laser hair removal" means the use of a class three or class four laser light-based device approved by the United States Food and Drug Administration (FDA) to perform a nonablative hair removal procedure that does not remove the epidermis. Laser hair removal does not include electrolysis as defined in Section 536.2 of Title 59 of the Oklahoma Statutes;

3. "Laser hair removal facility" means a business location that provides laser hair removal;

4. "Laser practitioner" means a person who practices laser hair removal pursuant to this act; and

5. "Physician" means a person licensed to practice medicine pursuant to the provisions of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act or the Oklahoma Osteopathic Medicine Act.

1 SECTION 3. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 538.3 of Title 59, unless there
3 is created a duplication in numbering, reads as follows:

4 A. A laser practitioner shall only perform laser hair removal
5 using lasers or pulsed light devices approved by the United States
6 Food and Drug Administration (FDA) for noninvasive procedures.

7 B. A person shall not perform or attempt to perform laser hair
8 removal unless the person holds the appropriate health professional
9 license or certificate as defined in Section 2 of this act. A laser
10 practitioner who is not a physician shall complete a laser
11 practitioner training and education program. A laser training and
12 education program may be completed internally at the laser hair
13 removal facility or via a third party, provided such third-party
14 program is overseen by a physician. A laser practitioner training
15 and education program shall include forty (40) total hours of
16 training which may be a combination of didactic training, in-person
17 hands-on training, and performance of laser hair removal procedures.

18 C. A laser hair removal facility shall be overseen by a
19 physician; provided, that Advanced Practice Registered Nurses shall
20 be exempt from this oversight requirement.

21 D. The overseeing physician shall:

22 1. Establish proper protocols for laser hair removal provided
23 at a facility including, but not limited to, complication
24 management. A laser practitioner shall follow all written procedure

1 protocols established and revised by the overseeing physician. Such
2 protocols shall require utilizing a physician, physician assistant,
3 or Advanced Practice Registered Nurse for complication management;

4 2. Determine the number of laser practitioners under such
5 physician's supervision; and

6 3. Review not less than ten percent (10%) of laser hair removal
7 patient records.

8 E. A physician shall not be required to be physically present
9 or to supervise laser hair removal, but shall be available for
10 communication during the procedure, either in person or by two-way,
11 real time interactive communication.

12 F. A laser practitioner may perform laser hair removal on a
13 patient without the prior evaluation or referral of such patient by
14 a physician.

15 G. The conduct of allopathic physicians and physician
16 assistants pursuant to this act shall be regulated by the State
17 Board of Medical Licensure and Supervision. The conduct of
18 osteopathic physicians pursuant to this act shall be regulated by
19 the State Board of Osteopathic Examiners. The conduct of Registered
20 Nurses, Licensed Practical Nurses, and Advanced Practice Registered
21 Nurses pursuant to this act shall be regulated by the Oklahoma Board
22 of Nursing.

H. Nothing in this act shall prohibit any person in the healing arts, in this state under any other act, from engaging in the practice for which he or she is duly licensed.

SECTION 4. This act shall become effective November 1, 2024.

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