

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 HOUSE BILL 2998

 By: Hasenbeck and **McEntire**

7 AS INTRODUCED

8 An Act relating to laser hair removal; creating the
9 Laser Hair Removal Act; providing definitions;
10 regulating certain instruments; regulating
11 performance of laser hair removal; mandating
12 establishment of protocols; regulating professional
13 conduct of the State Board of Medical Licensure and
14 Supervision; regulating professional conduct of the
15 Board of Nursing; providing for codification; and
16 providing an effective date.

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

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

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

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

1 1. "Health professional" means a physician, physician assistant
2 as defined in Section 519.2 of Title 59 of the Oklahoma Statutes,
3 advanced practice registered nurse as defined in Section 567.3a of
4 Title 59 of the Oklahoma Statutes, registered nurse as defined in
5 Section 567.3a of Title 59 of the Oklahoma Statutes, or licensed
6 practical nurse as defined in Section 567.3a of Title 59 of the
7 Oklahoma Statutes;

8 2. "Laser hair removal" means the use of a class three or class
9 four laser light-based device approved by the United States Food and
10 Drug Administration (FDA) to perform a nonablative hair removal
11 procedure that does not remove the epidermis. Laser hair removal
12 does not include electrolysis as defined in Section 536.2 of Title
13 59 of the Oklahoma Statutes;

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

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

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

22 SECTION 3. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 538.3 of Title 59, unless there
24 is created a duplication in numbering, reads as follows:

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

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

15 C. A laser hair removal facility shall be overseen by a
16 physician. A physician shall:

17 1. Establish proper protocols for laser hair removal provided
18 at a facility, including but not limited to, complication
19 management. A laser practitioner shall follow all written procedure
20 protocols established and revised by a physician. Such protocols
21 shall require utilizing a physician, physician assistant, or
22 advanced practice registered nurse for complication management;

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

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

3 D. A physician shall not be required to be physically present
4 or to supervise laser hair removal, but may be available for
5 communication during the procedure, either in person or by two-way,
6 real time interactive communication.

7 E. A laser practitioner shall be permitted to perform laser
8 hair removal on a patient without the prior evaluation or referral
9 of such patient by a physician.

10 F. The conduct of physicians and physician assistants pursuant
11 to this act shall be regulated by the State Board of Medical
12 Licensure and Supervision. The conduct of registered nurses,
13 licensed practical nurses, and advanced practice registered nurses
14 pursuant to this act shall be regulated by the Board of Nursing.

15 G. Nothing in the Laser Hair Removal Act shall prohibit any
16 person in the healing arts, in this state under any other act, from
17 engaging in the practice for which they are duly licensed.

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

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20 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE, dated
21 02/21/2024 - DO PASS, As Coauthored.
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