

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 2998

By: Hasenbeck

AS INTRODUCED

An Act relating to laser hair removal; creating the Laser Hair Removal Act; providing definitions; regulating certain instruments; regulating performance of laser hair removal; mandating establishment of protocols; regulating professional conduct of the State Board of Medical Licensure and Supervision; regulating professional conduct of the Board of Nursing; 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,

1 advanced practice registered nurse as defined in Section 567.3a of  
2 Title 59 of the Oklahoma Statutes, registered nurse as defined in  
3 Section 567.3a of Title 59 of the Oklahoma Statutes, or licensed  
4 practical nurse as defined in Section 567.3a of Title 59 of the  
5 Oklahoma Statutes;

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

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

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

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

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