

An Act

ENROLLED HOUSE
BILL NO. 2998

By: Hasenbeck, McEntire, and
Pittman of the House

and

Daniels and Hicks of the
Senate

An Act relating to laser hair removal; creating the Laser Hair Removal Act; 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.

SUBJECT: Laser hair removal

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.

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

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

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

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

D. The overseeing physician shall:

1. Establish proper protocols for laser hair removal provided at a facility including, but not limited to, complication management. A laser practitioner shall follow all written procedure protocols established and revised by the overseeing physician. Such protocols shall require utilizing a physician, physician assistant, or Advanced Practice Registered Nurse for complication management;

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

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

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

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

G. The conduct of allopathic physicians and physician assistants pursuant to this act shall be regulated by the State Board of Medical Licensure and Supervision. The conduct of osteopathic physicians pursuant to this act shall be regulated by the State Board of Osteopathic Examiners. The conduct of Registered Nurses, Licensed Practical Nurses, and Advanced Practice Registered Nurses pursuant to this act shall be regulated by the Oklahoma Board 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.

Passed the House of Representatives the 7th day of May, 2024.

[Signature]
Presiding Officer of the House
of Representatives

Passed the Senate the 24th day of April, 2024.

[Signature]
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 8th

day of May, 20 24, at 3:15 o'clock P. M.

By: *[Signature]*

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20 _____, at _____ o'clock _____ M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 13th

day of May, 20 24, at 2:42 o'clock P. M.

By: *[Signature]*