

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 2998

By: Hasenbeck and McEntire of
the House

4 and

5 Hicks of the Senate

6
7
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
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.

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15 AUTHOR: Add the following House Coauthor: Pittman

16 AUTHOR: Remove as principal Senate author Hicks and substitute as
17 principal Senate author Daniels. Retain Hicks as coauthor

18 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
entire bill and insert

19
20 "An Act relating to laser hair removal; creating the
21 Laser Hair Removal Act; providing short title;
22 providing definitions; limiting hair removal
23 performance to certain instruments; requiring certain
24 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

1 laser practitioners; providing for codification; and
2 providing an effective date.

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

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

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

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

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

20 2. "Laser hair removal" means the use of a class three or class
21 four laser light-based device approved by the United States Food and
22 Drug Administration (FDA) to perform a nonablative hair removal
23 procedure that does not remove the epidermis. Laser hair removal
24

1 does not include electrolysis as defined in Section 536.2 of Title
2 59 of the Oklahoma Statutes;

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

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

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

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

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

17 B. A person shall not perform or attempt to perform laser hair
18 removal unless the person holds the appropriate health professional
19 license or certificate as defined in Section 2 of this act. A laser
20 practitioner who is not a physician shall complete a laser
21 practitioner training and education program. A laser training and
22 education program may be completed internally at the laser hair
23 removal facility or via a third party, provided such third-party
24 program is overseen by a physician. A laser practitioner training

1 and education program shall include forty (40) total hours of
2 training which may be a combination of didactic training, in-person
3 hands-on training, and performance of laser hair removal procedures.

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

7 D. The overseeing physician shall:

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

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

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

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

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

1 G. The conduct of allopathic physicians and physician
2 assistants pursuant to this act shall be regulated by the State
3 Board of Medical Licensure and Supervision. The conduct of
4 osteopathic physicians pursuant to this act shall be regulated by
5 the State Board of Osteopathic Examiners. The conduct of Registered
6 Nurses, Licensed Practical Nurses, and Advanced Practice Registered
7 Nurses pursuant to this act shall be regulated by the Oklahoma Board
8 of Nursing.

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

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

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

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Presiding Officer of the Senate

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17 Passed the House of Representatives the ____ day of _____,

18 2024.

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Presiding Officer of the House
of Representatives

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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.

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

18 SECTION 5. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 538.1 of Title 59, unless there
20 is created a duplication in numbering, reads as follows:

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

23 SECTION 6. NEW LAW A new section of law to be codified
24 in the Oklahoma Statutes as Section 538.2 of Title 59, unless there
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 7. 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 8. This act shall become effective November 1, 2024.

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1 Passed the House of Representatives the 12th day of March, 2024.

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3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2024.

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8 _____
9 Presiding Officer of the Senate