

REFERENCE TITLE: cosmetic laser procedures; direct supervision

State of Arizona  
House of Representatives  
Fifty-third Legislature  
Second Regular Session  
2018

## HB 2378

Introduced by  
Representatives Clodfelter: Campbell, Cook, Hernandez, John, Payne,  
Stringer, Thorpe, Udall

AN ACT

AMENDING SECTION 32-516, ARIZONA REVISED STATUTES; RELATING TO  
COSMETOLOGY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 32-516, Arizona Revised Statutes, is amended to  
3 read:  
4 32-516. Aestheticians; cosmetologists; cosmetic laser and IPL  
5 device use; certification; fees; definitions  
6 A. An aesthetician or a cosmetologist who wishes to perform  
7 cosmetic laser procedures and procedures using IPL devices must:  
8 1. Apply for and receive a certificate from the department.  
9 2. Comply with the requirements of this section and department  
10 rules.  
11 3. Successfully complete forty hours of didactic training as  
12 required by department rules at a department-certified training  
13 program. The program shall provide a provisional certificate to the  
14 applicant verifying the successful completion of the didactic training.  
15 4. For hair removal, complete hands-on training that is supervised  
16 by a health professional who is acting within the health professional's  
17 scope of practice or by a laser technician who has a minimum of one  
18 hundred hours of hands-on experience per procedure. The health  
19 professional or laser technician must be present in the room during  
20 twenty-four hours of hands-on use of lasers or IPL devices. The  
21 supervising health professional or laser technician shall verify that the  
22 aesthetician or cosmetologist has completed the training and supervision  
23 as prescribed by this section.  
24 5. For other cosmetic laser and IPL device procedures, complete a  
25 minimum of an additional twenty-four hours of hands-on training of at  
26 least ten cosmetic procedures for each type of specific procedure that is  
27 supervised by a health professional who is acting within the health  
28 professional's scope of practice or by a laser technician who has a  
29 minimum of one hundred hours of hands-on experience per procedure. The  
30 health professional or laser technician must be present in the room during  
31 twenty-four hours of hands-on use of lasers or IPL devices. The  
32 supervising health professional or laser technician shall verify that the  
33 aesthetician or cosmetologist has completed the training and supervision  
34 as prescribed by this section.  
35 6. Submit to the department the provisional certificate from the  
36 training program and certification by the health professional or laser  
37 technician who directly supervised the applicant in the room during the  
38 hands-on training.  
39 B. The department shall issue a laser technician certificate  
40 authorizing the aesthetician or cosmetologist to use lasers and IPL  
41 devices if the applicant has completed the training for hair removal or  
42 lasers and IPL devices for other cosmetic procedures, as applicable, and  
43 shall maintain a current register of those laser technicians in good  
44 standing and whether certification is for hair removal only or other  
45 cosmetic procedures as well. The department may establish a fee for the

1 registration of aestheticians or cosmetologists as laser technicians and  
2 the issuance of certificates pursuant to this subsection. The department  
3 shall deposit monies collected pursuant to this subsection in the laser  
4 safety fund established by section 32-3234.

5 C. An aesthetician or a cosmetologist who has been certified as a  
6 laser technician by the department may use a laser or IPL device:

7 1. For hair removal under the indirect supervision of a health  
8 professional whose scope of practice permits the supervision.

9 2. For cosmetic purposes other than hair removal if the  
10 aesthetician or cosmetologist is directly supervised by a health  
11 professional whose scope of practice permits the supervision and the  
12 aesthetician or cosmetologist has been certified in those procedures.

13 D. The board shall investigate any complaint from the public or  
14 from another board or agency regarding a licensed aesthetician or  
15 cosmetologist who performs cosmetic laser procedures or procedures using  
16 IPL devices pursuant to this section. The board shall report to the  
17 department any complaint it receives about the training or performance of  
18 an aesthetician or a cosmetologist who is certified as a laser technician.

19 E. An aesthetician or a cosmetologist who used laser and IPL  
20 devices before November 24, 2009 may continue to do so if the aesthetician  
21 or cosmetologist received a certificate pursuant to this section before  
22 October 1, 2010.

23 F. For the purposes of this section:

24 1. "Department" means the department of health services.

25 2. "Directly supervised" means **A LASER SAFETY OFFICER OR** a health  
26 professional who is licensed in this state and whose scope of practice  
27 allows the supervision supervises the use of a laser or IPL device for  
28 cosmetic purposes while the **LASER SAFETY OFFICER OR** health professional is  
29 present at the facility where and when the device is being used.

30 3. "Health professional" means a person who is licensed pursuant to  
31 either:

32 (a) Chapter 11, article 2 of this title and who specializes in oral  
33 and maxillofacial surgery.

34 (b) Chapter 13, 14, 15, 17 or 25 of this title.

35 4. "Indirect supervision" means supervision by a health  
36 professional who is licensed in this state, whose scope of practice allows  
37 the supervision and who is readily accessible by telecommunication.

38 5. "IPL device" means an intense pulse light class II surgical  
39 device certified in accordance with the standards of the department for  
40 cosmetic procedures.

41 6. "Laser" means any device that can produce or amplify  
42 electromagnetic radiation with wavelengths in the range of one hundred  
43 eighty nanometers to one millimeter primarily by the process of controlled  
44 stimulated emission and certified in accordance with the standards for the  
45 department for cosmetic procedures.

1           7. "LASER SAFETY OFFICER" MEANS A PERSON WHO HAS THE AUTHORITY AND  
2           RESPONSIBILITY TO MONITOR AND ENFORCE THE CONTROL OF LASER HAZARDS AND TO  
3           EFFECT THE KNOWLEDGEABLE EVALUATION AND CONTROL OF LASER HAZARDS.

4           ~~7.~~ 8. "Laser technician" means a person who is or has been  
5           certified by the department pursuant to its rules and chapter 32, article  
6           2 of this title.