

REFERENCE TITLE: cosmetic laser procedures; direct supervision

State of Arizona
Senate
Fifty-fourth Legislature
First Regular Session
2019

SB 1287

Introduced by
Senator Gowan

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 program.
13 The program shall provide a provisional certificate to the applicant
14 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

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

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

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

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

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

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

24 F. For the purposes of this section:

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

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

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

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

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

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

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

42 6. "Laser" means any device that can produce or amplify
43 electromagnetic radiation with wavelengths in the range of one hundred
44 eighty nanometers to one millimeter primarily by the process of controlled

1 stimulated emission and certified in accordance with the standards for the
2 department for cosmetic procedures.

3 7. "LASER SAFETY OFFICER" MEANS A PERSON WHO BOTH:

4 (a) HAS THE AUTHORITY AND RESPONSIBILITY TO MONITOR AND ENFORCE THE
5 CONTROL OF LASER HAZARDS AND TO EFFECT THE KNOWLEDGEABLE EVALUATION AND
6 CONTROL OF LASER HAZARDS.

7 (b) IS REGULATED BY THE DEPARTMENT OF HEALTH SERVICES BY RULE.

8 ~~7.~~ 8. "Laser technician" means a person who is or has been
9 certified by the department pursuant to its rules and chapter 32, article
10 2 of this title.