

By: Representative Yates

To: Public Health and Human Services

HOUSE BILL NO. 1222

1 AN ACT RELATING TO THE PRACTICE OF USING A LASER TO
 2 ACCOMPLISH LASER HAIR REMOVAL BY A LASER PRACTITIONER; TO PROVIDE
 3 THAT A LASER PRACTITIONER SHALL ONLY PERFORM LASER HAIR REMOVAL
 4 USING LASERS APPROVED BY THE FDA FOR NONINVASIVE PROCEDURES; TO
 5 PROHIBIT PERSONS FROM PERFORMING LASER HAIR REMOVAL UNLESS THE
 6 PERSON HOLDS THE APPROPRIATE LICENSE OR CERTIFICATE TO PRACTICE AS
 7 A HEALTH PROFESSIONAL; TO PROVIDE THAT A LASER PRACTITIONER WHO IS
 8 NOT A PHYSICIAN MUST COMPLETE A LASER PRACTITIONER TRAINING AND
 9 EDUCATION PROGRAM; TO PROVIDE THAT A LASER HAIR REMOVAL FACILITY
 10 MUST BE OVERSEEN BY A PHYSICIAN; TO PROVIDE THAT A PHYSICIAN SHALL
 11 ESTABLISH PROPER PROTOCOLS FOR LASER HAIR REMOVAL PROVIDED AT A
 12 FACILITY, INCLUDING COMPLICATION MANAGEMENT; TO PROVIDE THAT A
 13 LASER PRACTITIONER MUST FOLLOW ALL WRITTEN PROCEDURE PROTOCOLS
 14 ESTABLISHED AND REVISED BY A PHYSICIAN; TO PROVIDE THAT A
 15 PHYSICIAN SHALL NOT BE REQUIRED TO BE PHYSICALLY PRESENT OR TO
 16 SUPERVISE LASER HAIR REMOVAL PROCEDURES, BUT MAY BE AVAILABLE FOR
 17 COMMUNICATION DURING THE PROCEDURE; TO PROVIDE THAT A LASER
 18 PRACTITIONER SHALL BE PERMITTED TO PERFORM LASER HAIR REMOVAL ON A
 19 PATIENT WITHOUT THE PRIOR EVALUATION OR REFERRAL OF SUCH PATIENT
 20 BY A PHYSICIAN; TO PROVIDE THAT THIS ACT DOES NOT PROHIBIT A
 21 PERSON FROM ENGAGING IN THE PRACTICE FOR WHICH THEY ARE DULY
 22 LICENSED OR PRIVILEGED TO PRACTICE UNDER ANY OTHER LAW OF THIS
 23 STATE; AND FOR RELATED PURPOSES.

24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

25 **SECTION 1.** (1) This section may be cited as the "Laser Hair
 26 Removal Act."

27 (2) It is the finding of the Legislature that laser hair
 28 removal is a medical procedure, and its practice by unqualified



29 persons presents danger to the public health and safety. Because
30 it is difficult for the public to make informed choices related to
31 laser hair removal services and since the consequences of wrong
32 choices can harm the public health and safety, it is the intent of
33 the Legislature to ensure that laser hair removal shall only be
34 performed by persons who possess the proper licensure and skills.
35 However, restrictions may be imposed only to the extent necessary
36 to protect the public and in a manner that will not unreasonably
37 affect the competitive market for the safe and effective delivery
38 of such services.

39 (3) As used in this section, the following terms shall be
40 defined as provided in this subsection:

41 (a) "Health professional" means a physician, physician
42 assistant as defined in Section 73-26-1(b), advanced practice
43 registered nurse as defined in Section 73-15-5(11), registered
44 nurse as defined in Section 73-15-5(7), or licensed practical
45 nurse as defined in Section 73-15-5(8);

46 (b) "Laser hair removal" means the use of a class three
47 or class four laser light-based device approved by the United
48 States Food and Drug Administration (FDA) to perform a nonablative
49 hair removal procedure that does not remove the epidermis;

50 (c) "Laser hair removal facility" means a business
51 location that provides laser hair removal;

52 (d) "Laser practitioner" means someone who practices
53 laser hair removal pursuant to this section;



54 (e) "Physician" means a doctor of medicine or doctor of
55 osteopathic medicine who holds an unrestricted license to practice
56 medicine in this state.

57 (4) A laser practitioner shall only perform laser hair
58 removal using lasers approved by the United States Food and Drug
59 Administration (FDA) for noninvasive procedures. A person shall
60 not perform or attempt to perform laser hair removal unless the
61 person holds the appropriate license or certificate to practice as
62 a health professional as defined in subsection (3)(a) of this
63 section.

64 (5) A laser practitioner who is not a physician shall
65 complete a laser practitioner training and education program. A
66 laser training and education program may be completed internally
67 at the laser hair removal facility or via a third party, provided
68 that such third-party program is overseen by a physician. A laser
69 practitioner training and education program shall include forty
70 (40) total hours of training, which may be a combination of
71 didactic training, in-person hands-on training, and performance of
72 laser hair removal procedures.

73 (6) A laser hair removal facility shall be overseen by a
74 physician.

75 (7) A physician shall establish proper protocols for laser
76 hair removal provided at a facility, including, but not limited
77 to, complication management. A laser practitioner shall follow
78 all written procedure protocols established and revised by a



79 physician. Such protocols shall require using a physician,
80 physician assistant, or advanced practice registered nurse for
81 complication management.

82 (8) A physician shall not be required to be physically
83 present or to supervise laser hair removal procedures, but may be
84 available for communication during the procedure, either in person
85 or by two-way, real time interactive communication.

86 (9) A laser practitioner shall be permitted to perform laser
87 hair removal on a patient without the prior evaluation or referral
88 of such patient by a physician.

89 (10) A physician shall determine the number of laser
90 practitioners under such physician's supervision for the purpose
91 of laser hair removal.

92 (11) A physician shall review not less than ten percent
93 (10%) of laser hair removal patient records.

94 (12) Nothing in this section shall prohibit a person from
95 engaging in the practice for which they are duly licensed or
96 privileged to practice under any other law of this state.

97 **SECTION 2.** This act shall take effect and be in force from
98 and after July 1, 2024.

