

SENATE BILL 995

J3, J2, J1

4lr2449

By: **Senator Klausmeier**

Introduced and read first time: February 2, 2024

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health – Laser Hair Removal – Requirements**
3 **(Laser Hair Removal Act)**

4 FOR the purpose of prohibiting an individual from performing or attempting to perform a
5 laser hair removal procedure unless the individual is a certain health professional;
6 establishing certain requirements for the performance of laser hair removal
7 procedures and laser hair removal practitioners; requiring certain physician
8 oversight of laser hair removal facilities and laser hair removal procedures
9 performed by laser hair removal practitioners; and generally relating to laser hair
10 removal procedures.

11 BY adding to
12 Article – Health – General
13 Section 19–3D–01 through 19–3D–04 to be under the new subtitle “Subtitle 3D.
14 Laser Hair Removal”
15 Annotated Code of Maryland
16 (2023 Replacement Volume)

17 Preamble

18 WHEREAS, Laser hair removal is a medical procedure, and its practice by
19 unqualified persons presents a danger to the public health and safety; and

20 WHEREAS, Because it is difficult for the public to make informed choices relating
21 to laser hair removal services and the consequences of wrong choices can harm the public
22 health and safety, laser hair removal must be performed only by persons who possess the
23 proper licensure and skills; and

24 WHEREAS, Restrictions should be imposed, however, only to the extent necessary
25 to protect the public and in a manner that will not unreasonably affect the competitive
26 market for the safe and effective delivery of such services; now, therefore,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That the Laws of Maryland read as follows:

3 **Article – Health – General**

4 **SUBTITLE 3D. LASER HAIR REMOVAL.**

5 **19–3D–01.**

6 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
7 INDICATED.

8 (B) “HEALTH PROFESSIONAL” MEANS AN INDIVIDUAL:

9 (1) WHO IS LICENSED OR CERTIFIED AS A PHYSICIAN, A PHYSICIAN
10 ASSISTANT, AN ADVANCED PRACTICE REGISTERED NURSE, A REGISTERED NURSE,
11 OR A LICENSED PRACTICAL NURSE UNDER THE HEALTH OCCUPATIONS ARTICLE;
12 AND

13 (2) FOR WHOM THE PERFORMANCE OF A LASER HAIR REMOVAL
14 PROCEDURE IS WITHIN THE SCOPE OF THE INDIVIDUAL’S LICENSE OR
15 CERTIFICATION.

16 (C) “LASER HAIR REMOVAL FACILITY” MEANS A BUSINESS LOCATION THAT
17 PROVIDES LASER HAIR REMOVAL.

18 (D) “LASER HAIR REMOVAL PRACTITIONER” MEANS A HEALTH
19 PROFESSIONAL WHO PRACTICES LASER HAIR REMOVAL.

20 (E) (1) “LASER HAIR REMOVAL PROCEDURE” MEANS THE USE OF A LASER
21 LIGHT-BASED DEVICE TO PERFORM A NONABLATIVE HAIR REMOVAL PROCEDURE
22 THAT DOES NOT REMOVE THE EPIDERMIS.

23 (2) “LASER HAIR REMOVAL PROCEDURE” DOES NOT INCLUDE
24 ELECTROLOGY.

25 **19–3D–02.**

26 THIS SUBTITLE MAY NOT BE CONSTRUED TO RESTRICT OR LIMIT AN
27 INDIVIDUAL LICENSED OR CERTIFIED UNDER THE HEALTH OCCUPATIONS ARTICLE
28 FROM ENGAGING IN A PRACTICE FOR WHICH THE INDIVIDUAL IS DULY LICENSED OR
29 CERTIFIED UNDER THAT ARTICLE.

1 **19-3D-03.**

2 (A) AN INDIVIDUAL MAY NOT PERFORM OR ATTEMPT TO PERFORM A LASER
3 HAIR REMOVAL PROCEDURE UNLESS THE INDIVIDUAL IS A HEALTH PROFESSIONAL.

4 (B) A LASER HAIR REMOVAL PRACTITIONER MAY PERFORM A LASER HAIR
5 REMOVAL PROCEDURE ONLY USING LASERS APPROVED BY THE U.S. FOOD AND
6 DRUG ADMINISTRATION FOR NONINVASIVE PROCEDURES.

7 (C) (1) A LASER HAIR REMOVAL PRACTITIONER WHO IS NOT A PHYSICIAN
8 SHALL COMPLETE A LASER HAIR REMOVAL PRACTITIONER TRAINING AND
9 EDUCATION PROGRAM.

10 (2) THE TRAINING AND EDUCATION PROGRAM REQUIRED UNDER
11 PARAGRAPH (1) OF THIS SUBSECTION:

12 (I) MAY BE COMPLETED:

13 1. AT A LASER HAIR REMOVAL FACILITY AT WHICH THE
14 LASER HAIR REMOVAL PRACTITIONER PROVIDES LASER HAIR REMOVAL
15 PROCEDURES; OR

16 2. USING A PROGRAM PROVIDED BY A THIRD PARTY IF
17 THE PROGRAM IS UNDER THE OVERSIGHT OF A PHYSICIAN; AND

18 (II) SHALL INCLUDE AT LEAST 40 HOURS OF TRAINING, WHICH
19 MAY CONSIST OF ANY COMBINATION OF DIDACTIC TRAINING, IN-PERSON HANDS-ON
20 TRAINING, AND THE PERFORMANCE OF LASER HAIR REMOVAL PROCEDURES.

21 **19-3D-04.**

22 (A) A LASER HAIR REMOVAL FACILITY SHALL BE OVERSEEN BY A
23 PHYSICIAN.

24 (B) A PHYSICIAN THAT PROVIDES OVERSIGHT FOR A LASER HAIR REMOVAL
25 FACILITY SHALL:

26 (1) ESTABLISH PROPER PROTOCOLS FOR LASER HAIR REMOVAL
27 PROCEDURES PROVIDED AT THE LASER HAIR REMOVAL FACILITY, INCLUDING
28 PROTOCOLS FOR THE MANAGEMENT OF PROCEDURE COMPLICATIONS INVOLVING
29 THE USE OF A PHYSICIAN, A PHYSICIAN ASSISTANT, OR AN ADVANCED PRACTICE
30 REGISTERED NURSE;

1 **(2) DETERMINE THE NUMBER OF LASER HAIR REMOVAL**
2 **PRACTITIONERS UNDER THE PHYSICIAN'S SUPERVISION AT THE LASER HAIR**
3 **REMOVAL FACILITY; AND**

4 **(3) REVIEW AT LEAST 10% OF ALL LASER HAIR REMOVAL PATIENT**
5 **RECORDS.**

6 **(C) A PHYSICIAN IS NOT REQUIRED TO BE PHYSICALLY PRESENT OR**
7 **IMMEDIATELY AVAILABLE TO SUPERVISE LASER HAIR REMOVAL PROCEDURES, BUT**
8 **MAY BE AVAILABLE FOR COMMUNICATION DURING THE PROCEDURE IN PERSON OR**
9 **BY TWO-WAY, REAL-TIME, INTERACTIVE COMMUNICATION.**

10 **(D) A LASER HAIR REMOVAL PRACTITIONER:**

11 **(1) SHALL FOLLOW WRITTEN PROTOCOLS ESTABLISHED AND**
12 **REVISED, AS NECESSARY, BY A PHYSICIAN UNDER SUBSECTION (B) OF THIS SECTION;**
13 **AND**

14 **(2) MAY PERFORM LASER HAIR REMOVAL PROCEDURES ON A**
15 **PATIENT WITHOUT:**

16 **(I) A PRIOR DIAGNOSIS OR INITIAL ASSESSMENT OF THE**
17 **PATIENT HAVING BEEN MADE BY A PHYSICIAN; OR**

18 **(II) AN INDIVIDUAL TREATMENT PLAN HAVING BEEN**
19 **PREPARED BY A PHYSICIAN.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2024.