

Department of Legislative Services  
Maryland General Assembly  
2024 Session

FISCAL AND POLICY NOTE  
First Reader

Senate Bill 995  
Finance

(Senator Klausmeier)

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**Health - Laser Hair Removal - Requirements (Laser Hair Removal Act)**

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This bill prohibits an individual from performing or attempting to perform a “laser hair removal procedure” unless the individual is a “health professional.” A “laser hair removal practitioner” may perform a laser hair removal procedure only using lasers approved by the U.S. Food and Drug Administration (FDA) for noninvasive procedures. A laser hair removal facility must be overseen by a physician, as specified. The bill may not be construed to restrict or limit an individual licensed or certified under the Health Occupations Article from engaging in a practice for which the individual is duly licensed or certified.

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**Fiscal Summary**

**State Effect:** None. The change is procedural/technical in nature and does not directly affect governmental finances.

**Local Effect:** None.

**Small Business Effect:** Potential meaningful.

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**Analysis**

**Bill Summary:** “Health professional” means an individual (1) who is licensed or certified as a physician, a physician assistant (PA), an advanced practice registered nurse (APRN), a registered nurse, or a licensed practical nurse and (2) for whom the performance of a laser hair removal procedure is within the scope of the individual’s license or certification.

“Laser hair removal practitioner” means a health professional who practices laser hair removal. “Laser hair removal procedure” means the use of a laser light-based device to perform a nonablative hair removal procedure that does not remove the epidermis. “Laser hair removal procedure” does not include electrolysis.

### *Laser Hair Removal Training and Education Program*

A laser hair removal practitioner who is not a physician must complete a laser hair removal practitioner training and education program. The program (1) may be completed at a laser hair removal facility at which the laser hair removal practitioner provides laser hair removal procedures or using a program provided by a third party if the program is under physician oversight and (2) must include at least 40 hours of training, which may consist of any combination of didactic training, in-person hand-on training, and the performance of laser hair removal procedures.

### *Laser Hair Removal Facilities*

A laser hair removal facility must be overseen by a physician, who must (1) establish proper protocols for laser hair removal procedures provided at the facility, including protocols for the management of procedure complications involving the use of a physician, PA, or APRN; (2) determine the number of laser hair removal practitioners under the physician’s supervision at the laser hair removal facility; and (3) review at least 10% of all laser hair removal patient records. A physician is not required to be physically present or immediately available to supervise laser hair removal procedures but may be available for communication during the procedure in person or by two-way, real-time, interactive communication.

A laser hair removal practitioner must follow written protocols established and revised, as necessary, by a physician and may perform laser hair removal procedures on a patient without (1) a prior diagnosis or initial assessment of the patient having been made by a physician or (2) an individual treatment plan having been prepared by a physician.

**Current Law:** In general, laser hair removal facilities are not regulated by the State.

### *Maryland Board of Physicians*

The mission of the Maryland Board of Physicians (MBP) is to assure quality health care in Maryland through the efficient licensure and effective discipline of health providers under its jurisdiction by protecting and educating clients/customers and stakeholders and enforcing the Maryland Medical Practice Act. The board has regulatory authority over physicians, PAs, radiographers, radiation therapists, nuclear medicine technologists,

radiologist assistants, respiratory care practitioners, polysomnographic technologists, athletic trainers, perfusionists, naturopathic doctors, and genetic counselors.

In general, an individual must be licensed by MBP before the individual may practice as a PA under the supervision of a licensed physician.

### *Maryland Board of Nursing*

The Maryland Board of Nursing (MBON) is responsible for the regulation and oversight of nursing professionals in the State, ensuring that nurses comply with federal and State laws governing the profession through the regulation and oversight of education and training programs and by taking disciplinary action against licensees and certificate holders when warranted. Generally, an individual must be licensed and/or certified by MBON to practice specified nursing duties in the State.

### *Electrology*

Electrology is the science of permanent hair removal utilizing solid needle or probe devices. The practice entails the discharge of a small amount of electrical current by a fine sterile needle or probe into the base of a hair follicle. In general, an individual must be licensed by MBON as an electrologist to practice electrology in the State. “Practice electrology” means to remove hair permanently through the use of electrical instruments.

### *Federal Laser Regulation*

[FDA](#) recognizes four major hazard classes of lasers based on laser power and the potential to cause serious injury if used improperly. Medical device lasers for eye surgery or skin treatments are classified as FDA Class IV lasers. In general, FDA ensures that medical laser products are calibrated correctly for their intended use.

**Small Business Effect:** Small business laser hair removal facilities must (1) be overseen by a physician; (2) follow the physician’s protocols; (3) ensure that laser hair removal practitioners meet specified qualifications; and (4) only use FDA-approved lasers for noninvasive procedures. To the extent small business laser hair removal facilities are not already compliant with the bill, expenditures increase accordingly.

**Additional Comments:** According to the American Society for Dermatologic Surgery, laser hair removal directs highly concentrated light specifically into hair follicles, where it is absorbed by the pigment in the follicle, destroying the hair.

## **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:** First Reader - March 7, 2024  
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