

2020 -- S 2654

LC005141

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO HEALTH AND SAFETY

Introduced By: Senator Adam J. Satchell

Date Introduced: February 27, 2020

Referred To: Senate Health & Human Services

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 95

4 MEDICAL SPAS

5 **23-95-1. Definitions.**

6 For purposes of this chapter:

7 (1) "Medical spa" means an establishment in which cosmetic medical procedures are
8 performed.

9 (2) "Cosmetic medical procedure" means any procedure performed on a person that is
10 directed at improving the person's appearance and that does not meaningfully promote the proper
11 function of the body or prevent or treat illness or disease and may include, but is not limited to,
12 cosmetic surgery, microneedling, hair transplants, cosmetic injections, cosmetic soft tissue fillers,
13 dermaplaning, dermastamping, dermarolling, dermabrasion that removes cells beyond the stratum
14 corneum, chemical peels using modification solutions that exceed thirty percent (30%)
15 concentration with a pH value of lower than 3.0, laser hair removal, laser skin resurfacing, laser
16 treatment of leg veins, sclerotherapy and other laser procedures, intense pulsed light, injection of
17 cosmetic filling agents and neurotoxins and the use of class II medical devices designed to induce
18 deep skin tissue alteration.

19 **23-95-2. Medical spa personnel.**

- 1 (a) Each medical spa shall employ or contract for the services of:
- 2 (1) A physician licensed pursuant to chapter 37 of title 5; or
- 3 (2) A physician assistant licensed pursuant to chapter 54 of title 5; or
- 4 (3) An advanced practice registered nurse licensed pursuant to chapter 34 of title 5.
- 5 (b) Each such physician, physician assistant or advanced practice registered nurse shall:
- 6 (1) Be actively practicing in the state; and
- 7 (2) Have received education or training from an institution of higher education or
- 8 professional organization to perform cosmetic medical procedures and have experience performing
- 9 such procedures.
- 10 (c) Any cosmetic medical procedure performed at a medical spa shall be performed by such
- 11 physician, physician assistant or advanced practice registered nurse, or a registered nurse licensed
- 12 pursuant to chapter 34 of title 5.
- 13 (d) A physician, physician assistant or advanced practice registered nurse who is employed
- 14 by, or under contract with, the medical spa shall perform an initial physical assessment of each
- 15 person undergoing a cosmetic medical procedure at the medical spa prior to such procedure being
- 16 performed.
- 17 (e) Each medical spa shall post information, including the names and any specialty areas
- 18 of any physician, physician assistant, advanced practice registered nurse or registered nurse
- 19 performing cosmetic medical procedures, in a conspicuous place that is accessible to customers at
- 20 the medical spa and on any Internet website maintained by the medical spa. Such information shall
- 21 also be:
- 22 (1) Contained in any advertisement by the medical spa or state that such information may
- 23 be found on the medical spa's Internet website and list the address for such Internet website; and
- 24 (2) Contained in a written notice that is provided to each person before undergoing any
- 25 cosmetic medical procedure at the medical spa.

26 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would require medical spas to employ or contract for the services of a licensed
2 physician, physician assistant, or advanced practice nurse. Additionally each spa would be required
3 to post information about personnel performing cosmetic medical procedures, and provide a written
4 notice to a person before said procedure is performed.

5 This act would take effect upon passage.

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