

2021 -- H 5844

=====
LC002146
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

—————
A N A C T

RELATING TO HEALTH AND SAFETY

Introduced By: Representatives Baginski, Casimiro, and Bennett

Date Introduced: February 24, 2021

Referred To: House Health & Human Services

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

17 (2) "Medical spa" means an establishment in which cosmetic medical procedures are
18 performed.

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) A registered nurse licensed pursuant to chapter 34 of title 5.

5 (b) Each such physician, physician assistant or 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 a registered nurse licensed pursuant to chapter 34 of title 5.

12 (d) A physician, physician assistant or registered nurse who is employed by, or under
13 contract with, the medical spa shall perform an initial physical assessment of each person
14 undergoing a cosmetic medical procedure at the medical spa prior to such procedure being
15 performed.

16 (e) Each medical spa shall post information, including the names and any specialty areas
17 of any physician, physician assistant, or registered nurse performing cosmetic medical procedures,
18 in a conspicuous place that is accessible to customers at the medical spa and on any Internet website
19 maintained by the medical spa. Such information shall also be:

20 (1) Contained in any advertisement by the medical spa or state that such information may
21 be found on the medical spa's Internet website and list the address for such Internet website; and

22 (2) Contained in a written notice that is provided to each person before undergoing any
23 cosmetic medical procedure at the medical spa.

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

=====
LC002146
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY

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

5 This act would take effect upon passage.

=====
LC002146
=====