



Laser Laws:

The Lowdown on Hair Removal

by Louis Silberman

Since arriving on the scene in the late 1990s, the laser hair removal industry has gone through a metamorphosis. The technology has changed, the accessibility has changed, and in many states, the regulations have changed. While it can be tough to keep up with all of the regulatory changes, emerging laws, statutes and regulations are helping to strengthen our business and improve the overall client experience.

I know this from my own experience in the industry. I opened my first medical spa in 2003 in Scottsdale, Arizona with my business partner Matthew Gould. Immediately we noticed a problem. While there was a high demand for laser hair removal and the other cosmetic laser treatments we offered, there was a shortage of practitioners who were adequately trained to perform the procedures in a safe and effective manner.

Back then, the cosmetic laser industry was like the Wild West. There were few rules, a high risk of consumer injury (burns and scarring), and standardized laser training programs were nonexistent. Cosmetic laser education was limited to a four-hour equipment training session from the laser manufacturers. Basically, anyone could pick up a laser and zap a client.

There are still no federal guidelines for laser hair removal or cosmetic laser procedures, but more and more state governmental and regulatory agencies are drafting laws to regulate this practice. In many cases, these laws help improve the quality and safety of the treatments while increasing consumer confidence. So, it is a win-win situation for laser hair removal practitioners and consumers.

The History of Laser Regulation

Arizona was the first state to require a set number of mandatory training hours in order to legally perform laser and intense pulsed light treatments. In 2005, the Arizona Radiation Regulatory Association ruled that a cosmetic laser technician must complete 40 hours of classroom education on skin biology, laser physics and safety protocols; 24 hours of clinical hands-on practice in laser hair removal; and 24 hours of clinical hands-on practice in other light-based treatment modalities. To ensure that practitioners are trained in accordance with the regulations, all training must be done at a state-approved facility.

I have been in favor of this legislation since day one, and I worked with an Arizona congressional committee to advocate on behalf of it. I have also traveled to other states, including

Nevada, to speak to state legislators about implementing a standard level of cosmetic laser training for anyone who wants to perform laser hair removal or other cosmetic laser procedures.

I support these requirements so strongly because the Arizona legislation has helped improve consumer safety and the professional reputation of the cosmetic laser industry. When clients enter a medical spa or doctor's office in the state of Arizona, they can be confident that the person performing the procedure has undergone a set amount of training to become proficient in hair removal and other cosmetic laser procedures.

While Arizona was the first state to enact regulations regarding laser and light-based cosmetic treatments, other states are now following suit and putting their own requirements in place. For example, in 2010, Texas lawmakers

passed The Laser Hair Removal Statute, which put in place mandatory training hours and training prerequisites for laser hair removal certification. The Texas Laser Hair Removal Statute requires that individuals must undergo 40 hours of training at a state-approved training facility and perform 100 cosmetic laser procedures before becoming a laser hair removal technician.

In some states, the laws concerning laser hair removal and other cosmetic laser and light-based treatments are very new and not very specific. There is a large gray area that typically gives doctors the discretion to delegate cosmetic laser procedures to anyone. Because these laws vary from state to state, it is important to check with a national training institute to learn the requirements in state in which you do business.

Combined Credentials

While most states do not require an additional license to become a laser hair removal or cosmetic laser technician, some state regulatory boards require that a technician also hold an aesthetician or cosmetology license in order to perform laser hair removal and any other cosmetic laser procedure. One state that requires additional credentials is Georgia. In 2007, Georgia passed the Cosmetic Laser Services Act, which puts certain prerequisites in place: A practitioner must hold an aesthetician or master cosmetologist license or be a medical professional. Mandatory hours of laser training are also required to earn the certification for an "assistant" or "senior" laser practitioner.

In a small number of states, a cosmetic laser procedure can only be performed by a medical professional. California requires that a doctor, physician's assistant or nurse perform laser hair removal or any cosmetic laser procedure. New Jersey also limits the practice of cosmetic lasers solely to medical professionals.



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The Future of Laser Regulation

In several states, legislative committees have been formed and sessions have been held to try to create rules to determine who should and should not be allowed to perform laser hair removal and other laser and light-based cosmetic treatments. Medical aesthetics is an eight billion dollar business. So, in many of these discussions there are issues of economics and jurisdiction.

These issues often include debates over the type professional background needed to perform treatments. However, I believe the only issue that should be a factor in the decision is consumer safety.

I know doctors, nurses, aestheticians, cosmetologists and laser technicians who all perform laser hair removal and other cosmetic laser procedures. They have expressed that receiving a comprehensive education in cosmetic laser procedures was extremely valuable. Procedures like laser hair removal, laser tattoo removal, laser acne scar reduction, laser wrinkle reduction, laser stretch mark reduction and intense pulsed light photofacial treatments are not taught in medical school, nor are these procedures taught as part of a general aesthetics or cosmetology course.

Data gathered by a professional program insurance brokerage that provides cosmetic laser insurance showed that the most important factor in administering laser hair removal and other cosmetic laser treatments is proper education. The insurance brokerage's findings suggest that practitioners of all backgrounds receive a minimum of 30 hours of cosmetic laser training. As a result of the data, the insurance brokerage found that it does not matter if the person operating the laser has a background as a doctor, nurse, physician's assistant, aesthetician or cosmetologist. The brokerage's research showed that anyone with the proper education can operate a laser in a safe and effective manner.

When I look into my crystal ball to predict the future of cosmetic laser regulation, I see more states following the lead of Arizona and Texas and making mandatory training hours a prerequisite for anyone who wants to perform laser hair removal or any other cosmetic laser procedure. I believe regulatory agencies will see that training is the most important element in safely and effectively operating a cosmetic laser.

The demand for laser hair removal is growing fast. In the past couple of years, advancements in technology and the "daily deal" marketplace have made laser hair removal more popular and more affordable than ever. Consumers who once chose waxing as their preferred hair removal method are now opting for the permanent hair reduction lasers can achieve. As more consumers seek this treatment, it is paramount that practitioners obtain the proper education to perform laser hair removal safely and effectively.

Laser Education

Without a doubt, there are several key things a practitioner must be very well trained in prior to treating clients with a cosmetic laser. A practi-

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on how to properly care for and maintain laser machines is extremely important.

Even if the state you work in does not require mandatory training hours as a prerequisite to becoming a laser technician or medical aesthetician, comprehensive education and training are essential to safely and effectively performing laser hair removal and other cosmetic laser procedures. Comprehensive education provides an understanding of the physics of cosmetic laser technology and tissue interactions, as well as the proper techniques and safety protocols associated with these procedures. The industry-accepted standard in cosmetic laser education is two weeks of combined didactic classroom education and clinical hands-on training at an accredited facility. **D**

tioner must be educated on proper eyewear and protective equipment, including cooling systems. A practitioner must be familiar with nominal hazard zones and receive Laser Safety Officer training. A practitioner must understand the wavelength settings based on the Fitzpatrick Scale to minimize the risk of burns and maximize the desired result. He or she must also be trained on pre- and post-care procedures, and be able to determine if a skin type is appropriate for laser hair removal or another cosmetic laser procedure. In addition, knowledge



Louis Silberman is president and founder of National Laser Institute, the largest cosmetic laser and medical aesthetic training center in North America. As an expert in medical aesthetics, a medical spa owner and nationally recognized author, marketing speaker and business consultant, Silberman has been a driving force behind the organization of advanced laser safety and clinical practice courses for professionals who use cosmetic lasers. Contact Silberman at (800) 982-6817 or louis@nlionline.com

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