



Use of Lasers/Delegation of Medical Functions

Board-by-Board Overview

	Laser Regulation Law, Rule or Policy	Requirements Related to Supervision and/or Delegation of Medical Functions to Unlicensed Individuals
AL	<p style="text-align: center;">Ala. Admin Code 540-X-11 “Guidelines for the Use of Lasers and Other Modalities Affecting Living Tissue”</p> <p style="text-align: center;">Alabama Board of Medical Examiners “Use of Lasers FAQ”</p>	<p style="text-align: center;">Ala. Admin Code 540-X-11 “Guidelines for the Use of Lasers and Other Modalities Affecting Living Tissue”</p>
AK	<p style="text-align: center;">AK Department of Commerce, October 2007 “Guideline Regarding the Use of Lasers and Laser Surgery”</p>	<p style="text-align: center;">AK State Medical Board Guidelines, June 2004 “Guideline for Physicians in Delegating Procedures to Non-Physician Personnel When Performing Certain Dermatological Procedures.”</p> <p style="text-align: center;">AK State Medical Board Guidelines, January 2012 “Guideline: Delegating to Medical Assistants (Unlicensed Assistive Personnel)”</p>
AZ-M	<p style="text-align: center;">A.R.S. § 32-3231 et seq. “Cosmetic Laser & Injection Procedure”</p> <p style="text-align: center;">Ariz. Admin. Code R12-1-1440 “Medical Lasers”</p>	<p style="text-align: center;">A.R.S. § 32-3232 “Supervision”</p> <p style="text-align: center;">A.R.S. § 32-1456 “Medical Assistants”</p> <p style="text-align: center;">Ariz. Admin. Code R4-16-401 et seq. “Medical Assistants”</p> <p style="text-align: center;">Ariz. Admin. Code R12-1-1438 “Hair Reduction and Other Cosmetic Procedures Using Laser and Intense Pulsed Light”</p>

AZ-O	--	A.R.S. § 32-1456 “Medical Assistants” Ariz. Admin. Code R4-22-402 et seq. “Medical Assistants Authorized Procedures”
AR	Regulations of the Arkansas State Medical Board “Regulation No. 22. Laser Surgery Guidelines”	Ark. Rev. Stat. § 17-105 et seq. “Physician Assistants” Regulations of the Arkansas State Medical Board “Regulation No. 31: Physician Delegation Regulation”
CA-M	CA Business & Professional Code § 2023.5 California Medical Board “FAQs – Cosmetic Treatments” California Medical Board “The Bottom Line: The Business of Medical Spas”	CA Business & Professional Code §§ 2069-2071 “Medical Assistants” California Medical Board “FAQs – Cosmetic Treatments”
CA-O	--	CA Business & Professional Code § 2459.6
CO	Colorado Medical Board, July 2010 “Policy: Use of Lasers to Provide Medical Services”	Colorado Medical Board, January 2011 “Rule: Delegation and Supervision of Medical Services”
CT	Connecticut Medical Examining Board “Declaratory Ruling on Use of Lasers for Hair Removal” Connecticut State Board of Chiropractic Examiners, August 2007 “Declaratory Ruling on Use of Lasers in a Chiropractic Practice”	CT Gen. Stat. § 20-9 “Who May Practice Medicine or Surgery”
DE	24 Del. Admin. Code §5100-14.0 “Health and Sanitation; Electric Nail Files, Hair Removal and Laser Technology”	24 Del. Admin. Code § 1700-11.0 “Delegation of Responsibilities to Non-physicians”
DC	--	--
FL-M	Fla. Admin. Code 64B15-14.007 “Standard of Care for Office Surgery” Fla. Admin. Code 64B8-56.002 “Protocols for Laser and Light-Based Devices” Florida Department of Health “Laser Information”	Fla. Stat. 458.348 “Formal supervisory relationships, standing orders, and established protocols”
FL-O	Same as FL-M	Fla. Stat. 459.025 “Formal supervisory relationships, standing orders, and established protocols”

GA	O.C.G.A. § 43-34-244 “Georgia Cosmetic Laser Services Act”	O.C.G.A. § 43-34-44 “Role of medical assistants clarified” Georgia Composite Medical Board Rule § 360-3-.05 “Medical Assistants, Polysomnography Technologists, and Radiology Technologists”
GU	--	--
HI	Hawaii Medical Board, August 2014 “Scope of Practice: Clarification Regarding the Use of Laser”	Haw. Rev. Stat. § 453-5.3(a) “Physician assistant; licensure required”
ID	Idaho State Board of Medicine, Sept. 2007 “Guidelines for Hair Removal using Intense Pulsed Light and/or Laser Devices by Supervised Medical Personnel”	Idaho Admin. Code § 22.01.04 “Rules of the Board of Medicine for Registration of Supervising and Directing Physicians”
IL	68 Ill. Admin. Code § 1285.336 “Use of Lasers” 32 Ill. Admin. Code § 315 “Standards for Protection Against Laser Radiation”	225 Ill. Comp. Stat. § 60/54.2 “Physician delegation of authority”
IN	844 IAC 4-3-2 “Surgical Operations”	IC 25-22.5-1-2 “Physicians; Exclusions”
IA	Iowa Medical Board, April 2006 “The Use of Lasers, Intense Pulsed Light Devices, and Radio-Frequency Devices”	Iowa Medical Board, April 2006 “The Use of Lasers, Intense Pulsed Light Devices, and Radio-Frequency Devices”
KS	K.A.R. 100-27-1 “Light Based Medical Treatment”	KSA 65-2872 “Persons not engaged in the practice of the healing arts” K.A.R. 100-27-1 “Light Based Medical Treatment”
KY	Kentucky Board of Medical Licensure “Opinion: Laser Surgery”	Kentucky Board of Medical Licensure “Opinion: Laser Surgery; IX: Non-physician Qualifications”
LA	La. Rev. Stat. § 37:1261(3) “Practice of Medicine” Louisiana State Board of Medical Examiners, Nov. 2001 “Position: Use of Medical Lasers, Chemical Skin Treatments”	La. Rev. Stat. § 37:1360.38 “Guidelines for certification and practice; Exemptions” Louisiana State Board of Medical Examiners, Nov. 2001 “Position: Use of Medical Lasers, Chemical Skin Treatments”
ME-M	32 M.R.S.A. § 14202.7 “Practice of aesthetics”	32 M.R.S.A. § 3270-A “Assistants” Maine Board of Licensure in Medicine, Nov. 2013 “Advisory Ruling: Assistants (Unlicensed) Scope of Practice”
ME-O	Same as ME-M	--

MD	<p>COMAR § 10.32.09 “Cosmetic medical procedures”</p> <p>Maryland Board of Physicians, Fall 2004 Newsletter “Laser Hair Removal and Cosmetic Medical Procedures”</p> <p>Maryland Department of Health and Mental Hygiene, October 2002 “Declaratory Ruling: The Use of Lasers for Hair Removal”</p>	<p>COMAR § 10.32.12 “Delegation of Acts by a Licensed Physician to an Assistant Not Otherwise Authorized under the Health Occupations Article or the Education Article”</p>
MA	<p>243 CMR 5.01(2) “Practice of Acupuncture”</p> <p>105 CMR 121.00 “To control the radiation hazards of lasers”</p>	<p>243 CMR 2.07(4) “Delegation of Medical Services”</p>
MI-M	<p>Michigan Department of Community Health, December 2005 “Position Statement: Use of Laser Equipment by Health Professionals”</p>	<p>MCL § 333.16215 “Delegation of acts, tasks, or functions to licensed or unlicensed individuals; supervision; immunity”</p>
MI-O	Same as MI-M	Same as MI-M
MN	<p>MN Statute §147.081.3 “Practice of Medicine Defined”</p>	--
MS	<p>MS Board of Medical Licensure Admin. Code 30 § 2635.3 “Laser Devices”</p>	--
MO	<p>Missouri Board of Healing Arts, June 2011 “Guidelines: Medical Spas, Lasers, Botox”</p>	--
MT	<p>Admin. Rules of Montana § 24.156.501 “Definition”</p> <p>Admin Rules of Montana § 24.121.1509 “Implements, Instruments, Supplies, and Equipment”</p>	<p>Montana Code Ann. § 37-3-104 “Medical Assistants - Guidelines”</p> <p>Admin. Rules of Montana § 24.156.640 “Medical Assistant”</p>
NE	<p>Joint Board Dermatologic Workgroup Final Report, August 2011 “Scope of Practice Related to Non-Ablative Laser Procedures”</p>	<p>Joint Board Dermatologic Workgroup Final Report, August 2011 “Scope of Practice Related to Non-Ablative Laser Procedures”</p>
NV-M	<p>Nev. Rev. Stat. § 630.371 “Performance of laser surgery on eye without proper training”</p>	<p>Nev. Rev. Stat. § 454.213(22) “Authority to possess and administer dangerous drug”</p> <p>Nev. Rev. Stat. § 630.138 “Board authorized to adopt rules governing supervision of medical assistants”</p> <p>Nevada State Board of Medical Examiners “Medical Assistants and Administration of Prescription Drugs”</p>

NV-O	--	--
NH	R.S.A. 329:1 “Physicians and Surgeons; Practice”	--
NJ	NJ Admin. Code § 13:35-4A.1 “Surgery, Special Procedures and Anesthesia Services Performed in an Office Setting” NJ Admin. Code § 13:35-12 “Electrologists Advisory Committee; Licensure of Electrologists and Electrology Instructors; Electrology Standards of Practice”	NJ Admin. Code § 13:35-6.4 “Delegation of Administration of Subcutaneous and Intramuscular Injections to Certified Medical Assistants”
NM-M	NMAC § 16.10.13.1 et seq. “Delegated Use of Devices and Procedures by Medical Assistants; Cosmetic Injections” New Mexico Medical Board “Policy: Lasers and Light Activated Devices for Hair Removal”	New Mexico Stat. § 61-6-17 “Exceptions to Medical Practice Act” NMAC § 16.10.13.1 et seq. “Delegated Use of Devices and Procedures by Medical Assistants; Cosmetic Injections” New Mexico Medical Board “Policy: Lasers and Light Activated Devices for Hair Removal”
NM-O	--	--
NY	NY PHL § 230-d “Office-Based Surgery” New York Department of Health “Office-Based Surgery”	NY Education Law § 6530 “Definitions of Professional Misconduct Applicable to Physicians, Physician’s Assistants and Specialist’s Assistants”
NC	NC Medical Board, July 2005 “Position Statement: Laser Surgery” NC Medical Board, Spring 2012 “Laser Hair Removal and Laser Tattoo Removal”	N.C. Gen. Stat. § 90-18 “Practicing without license” 21 NCAC 32S .0213 “Supervision of Physician Assistants” NC Medical Board, Spring 2012 “Laser Hair Removal and Laser Tattoo Removal”
ND	N.D. Century Code 43-38 “Electrologists and Electronic Hair Removal Technicians”	N.D. Admin. Code. 50-03-01-06 “Assistant’s functions limited”
OH	Ohio Admin. Rules 4731-18-01 et seq. “Standards for Surgery & Use of Light-based Medical Devices”	Ohio Admin. Rules 4731-23 “Delegation of Medical Tasks”
OK-M	Oklahoma Medical Board, November 2008 “Policy and Guidelines for Medical Spas & Aesthetic Procedures”	Oklahoma Medical Board, November 2008 “Policy and Guidelines for Medical Spas & Aesthetic Procedures”
OK-O	--	--

OR	Oregon Medical Board, January 2002 “Statement of Philosophy: Medical Use of Lasers”	OR Rev. Stat. § 677.505 “Application of provisions governing physician assistants to other health professions”
PA-M	--	49 Pa. Code § 18.402 “Delegation of Medical Services”
PA-O	--	49 Pa. Code § 25.217 “Delegation”
PR	--	--
RI	Rhode Island Board of Medical Licensure & Discipline, March 2011 “Policy Statements: Office based esthetic procedures”	RI Gen L § 5-54-3 “Physician Assistants; Exemptions” RI Dept. of Health, February 2014 “Guidelines Regarding Scope of Practice, Supervision, and Minimum Expectations of Conduct of Medical Assistants”
SC	South Carolina Board of Medical Examiners, November 2007 “Policy: Medical Devices/Delegatable Medical Act”	SC Code Ann. § 40-47-30 “Licensure Requirement; excepted activities” South Carolina Board of Medical Examiners, November 2007 “Policy: Medical Devices/Delegatable Medical Act”
SD	SD Codified L § 36-4-8.2 “Surgery constituting practice of medicine”	SD Board of Medical and Osteopathic Examiners, March 2012 “Laser Utilization by Nurse Practitioners and Physician Assistants”
TN-M	TN Admin. Code 0880-02-.14(10) “Use of Laser Equipment” TN Admin. Code 0880-02-.21 “Office Based Surgery”	--
TN-O	TN Admin. Code 1050-02.13(10) “Use of Laser Equipment” TN Admin. Code 1050-02-.21 “Office Based Surgery”	--
TX	TX Admin. Code § 193.17 “Nonsurgical Medical Cosmetic Procedures”	TX Admin. Code §§ 193.1-193.10 “Standing Delegation Orders” Tx. Occ. Code § 157.001 “General Authority of Physician to Delegate”

UT-M	Utah Code § 58-11a-102(28) “Practice of basic esthetics” Utah Admin. Code R156-11a-611 “Standards for Approval of Mechanical or Electrical Apparatus”	--
UT-O	Same as UT-M	--
VT-M	26 V.S.A. § 4402(3) “Electrology” 26 V.S.A. § 1728(b)(1) “Use of therapeutic pharmaceutical agents”	--
VT-O	--	--
VA	Virginia Board of Medicine, February 2008 “Guidelines for Light-based Hair Removal in Physician Practices”	VA Code § 54.1-2901(6) “Exceptions and exemptions generally”
WA-M	WAC 246-919-605 “Use of lasers, light, radiofrequency, and plasma devices as applied to the skin”	WAC 246-919-605(10) “Delegation of LLRP Treatment”
WA-O	WAC 246-853-630 “Use of lasers, light, radiofrequency, and plasma devices as applied to the skin”	WAC 246-853-630(10) “Osteopathic Physician Delegation of LLRP Treatment”
WV-M	W. Va. Code § 30-3-4(3) “Practice of Medicine and Surgery” West Virginia Board of Medicine, February 2007 “Public Policy Statement on Surgery using laser, pulsed light, radiofrequency devices, or other techniques”	West Virginia Board of Medicine, February 2007 “Public Policy Statement on Surgery using laser, pulsed light, radiofrequency devices, or other techniques”
WV-O	--	--
WI	Wisc. Admin. Code Cos2.025 “Delegated Medical Procedures”	Wisc. Admin. Code Cos2.025 “Delegated Medical Procedures”
WY	Wyoming Board of Medicine Rules § 1.3(zz) “Practicing Medicine”	Wyoming Board of Medicine Rules § 1.3(nm) “Medical Assistant”

For informational purposes only: This document is not intended as a comprehensive statement of the law on this topic, nor to be relied upon as authoritative.

Non-cited laws, regulation, and/or policy could impact analysis on a case-by-case or state-by-state basis. All information should be verified independently.