



FEDERATION OF
STATE MEDICAL BOARDS

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

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

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	--	--
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	OR Rev. Stat. § 677.505

	“Statement of Philosophy: Medical Use of Lasers”	“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)	--

	<p>“Practice of basic esthetics”</p> <p>Utah Admin. Code R156-11a-611</p> <p>“Standards for Approval of Mechanical or Electrical Apparatus”</p>	
UT-O	Same as UT-M	--
VT-M	<p>26 V.S.A. § 4402(3)</p> <p>“Electrology”</p> <p>26 V.S.A. § 1728(b)(1)</p> <p>“Use of therapeutic pharmaceutical agents”</p>	--
VT-O	--	--
VA	<p>Virginia Board of Medicine. February 2008</p> <p>“Guidelines for Light-based Hair Removal in Physician Practices”</p>	<p>VA Code § 54.1-2901(6)</p> <p>“Exceptions and exemptions generally”</p>
WA-M	<p>WAC 246-919-605</p> <p>“Use of lasers, light, radiofrequency, and plasma devices as applied to the skin”</p>	<p>WAC 246-919-605(10)</p> <p>“Delegation of LLRP Treatment”</p> <p>Washington Medical Quality Assurance Commission. January 2015</p> <p>“Interpretive Statement: Delegation of the use of laser, light, radiofrequency, and plasma devices as applied to skin”</p>
WA-O	<p>WAC 246-853-630</p> <p>“Use of lasers, light, radiofrequency, and plasma devices as applied to the skin”</p>	<p>WAC 246-853-630(10)</p> <p>“Osteopathic Physician Delegation of LLRP Treatment”</p>
WV-M	<p>W. Va. Code § 30-3-4(3)</p> <p>“Practice of Medicine and Surgery”</p> <p>West Virginia Board of Medicine. February 2007</p> <p>“Public Policy Statement on Surgery using laser, pulsed light, radiofrequency devices, or other techniques”</p>	<p>West Virginia Board of Medicine. February 2007</p> <p>“Public Policy Statement on Surgery using laser, pulsed light, radiofrequency devices, or other techniques”</p>
WV-O	--	--
WI	<p>Wisc. Admin. Code Cos2.025</p> <p>“Delegated Medical Procedures”</p>	<p>Wisc. Admin. Code Cos2.025</p> <p>“Delegated Medical Procedures”</p>
WY	<p>Wyoming Board of Medicine Rules § 1.3(zz)</p> <p>“Practicing Medicine”</p>	<p>Wyoming Board of Medicine Rules § 1.3(mn)</p> <p>“Medical Assistant”</p>

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.