

May 30, 2024



RI Department of Health
Three Capitol Hill
Providence, RI 02908-5097

TTY: 771
www.health.ri.gov

The Honorable Susan R. Donovan, Chair
House Committee on Health and Human Services
State House
82 Smith St.
Providence, RI 02903

RE: H 8296 – An Act Relating to Health and Safety – Medical Spas Safety Act

Dear Chair Donovan:

Please accept this letter regarding H 8296, legislation that would provide that the performance of cosmetic medical services is the practice of medicine and surgery. This act would also provide that a cosmetic medical service would be performed by a qualified licensed or certified non-physician only if the services have been delegated by a medical director, supervising physician, supervising physician assistant, or supervising Advanced Practice Nurse Practitioner (APRN) who is responsible for on-site supervision of the services performed. This act would take effect upon passage.

Medical spas, sometimes referred to as medspas, are a relatively new and rapidly growing business model that offers an array of esthetic/cosmetic procedures from traditional esthetic services (e.g., hairdressing, manicures) to traditional medical procedures (e.g., Botox, fillers, IV infusions, laser hair removal). Because of this hybrid model, it has become a priority for the Rhode Island Department of Health (RIDOH) to ensure safe and hygienic services are being performed by qualified and licensed professionals at medical spas.

RIDOH, in connection with the Board of Barbering and Hairdressing, Board of Medical Licensure and Discipline (BMLD), Board of Nursing (BON), and Board of Pharmacy (BOP), have been working collaboratively in the past year to develop an advisory opinion to provide individuals with guidance on the operation of medical spas and intravenous (IV) drip bars/services and the scope of practice of healthcare professionals within these settings. RIDOH's advisory opinion will include guidance related to ownership and licensure, standards of care, and scope of practice.

The advisory opinion is near completion. RIDOH encourages the Committee to consider waiting for this document to be finalized and publicly disseminated before considering any legislative changes. Several healthcare professional boards and organizations have an interest in ensuring that the health and safety of medical spa patients are adequately protected in Rhode Island.

Thank you for the opportunity to comment on this legislation.

Sincerely,

A handwritten signature in black ink that reads "Jerome M. Larkin".

Jerome Larkin, MD
Director

CC: The Honorable Members of the House Committee on Health and Human Services
The Honorable Mary Ann Shallcross Smith
Nicole McCarty, Chief Legal Counsel to the Speaker of the House
Lynne Urbani, Director of House Policy