As Reported by the House Health Committee

136th General Assembly

Regular Session 2025-2026

Am. H. B. No. 377

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Representative Deeter

Cosponsors: Representatives Schmidt, Barhorst, Gross, King

To amend section 4731.33 and to enact section

devices for the purpose of hair removal.

4731.331 of the Revised Code to revise the law

governing the application of light-based medical

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:	
Section 1. That section 4731.33 be amended and section	5
4731.331 of the Revised Code be enacted to read as follows:	6
Sec. 4731.33. (A) As used in this section and section	7
4731.331 of the Revised Code:	8
(1) "Advanced practice registered nurse" has the same	9
meaning as in section 4723.01 of the Revised Code.	10
(2) "Laser hair removal professional" means an individual	11
who applies a light-based medical device to a patient for the	12
purpose of hair removal and who meets either of the criteria	13
described in division (B)(3)(b) of this section.	14
(3) "Light-based medical device" means any device that can	15
be made to produce or amplify electromagnetic radiation at	16
wavelengths equal to or greater than one hundred eighty nm but	17

less than or equal to 1.0×106 one thousand sixty-four nm and

that is manufactured, designed, intended, or promoted for

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delegation. For purposes of this division, the procedures	104
observed shall be performed by a physician who uses the specific	105
light-based medical device procedure for hair removal in the	106
physician's normal course of practice and expertise.	107
(c) The person—laser hair removal professional shall—	108
perform has performed at least twenty procedures under the	109
direct physical oversight of the physician on each specific type	110
of light-based medical device procedure for hair removal	111
delegated. For purposes of this division, the physician	112
overseeing the performance of these procedures shall use this	113
specific light-based medical device procedure for hair removal	114
within the physician's normal course of practice and expertise.	115
(2) For purposes of division (D)(1)(b) of this section,	116
the procedures observed shall be performed by a physician who	117
uses the specific light-based medical device procedure for hair-	118
removal in the physician's normal course of practice and	119
expertise. The delegating physician shall see and evaluate the	120
patient before the use of the light-based medical device on the	121
patient to determine whether the proposed application of the	122
specific light-based medical device is appropriate.	123
(3) For purposes of division (D)(1)(c) of this section,	124
the physician overseeing the performance of these procedures	125
shall use this specific light-based medical device procedure for	126
hair removal within the physician's normal course of practice	127
and expertise. The delegating physician shall see and evaluate	128
the patient following the initial application of the specific	129
light-based medical device, but before any continuation of	130
treatment, to determine that the patient responded well to that	131
initial application of the specific light-based medical device.	132
(4) Each delegating physician and delegate <u>laser hair</u>	133

removal professional shall document and retain satisfactory	134
completion of training required under division (D) of this	135
section. The education requirement in division (D)(1)(a) of this	136
section shall be completed only once by the delegate-laser hair	137
removal professional regardless of the number of types of	138
specific light-based medical device procedures for hair removal	139
delegated and the number of delegating physicians. The training	140
requirements of divisions (D)(1)(b) and (c) of this section	141
shall be completed by the <u>delegate</u> _ <u>laser hair removal</u> _	142
<pre>professional once for each specific type of light-based medical</pre>	143
device procedure for hair removal delegated regardless of the	144
number of delegating physicians.	145
(E) The following delegates—laser hair removal	146
<pre>professionals are exempt from the education and training</pre>	147
requirements of division (D)(1) of this section:	148
(1) A person An individual who, before the effective date	149
of this section September 30, 2021, has been applying a light-	150
based medical device for hair removal for at least two years	151
through a lawful delegation by a physician;	152
(2) A person An individual described under division (B)(5)	153
$\frac{\text{(b)}}{\text{(B)}}$ (3) (b) (i) of this section if the $\frac{\text{person}}{\text{individual}}$ was	154
authorized to use a light-based medical device under the	155
cosmetic therapist license;	156
(3) A person described in division (B)(5)(a) or (d) of	157
this section.	158
$\frac{(F)}{(F)}(1)$ For delegation to a person under division $\frac{(B)}{(5)}$	159
(b), (c), or (d) of this section laser hair removal professional,	160
the <u>delegating</u> physician shall provide on-site supervision at	161
all times that the person to whom the delegation is made laser	162

effect following the application of the light-based medical

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device or any failure of the treatment to progress as was	221
expected at the time the delegation was made. The physician	222
shall see and personally evaluate the patient who has	223
experienced the clinically significant side effect or whose	224
treatment is not progressing as expected as soon as practicable.	225
(I) No physician shall fail to comply with division $\frac{(A)}{(A)}$	226
(B), $\underline{\text{(F),}}$ (G), or (H) of this section. A violation of this	227
division constitutes a departure from, or the failure to conform	228
to, minimal standards of care of similar practitioners under the	229
same or similar circumstances, whether or not actual injury to a	230
patient is established, under division (B)(6) of section 4731.22	231
of the Revised Code.	232
(J) No physician shall delegate the application of light-	233
based medical devices for the purpose of hair removal to $\frac{a}{a}$	234
person an individual who is not listed in division (B)(5)(B)(3)	235
of this section. A violation of this division constitutes	236
violating or attempting to violate, directly or indirectly, or	237
assisting in or abetting the violation of, or conspiring to	238
violate section 4731.41 of the Revised Code for purposes of	239
division (B)(20) of section 4731.22 of the Revised Code.	240
(K) No cosmetic therapist to whom a delegation is made-	241
under division (B) (5) (b) or (c) of this section laser hair	242
removal professional shall fail to comply with division (G)(F)	243
or (H) of this section. A violation of this division constitutes	244
the unauthorized practice of medicine pursuant to section	245
4731.41 of the Revised Code.	246
(L) No nurse shall fail to comply with division (G) or (H)	247
of this section. A violation of this division constitutes a	248
failure to practice in accordance with acceptable and prevailing	249
standards of safe nursing care, regardless of whether actual	250

injury to a patient is established, for purposes of division (B)	251
(19) of section 4723.28 of the Revised Code.	252
(M) No physician assistant shall fail to comply with	253
division (H) of this section. A violation of this division	254
constitutes a departure from, or failure to conform to, minimal	255
standards of care of similar physician assistants under the same	256
or similar circumstances, regardless of whether actual injury to	257
patient is established, for purposes of division (B)(19) of	258
section 4730.25 of the Revised Code.	259
Sec. 4731.331. (A) As used in this section, "standard care	260
arrangement" has the same meaning as in section 4723.01 of the	261
Revised Code.	262
(B) With respect to a light-based medical device applied	263
to a patient for the purpose of hair removal, an advanced	264
practice registered nurse or physician assistant may do both of	265
<pre>the following:</pre>	266
(1) Delegate to a nurse or laser hair removal professional	267
the application of the light-based medical device to the	268
<pre>patient;</pre>	269
(2) Supervise the nurse's or laser hair removal	270
professional's application of the light-based medical device to	271
the patient.	272
(C)(1) An advanced practice registered nurse may take the	273
actions described in division (B) of this section only if the	274
actions are not prohibited by the advanced practice registered	275
<pre>nurse's standard care arrangement.</pre>	276
(2) A physician assistant may take the actions described	277
in division (B) of this section only if the physician assistant	278
satisfies the requirements of divisions (B)(3)(a) and (C) of	279

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section 4731.33 of the Revised Code.	280
(3) In delegating to and supervising a nurse or laser hair	281
removal professional under this section, an advanced practice	282
registered nurse and physician assistant shall act in the same	283
manner and be subject to the same conditions and requirements as	284
a physician under section 4731.33 of the Revised Code.	285
(D) To be eligible to apply a light-based medical device	286
under this section, a nurse or laser hair removal professional	287
shall satisfy the same criteria for delegation and supervision	288
described in section 4731.33 of the Revised Code.	289
Section 2. That existing section 4731.33 of the Revised	290
Code is hereby repealed.	291