

**As Reported by the Senate Health Committee**

**136th General Assembly**

**Regular Session**

**2025-2026**

**Am. H. B. No. 377**

**Representative Deeter**

**Cosponsors: Representatives Schmidt, Barhorst, Gross, King, Brennan, Sigrist,  
Somani, Thomas, C., Tims, Williams, Willis, Young**

**Senators Huffman, Johnson**

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To amend section 4731.33 and to enact section 1  
4731.331 of the Revised Code to revise the law 2  
governing the application of light-based medical 3  
devices for the purpose of hair removal. 4

**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 X 10<sup>6</sup>~~ one thousand sixty-four nm and 18  
that is manufactured, designed, intended, or promoted for 19  
irradiation of any part of the human body for the purpose of 20  
affecting the structure or function of the body. 21

(4) "Nurse" means a registered nurse or licensed practical 22  
nurse, each as defined in section 4723.01 of the Revised Code. A 23  
"nurse" does not include a registered nurse who is also an 24  
advanced practice registered nurse. 25

~~(2)~~ (5) "Physician" means a ~~person~~ an individual authorized 26  
to practice medicine and surgery, osteopathic medicine and 27  
surgery, or podiatric medicine and surgery under this chapter. 28

~~(3)~~ (6) "On-site supervision" means the supervising 29  
physician is physically in the same location as the delegate 30  
during the use of a light-based medical device, but does not 31  
require the physician to be in the same room. "On-site 32  
supervision" includes the supervising physician's presence in 33  
the same office suite as the delegate during the use of the 34  
device. 35

~~(4)~~ (7) "Off-site supervision" means the supervising 36  
physician is continuously available for direct communication 37  
with the ~~cosmetic therapist~~ delegate during the use of a light- 38  
based medical device. 39

~~(5)~~ (8) "Direct physical oversight" means the supervising 40  
physician is in the same room directly observing the delegate's 41  
use of the light-based medical device. 42

(B) A physician may delegate the application of light- 43  
based medical devices for the purpose of hair removal only if 44  
all of the following conditions are met: 45

(1) The light-based medical device has been specifically 46

cleared or approved by the United States food and drug 47  
administration for the removal of hair from the human body. 48

(2) The use of the light-based medical device for the 49  
purpose of hair removal is within the physician's normal course 50  
of practice and expertise. 51

~~(3) The physician has seen and evaluated the patient to 52  
determine whether the proposed application of the specific 53  
light-based medical device is appropriate. 54~~

~~(4) The physician has seen and evaluated the patient 55  
following the initial application of the specific light-based 56  
medical device, but before any continuation of treatment, to 57  
determine that the patient responded well to that initial 58  
application of the specific light-based medical device. 59~~

~~(5) The person to whom the delegation is made delegate is 60  
one of the following: 61~~

(a) A physician assistant licensed under Chapter 4730. of 62  
the Revised Code with whom the physician has an effective 63  
supervision agreement; 64

(b) A person laser hair removal professional who is either 65  
of the following: 66

(i) An individual who was licensed held a license as a 67  
cosmetic therapist under Chapter 4731. of the Revised Code on 68  
April 11, 2021; 69

~~(c) A person~~ (ii) An individual who has completed a 70  
cosmetic therapy course of instruction for a minimum of seven 71  
hundred fifty clock hours and received a passing score on the 72  
certified laser hair removal professional examination 73  
administered by the society for clinical and medical hair 74

removal;	75
<del>(d)(c) A registered nurse or licensed practical nurse</del>	76
<del>licensed under Chapter 4723. of the Revised Code.</del>	77
(C) For delegation to a physician assistant, the	78
delegation must meet the requirements of section 4730.21 of the	79
Revised Code.	80
<del>(D)(1)(D) For delegation to a person described under</del>	81
<del>division (B)(5)(b) or (c) of this section</del> <u>laser hair removal</u>	82
<u>professional, all of the following criteria must be met:</u>	83
<u>(1) The delegating physician shall ensure that the person</u>	84
<del>to whom the delegation is made</del> <u>laser hair removal professional</u>	85
has received adequate education and training to provide the	86
level of skill and care necessary, including all of the	87
following:	88
(a) The <del>person</del> <u>laser hair removal professional</u> has	89
completed eight hours of basic education that includes the	90
following topics:	91
(i) Light-based procedure physics;	92
(ii) Tissue interaction in light-based procedures;	93
(iii) Light-based procedure safety, including use of	94
proper safety equipment;	95
(iv) Clinical application of light-based procedures;	96
(v) Preoperative and postoperative care of light-based	97
procedure patients;	98
(vi) Reporting of adverse events.	99
(b) The <del>person</del> <u>laser hair removal professional</u> has	100
observed fifteen procedures for each specific type of light-	101

based medical device procedure for hair removal that the ~~person-~~ 102  
laser hair removal professional will perform under the 103  
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~~ laser hair removal professional shall document and retain satisfactory completion of training required under division (D) of this section. The education requirement in division (D) (1) (a) of this section shall be completed only once by the ~~delegate~~ laser hair removal professional regardless of the number of types of specific light-based medical device procedures for hair removal delegated and the number of delegating physicians. The training requirements of divisions (D) (1) (b) and (c) of this section shall be completed by the ~~delegate~~ laser hair removal professional once for each specific type of light-based medical device procedure for hair removal delegated regardless of the number of delegating physicians. 133  
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(E) The following ~~delegates~~ laser hair removal professionals are exempt from the education and training requirements of division (D) (1) of this section: 146  
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(1) ~~A person~~ An individual who, before ~~the effective date of this section~~ September 30, 2021, has been applying a light-based medical device for hair removal for at least two years through a lawful delegation by a physician; 149  
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(2) ~~A person~~ An individual described under division ~~(B) (5)~~ (B) (3) (b) (i) of this section if the ~~person~~ individual was authorized to use a light-based medical device under the cosmetic therapist license; 153  
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~~(3) A person described in division (B) (5) (a) or (d) of this section.~~ 157  
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~~(F) (F) (1) For delegation to a person under division (B) (5) (b), (c), or (d) of this section~~ laser hair removal professional, 159  
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the delegating physician shall provide on-site supervision at 161  
all times that the ~~person to whom the delegation is made~~ laser 162  
hair removal professional is applying the light-based medical 163  
device. 164

~~A physician shall not supervise more than two delegates~~ 165  
~~under division (B) (5) (b), (c), or (d) of this section at the~~ 166  
~~same time.~~ 167

~~(G) (1) (2)~~ Notwithstanding division ~~(F)~~ (F) (1) of this 168  
section, a delegating physician may provide off-site supervision 169  
of a laser hair removal professional when the light-based 170  
medical device is applied for the purpose of hair removal to an 171  
established patient if the ~~person to whom the delegation is made~~ 172  
~~is a cosmetic therapist who~~ laser hair removal professional 173  
meets ~~all of~~ each of the following criteria: 174

(a) The ~~cosmetic therapist~~ laser hair removal professional 175  
has successfully completed a course in the use of light-based 176  
medical devices for the purpose of hair removal that has been 177  
approved by the delegating physician; 178

~~(b) The~~ and the course consisted of at least fifty hours 179  
of training, at least thirty hours of which was clinical 180  
experience; 181

~~(c) (b)~~ The cosmetic therapist laser hair removal 182  
professional has worked under the on-site supervision of the 183  
delegating physician for a sufficient period of time that the 184  
physician is satisfied that the ~~cosmetic therapist~~ laser hair 185  
removal professional is capable of competently performing the 186  
service with off-site supervision. 187

~~(2)~~ The cosmetic therapist laser hair removal professional 188  
shall maintain documentation of the successful completion of the 189

required training. 190

(3) When providing supervision under division (F) (1) or 191  
(2) of this section, a physician shall supervise not more than 192  
five laser hair removal professionals at the same time. 193

~~(H)~~(G) (1) For delegation to a nurse, the delegating 194  
physician shall provide on-site supervision at all times that 195  
the nurse is applying the light-based medical device. 196

(2) Notwithstanding division (G) (1) of this section, a 197  
physician may provide off-site supervision of a nurse applying a 198  
light-based medical device to a patient for the purpose of hair 199  
removal if the nurse has completed a training and education 200  
program on the use of light-based medical devices for the 201  
purpose of hair removal that has been approved by the delegating 202  
physician. An approved training and education program shall 203  
satisfy both of the following criteria: 204

(a) The program may be completed internally at the laser 205  
hair removal facility or externally through a third-party 206  
provider, provided the third-party program is overseen by a 207  
physician. 208

(b) The program includes forty total hours of training, 209  
which may be a combination of didactic training, in-person 210  
hands-on training, and performance of laser hair removal 211  
procedures. 212

The nurse shall maintain documentation of the successful 213  
completion of the required training. 214

(3) When providing supervision under division (G) (1) or 215  
(2) of this section, the physician shall supervise not more than 216  
five nurses at the same time. 217

(H) A delegate under this section shall immediately report 218  
to the supervising physician any clinically significant side 219  
effect following the application of the light-based medical 220  
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 ~~(A),~~ 226  
(B), (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 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  
the following: 266

(1) Delegate to a nurse or laser hair removal professional 267  
the application of the light-based medical device to the 268  
patient; 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  
nurse's standard care arrangement. 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  
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