**South Carolina General Assembly**

125th Session, 2023-2024

**S. 853**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Davis

Document Path: SR-0497KM24.docx

Introduced in the Senate on January 9, 2024

Currently residing in the Senate Committee on **Medical Affairs**

Summary: Laser Hair Removal

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 11/30/2023 Senate Prefiled

 11/30/2023 Senate Referred to Committee on **Medical Affairs**

 1/9/2024 Senate Introduced and read first time (Senate Journal‑page 59)

 1/9/2024 Senate Referred to Committee on **Medical Affairs** (Senate Journal‑page 59)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=853&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[11/30/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/853_20231130.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE “LASER HAIR REMOVAL ACT”; BY ADDING SECTION 40‑85‑10 SO AS TO PROVIDE DEFINITIONS RELATED TO LASER HAIR REMOVAL; BY ADDING SECTION 40‑85‑20 SO AS TO PROVIDE THAT ONLY FDA APPROVED LASERS MAY BE USED WHEN PERFORMING LASER HAIR REMOVAL; BY ADDING SECTION 40‑85‑30 SO AS TO PROVIDE THAT ONLY HEALTH PROFESSIONALS MAY PERFORM LASER HAIR REMOVAL AND TO PROVIDE FOR TRAINING OF NON‑PHYSICIAN HEALTH PROFESSIONALS WHO PROVIDE LASER HAIR REMOVAL; BY ADDING SECTION 40‑85‑40 SO AS TO REGULATE THE PRACTICE OF LASER HAIR REMOVAL; AND BY ADDING SECTION 40‑85‑50.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act may be cited as the “Laser Hair Removal Act”.

SECTION 2. Title 40 of the S.C. Code is amended by adding:

 CHAPTER 85

 Laser Hair Removal

 Section 40‑85‑10. For the purposes of this chapter:

 (1) “Health professional” means a physician, physician assistant as defined in Section 40‑47‑910(6), nurse as defined in Section 40‑33‑20(39), or nurse practitioner as defined in Section 40‑33‑20(40).

 (2) “Laser hair removal” means the use of a class three or class four laser light‑based device approved by the United States Food and Drug Administration (FDA) to perform a nonablative hair removal procedure that does not remove the epidermis.

 (3) “Laser hair removal facility” means a business location that provides laser hair removal.

 (4) “Laser practitioner” means someone who practices laser hair removal pursuant to this chapter.

 (5) “Physician” means a physician licensed by the South Carolina Board of Medical Examiners who possesses an active, unrestricted, permanent license to practice medicine in this State.

 Section 40‑85‑20. A laser practitioner shall only perform laser hair removal using lasers approved by the United States Food and Drug Administration for noninvasive procedures.

 Section 40‑85‑30. (A) Laser hair removal may only be performed or attempted to be performed by a health professional.

 (B) A non‑physician laser practitioner shall complete a laser practitioner training and education program prior to engaging in laser hair removal. A laser practitioner training and education program shall include forty total hours of training which may be a combination of didactic training, in‑person hands‑on training, and performance of laser hair removal procedures. A laser training and education program may be completed internally at the laser hair removal facility or through a third‑ party if the third‑party program is overseen by a physician.

 Section 40‑85‑40. (A) A laser hair removal facility must be overseen by a physician.

 (B) The physician overseeing the laser hair removal facility shall establish proper protocols for laser hair removal procedures at the facility, which shall include protocols for complication management. Laser practitioners at the facility shall follow all written procedure protocols established and revised pursuant to this section.

 (C) The physician overseeing the laser hair removal facility is not required to be physically present or to supervise a laser hair removal procedure, but he must be available for communication during the procedure, either in‑person or by two‑way, real time interactive communication.

 (D) A laser practitioner may perform laser hair removal on a patient without the prior evaluation or referral of the patient by a physician.

 (E) The physician overseeing the laser hair removal facility shall determine the number of laser practitioners under the physician’s supervision.

 (F) The physician overseeing the laser hair removal facility shall review not less than ten percent of laser hair removal patient records.

 Section 40‑85‑50. Nothing in this chapter shall prohibit any person from engaging in the practice of medicine or nursing for which they are duly licensed or certified.

SECTION 3. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑