

Effective 5/4/2022

Effective until 5/1/2024

58-1-102 Definitions.

For purposes of this title:

- (1) "Ablative procedure" is as defined in Section 58-67-102.
- (2) "Cosmetic medical procedure":
 - (a) is as defined in Section 58-67-102; and
 - (b) except for Chapter 67, Utah Medical Practice Act, and Chapter 68, Utah Osteopathic Medical Practice Act, does not apply to the scope of practice of an individual licensed under this title if the individual's scope of practice includes the authority to operate or perform surgical procedures.
- (3) "Department" means the Department of Commerce.
- (4) "Director" means the director of the Division of Professional Licensing.
- (5) "Division" means the Division of Professional Licensing created in Section 58-1-103.
- (6) "Executive director" means the executive director of the Department of Commerce.
- (7) "Licensee" includes any holder of a license, certificate, registration, permit, student card, or apprentice card authorized under this title.
- (8)
 - (a)
 - (i) "Nonablative procedure" means a procedure that is expected or intended to alter living tissue, but not intended or expected to excise, vaporize, disintegrate, or remove living tissue.
 - (ii) Notwithstanding Subsection (8)(a)(i), nonablative procedure includes hair removal.
 - (b) "Nonablative procedure" does not include:
 - (i) a superficial procedure;
 - (ii) the application of permanent make-up; or
 - (iii) the use of photo therapy and lasers for neuromusculoskeletal treatments that are performed by an individual licensed under this title who is acting within their scope of practice.
- (9) "Pain clinic" means:
 - (a) a clinic that advertises its primary purpose is the treatment of chronic pain; or
 - (b) a clinic in which greater than 50% of the clinic's annual patient population receive treatment primarily for non-terminal chronic pain using Schedule II-III controlled substances.
- (10) "Superficial procedure" means a procedure that is expected or intended to temporarily alter living skin tissue and may excise or remove stratum corneum but have no appreciable risk of damage to any tissue below the stratum corneum.
- (11) "Unlawful conduct" has the meaning given in Subsection 58-1-501(1).
- (12) "Unprofessional conduct" has the meaning given in Subsection 58-1-501(2).