

57 created in Section 58-1-103.

58 ~~[(4)]~~ (6) "Executive director" means the executive director of the Department of
59 Commerce.

60 ~~[(5)]~~ (7) "Licensee" includes any holder of a license, certificate, registration, permit,
61 student card, or apprentice card authorized under this title.

62 (8) (a) "Nonablative procedure" means a procedure that is expected or intended to alter
63 living tissue, but not to excise, burn, vaporize or remove below the epidermal surface of the
64 skin.

65 (b) "Nonablative procedure" does not include:

66 (i) a superficial procedure;

67 (ii) the application of permanent make-up; or

68 (iii) the use of infrared photo therapy and low level lasers for treatments that:

69 (A) are not cosmetic medical procedures; and

70 (B) are performed by a ~~§~~→ [chiropractor] chiropractic physician ←~~§~~ or physical therapist
70a for treatment of a condition
71 that is within their scope of practice.

72 (9) "Superficial procedure" means a procedure that is expected or intended to
73 temporarily alter living skin tissue and may excise or remove stratum corneum but have no
74 appreciable risk of damage to any tissue below the stratum corneum.

75 ~~[(6)]~~ (10) "Unlawful conduct" has the meaning given in Subsection 58-1-501(1).

76 ~~[(7)]~~ (11) "Unprofessional conduct" has the meaning given in Subsection 58-1-501(2).

77 Section 2. Section **58-1-505** is enacted to read:

78 **58-1-505. Cosmetic medical procedure supervisor.**

79 (1) For purposes of this section:

80 (a) "Cosmetic medical facility" means a physician's office or a facility that has a
81 supervisor who performs the supervision required in Section 58-1-506.

82 (b) "Supervisor" means:

83 (i) a physician with an unrestricted license under Chapter 67, Utah Medical Practice
84 Act, or Chapter 68, Utah Osteopathic Medical Practice Act, who is acting within the scope of
85 the practice of medicine, as defined in Section 58-67-102; and

86 (ii) an advanced practice registered nurse with an unrestricted license under Chapter
87 31b, Nurse Practice Act, who is acting within the scope of practice of advanced practice

88 registered nursing, as defined in Section 58-31b-102.

89 (2) (a) An individual authorized by this title to perform a cosmetic medical procedure
90 shall be supervised by a supervisor when performing a medical procedure.

91 (b) Cosmetic medical procedures may only be performed in a cosmetic medical
92 facility.

93 (c) A supervisor may delegate the supervisory role only to another individual who is
94 qualified as a supervisor.

95 Section 3. Section **58-1-506** is enacted to read:

96 **58-1-506. Supervision of cosmetic medical procedures.**

97 (1) For purposes of this section:

98 (a) "Delegation group A" means the following who are licensed under this title, acting
99 within their respective scope of practice, and qualified under Subsection (2) ~~§~~ (i) ~~←~~ :

100 (i) a physician assistant, if supervised by a physician and the procedure is included in
101 the delegation agreement;

102 (ii) a registered nurse;

103 (iii) a master esthetician; and

104 (iv) an electrologist, if evaluating for or performing laser hair removal.

105 (b) "Delegation group B" means ~~§~~ :

105a (i) ~~[the following who are]~~ a practical nurse or an esthetician who is ~~←~~ licensed
105b under this title, acting

106 within their respective scope of practice, and ~~§~~ [are] ~~←~~ qualified under Subsection ~~§~~ [(2)(f)]
106a (2)(i); and ~~←~~ :

107 ~~§~~ [(i) a practical nurse;

108 ~~— (ii) an esthetician; and~~

109 ~~— (iii)] (ii) ~~←~~ a medical assistant ~~§~~ who is qualified under Subsection (2)(i) ~~←~~ .~~

110 (c) "Direct cosmetic medical procedure supervision" means the supervisor:

111 (i) has authorized the procedure to be done on the patient by the supervisee; and

112 (ii) is present and available for a face-to-face communication with the supervisee when
113 and where a cosmetic medical procedure is performed.

114 (d) "General cosmetic medical procedure supervision" means the supervisor:

115 (i) has authorized the procedure to be done on the patient by the supervisee;

116 (ii) is available in a timely and appropriate manner in person to evaluate and initiate
117 care for a patient with a suspected adverse reaction or complication; and

118 (iii) is located within ~~§~~ [45] 60 ~~←~~ minutes or ~~§~~ [45] 60 ~~←~~ miles of the cosmetic
118a medical facility.