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Board of Cosmetology

Position Statement: *Unregulated Services in Licensed Facility*

Athletic Trainers
Barbers
Body Piercing Technicians
Denturists
Direct Entry Midwives
Electrologists
Environmental Health Specialists
Estheticians
Hair Designers
Hearing Aid Specialists
Nail Technicians
Permanent Color Technicians
Respiratory Therapists
Sex Offender Therapists
Tattoo Artists
Waste Water Specialists

Board of Athletic Trainers

Board of Cosmetology

Board of Direct Entry Midwifery

Board of Denture Technology

Environmental Health Registration Board

Respiratory Therapist Licensing Board

Sex Offender Treatment Board

Advisory Council on Hearing Aids

Advisory Council for Electrologists, Permanent Color Technicians & Tattoo Artists

Unregulated Services in Licensed Facilities Allowed if Facility Follows Health and Safety Requirements

Licensed cosmetology facilities are allowed to provide unregulated services if the facility adheres to established health, safety and infection control standards.

The issue recently arose after facility owners began inquiring if they could provide customers with over-the-counter teeth-whitening strips that can be purchased by consumers without a prescription and used at home.

Oregon regulations for cosmetology do not explicitly prohibit providing services outside a practitioner's scope of practice in a licensed facility.

However, if those services are within a scope of practice of a different regulated profession, the practitioner and facility would be subject to the laws and rules of the state regulatory board or agency overseeing that profession.

For example:

- Teeth whitening services that can be provided only by a licensed dentist overseen by the [Board of Dentistry](#) would be prohibited in a cosmetology facility.
- A cosmetology facility cannot sell or fit contact lenses, even if they are cosmetic in nature, because the fitting and sale of contact lenses are regulated by the [Oregon Board of Optometry](#).

As new technologies emerge, practitioners must verify whether or not the service or product can be used or delivered within the cosmetology scope of practice.

The Oregon Health Licensing Agency (OHLA) and Board of Cosmetology encourage facility owners to contact us if you have questions regarding whether or not a service is regulated at info.ohla@state.or.us or by calling 503-378-8667.

OHLA and the Board of Cosmetology do not necessarily endorse unregulated practices or procedures performed in a licensed cosmetology facility.

Visit http://www.oregon.gov/OHLA/COS/Facial_Forward_Esthetics_Scope.shtml to see if a procedure is within the esthetics scope of practice, not within scope, or unregulated.

OHLA and the Board of Cosmetology adopted this position statement on January 12, 2009.