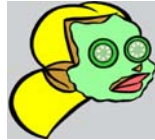




Susan K. Wilson, Director  
 700 Summer St NE • Suite 320  
 Salem, Oregon 97301-1287  
**Phone** (503) 378-8667  
**TTY** (503) 373-2114  
**Fax** (503) 370-9004  
**Web site** [www.oregon.gov/OHLA](http://www.oregon.gov/OHLA)  
**E-mail** [ohla.info@state.or.us](mailto:ohla.info@state.or.us)

**Media contact:** Kraig Bohot  
 Communications Officer  
 503-378-8667 x4330  
[kraig.bohot@state.or.us](mailto:kraig.bohot@state.or.us)

- 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
  - 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
  - Advisory Council on Hearing Aids
  - Advisory Council for Electrologists, Permanent Color Technicians & Tattoo Artists



## FACIAL FORWARD

### Estheticians: Within Their Scope of Practice?

*Which services may estheticians (formerly facial technicians – see fact sheet on House Bill 2105) provide within their scope of practice? Which are not? Which are being considered? Find out here (four pages total).*

Procedure / Service	Within Scope of Practice?
<b>Microdermabrasion:</b> A device like a fine sandblaster sprays tiny crystals across the face, mixing gentle abrasion with suction to remove the dead, outer layer of skin. As with other skin resurfacing techniques, more than one treatment may be needed to reduce or remove fine wrinkles and unwanted pigmentation.	<b>Yes</b> if practitioners obtain "...training in the safe and effective use of each chemical, product or device," according to Oregon Administrative Rules (OAR) 817-015-0050(4).  • Evidence of training required upon request. • Must limit action to outermost skin layer, the <i>epidermis</i> .
<b>Dermabrasion:</b> A surgical procedure that scrapes away the top layers of skin using an electrically operated instrument with a rough wire brush or diamond-impregnated burr. Acts on layers of skin below the <i>epidermis</i> (top skin layer).	<b>No.</b> This is a surgical procedure regulated by the Oregon <a href="#">Board of Medical Examiners</a> (BME). The procedure is more invasive than microdermabrasion, often requiring local or general anesthesia.
<b>Chemical Peel:</b> As with microdermabrasion, chemical peels remove outer layers of skin. However, different chemical formulations are used rather than an abrasive-acting device.	<b>Yes</b> , but some chemicals are prohibited and others may be used only in specified strengths. Types of alpha-hydroxy acids are allowed while trichloroacetic acid (TCA) and salicylic acid which acts on living tissue are prohibited. See OAR 817-015-0050(3).

Procedure / Service	Within Scope of Practice?
<p><b>Fillers and Injectables:</b> Treatments using substances with brand names such as Botox and Restylane inject substances under the skin to immobilize muscles (Botox), replace depleted collagen and “fill in” wrinkles.</p>	<p><b>No.</b> Injections are medical in nature and go deeper than the top layer of the skin, the <i>epidermis</i>.</p>
<p><b>Laser Hair Removal:</b> A hand-held laser passes light through the skin's surface to tiny sacs called hair follicles. Each follicle contains a bulb that germinates a hair shaft. When light reaches hair follicles, it temporarily generates enough heat to destroy the follicles and bulbs.</p>	<p><b>Yes.</b> Practitioners should follow the requirements of OAR 817-015-0050 regarding advanced training and education that is documented and can be provided upon request.</p> <p>The statutory definition of esthetics includes the “temporary removal of hair.” (<i>Effective January 1, 2006</i>)</p>
<p><b>Electrolysis:</b> Insertion of a single-use or sterile needle (which also conducts electricity) into a hair follicle and then directing electrical energy toward the hair cell in a series of treatments removes hair.</p>	<p><b>No.</b> Electrologists are a separate profession licensed by the Oregon Health Licensing Agency (OHLA). Estheticians may provide electrolysis services only if they have dual licensure.</p>
<p><b>Waxing:</b> Hot or cold wax adheres to hair, removing hair shafts from roots when peeled off.</p>	<p><b>Yes.</b> Full body waxing will be regulated starting January 1, 2006, when House Bill 2105 takes effect. (<i>See related fact sheet.</i>)</p>
<p><b>Permanent Coloring:</b> Otherwise known as “permanent makeup,” this procedure is similar to tattooing, marking or coloring the skin by insertion of non-toxic dyes or pigments.</p>	<p><b>No.</b> Only permanent color technicians may provide this service. This is a separate field of practice that is also licensed by the OHLA, along with tattoo artists. BME-licensed physicians, usually dermatologists, may also provide permanent color within their scope of practice.</p>
<p><b>Airbrush Tanning:</b> A topical solution is sprayed onto the skin as an alternative to ultraviolet light-based tanning systems such as tanning beds.</p>	<p><b>Yes.</b> <i>See related fact sheet.</i></p>

Procedure / Service	Within Scope of Practice?
<p><b>Massage:</b> Estheticians may provide massage only in relation to skin care services and not as a massage therapist licensed by the <a href="#">Board of Massage Therapists</a> (BMT). Estheticians receive basic massage education (approximately 35 hours) compared to a minimum of 500 hours for massage therapists.</p>	<p><b>Yes and No.</b></p> <p>Yes if used only in relation to skin care services for the purpose of improving the health and attractiveness of the skin.</p> <p>No if provided solely for therapeutic purposes beyond the health of the skin.</p>
<p><b>Reflexology:</b> Pressure is applied to specific parts of the body — usually the soles of the feet but also on the hands and ears — for an intended healthful effect on other parts of the body.</p>	<p><b>No.</b> While considered a type of massage by the BMT, reflexology is not the type of massage that would be used, for example, to apply skin lotions or for any other type of skin care service.</p>
<p><b>Lymphatic Drainage:</b> An advanced, specialized massage technique using gentle rhythmic pumping techniques to the skin that encourages the flow of lymph fluid, draining away pockets of retained water and toxins and enhancing the quality of the skin.</p>	<p><b>Yes</b> if used in relation to skin care services for the purpose of improving the health of the skin. Practitioners must show proof of training upon request.</p>
<p><b>Body Treatments:</b> Body wraps, polishes and masks are used to firm skin and for light exfoliation. Body wraps may also have a diuretic effect that may aid in weight reduction.</p>	<p><b>Yes</b> after January 1, 2006, when seventh vertebra limitation is lifted from statutory definition.</p>
<p><b>Vacuum Massage:</b> Motorized rollers and regulated suction creates a symmetrical skin fold, which may reduce the appearance of cellulite and inches while improving skin appearance. Called <i>endermologie</i> or by brand names such as <i>Dermasonic</i>.</p>	<p><b>Yes</b> if used in relation to skin care services for the purpose of improving the health or attractiveness of the skin. Practitioners must show proof of training upon request.</p>

**Questions?** See **page four** (*reverse*) of this four-page fact sheet for more information on the regulatory issues surrounding emerging technologies.

This list is not comprehensive. If you have additional questions, contact the **Oregon Health Licensing Agency** (OHLA).

OHLA is a state consumer protection agency that oversees administration of the Board of Cosmetology and other regulatory boards, councils and programs of health and related professions listed on the front of this fact sheet.

The following procedures incorporate new technologies that are regulated by the U.S. Food & Drug Administration (FDA). New [Board of Cosmetology](#) Oregon Administrative Rules (OAR) effective March 15, 2006, use the FDA's classification system of "medical devices" to determine whether or not estheticians may provide services with these devices.

Any "Class III" medical devices must be used under a physician's supervision. Practitioners are asked to contact OHLA regarding any "Class II" devices for which the FDA stipulates are for "prescription use" only. These devices may or may not be appropriate for esthetics use. For more information, please refer to **OAR 817-010-0065, Safety & Sanitation Rules: Facility Standards, Requirements and Standards.**

Procedure / Service	Regulatory Issue
<p><b>Skin Resurfacing (Ablative):</b> A high-energy light beam, or laser, vaporizes outer skin layers.</p>	<p>The use of lasers on the human body is generally considered a medical procedure:</p> <p>"Destruction, incision, ablation or the revision of human tissue by use of a laser is surgery," according to the <a href="#">BME Statement of Philosophy on Medical Use of Lasers</a>.</p> <p><i>Questions to consider:</i></p> <ul style="list-style-type: none"> <li>▪ What if a laser is precise enough to act only on the <i>epidermis</i> (top layer of skin) and no deeper?</li> <li>▪ Could the same requirement for skin care services (OAR 817-015-0050) be applied to laser resurfacing that acts only on the epidermis?</li> </ul>
<p><b>Skin Resurfacing (Non-Ablative):</b></p> <p>Unlike laser resurfacing technologies that heat and remove the top skin layers, non-ablative or non-wounding lasers work beneath the surface skin layer to stimulate collagen growth and tighten underlying skin to improve skin tone and remove fine lines and mild to moderate skin damage.</p> <p>Intense pulsed light, radio frequency and ultrasound are also used for similar effect.</p> <p>Non-ablative procedures are sometimes called <i>photo facials</i>, <i>photorejuvenation</i>, or go by brand names such as <i>Thermage</i>.</p>	<p>Non-ablative skin resurfacing is also non-invasive in that it doesn't <i>disrupt</i> or <i>interrupt</i> the epidermis in reaching deeper skin levels.</p> <p><i>However</i>, surface skin treatments affect deeper levels indirectly. For example, microdermabrasion may help stimulate collagen growth.</p> <p><i>Questions to consider:</i></p> <ul style="list-style-type: none"> <li>▪ Does the BME's statement on medical lasers apply to non-ablative skin resurfacing?</li> <li>▪ Could the same requirement of documented training for advanced skin care procedures be applied?</li> </ul>