



Issue Response

OREGON HEALTH LICENSING AGENCY

Cosmetology – Esthetics

April 11, 2012

The Oregon Health Licensing Agency (Agency) has received several inquiries regarding air-brush tanning and whether or not it is within the scope of practice for esthetics.

Upon consideration and request by the Board of Cosmetology, the Agency consulted with its General Counsel at the Department of Justice and responded to the following questions:

Issue: *Must a person be licensed as an Esthetician to provide spray tans?*

Short Answer: Yes.

Answer: If an individual is using the hand-held air-brush tanning device you must have an esthetics certificate and a cosmetology facility license.

The confusion usually lies between the spraying of tanning solution by a hand-held air-brush device and a "self-serve" sunless tanning booth where the practitioner does not directly provide the service. Those self-serve sunless tanning booths do not require cosmetology practitioner licensure or a cosmetology facility license. It is highly recommended to advise clients on how to avoid inhalation or ingestion of the tanning solution.

Important Note: The Agency does not provide personal legal advice to licensees or members of the public. The responses listed here are specific to only those questions asked. Even slight changes in the scope or content of the question may change the applicability of these responses in a different situation. Please consult your own attorney for legal advice regarding Oregon laws and administrative rules.