



Board of Certified Advanced Estheticians

OREGON ADMINISTRATIVE RULES

(UNOFFICIAL COPY)

CHAPTER 819, DIVISION 005 – 050

PERMANENT RULES EFFECTIVE

JANUARY 26, 2024



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Division 5
BOARD OF CERTIFIED ADVANCED ESTHETICIANS, GENERAL ADMINISTRATION

819-005-0005

Definitions

As used in OAR 819-005-0005 to 819-050-0020:

- (1) “Ablative” means the total destruction of the epidermis creating a wound pursuant to the definition under OAR 819-005-0005(6) and ORS 676.630(4).
- (2) “Applicant” means a natural person applying to be certified as a “certified advanced esthetician” defined in ORS 676.630(2).
- (3) “Board” means the Board of Certified Advanced Estheticians.
- (4) “Modality” defined under ORS 676.630 means:
 - (a) Light energy hair removal;
 - (b) Photo rejuvenation and dyschromia reduction;
 - (c) Skin rejuvenation;
 - (d) Cellulite reduction;
 - (e) Body contouring;
 - (f) Nonablative tattoo removal.
- (5) “FDA” means Food and Drug Administration.
- (6) “Nonablative” means involving an action performed on the skin or hair of a person that does not result in the wounding of skin or underlying tissue as defined under ORS 676.630.
- (7) “Office” means Health Licensing Office.

Statutory/Other Authority: 676.615, 676.630 & 676.655

Statutes/Other Implemented: 676.630 & 676.655

History:

[BCAE 3-2017, amend filed 12/29/2017, effective 01/01/2018](#)

[BCAE 1-2017, f. & cert. ef. 1-3-17](#)

819-005-0015

ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

The chairperson and vice chairperson may be elected at the request of the Board. The elected Board chairperson and vice chairperson may serve continuously until the Board elects another chairperson and vice chairperson.

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Statutory/Other Authority: ORS 676.615, ORS 676.650 & ORS 676.655

Statutes/Other Implemented: ORS 676.650 & ORS 676.655

History:

[BCAE 2-2018, adopt filed 06/28/2018, effective 06/28/2018](#)

[BCAE 2-2017, temporary adopt filed 12/29/2017, effective 01/01/2018 through 06/29/2018](#)

819-005-0020

VACANCIES IN OFFICE

If the chairperson or vice chairperson are unable to complete their term, the Board must elect another chairperson or vice chairperson.

Statutory/Other Authority: ORS 676.650, ORS 676.655 & ORS 676.615

Statutes/Other Implemented: ORS 676.650 & ORS 676.655

History:

[BCAE 2-2018, adopt filed 06/28/2018, effective 06/28/2018](#)

[BCAE 2-2017, temporary adopt filed 12/29/2017, effective 01/01/2018 through 06/29/2018](#)

819-005-0025

DUTIES OF OFFICERS

(1) Except for the provision listed in subsection (2) of this rule, the chairperson must preside at all meetings. The chairperson shall confer with the Office on matters that come up between meeting dates, and matters that need to be placed on the agenda for Board meetings. The chairperson may order or reorder the agenda.

(2) In the absence of the chairperson from a meeting or a portion of a meeting, the vice chairperson will preside at the meeting.

(3) Decisions will be made by a vote of the Board and carried out with a motion and second and a majority vote.

Statutory/Other Authority: ORS 676.615, ORS 676.650 & ORS 676.655

Statutes/Other Implemented: ORS 676.650 & ORS 676.655

History:

[BCAE 2-2018, adopt filed 06/28/2018, effective 06/28/2018](#)

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Division 20
**BOARD OF CERTIFIED ADVANCED ESTHETICIANS
APPLICATION REQUIREMENTS FOR CERTIFICATION**

819-020-0100

CERTIFIED ADVANCED ESTHETICS EDUCATION REQUIREMENTS

All educational curriculum for certified advanced esthetics must meet requirements set forth by the Health Licensing Office and the Board of Certified Advanced Estheticians.

(1) Until **December 31, 2018** a certified advanced esthetics career school curriculum must include 500 hours of theory and practical education. The education must include a minimum of 280 theory hours, 195 practical hours, 25 discretionary hours and a minimum of 110 procedures listed in the December 15, 2017 Advanced Esthetics Curriculum available on the Office Website.

(2) The 280 hours of theory instruction must include the following:

- (a) Anatomy, physiology and histology: 25 hours;
- (b) Diseases and disorders: 10 hours;
- (c) Safety, sanitation and infection control: 5 hours;
- (d) Oregon Revised Statutes and Oregon Administrative Rules: 5 hours;
- (e) First Aid, Cardiopulmonary Resuscitation and Blood Borne Pathogens: 8 hours;
- (f) Food and Drug Administration: 2 hours;
- (g) American National Standard for Safe Use of Lasers (ANSI): 40 hours;
- (h) Technologies: 15 hours which is inclusive of all areas as specified below:
 - (A) Intense pulse light;
 - (B) Lasers;
 - (C) Plasma;
 - (D) Nonablative fractional collagen induction;
 - (E) Esthetic radio frequency;
 - (F) Esthetic ultrasound;
 - (G) Cryolipolysis;
 - (H) Microwaves; and
 - (I) Emerging technologies.
- (i) Light energy hair removal: 25 hours;

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http://sos.oregon.gov/archives/Pages/oregon_administrative_rules.aspx or call (503) 373-0701

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- (j) Photo rejuvenation and dyschromia reduction: 25 hours;
- (k) Skin rejuvenation: 45 hours;
- (l) Cellulite reduction: 25 hours;
- (m) Body contouring: 25 hours; and
- (n) Nonablative tattoo removal: 25 hours.

(3) The 195 hours of practical instruction includes 110 procedures as specified below:

- (a) Light energy hair removal: 25 hours and 20 procedures;
- (b) Photo rejuvenation and dyschromia reduction: 30 hours and 20 procedures;
- (c) Skin rejuvenation: 50 hours and 25 procedures;
- (d) Cellulite reduction: 35 hours and 15 procedures;
- (e) Body contouring: 35 hours and 15 procedures; and
- (f) Nonablative tattoo removal: 20 hours and 15 procedures.

(4) 25 Discretionary hours may be completed within the theory or practical portion of the education.

(5) As of **January 1, 2019** A certified advanced esthetics career school curriculum must include 500 hours of theory and practical education. The education must include a minimum of 280 theory hours, 195 practical hours, 25 discretionary hours and a minimum of 110 procedures listed in the January 1, 2019 Advanced Esthetics Curriculum available on the Office Website.

(6) The 280 hours of theory instruction must include the following:

- (a) Anatomy, physiology and histology: 25 hours;
- (b) Diseases and disorders: 10 hours;
- (c) Safety, sanitation and infection control: 5 hours;
- (d) Oregon Revised Statutes and Oregon Administrative Rules: 5 hours;
- (e) First Aid, Cardiopulmonary Resuscitation and Blood Borne Pathogens: 8 hours;
- (f) Food and Drug Administration: 2 hours;
- (g) American National Standard for Safe Use of Lasers (ANSI): 40 hours;
- (h) Technologies: 15 hours which is inclusive of all areas as specified below:
 - (A) Intense pulse light;
 - (B) Lasers;
 - (C) Plasma;

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- (D) Nonablative fractional collagen induction;
- (E) Esthetic radio frequency;
- (F) Esthetic ultrasound;
- (G) Cryolipolysis;
- (H) Microwaves; and
- (I) Emerging technologies.
- (i) Light energy hair removal: 25 hours;
- (j) Photo rejuvenation and dyschromia reduction: 25 hours;
- (k) Skin rejuvenation: 45 hours;
- (l) Cellulite reduction: 25 hours;
- (m) Body contouring: 25 hours; and
- (n) Nonablative tattoo removal: 25 hours.

(7) The 195 hours of practical instruction which includes 110 procedures as specified below:

- (a) Light energy hair removal: 25 hours and 20 procedures;
- (b) Photo rejuvenation and dyschromia reduction: 30 hours and 20 procedures;
- (c) Skin rejuvenation: 50 hours and 25 procedures;
- (d) Cellulite reduction: 35 hours and 15 procedures;
- (e) Body contouring: 35 hours and 15 procedures; and
- (f) Nonablative tattoo removal: 20 hours and 15 procedures.

(8) 25 Discretionary hours may be completed within the theory or practical portion of the education.

- (9) Education must be conducted at a licensed career school and by a licensed teacher through the Higher Education Coordinating Commission.
- (10) The theory portion of the curriculum must be completed prior to the practical portion of the curriculum.
- (11) A teacher licensed under ORS Chapter 345 and OAR Chapter 715 must provide direct supervision when practical training is being performed by a student. Supervision must be provided within following ratios:

- (a) Four students to one teacher ratio while students are observing practical procedures; and

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(b) One student to one teacher ratio while the student is performing practical operation without assistance.

(12) The requirements under subsection (11)(a) and (b) of this rule do not preclude four students from observing one student performing the practical procedure under the same teacher.

[\[ED. NOTE: To view attachments referenced in rule text, click here to view rule.\]](#)

Statutory/Other Authority: ORS 345, ORS 676.615, ORS 676.655, ORS 676.640 & ORS 676.630

Statutes/Other Implemented: ORS 676.655 & ORS 676.640

History:

[BCAE 2-2018, adopt filed 06/28/2018, effective 06/28/2018](#)

[BCAE 2-2017, temporary adopt filed 12/29/2017, effective 01/01/2018 through 06/29/2018](#)

819-020-0110

ADVANCED ESTHETICIAN CERTIFICATION

(1) A permanent certification authorizes the holder to practice advanced nonablative esthetics.

(2) A permanent certification is valid for one year and becomes inactive on the last day of the month one year from the date of issuance or renewal.

Statutory/Other Authority: ORS 676.615, ORS 676.655, ORS 676.640, ORS 676.592 & ORS 676.583

Statutes/Other Implemented: ORS 676.655 & ORS 676.640

History:

[BCAE 2-2018, adopt filed 06/28/2018, effective 06/28/2018](#)

[BCAE 2-2017, temporary adopt filed 12/29/2017, effective 01/01/2018 through 06/29/2018](#)

819-020-0120

APPLICATION REQUIREMENTS FOR CERTIFIED ADVANCED ESTHETICIAN

(1) An individual applying for certification to practice nonablative esthetics must meet the requirements pursuant to ORS 676.640 and must:

(a) Meet the requirements of OAR 331 Division 30;

(b) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of all required fees;

(c) Be at least 18 years of age and provide the Office official documentation verifying date of birth, such as a copy of the applicant's birth certificate, driver's license, or passport;

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(d) Hold an active esthetic certificate through the Board of Cosmetology pursuant to ORS 690.046 through 690.047 and be in good standing with no current or pending disciplinary action; and

(e) Provide documentation of completing one of the following pathways:

(2) **PATHWAY ONE – GRADUATE OREGON SCHOOL:** A graduate of an Oregon licensed career school for advanced nonablative esthetics that meets requirements pursuant to OAR 819-020-0100 must:

(a) Submit official transcript from a licensed career school under ORS 345 showing proof of completion of required certified advanced esthetics curriculum approved by the Board under OAR 819-020-0100; and

(b) Provide official proof of having passed a Board-approved examination listed in OAR 819-020-0130 within two years before or after the date of application. Examination results must be submitted to the Office directly from the examination provider and constitute proof of passage of a Board-approved examination. Examination results provided directly by the applicant are not acceptable.

(3) **PATHWAY TWO – NATIONAL CERTIFICATION:** An individual who has a certification to use lasers or other devices for purposes related to practicing advanced nonablative esthetics procedures from a nationally recognized program that is approved by the Board must:

(a) Provide official proof of having certification to use lasers or other devices for purposes related to practicing advanced nonablative esthetics procedures from a nationally recognized program that is approved by the Board; and

(b) Provide official proof of having passed a Board-approved examination listed in OAR 819-020-0130 within two years before or after the date of application. Examination results must be submitted to the Office directly from the examination provider and constitute proof of passage of a Board-approved examination. Examination results provided directly by the applicant are not acceptable.

(4) **PATHWAY THREE - RECIPROCITY:** An individual authorized and in good standing to practice advanced nonablative esthetics procedures in a state where the requirements to practice nonablative esthetics procedures are substantially similar to the requirements to practice advanced nonablative esthetics procedures in Oregon must provide documentation showing substantial equivalency to Oregon including but not limited to the following:

(a) License requirement in state;

(b) Scope of practice within the state;

(c) Program or course curriculum including hours;

(d) Theory hours;

(e) Practical hours; and

(f) Teacher requirements.

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(5) **PATHWAY FOUR OUT OF STATE EDUCATION OR TRAINING PROGRAM:** Pursuant to ORS 676.640(2)(b), if a training or education program is not located in Oregon it must be substantially equivalent to a program licensed through the Higher Education Coordinating Commission. Documentation supporting substantial equivalence must include but is not limited to the following:

- (a) License requirement in state;
- (b) Scope of practice within the state;
- (c) Program or course curriculum including hours;
- (d) Theory hours;
- (e) Practical hours; and
- (f) Teacher requirements.

(6) For the purpose of subsection (3) of this rule there are currently no Board-approved nationally recognized programs. Individuals who are seeking board approval of a nationally recognized program must submit documentation that fully explains the criteria and requirements of the nationally recognized program.

NOTE: The applicant is responsible for payment of fees to other organizations including but not limited to examination fees.

Statutory/Other Authority: ORS 676.615, ORS 676.655, ORS 676.640, ORS 676.592 & ORS 676.583

Statutes/Other Implemented: ORS 676.655 & ORS 676.640

History:

[BCAE 2-2018, adopt filed 06/28/2018, effective 06/28/2018](#)

[BCAE 2-2017, temporary adopt filed 12/29/2017, effective 01/01/2018 through 06/29/2018](#)

819-020-0130

APPROVED EXAMINATION

Information on the December 2017 version of the Board approved written examination can be accessed on the Office website.

[\[ED. NOTE: To view attachments referenced in rule text, click here to view rule.\]](#)

Statutory/Other Authority: ORS 676.615, ORS 676.640, ORS 676.655 & ORS 676.586

Statutes/Other Implemented: ORS 676.640 & ORS 676.655

History:

[BCAE 2-2018, adopt filed 06/28/2018, effective 06/28/2018](#)

[BCAE 2-2017, temporary adopt filed 12/29/2017, effective 01/01/2018 through 06/29/2018](#)

819-020-0150

EXAMINATION RETAKE REQUIREMENTS

- (1) Pursuant to ORS 676.655(1)(a) in order for an applicant to retake a written examination:
- (a) After first failed attempt — applicant may not retake for seven calendar days;
 - (b) After second failed attempt — applicant may not retake for seven calendar days;
 - (c) After third failed attempt — applicant may not retake for 30 calendar days, must submit an official transcript certifying additional training from an licensed advanced esthetics career school on a form prescribed by the Office.
 - (d) After fourth failed attempt — applicant may not retake for seven calendar days;
 - (e) After fifth failed attempt — applicant may not retake for seven calendar days;
 - (f) After sixth failed attempt — applicant may not retake for 30 calendar days, must submit an official transcript certifying additional training from an licensed advanced esthetics career school on a form prescribed by the Office.
 - (g) After seventh failed attempt — ability to retake, requirements for retake, or both will be determined by the Board on a case-by-case basis.
- (2) An applicant retaking the examination must meet the requirements under OAR 331-030-0000 and pay all applicable fees.

Statutory/Other Authority: ORS 676.615, ORS 676.640, ORS 676.655 & ORS 676.586

Statutes/Other Implemented: ORS 676.640 & ORS 676.655

History:

[BCAE 2-2018, adopt filed 06/28/2018, effective 06/28/2018](#)

[BCAE 2-2017, temporary adopt filed 12/29/2017, effective 01/01/2018 through 06/29/2018](#)

Division 25
Board of Certified Advanced Esthetics Renewal Requirements

819-025-0000

DISPLAY OF AUTHORIZATION AND POSTING REQUIREMENTS

- (1) A certification holder must post advanced esthetic certificate in public view.
- (2) A certification holder may temporarily conceal the address printed on the certification document with a covering that is removable.

Statutory/Other Authority: ORS 676.615 & ORS 676.655

Statutes/Other Implemented: ORS 676.655

History:

[BCAE 2-2018, adopt filed 06/28/2018, effective 06/28/2018](#)

[BCAE 4-2017, temporary adopt filed 12/29/2017, effective 01/01/2018 through 06/29/2018](#)

819-025-0010

CERTIFICATION ISSUANCE AND RENEWAL

(1) A certification holder is subject to the provisions of OAR Chapter 331, Division 30 regarding the renewal of a certification, and provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate certification.

(2) Certification renewal under this rule is valid for one year and becomes inactive on the last day of the month one year from the date of issuance or renewal.

(3) CERTIFICATION RENEWAL: To avoid delinquency penalties, a certification holder must renew prior to the certification entering inactive status. The certification holder must submit the following:

- (a) Renewal application form;
- (b) Payment of required renewal fees pursuant to OAR 819-040-0005;
- (c) Attestation of having obtained required annual continuing education under OAR 819-025-0020 and 819-020-0030, on a form prescribed by the Office, whether certification is current or inactive;
- (d) Attestation of current certification in cardiopulmonary resuscitation from an Office-approved provider;
- (e) Attestation of current first aid training by an Office-approved provider;
- (f) Attestation of current certification in blood borne pathogens training from an Office-approved provider;
- (g) Attestation of having a collaborative agreement with a health-care provider pursuant to OAR 819-030-0020; and

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(h) Provide proof of having an active esthetic certificate through the Board of Cosmetology pursuant to ORS 690.046 and be in good standing with no current or pending disciplinary action.

(4) INACTIVE CERTIFICATION RENEWAL: A certification holder may be inactive for up to three years. A certification holder who is inactive is not authorized to practice. When renewing after entering inactive status, the certification holder must submit the following:

(a) Renewal application form;

(b) Payment of delinquency and certification fees pursuant to OAR 819-040-0005;

(c) Attestation of having obtained required annual continuing education under OAR 819-025-0020 and 819-020-0030, on a form prescribed by the Office, whether certification is current or inactive;

(d) Attestation of current certification in cardiopulmonary resuscitation from an Office-approved provider;

(e) Attestation of current first aid training by an Office-approved provider;

(f) Attestation of current certification in blood borne pathogens training from an Office approved provider;

(g) Attestation of having a collaborative agreement with a health-care provider pursuant to OAR 819-030-0020;

(h) Provide proof of having an active esthetic certificate through the Board of Cosmetology pursuant to ORS 690.046 and be in good standing with no current or pending disciplinary action.

(5) EXPIRED CERTIFICATION: A certification that has been inactive for more than three years is expired and the certification holder must reapply for certification and meet the requirements listed in OAR 819-020-0110 and 819-020-0120.

(6) INITIAL CONTINUING EDUCATION: A certification holder is not required to attest to having five hours of annual continuing education until their second renewal. The second and all subsequent renewals require annual attestation of five hours of continuing education.

Statutory/Other Authority: ORS 676.615, ORS 676.645, ORS 676.655 & ORS 676.586

Statutes/Other Implemented: ORS 676.645 & ORS 676.655

History:

[BCAE 2-2018, adopt filed 06/28/2018, effective 06/28/2018](#)

[BCAE 4-2017, temporary adopt filed 12/29/2017, effective 01/01/2018 through 06/29/2018](#)

[819-025-0020](#)

CONTINUING EDUCATION REQUIREMENTS

(1) To maintain certification, a certified advanced esthetician must complete a minimum of five hours of continuing education every year.

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- (2) The subject matter of the continuing education must be related to advanced nonablative esthetics pursuant to OAR 819-020-0100 and ORS 676.630. Continuing education may include the laws and rules, infection control, professional ethics and business practices.
- (3) A certification holder must document compliance with the continuing education requirement through attestation on the certification renewal application. A certification holder is subject to provisions of OAR 819-025-0030 pertaining to periodic audit of continuing education.
- (4) Continuing education may be obtained through online courses, attendance at lectures, sessions, courses, workshops, symposiums seminars or other presentations offered by:
- (a) Institutions or programs accredited by a federally recognized accrediting agency;
 - (b) Institutions or programs approved by Oregon Higher Education Coordinating Commission;
 - (c) An organization offering continuing advanced nonablative esthetic education opportunities, including but not limited to, Board-approved professional organization, association, hospital, or health-care clinic offering continuing education related to subject matter listed in subsection (2) of this rule.
 - (d) Society of Plastic Surgical Skin Care Specialists, Associated Skin Care Professionals, New Age Spa Institute, Cascade Aesthetic Alliance and and National Coalition of Estheticians Manufacturers/Distributors and Associations (NCEA) Commission on Accreditation.
- (5) Continuing education relating to subject matter listed in subsection (2) of this rule may also be obtained through self-study, research, authorship, or teaching, provided that no more than half the required hours be in research, authorship or teaching.
- (6) Obtaining and maintaining proof of continuing education is the responsibility of the certificate holder. The certificate holder must ensure that adequate proof of attainment of required continuing education is available for audit or investigation or when otherwise requested by the Office. Adequate proof of participation is listed under OAR 819-025-0030.
- (7) Documentation of participation in continuing education requirements must be maintained for a period of five years.
- (8) Hours of continuing education that are obtained in excess of the minimum requirements listed in this rule will not be carried forward as credit for the subsequent license renewal reporting cycle.
- (9) For the purpose of this rule continuing education must include periods of continuous instruction and education, not to include breaks, rest periods, travel, registration or meals.
- (10) A certification holder is not required to attest to having five hours of annual continuing education until their second renewal. The second and all subsequent renewals require annual attestation of five hours of continuing education.

Statutory/Other Authority: ORS 676.615, ORS 676.586 & ORS 676.655

Statutes/Other Implemented: ORS 676.655

History:

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819-025-0030

CONTINUING EDUCATION: AUDIT, REQUIRED DOCUMENTATION AND SANCTIONS

- (1) The Office will audit a select percentage of certificate holders to verify compliance with continuing education requirements.
- (2) Certificate holders notified of selection for audit of continuing education attestation must submit to the Office, within 30 calendar days from the date of issuance of the notification, satisfactory evidence of participation in required continuing education in accordance with OAR 819-025-0030.
- (3) Evidence of successful completion of the required continuing education may include the following:
 - (a) Name of continuing education sponsor/provider;
 - (b) Course agenda – including the date of the training and breakdown of hours for each agenda item, lunch and breaks;
 - (c) Course outline – including a detailed summary of each topic discussed and the learning objective or training goal of each agenda item. The content of the course must have a direct relationship between the course training and subject matter related to requirements listed in OAR 819-025-0020;
 - (d) Background resume of speakers or instructors; and
 - (e) Documentation of attendance and successful course completion including but not limited to certificate, transcript, sponsor statement, affidavit attesting to attendance or diploma.
- (4) Evidence of self-study, research, authorship or teaching successful completion of the required continuing education may include the following:
 - (a) Name of sponsor or source, type of study, description of content, date of completion, and duration in hours in accordance with OAR 819-025-0020(1);
 - (b) Name of approved correspondence courses or national home study issues;
 - (c) Name of publications, textbooks, printed material or audio cassettes, including date of publication, publisher, and ISBN identifier; and
 - (d) Name of films, videos, or slides, including date of production, name of sponsor or producer and catalog number.
- (5) If documentation of continuing education is incomplete, the certificate holder has 30 calendar days from the date of the deficiency notice to correct the deficiency and submit further documentation of completion of the required continuing education.

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(6) Misrepresentations of continuing education or failure to complete continuing education requirements may result in disciplinary action, which may include, but is not limited to, assessment of a civil penalty and suspension or revocation of the certificate.

Statutory/Other Authority: ORS 676.615, ORS 676.586 & ORS 676.655

Statutes/Other Implemented: ORS 676.655

History:

[BCAE 2-2018, adopt filed 06/28/2018, effective 06/28/2018](#)

[BCAE 4-2017, temporary adopt filed 12/29/2017, effective 01/01/2018 through 06/29/2018](#)

UNOFFICIAL

Division 30

BOARD OF CERTIFIED ADVANCED ESTHETICIANS, PRACTICE STANDARDS

819-030-0001

Definition of Advanced Esthetics Device

Pursuant to ORS 676.630(3), the Board and the Board of Cosmetology collaboratively developed the definition of “Device” (advanced esthetics device) in this rule. This rule sets forth the specific characteristics of an advanced esthetics device.

- (1) An advanced esthetician is limited to using advanced esthetics devices as follows:
 - (a) Limited to performing services that are “nonablative” as defined in ORS 676.630 and OAR 819-005-0005.
 - (b) Limited to services performed on the hair and skin.
- (2) An advanced esthetician may perform advanced nonablative esthetic procedures that go beyond the epidermis using advanced esthetics devices listed in subsection (3) of this rule.
- (3) An advanced esthetics device is a:
 - (a) Laser;
 - (b) Intense Pulse Light; or
 - (c) Piece of equipment or a mechanism that meets all of the following:
 - (i) Shares the same risk and safety qualities as lasers and intense pulse light devices.
 - (ii) Is capable of performing nonablative procedures on the skin or hair.
 - (iii) Is capable of performing procedures in conjunction with a modality.
 - (iv) Is registered with the United States FDA.
- (4) An advanced esthetic device may not be of greater risk or greater inherent risk as a laser or intense pulse light.
- (5) It is the responsibility of the advanced esthetician to be trained and educated on the devices and procedures used in the practice of advanced nonablative esthetics.
- (6) An individual certified to practice advanced nonablative esthetics procedures is responsible for determining if any services or devices to be used on clients are prohibited by law.
- (7) Services provided and devices used by certified advanced estheticians that are prohibited, unsafe, dangerous or cause harm may result in a violation of incompetence, negligence, or unprofessional conduct pursuant to ORS 676.612(2)(j) and under Office or Board rules.

Statutory/Other Authority: ORS 676.630, ORS 690.005, ORS 676.665 & ORS 676.647
Statutes/Other Implemented: ORS 676.630 & ORS 676.647

Health Licensing Office, Board of Certified Advanced Estheticians
Oregon Administrative Rules, Chapter 819, Division 005 – 050
Permanent Rules Effective: January 26, 2024
Unofficial Copy

History:

[BCAE 1-2024, adopt filed 01/21/2024, effective 01/26/2024](#)

819-030-0005

GENERAL PRACTICE STANDARDS

- (1) A certified advanced esthetician must wear a name tag that clearly states the individual's name and in what capacity the individual is working in and designate in each client's treatment log documenting who performed the service and in what capacity the service was being performed including but not limited to medical assistant or registered nurse.
- (2) A certified advanced esthetician is prohibited from making any false representation either verbally or in writing that would imply services being performed outside the scope of practice are connected to their certified advanced esthetician practice.
- (3) A certified advanced esthetician is prohibited from performing:
 - (a) Ablative services; and
 - (b) Internal vaginal rejuvenation that goes beyond the introitus (vaginal opening).
- (4) Procedures performed without using a laser or other device registered with the FDA are not considered advanced nonablative esthetics services pursuant to ORS 676.630(1).
- (5) Services provided by a certified advanced esthetician to a client that are prohibited, unsafe, dangerous or cause serious harm may result in a violation of incompetence, negligence or unprofessional conduct pursuant to ORS 676.612(2)(j), OAR 331-020-0070 or OAR 331-020-0075.

Statutory/Other Authority: ORS 676.615, ORS 676.586, ORS 676.630 & ORS 676.655

Statutes/Other Implemented: ORS 676.630 & ORS 676.655

History:

[BCAE 2-2018, adopt filed 06/28/2018, effective 06/28/2018](#)

[BCAE 4-2017, temporary adopt filed 12/29/2017, effective 01/01/2018 through 06/29/2018](#)

819-030-0010

CLIENT DISCLOSURE PRACTICE STANDARDS

A certified advanced esthetician must maintain and provide to each client a "client disclosure form" pursuant to ORS 676.655, which includes at minimum the existence of professional liability insurance. The client disclosure information may be combined with other documentation used by the certified advanced esthetician including but not limited to informed consent or summary of visit.

Statutory/Other Authority: ORS 676.615, ORS 676.586, ORS 676.630 & ORS 676.655

Statutes/Other Implemented: ORS 676.630 & ORS 676.655

History:

For an official copy of the Oregon Administrative Rules, please go to the Secretary of State website:

http://sos.oregon.gov/archives/Pages/oregon_administrative_rules.aspx or call (503) 373-0701

Health Licensing Office, Board of Certified Advanced Estheticians
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819-030-0020

COLLABORATIVE AGREEMENT

(1) Pursuant to ORS 676.655(2)(c), a certified advanced esthetician must enter into a collaborative agreement with one or more of the following health-care professionals who hold an active license in good standing with no current or pending action:

(a) Physician licensed under ORS Chapter 677;

(b) Nurse practitioner licensed under ORS 678.375 to 678.390;

(c) A licensed health-care professional who works at the same location as the certified advanced esthetician and who has the authority to prescribe drugs listed in Schedule III, IV or V which includes, but is not limited to, the following:

(A) Dentist licensed under ORS 679;

(B) Naturopathic physician licensed under ORS 685; or

(C) Certified Registered Nurse Anesthetists licensed under ORS 678.245 to 678.285.

(2) All active collaborative agreements must be maintained and kept current by the certified advanced esthetician and made immediately available.

(3) Inactive collaborative agreements must be kept for seven years and must be made immediately available to the Office upon request.

(4) All collaborative agreements must contain the following information:

(a) Name of certified advanced esthetician;

(b) Certificate number of the certified advanced esthetician;

(c) Name of licensed health care professional;

(d) License number of licensed health care professional;

(e) Contact information of the licensed health care professional; and

(f) Effective date of agreement.

(5) The collaborative agreement must be current and updated at all times services are being performed.

(6) Multiple advanced certified estheticians can enter into a collaborative agreement under the same licensed health-care professional; however, each certified advanced esthetician must have individual agreements that meet requirements listed in subsection (1), (2) and (3) of this rule.

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(7) For the purpose of this rule and pursuant to ORS 676.655 the purpose of an agreement is to provide a client with a referral to a licensed health care professional. It is not required that the client pursue treatment from the referred licensed health care professional and the licensed health care professional is not required to provide care to the client.

(8) Collaborative agreements may be stored electronically.

Statutory/Other Authority: ORS 676.615, ORS 676.586, ORS 676.630 & ORS 676.655

Statutes/Other Implemented: ORS 676.630 & ORS 676.655

History:

[BCAE 2-2018, adopt filed 06/28/2018, effective 06/28/2018](#)

[BCAE 4-2017, temporary adopt filed 12/29/2017, effective 01/01/2018 through 06/29/2018](#)

819-030-0060

Safety and Infection Control Practice Standards

(1) A certified advanced esthetician performing services must:

(a) Work in a licensed Board of Cosmetology facility with a certification issued under ORS 690.055 pursuant to ORS 676.655(2)(a);

(b) Adhere to facility standards set forth in ORS 690.055 and OAR Chapter 817 Division 10 and Division 20, if applicable to advanced nonablative esthetics;

(c) Use only lasers or other devices registered with the FDA and for nonablative procedures pursuant to ORS 676.630;

(d) Use laser or other device registered with the FDA in a manner described in the manufacturer's instructions and consistent with the manufacturer's intended use of the device by the FDA;

(e) Maintain FDA registration documentation on each laser or device on the facility premises.

(f) Ensure high-level disinfectant is used in accordance with manufacturer's instructions to disinfect surfaces where services are performed.

(g) Adhere to all Centers for Disease Control and Prevention Standard Precautions for All Patient Care.

(2) If a certified advanced esthetician is performing laser services they must meet the standards pursuant to the 2014 American National Standard Z136.1 and the 2011 American National Standards Laser Safety Education Program Z136.3.

(3) Tools, instruments, equipment or devices that come in direct contact with a client must be disposed of or sanitized and disinfected according to manufacturer's instructions before use on each client.

Statutory/Other Authority: ORS 676.655 & ORS 676.615

Statutes/Other Implemented: ORS 676.655

Health Licensing Office, Board of Certified Advanced Estheticians
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UNOFFICIAL

Division 40
BOARD OF CERTIFIED ADVANCED ESTHETICIANS, FEES

819-040-0005

Fees

- (1) An applicant or authorization holder is subject to provisions of OAR 331-010-0010 and 331-010-0020 regarding payment of fees, penalties and charges.
- (2) Fees established by the Health Licensing Office are as follows:
 - (a) Application for Permanent Certification: \$100.
 - (b) Original Permanent Certification: \$100
 - (c) Annual renewal: \$100
 - (d) Delinquency fee: \$30 for each year in an inactive status up to three years.
 - (e) Replacement of certificate including name change: \$25.
 - (f) Duplicate certificate document: \$25 per copy with maximum of three.
 - (g) Affidavit of licensure: \$50.
 - (h) An additional \$25 administrative processing fee will be assessed if a NSF or non-negotiable instrument is received for payment of fees, penalties and charges. Refer to OAR 331-010-0010.
 - (i) Information packets: \$10

Statutory/Other Authority: 676.615, 676.640, 676.655 & 676.592

Statutes/Other Implemented: 676.640, 676.655 & 676.592

History:

[BCAE 3-2017, amend filed 12/29/2017, effective 01/01/2018](#)

[BCAE 1-2017, f. & cert. ef. 1-3-17](#)

Division 50
Board of Certified Advanced Esthetics Civil Penalties

819-050-0010

SCHEDULE OF PENALTIES FOR CERTIFIED ADVANCED ESTHETICIANS VIOLATIONS

The Office, in consultation with the Board, has adopted the following presumptive penalty schedule for certain violations. Any violation of statute or rule will be handled at the discretion of the Office and Board.

Performing, attempting to perform, or purporting to perform nonablative esthetics services without proper certification is a violation of ORS 676.635(1):

(1) Never held or expired:

(a) 1st offense: \$2,500;

(b) 2nd offense: \$5,000;

(c) 3rd offense: Monetary penalty and any other actions allowed by law including revocation or suspension of authorization to practice and refusal to issue a new authorization.

(2) Inactive:

(a) 1st offense: \$200;

(b) 2nd offense: \$500;

(c) 3rd offense: \$1,000; and

(d) 4th offense: Monetary penalty and any other actions allowed by law including revocation or suspended authorization to practice and refusal to issue a new authorization to practice to a revoked authorization holder.

(3) Suspended or revoked:

(a) 1st offense: \$2,500;

(b) 2nd offense: \$5,000; and

(c) 3rd offense: Monetary penalty and any other actions allowed by law including revocation of suspended authorization to practice and refusal to issue a new authorization to practice to a revoked authorization holder.

Statutory/Other Authority: ORS 676.615, ORS 676.586, ORS 676.608 & ORS 676.612

Statutes/Other Implemented: ORS 676.586 & ORS 676.608

History:

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819-050-0020

SCHEDULE OF PENALTIES FOR FALSIFYING OR FAILURE TO POST CERTIFICATE

The Office, in consultation with the Board, has adopted the following presumptive penalty schedule for certain violations. Any violation of statute or rule will be handled at the discretion of the Office and Board.

(1) Altering with fraudulent intent or fraudulent use, attempted use, obtainment, or counterfeiting of a certificate issued by the Office is a violation of ORS 676.635(1):

- (a) 1st offense: \$1,500;
- (b) 2nd offense: \$3,500; and
- (c) 3rd offense: \$5,000.

(2) Failing to post a valid certificate issued by the Office in public view is a violation of OAR 819-025-0000:

- (a) 1st offense: \$200;
- (b) 2nd offense: \$500;
- (c) 3rd offense: \$1,000

Statutory/Other Authority: ORS 676.615, ORS 676.612, ORS 676.608, ORS 676.586 & ORS 676.655

Statutes/Other Implemented: ORS 676.586 & ORS 676.655

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