

March 16th 2021

Regarding HB 2970

Rep. Rachel Prusak, Chair of House Health Care Committee

Reps. Cedric Hayden & Andrea Salinas, Vice Chairs

Members of the House Health Care Committee

Dear Representatives:

My name is Dr. Jeffrey L. Scott and I am writing to you regarding HB2970 and its potential implications if passed in its current form. I previously worked with the Board of Cosmetology on the Rules Advisory Committee I believe around 2014. It was at that time I helped define the scope of practice for an esthetician. During our discussions, we quickly realized the Board of Cosmetology was not capable of providing the licensing or overseeing the education required for an individual in the field of aesthetics to provide medical grade treatments. This led to the passage of HB 2642 and the formation of the Board of Advance Estheticians. It is my understanding that since the formation of this board, community complaints have drastically declined. By increasing the education of individuals to understand the principles of lasers and other medical devices used for the purposes of improving the health of the skin and appearance of the body and to safely deliver such energies to the human body public safety has been greatly improved which is the goal of any board.

HB2970 raises several concerns that may allow individuals to bypass current safety practices. It appears that this bill would allow people to start utilizing non-FDA approved equipment. If that is the intent, this could only lead to disastrous results. The FDA approves medical equipment based on standards. One of the most important is standards in energy delivery as well as built in safety measures for the discontinuation of energy deliveries. To allow equipment that is non-FDA approved to be utilized will most certainly put the public in danger.

The type of equipment we are referring to are generally photo based therapies either light at high energies or lasers with wavelengths in the UV spectrum between 500-10600nm. We are also using radiofrequency devices and now magnetic pulsed energies to improve the appearance of the body. If these devices were not regulated and used in untrained hands, irreparable damage to the human skin and or body can occur. Even with advanced training adverse events occur. Fortunately, the vast majority are minimal and treated appropriately where advance estheticians have close working relationships with Board Certified Medical personnel. Again, since the Board of Advance Estheticians was founded, the community complaint rate has been drastically reduced.

As a physician, it is well known to never utilize a non-FDA approved device. To perform such an act results in malpractice with malicious intent. Devices as above, even in the best of hands, can result in burns, scarring,

permanent deformities and long-lasting pain. I know as I have seen it as a family physician, director of a medical spa as well as the owner of a medical spa. To allow untrained, or poorly trained individuals access to such equipment puts the public at greater risk. I strongly urge all Committee Members and Law Makers to drop this bill and revisit with the Oregon Health Authority and the Board of Advanced Estheticians to maintain the health and safety of the community while protecting the livelihood of those that have taken the time to educate themselves and obtain the necessary licensure for this advanced and evolving field. Thank you for your time in this matter. Should you have any questions I can help answer please feel free to reach out to me directly at 951-440-4923 which is my personal cell.

Best Regards,

Dr. Jeffrey L. Scott