

December 5, 2018

The Honorable Kevin O'Connor, MD  
President, Virginia Board of Medicine  
Perimeter Center  
9960 Mayland Drive, Suite 300  
Henrico, VA 23233

**RE: Delegation of Laser Hair Removal**

Dear President O'Connor:

On behalf of the Virginia Society of Plastic Surgeons (VASPS) and the American Society of Plastic Surgeons (ASPS), we are writing regarding the proposed changes to 18 VAC 85-20, which attempt to implement 2017 House Bill 2119. VASPS is the largest association of plastic surgeons in Virginia, and in conjunction with our national affiliate, ASPS, collectively represent 202 board-certified plastic surgeons in the state. Our mission is to advance quality care for plastic surgery patients and promote public policy that protects patient safety.

House Bill 2119 restricts the practice of laser hair removal to physicians, physician assistants, nurse practitioners, and properly trained persons under the direction and supervision of one of the aforementioned medical professionals. While ASPS and VASPS believe that physician assistants and nurse practitioners should perform these procedures under the supervision of a physician, we understand that HB 2119 is a considerable improvement to patient safety and appreciate the commitment of the legislature to improve such standards.

Therefore, we appreciate the training requirements that have been included in the initial proposed changes to 18 VAC 85-20. While the training requirements will ensure that Virginians are receiving care from providers who have undergone adequate training, ASPS and VASPS would like to reiterate its recommendation that the Board impose specific supervision standards for physician assistants, nurse practitioners, and other properly trained persons.

The law requires supervision for persons performing laser hair removal procedures. Due to the fact that these terms are not defined under the proposal, we resubmit the following for the Board's consideration:

**Supervision**

With respect to supervision, ASPS and VASPS recommend the following supervision standards for physician assistants, nurse practitioners, and properly trained persons: the supervising physician should be properly trained and qualified to perform the procedures being delegated, be immediately available by electronic communication, be no further than fifty (50) miles away, and must be available to physically see the patient within twenty-four (24) hours. These supervision requirements are considerate of the fact that certain physician specialties like plastic surgeons are going to be in-hospital performing surgeries on some days,


but also will provide a mechanism to protect the public from medispas with physician supervisors in name only.

Thank you for your consideration of our recommendations. Please do not hesitate to contact Patrick Hermes, Director of Advocacy and Government Relations, at [phermes@plasticsurgery.org](mailto:phermes@plasticsurgery.org) or (847) 228-3331 with any questions.

Sincerely,

Handwritten signature of Alan Matarasso, MD, in blue ink. The signature is written in a cursive style and includes the letters "MD" at the end.

Alan Matarasso, MD, FACS  
President, American Society of Plastic Surgeons

Handwritten signature of Enrique A. Silberblatt, MD, MA, in black ink. The signature is written in a cursive style and includes the letters "MD MA" at the end.

Enrique A. Silberblatt, MD, MA, FACS  
President, Virginia Society of Plastic Surgeons

cc: Members, Virginia Board of Medicine