



Registered Nurse and Advanced Practice Nurses

Regulations: Physician Availability: Elective Cosmetic Procedures

Legislation enacted during 2011 Session

Senate Bill 100, (Price), Chapter 645 Section Affected: Adopt Section 1364.50 in Article 10, of Chapter 2, Division 13, of Title 16.

This bill amended Section 2023.5 of the Business and Professions Code to add subdivision (c), which requires the Medical Board of California (Board) to adopt regulations on the appropriate level of physician availability needed within clinics or other settings using laser or intense pulse light devices for elective cosmetic surgery. However, these regulations shall not apply to laser or intense pulse light devices approved by Federal Food and Drug Administration for over-the-counter use by health care practitioners or by unlicensed person on himself or herself.

Medical Board of California
Physician Availability: Elective Cosmetic Procedures
Specific Language of Proposed Changes

Add Section 1364.50 in Article 10, of Chapter 2, Division 13, of Title 16 of the California Code of Regulations to read as follows:

Whenever an elective cosmetic procedure involving the use of a laser or intense pulse light device is performed by a licensed health care provider acting within the scope of his or her license, a physician with relevant training and expertise shall be immediately available to the provider. For the purposes of this section, "immediately available" means contactable by electronic or telephonic means without delay, interruptible, and able to furnish appropriate assistance and direction throughout the performance of the procedure and to inform the patient of provisions for post procedure care. Such provisions shall be contained in the licensed health care provider's standardized procedures and protocols.

The status of the regulation is March 4, 2013 at Office of Administrative Law for approval.