# GUIDELINES FOR OKLAHOMA MEDICAL SPAS & AESTHETIC PROCEDURES

The purpose of this document is to provide MDs guidance for regulations regarding the operation of a med spa in Oklahoma. A med spa is a combination of a traditional day spa and a medical clinic. Oklahoma MDs can face serious licensing consequences from the improper supervision of a med spa and place their licenses in jeopardy. All MDs should review all rules and regulations prior to involvement with these practices.

A med spa is a medical practice that utilizes aesthetic healthcare professionals to provide medical grade treatments, including but not limited to: injection of neuromodulators and dermal fillers, laser and intense pulsed light sources for hair removal, dyschromia of skin, ablation of vascular diseases such as spider veins or cherry angioma and wrinkles, treatments that heat the skin and underlying fat using radio frequency and treatments that cool skin to treat fat, as well as microneedling. Non-medical grade spa treatments are procedures that do not puncture the top layer of skin (Stratum corium), and include without limitation: facials, hydrafacials, massage and mild chemical peels and are regulated by the Oklahoma Board of Cosmetology and Barbering. [See OAC 175:10-7-29]

## GUIDELINES

- MDs who practice in a med spa must have an active, full, unrestricted Oklahoma license.
- The MD must have an established physician/patient relationship which shall include an initial evaluation, prior to treatment, that is either face to face or via telemedicine that is performed by the physician, or a supervised PA, or a supervised APRN with prescriptive authority. [See OAC 435: 10-1-4]
- Services as a med spa must comply with Oklahoma and federal laws governing the establishment of a physician/patient relationship, development of a patient chart, informed consent, delegation to allied health care practitioners and supervision, clinic safety, follow up care, as well as patient safety.
- There are several important guidelines to follow when supervising other practitioners:
    - If the physician is utilizing unlicensed, trained assistants under their control and supervision, the physician must be on site (premise) before, during and after the medical treatment or procedure. [See 59 Okla. Stat. § 492(E)]
    - If the physician is utilizing an Oklahoma licensed physician assistant (PA), the physician can delegate any of the defined medical services to the licensed PA under general supervision. The physical presence of the delegating physician is not required if the delegating physician and physician assistant are or can be easily in contact with each other by telecommunication. [See 59 Okla. Stat. § 519.2(7)]
    - If the physician is utilizing an Oklahoma licensed nurse, advance practice registered nurse (APRN) or an APRN with prescriptive authority, it is imperative that the physician contact the Oklahoma Board of Nursing (405-962-1800) to determine the nurse's scope of practice and level of supervision required.
    - If the physician is utilizing any other recognized practitioner including without limitation: aesthetist, cosmetologist, barber, manicurist, hair threader, hair braider, cosmetician, it is imperative that the physician contact the Oklahoma Board of Cosmetology (405-521-2441) to determine the scope of their practice act and level of medical supervision needed. If the physician is utilizing a licensed micropigmentologist it is imperative that the physician contact the Oklahoma State Department of Health (405-426-8000) to determine the scope of their practice act and level of medical supervision needed.
    - In no instance may a physician allow one of the aforementioned practitioners to further delegate the medical service to another practitioner.
    - Physicians who are medical directors for one or multiple med spas are subject to these guidelines.

When in doubt about a specific medical service and the corresponding level of supervision, the physician should contact the Oklahoma State Board of Medical Licensure and Supervision (OSBMLS) at 405-962-1400 or the appropriate regulatory agency.

## DISCLAIMER

These Medical Spa Guidelines are subject to change without notice and are available only to facilitate a general understanding for licensees of the OSBMLS and are not enforceable as a rule or law.

*Approved by OSBMLS: January 18, 2024*