OKLAHOMA
State Board of
Osteopathic Examiners

Osteopathic Medical Spa Guidelines

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

A medical 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 micro needling. 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 mid chemical peels and are regulated by the Oklahoma Board of Cosmetology and Barbering. [See OAC 175:10-7-29].

GUIDELINES

- DOs who supervise a med spa must have an active full, unrestricted Oklahoma license.
- All DOs must **ACTIVELY** supervise their med spa.
- **The DO must have an established physician/patient relationship with all patients 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 by a supervised PA, or a supervised APRN with **prescriptive authority**. [See OAC 435:10-1-4 for general definitions].
- Services as a medical 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.
- **A TREATMENT PLAN** that includes risks, benefits, alternatives, follow-up, and care for potential complications should be developed by the aesthetic healthcare professionals.
- The supervising physician, PA, and/or APRN may then treat that patient or delegate that treatment to a **licensed RN** under the general supervision of the supervising physician.
- General supervision does not require the presence of the supervising physician in the office. If treatment is delegated to **Licensed Practical Nurses, Licensed Estheticians, Certified Micropigmentologists, Medical Assistants, or unlicensed assistants,** the supervising physician must provide direct supervision and be **physically available before, during, and after treatment**.
- The supervising physician must provide **timely and random chart reviews**, ensure **adequate training** for all staff, conduct **safety and compliance reviews,** and

ensure **ongoing medical aesthetic education.**

- 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 O.S. § 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 the physician assistant are or can be easily in contact with each other by telecommunication. [See 59 O.S. 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: anesthetist, cosmetologist, barber, manicurist, hair threader, hair braider, cosmetician, it is imperative that the physician contact the Oklahoma State Department of Health (405-426-8000) to determine the scope of 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 Osteopathic Examiners (OSBOE) at 405-528-8625 or the appropriate regulatory agency.

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