

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1266

By: Representative M. Gray

For An Act To Be Entitled

AN ACT TO CLARIFY THE PROFESSIONAL RELATIONSHIP
REGARDING COSMETIC AESTHETIC SERVICES; AND FOR OTHER
PURPOSES.

Subtitle

TO CLARIFY THE PROFESSIONAL RELATIONSHIP
REGARDING COSMETIC AESTHETIC SERVICES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 17, Chapter 95, Subchapter 1, is amended to add an additional section to read as follows:

17-95-109. Cosmetic aesthetic services.

(a) As used in this section, "cosmetic aesthetic services" means services in the cosmetic or aesthetic field that include:

(1) The use of a laser, radio frequency device, intense pulsed light, or other technique that results in the revision, destruction, incision or other structural alteration of human tissue or for hair removal, or both; and

(2) The performance of injections of botulinum toxin, collagen, hyaluronic acid, or any other substance injected for a primarily cosmetic purpose.

(b) In order to establish a professional relationship with a patient, the following requirement shall be met:

(1)(A) The patient shall receive all information necessary to give appropriate informed consent for any cosmetic aesthetic service.

(B) The informed consent shall be timely documented in the



patient's chart or record;

(2)(A) A patient receiving a cosmetic aesthetic service shall be informed that the physician is available to personally consult with the patient or provide appropriate evaluation or treatment in relation to the cosmetic aesthetic service.

(B) Upon request, the physician shall timely and personally provide consultation, evaluation, or treatment as described in subdivision (b)(2)(A) of this section; and

(3) The physician shall:

(A) Ensure that appropriate patient charts or records are kept for each patient receiving a cosmetic aesthetic service; and

(B)(i) Monitor the quality of the cosmetic aesthetic services provided by employees or delegates of the physician by direct observation, review of care, review of outcomes, review of equipment, review of protocols and procedures, or review of patient charts, or a combination thereof.

(ii) The physician shall monitor annually at the site where the cosmetic aesthetic service is performed.