



Medical Spa Services Work Group

Alaska Division of Corporations, Business and Professional Licensing

DRAFT Minutes for Wednesday, April 4, 2025, at 4:00 PM AKDT

Held via Zoom videoconference

Work group members present: April Erickson, Board of Nursing; Ashley Schaber, Board of Pharmacy; Shannon Thompson, Board of Barbers and Hairdressers; David Paulson, State Medical Board; John Lloyd, Board of Chiropractic Examiners; Kenley Michaud, Board of Dental Examiners

Staff present: Sara Chambers, facilitator; Reid Bowman, Natalie Norberg, Michael Bowles, Patty Wolf

Members of affiliated boards present: Mae Canady, Board of Barbers and Hairdressers

Public: Approximately a dozen members of the public were present.

CALL TO ORDER

As facilitator, Ms. Chambers called the Work Group to order at 4:00 p.m. by calling the roll. She noted that a quorum was present and welcomed staff and members of the public who were present. She mentioned that Dr. John Lloyd was the new representative from the Board of Chiropractic Examiners.

She clarified the purpose of the Work Group:

- Identify “lifestyle enhancement” services that have a medical nexus and are currently performed or likely to be performed outside of a medical clinic or without appropriate supervision.
- Identify existing statutes and regulations that govern current requirements for training, licensure, and supervision of these procedures.
- Clarify how licensing boards could—jointly or in part—explain existing statutes and regulations that would help the public and licensees understand how these procedures should be safely administered according to the current laws of the state.
- Suggest changes in statute that would allow defensible and transparent pathways forward for appropriately trained and supervised individuals to provide these services without imposing undue economic or regulatory barriers.
- Carry forward Work Group updates and work products to the member boards for their subsequent review and action.

PUBLIC COMMENT

Whitney Carlson spoke to the letter she submitted pertaining to safe practice of medical esthetics.

REVIEW CORRESPONDENCE

Ms. Chambers introduced two letters from Whitney Carlson, MSN, FNP-C, and Susanne Schmalting of the Esthetics Council, which address medical esthetics, boundaries, and parameters for boards to consider. These letters were emailed to work group members and are available on the website for review by the public.

Ms. Chambers mentioned that there was no immediate action planned today on the proposed changes to current statutes and regulations. The work group will take the next month to digest the content of the letters, continue their research, and continue to encourage public comments.

MEDICAL DIRECTOR DEFINITION

Ms. Chambers introduced the topic of the medical director role, emphasizing the importance of understanding current statutes and regulations. Dr. Paulson of the State Medical Board and Dr. Erickson of the Board of Nursing were invited to present their interpretations of these regulations. She reminded the group that neither Dr. Paulson nor Dr. Erickson are attorneys, and their presentations are based on their interpretations of the statutes and regulations. Any questions raised during the meeting would be taken back to their respective boards for further clarification.

Medical Board

Dr. Paulson explained that the term "medical director" is not explicitly defined in Alaska State law but generally refers to a person with the scope of practice to oversee a clinic setting. He highlighted the need for medical directors to have the appropriate scope of practice to oversee medical and nursing practices.

Delegation of Medical Acts: Dr. Paulson explained the categories of professionals who can delegate medical acts and the limitations on delegation to unlicensed personnel, such as medical assistants and cosmetologists.

Delegation Categories: Dr. Paulson outlined six categories of professionals who can delegate medical acts: physicians, dentists, advanced practitioner nurses, podiatrists, optometrists, and chiropractors. He emphasized that these professionals have the authority to delegate specific medical acts within their scope of practice.

Limitations on Delegation: Dr. Paulson detailed the limitations on delegation to unlicensed personnel, such as medical assistants and cosmetologists. He explained that while medical assistants can perform tasks like taking vitals and phlebotomy, they cannot diagnose, initiate treatment plans, or prescribe medications.

Specific Tasks: Dr. Paulson provided examples of specific tasks that can be delegated to medical assistants, such as rooming patients, taking vitals, performing EKGs, and assisting with procedures. However, he stressed that medical judgment and the practice of medicine cannot be delegated to unlicensed individuals.

Board of Nursing

Dr. Erickson shared the Board of Nursing's perspective on delegating nursing tasks and the need for baseline knowledge for estheticians to perform certain tasks.

Nursing Tasks: April explained that the Board of Nursing is limited in what nursing tasks can be delegated to unlicensed personnel. She emphasized the importance of ensuring that individuals performing delegated tasks have the necessary baseline knowledge and training.

Estheticians' Training: April raised the question of whether estheticians need to become nursing assistants or medical assistants to perform certain tasks. She highlighted the variation in esthetician training across the nation and the need for a consistent baseline in Alaska.

Flexibility in Regulations

Ms. Chambers and Dr. Paulson discussed the potential flexibility in current regulations for delegating specific tasks to trained and supervised personnel, with Dr. Paulson agreeing to bring the topic to the Medical Board for further discussion. He expressed concerns about expanding delegation too liberally and emphasized the need to prioritize patient safety.

Members discussed the potential flexibility in current regulations for delegating specific tasks to trained and supervised personnel. Ms. Chambers suggested that if there were a course of training or certification for certain controlled, repeatable tasks, it might be possible to delegate these tasks under the supervision of a medical director. Dr. Paulson agreed to explore this possibility with the Medical Board.

Training and Certification

Expert-Level Competence: April stressed that medical directors must have expert-level competence in the procedures they oversee. This includes understanding the procedures, potential complications, and appropriate treatments.

Scope of Practice: April highlighted the importance of medical directors practicing within their own scope of practice. She provided examples of inappropriate medical directors, such as a neurosurgeon overseeing a med spa without relevant experience in aesthetics.

Public Insight

Ms. Chambers opened the floor to any members of the public who had questions or comments on this topic. Ms. Schmalting emphasized the importance of including estheticians in the medical aesthetics market. She argued that estheticians have historically been part of this industry and should not be excluded based on strict licensing categories. She highlighted the importance of education and training for estheticians. She suggested that a focus on proper training and certification could ensure safety and efficacy in performing certain medical aesthetic procedures. Additionally, she mentioned that other states, such as Colorado, have clear guidelines for delegating tasks to estheticians and medical assistants. She urged the work group to consider similar regulations to balance industry needs and patient safety.

Future Meetings

The group agreed on future meeting dates to discuss IV hydration and other topics:

- April 30th at 4:00 PM to discuss IV hydration and prescriptive authority.
- May 21st at 4:00 PM to follow up on discussions and any updates from the medical and nursing boards.
- June 11th at 4:00 PM to continue discussions and review any new developments.

Ms. Chambers thanked everyone for their flexibility in meeting so late in the day.

ADJOURN

Having no further business to come before it, the work group adjourned the meeting at approximately 5:40 p.m.

Follow-up tasks:

- **Medical Board Discussion:** Dr. Paulson will bring up the topic of delegation of medical procedures to non-licensed individuals at the May Medical Board meeting for discussion and

clarification. Ms. Chambers will work with Ms. Norberg to prepare scenarios and questions for the Medical Board meeting regarding the delegation of medical procedures.

- Board of Nursing Discussion: Dr. Erickson will discuss with the board the possibility of interpreting regulations to allow delegation of certain tasks to non-licensed individuals with the Board of Nursing. Ms. Chambers will work with Dr. Erickson or Ms. Wolf to help prepare this topic for the meeting.