

Medical Spa Services Work Group

Minutes of meeting held via Teams on August 12, 2024

Work Group Members Present:

Board of Barbers and Hairdressers: Wendy Palin
Board of Chiropractic Examiners: Brian Larson, DC
Board of Dental Examiners: Kenley Michaud, DDS
State Medical Board: Eric Nimmo, MD
Board of Pharmacy: Ashley Schaber, PharmD

Work Group Members Absent:

Board of Nursing: April Erickson, APRN

Staff Present:

Sara Chambers, Boards and Regulations Advisor (facilitator)
Shane Bannarbie, Rachel Billiet, Michael Bowles, Reid Bowman, Natalie Norberg, Sylvan Robb, Cynthia Spencer, Patty Wolf

Other Board Members Present:

Danette Schloeder, Board of Nursing

Welcome and introductions

Ms. Chambers called the group to order at 12:05 p.m. Work Group members introduced themselves, provided a little background about themselves or their' boards' work on these issues, and shared their desire to work on the topics anticipated in the agenda.

Identify scope and process

Ms. Chambers provided an overview of the purpose, scope, and process laid forth for the Work Group:

The purpose of the Work Group is to:

- 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.

The term “medical spa services” is not defined in Alaska law. For the purpose of this project, examples of medical spa services include, but are not limited to, all aspects of oversight, diagnosis, prescription, administration, and follow-up care for the following activities performed outside a traditional medical setting.

Based on questions raised by licensees, staff, and members of the public, the topics under consideration at this time are grouped into two priority levels. If the work group believes both priority levels is beyond their reach for the time frame scheduled in this series, Priority One will be completed first.

Priority One (currently occurring and generating many questions):

- intravenous hydration, including compounding medication for IV administration
- advanced esthetics services that potentially penetrate below the dermal layer of the skin
- cosmetic injectables such as botulinum toxin and fillers

Priority Two (occurring less frequently or not generating many questions)

- nonsurgical fat reduction such as injection, radiofrequency, temperature, or laser lipolysis
- “lifestyle” medications such as semaglutides or sildenafil
- hyperbaric treatments

Many of these topics have been partially addressed over several years as individual licensing boards wrestled with issues that overlapped various practitioner scopes of practice. In the meantime, service providers are operating in an unclear landscape as advances in technology and training opportunities in the medical spa industry appear to have far outpaced Alaska statutes and regulations.

Review documentation

The board reviewed the following documentation. It was uploaded into OnBoard and would be made available as appropriate on the Medical Spa Services Work Group web page. Ms. Chambers stated she was concerned about posting incredibly early draft material that the group had not discussed because she did not want to create additional confusion among the public.

- Master Medical Spa Matrix: This is a current draft of allowable activities under current statutes and regulations, as provided by board staff. This is one of the two documents Work Group members will be reviewing and editing before the next meeting.
- Medical Spa Services Issues List: This is a current list of questions received by licensees and the public, as well as a narrative draft of staff’s comments on top issues raised.
- Relevant Board Statutes and Regulations
- Relevant Board Position Statements

- National Resources and References: This is a limited list; Ms. Chambers welcomed members, staff, and listeners to submit additional guidance, best practices, model legislation, and other documents to help inform the Work Group.

Assign next steps

The Work Group agreed to update the draft matrix and issues list with:

- Statutes and regulations supporting their answers for each section of the matrix related to their board.
- Any comments regarding the section, including questions that may need to be asked, areas missing, etc.
- Concerns with existing statements in either document, including specific details if contrary to the notes in the draft.

They agreed to submit these documents to Ms. Chambers by 5:00 p.m. Monday, September 9. She agreed to combine all of the responses into one document for group review the following week.

Schedule next meetings

The group selected the following dates for the next two upcoming meetings:

- *September 16, 12pm-2pm via Teams*
Review and information provided the week prior
Identify and fill gaps in information
Identify gaps or deficiencies in the statutes and regulations
Charge members before the next meeting, if possible, to:
 - Update their boards on the progress and work product of the Medical Spa Work Group
 - Gather additional insight and input from their boards to provide to the work group
 - Identify opportunities for their boards to adopt regulations or seek statutory changes to solve the problems presented
- *October 31, 10am-12pm via Teams*
Work session of the Medical Spa Work Group to discuss work product and approve a draft report for publication

Final thoughts

Members stated they were pleased the work group was convening because their boards were eager to address these issues. They offered appreciation for the organization and format of the work group and the effort staff put into the first draft documents.

The work group adjourned at 1:02 p.m.