

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1266

5 By: Representative M. Gray
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For An Act To Be Entitled

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

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14 TO CLARIFY THE PROFESSIONAL RELATIONSHIP
15 REGARDING COSMETIC AESTHETIC SERVICES.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Title 17, Chapter 95, Subchapter 1, is
21 amended to add an additional section to read as follows:

22 17-95-109. Cosmetic aesthetic services.

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

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

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

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

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

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



1 patient's chart or record;

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

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

9 (3) The physician shall:

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

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

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

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