

# PROPOSED AMENDMENT

## SB 282 # 6

### DIGEST

Medical spas. Moves the registration of a medical spa from the board of pharmacy to the medical licensing board of Indiana (board). Defines "practitioner". Modifies the information to be provided for registration of a medical spa. Specifies the maximum fine that the board may impose. Specifies requirements and responsibilities of the responsible practitioner. Includes treatments in the definition of "serious adverse event". Changes the language concerning when the board may suspend a medical spa registration. Prohibits a medical spa from providing health care services and cosmetic and lifestyle treatments in a location other than the medical spa, physician office, or other health care facility.

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- 1       Page 5, line 7, delete "IC 25-26-13.7" and insert "**IC 25-22.5-12.5**".
- 2       Page 5, line 31, delete "IC 25-26-13.7" and insert "IC 25-22.5-12.5".
- 3       Page 5, line 34, delete "13.7." and insert "**12.5.**".
- 4       Page 6, line 4, delete "service," and insert "**services and treatments**".
- 5       Page 6, line 8, delete ";" and insert "**and dermal fillers;**
- 6       **(iii) hair loss;**".
- 7       Page 6, line 9, delete "(iii)" and insert "(iv)".
- 8       Page 6, line 10, delete "(iv)" and insert "(v)".
- 9       Page 6, line 13, after "2." insert "**As used in this chapter, "practitioner" means any of the following:**
- 10      **(1) A physician licensed under IC 25-22.5.**
- 11      **(2) An advanced practice registered nurse who meets the requirements of IC 25-23-1-19.5.**
- 12      **(3) A physician assistant licensed under IC 25-27.5 who is delegated prescriptive authority under IC 25-27.5-5-6.**
- 13      **Sec. 3.**".
- 14      Page 6, delete lines 22 through 24, begin a new line block indented and insert:
  - 15       **"(3) The medical health care services intended to be provided at the medical spa.**
  - 16       **(4) The prescription drugs that are intended to be prepared, administered, dispensed, or otherwise used at the medical spa,**

**including whether the prescription drug is compounded.**

(5) The name and license number of the medical spa's licensed responsible practitioner described in section 5 of this chapter.

**(6) The name and license number of the individuals and practitioners operating in the medical spa."**

Page 6, line 26, after "spa" insert "**in an amount not to exceed five thousand dollars (\$5,000)**".

Page 6, line 28, delete "3." and insert "4."

Page 6, line 30, delete "2(b)" and insert "3(b)".

Page 6, delete lines 37 through 42, begin a new paragraph and insert:

"Sec. 5. (a) A medical spa registered under this chapter must designate a responsible practitioner who meets the following:

**(1) Has prescriptive authority.**

**(2) Has education and training in the health care services and treatments being performed and medications being dispensed or administered in the medical spa.**

(b) A responsible practitioner shall be physically present at the medical spa location for a sufficient amount of time to comply with the responsibility of ensuring that the medical spa complies with the requirements of this chapter. The board may require a medical spa to receive the board's approval before a medical spa may designate a responsible practitioner to be responsible for more than one (1) location.

(c) A responsible practitioner shall ensure that each individual working at the medical spa meets the following:

(1) Is licensed to perform the health care services and treatments the individual is to perform and that the health care services and treatments are within the individual's scope of practice.

**(2) Is properly trained in the performance of the health care services and treatments being provided by the individual.".**

Page 7, delete lines 1 through 3.

Page 7, line 4, delete "5." and insert "6."

Page 7, line 6, after "medication" insert "**or treatment provided**".

Page 7, line 21, after "medication" insert "treatment".

Page 7, line 26, delete "6." and insert "7."

Page 7, line 34, delete "7." and insert "8."

Page 7, line 37, delete "if" and ins

**requirements set forth in IC 25-1-9-10.".**

1       Page 7, delete line 38.

2       Page 7, line 39, delete "8." and insert "**9. A medical spa may not**  
3       **provide health care services and cosmetic and lifestyle treatments**  
4       **to a consumer at a location other than the medical spa office, a**  
5       **physician's office, or other licensed health care facility.**

6       **Sec. 10.**".

(Reference is to SB 282 as introduced.)