



June 11, 2025

The Honorable Susan Donovan
Chair, House Health and Human Services Committee
Rhode Island General Assembly
82 Smith Street
Providence, RI 02903

re: Oppose H5351A

Dear Chair Donovan and members of the House Health and Human Services Committee,

On behalf of the 73 members of the Rhode Island Dermatology Society, we are writing to ask that you delay action on H5351A, the Medical Aesthetic Practices Safety Act. This legislation does not provide the necessary standards to protect patients in the medical spa setting and ignores many of the 2024 Rhode Island Department of Health (RIDOH) Guidance for Medical Spas and IV infusion centers. <https://health.ri.gov/sites/g/files/xkgbur1006/files/publications/guidance/Medical-Spa-and-IV-Therapy-Business.pdf> As noted by the RIDOH's guidance document, there has been a proliferation of medical spas and intravenous (IV) therapy businesses in recent years. We urge you and members of the Rhode Island House Health and Human Services Committee to continue working on the bill to ensure the safety of patients.

This legislation fails to define cosmetic medical procedures as the practice of medicine and surgery. Procedures by any means, methods or devices that can damage the skin and subcutaneous tissue deep to the stratum corneum constitute the practice of medicine and surgery. These include but are not limited to the use of scalpels; all lasers and light sources (except low level light therapy), microwave energy, high frequency ultrasound, cryogen, electrical impulses, and all other energy emitting devices; thermal destruction; chemical application; and other foreign or natural substances by injection or insertion.

As written, H5351A ignores longstanding regulation to expand the scope of practice of certified nurse practitioners practice to include surgical procedures. It allows (by not excluding) unlicensed individuals to perform medical procedures delegated to them. (Chapter 104, section 23-104-1 (7)(v),page 2,lines 21-25 and section 23-104-2 (6) and (7), page 3 lines 30-31.

We also request including language to ensure patients know who is performing the procedures. Patients have the right to know the credentials and the level of training of that person using a scalpel, or pointing a laser at their face, torso, arms, or legs. The current language would make it impossible for patients to know whether the person providing their care is a physician, nurse, or unlicensed individual. This creates a great deal of confusion for patients.

We appreciate the opportunity to provide written comments on this important public health issue and urge you and members of the House Health and Human Services Committee to delay action on H5351A until these issues are addressed. As physicians, our number one priority is the health and welfare of our patients. The enactment of this legislation will only further danger patients. For further information, please contact Marc Bialek, executive director, Rhode Island Dermatology Society, at (401) 297-5809.

Sincerely,

Reuben Reich, MD, FAAD
President, Rhode Island Dermatology Society