
OLR Bill Analysis

sSB 1067

AN ACT CONCERNING THE PROVISION OF CERTAIN SERVICES AT MEDICAL SPAS.

SUMMARY:

This bill prohibits a person, firm, partnership, or corporation from advertising services for a “medical spa,” “medspa,” or “medi-spa” unless the person or entity employs or contracts for the services of a state-licensed physician to act as the facility’s medical director. A “medical spa,” “medspa,” or “medi-spa” is an establishment which sells and provides cosmetic medical procedures.

The bill also requires a medical spa’s owner or operator to ensure that the spa’s services are provided under the medical director’s supervision and in accordance with Title 20 of the general statutes (which includes professional and occupational licensing requirements for physicians and other medical professionals, among other occupations). Presumably these requirements also apply to facilities that market themselves as medspas or medi-spas.

The bill requires the Department of Public Health commissioner to enforce these provisions. She may (1) adopt regulations to administer and enforce the bill and (2) ask the attorney general to petition the Superior Court for appropriate enforcement orders.

Someone who violates the bill or regulations adopted under it is subject to a fine of up to \$500 per day while the violation continues.

EFFECTIVE DATE: October 1, 2013

DEFINITIONS

Cosmetic Medical Procedure

The bill uses the state sales tax law’s definition of “cosmetic medical procedures,” which are medical procedures aimed at improving

appearance that do not meaningfully promote proper body functions or prevent or treat illness or disease. The statute specifically includes cosmetic surgery, hair transplants, cosmetic injections, cosmetic soft tissue fillers, dermabrasion and chemical peel, laser hair removal, laser skin resurfacing, laser treatment of leg veins, and sclerotherapy.

Reconstructive surgery is exempt from this definition. Reconstructive surgery includes surgery performed on abnormal structures caused by or related to congenital defects, developmental abnormalities, trauma, infection, tumors, or disease, including procedures to improve function or give a more normal appearance (CGS § 12-407).

Advertise

Under the bill, “advertise” includes:

1. issuing a card, sign, or device to any person;
2. causing, permitting, or allowing a sign or marking on or in a building, vehicle, or structure;
3. advertising in a newspaper or magazine; or
4. placing a listing or advertisement in a directory under a classification or heading, that includes the words “medical spa,” “medspa,” or “medi-spa.”

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 27 Nay 0 (04/02/2013)