

# Position Statement



**Position Statement  
on  
Medical Spa Standards of Practice (Approved  
by the Board of Directors: May 7, 2011;  
Amended by the Board of Directors: August 18, 2012;  
Amended by the Board of Directors: November 18, 2023)**

This position statement establishes standards of practice for the performance, delegation, assignment, and supervision of medical and surgical procedures performed by a physician or non-physician under a physician's direction at a medical spa facility.

Medical spas are facilities that offer a range of services, including medical and surgical procedures, for the purpose of improving an individual's well-being and/or appearance. The distinguishing feature of medical spas is that medicine and surgery are practiced in a non-traditional setting.

Procedures by any means, methods, devices, or instruments that can damage, destroy, coagulate, ablate, disrupt, or vaporize 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.

Any procedure that constitutes the practice of medicine, including but not limited to any procedure using a Food and Drug Administration (FDA)-regulated device that can damage, destroy, coagulate, ablate, disrupt, or vaporize should be performed only by an appropriately-trained physician or appropriately-trained non-physician personnel under the direct, on-site supervision of an appropriately-trained physician in accordance with applicable local, state, and/or federal laws and regulations.

The optimal quality of medical aesthetic care is delivered when a qualified and licensed physician provides direct, on-site supervision to all qualified non-physician personnel. On-site supervision means a supervising physician that is both present at the site and is able to respond immediately, in-person, during a delegated medical aesthetic procedure. Each medical spa facility should maintain up-to-date written protocols regarding appropriate delegation and supervision for all medical aesthetic procedures performed within the facility. In the event that on-site supervision is not required to be continuous at a medical spa facility in accordance with state law, a notice should be posted on the door of the facility containing the name of the supervising physician and the days and hours they will be on site. Additionally, facility websites should conspicuously list the name of the supervising physician, their credentials, and the hours they can be expected to be on site.

A medical director of a medical spa facility should be a physician licensed in the state where the medical spa is located, clearly identified by state licensure, any state recognized board-certification and medical specialty, training and education and identified as the medical director in all marketing materials and on websites and social media accounts related to the medical spa facility. If marketing materials mention a physician's board-certification, the American Board of Medical Specialties (ABMS) or equivalent certifying board and specific specialty should be stated, e.g., Diplomate of the American Board of Dermatology (ABD). Furthermore, the medical director shall ensure that marketing and advertising materials of a medical spa facility do not include false, misleading, or deceptive representations of procedures provided by the facility or of the qualifications of the medical spa personnel.

All personnel should wear a photo identification name tag during all patient encounters that includes (i) a recent photograph of the employee; (ii) the employee's name; and (iii) the type of license (e.g. "medical doctor", "physician assistant", "nurse practitioner", "medical assistant"). The name tag should be of sufficient size and be worn in a conspicuous manner so as to be visible and apparent. The credentials of all personnel should be conspicuously listed on the facility website.

A medical director shall be ultimately responsible for all acts personally delegated or delegated by a supervising physician to non-physician personnel in a medical spa facility. A medical director or supervising physician is responsible for performing an initial assessment of each patient in a medical spa facility, preparing a written treatment plan, obtaining informed consent from all patients including disclosure of personnel performing the procedure(s), creating, maintaining and reviewing patient medical records in accordance with local, state and/or federal laws and regulations. Any adverse events that occur as a result of the performance of a medical aesthetic service must be reported immediately to the facility's medical director and supervising physician.

Any licensed physician or non-physician employed by a medical spa facility, including a medical director, must have received appropriate documented training and education in the safe and effective performance of all medical aesthetic services performed in the facility. Short-term training programs offered by manufacturers of medical aesthetic products and devices are not adequate. Any physician or non-physician personnel who provide medical aesthetic care must be qualified to: 1) perform such services by virtue of having received appropriate theoretical and clinical instruction and training in each service to be performed including safety, clinical application, pre- and post-procedural care; and 2) handle any resultant emergencies or sequelae. Accredited continuing education of all licensed health care professionals should be mandatory and repeated with reasonable frequency to ensure maximal proficiency. This documented training and education must be readily available to the public and must include instruction in the use of all FDA-approved products or devices used or provided by the medical spa facility.

Medical spa facilities should be licensed and inspected on a regular basis to ensure compliance with all applicable federal and state laws. Medical spa facilities must be able to prove they have the necessary personnel, equipment and protocols to safely perform all offered procedures and handle any emergencies or sequelae that may arise. Any incident within the medical spa facility that results in a patient death, transport of the patient to the hospital, or a significant complication or adverse event requiring additional medical treatment, shall be reported to the appropriate state agency, the FDA if applicable, or both.

Medical spa facilities, medical directors, and all non-physician personnel shall maintain appropriate liability insurance or communicate lack of insurance in advance to all patients. Patient health and safety is paramount and should not be compromised in the interest of financial gain. Therefore, owners and employees of medical spa facilities who are not licensed to practice medicine shall not exercise control over an employed physician's medical judgment or engage in decisions related to patient care and/or the performance of medical aesthetic services.

*This Position Statement is provided for educational and informational purposes only. It is intended to offer physicians guiding principles and policies regarding the practice of dermatology. This Position Statement is not intended to establish a legal or medical standard of care. Physicians should use their personal and professional judgment in interpreting these guidelines and applying them to the particular circumstances of their individual practice arrangements.*