



**Position Statement**  
**on**  
**Medical Spa Standards of Practice**  
**(Approved by the Board of Directors: May 7, 2011)**

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 alter or cause biologic change or damage the skin and subcutaneous tissue constitute the practice of medicine and surgery. These include but are not limited to the use of: scalpels; all lasers and light sources, microwave energy, electrical impulses, and all other energy emitting devices; thermal destruction; chemical application; particle sanding; 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)-cleared or regulated device that can alter or cause biologic change or damage, 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, 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 and licensed 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 or assigned medical aesthetic procedure. Each medical spa facility should maintain up-to-date written procedures regarding appropriate delegation and supervision protocols for all medical aesthetic procedures performed within the facility.

A medical director of a medical spa facility should be clearly identified by licensure, medical specialty, training and education, as the medical director in all marketing materials and Internet Web sites related to the medical spa facility. If marketing materials mention a physician's board-certification, the certifying board and specific specialty should be stated, e.g., Diplomate of the American Board of Medical Specialties (ABMS) in Dermatology. Furthermore, the medical director shall ensure that marketing and advertising materials of a medical spa facility do not include false, misleading, or deceptive representations.

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A medical director shall be ultimately responsible for all acts personally delegated or delegated by an assigned 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 and maintaining patient medical records in accordance with local, state and federal laws and regulations, and reviewing all patient charts. 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 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. 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. Continuing medical education of all licensed medical professionals should be mandatory and repeated with reasonable frequency to help 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-cleared or regulated 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 cleared or regulated devices were involved, 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 intended to offer guiding principles regarding the practice of medicine and surgery in medical spa facilities. This Position Statement is not intended to establish a legal standard of care.*