

-DRAFT- MINUTES
MASSACHUSETTS BOARD OF REGISTRATION IN MEDICINE
MEDICAL SPA TASK FORCE

January 17, 2007

PRESENT

Task Force Members

Boards:

Nancy Achin Audesse, Board of Registration in Medicine
Gino Chisari, RN, Board of Registration in Nursing
Barbara Kellman, JD, Board of Registration in Nursing
Kathe Mullally, JD, Board of Cosmetology
Catherine Hinds, Board of Cosmetology

Legislature:

Kevin Conlon (on behalf of Senator Joan Menard)
Jennifer Infurna (on behalf of Representative Peter Koutoujian)

Appointees:

Stephanie Cogliano, RE
Jeffrey Dover, MD
Faye Marie Jenkins, RN
Karen McKoy, MD
Dianne Quibell, MD
Winifred Nee Tobin, Consumer
Barbara Kellman, JD

Board Staff

Russ Aims, Board of Registration in Medicine
Brenda Beaton, JD, Board of Registration in Medicine
Fallon Onufrak, Board of Registration in Medicine

Guests

Janet D'Angelo, Massachusetts Representative, National Coalition of Estheticians,
Manufacturers/Distributors & Associations
John Walsh, President of Elizabeth Grady Companies

1. Welcome, Scheduling, Goals for Today's Discussion

Nancy Achin Audesse, Executive Director of the Board of Registration in Medicine, welcomed the group to the third meeting of the Medical Spa Task Force. Ms. Achin Audesse went over the some of the past topics that were discussed by the Task Force that included the “who,” “what,” and “where” about Medical Spas and related services. Specifically the goals of the Task Force include what the final objectives of the group include, and what the Task Force would like to accomplish during by the end of the meetings. The Task Force members agreed that they would like to work proactively with the Legislature regarding changes to statutes or regulations for licensing Medical Spas and to consider these changes when comprising their own regulations.

At today's meeting, Task Force members will hear from two guest speakers; Janet D'Angelo, from the National Coalition of Estheticians, Manufacturers/Distributors & Associations, and John Walsh, President of Elizabeth Grady Companies. Ms. Achin Audesse hopes that soon the Task Force will be at a place where the people staffing the Task Force can come up with an outline to what the goals of the Task Force will be. Dr. Quibell and Dr. Dover took a comprehensive look at glossary definitions as they related to Medical Spas and treatments provided within the Spas.

Ms. Achin Audesse informed the group that her goal specifically for today's Task Force meeting is to distribute the glossary list of definitions that Dr. Quibell and Dr. Dover have been working on for the Task Force member's review. The members will e-mail corrections, comments, or questions to Mr. Aims, who will have a final document of glossary terms for approval at the next meeting.

A second goal of the Task Force meeting was to get a general idea and begin assigning out work to specific member's for work on a final project.

2. Approval of Minutes

The Task Force Members were asked to review the Meeting Minutes from the previous meeting of December 13, 2006. Ms. Hinds commented on the fact that the word esthetologist and esthetology were used in the minutes, when in fact, the word estheticians and esthetics should have been used.

Mr. Chisari brought the attention to the last paragraph of page six. After reviewing the sentence, Ms. Achin Audesse made the suggestion that the line should be changed to: “[t]he committee will publicize any data collected through the website for general review.”

The motion to accept the Meeting Minutes of December 13, 2006 was accepted.

3. Discussion of Glossary Terms

The Task Force reviewed glossary terms that were prepared by Dr. Quibell and Dr. Dover. The glossary of terms included definitions of procedures performed by professionals in the Medical Spa business.

Mr. Aims also distributed an article from the Wall Street Journal regarding the “Face Off Over Wrinkles” which dealt with the rapid development of new procedures in the industry. Ms. Achin Audesse commented that this article is particularly helpful to the Task Force while developing new recommendations, as the industry is a rapidly changing process, and members of the Task Force must keep this in mind as they are developing recommendations and trying to get the recommendations implemented.

The Task Force members were told to go over the glossary terms in detail and submit their questions and comments to Mr. Aims via e-mail for further review.

Dr. Quibell informed the Task Force that her objective with creating the glossary terms was to be as comprehensive as possible while maintaining simplicity, but she anticipated that changes that would come in future, so she left definitions the definitions broad in some instances. She welcomes any changes or comments.

4. Presentation by Janet D’Angelo, Massachusetts Representative, National Coalition of Estheticians, Manufacturers/Distributors & Associations

By way of introduction, Ms. Janet D’Angelo is a member of the National Coalition of Estheticians, Manufacturers/Distributors & Associations (NCEA) and is also a marketing and public relations consultant. Ms. D’Angelo has worked in beauty industry for over 20 years. She is a licensed esthetician with a background in education.

Ms. D’Angelo provided the Task Force with a PowerPoint presentation focusing specifically on her perspectives of the spa business industry. The presentation went over various topics including: primary reasons for spa growth, what types of businesses are currently practicing under the definition of a “spa,” the growth and business of the spa market in current U.S. economy, types of services that spas offer, terminology associated with the field, education and training of the professionals practicing in the field, and national standards facing those looking to practice in the field. Ms. D’Angelo concluded the presentation with common questions associated with the Medical Spa business and the practice of estheticians and other health care professionals in the field which the Task Force found especially interesting and helpful.

The Task Force engaged in discussion on what an appropriate definition of Medical Spa would be defined as. Ms. D’Angelo gave the NCEA’s definition of a Medical Spa which the Task Force agreed adequately captures the key points of a Medical Spa. The definition is as follows:

“A medical spa is a facility that during all hours of business shall operate under the on-site supervision of a licensed health care professional operating within their scope of practice, with a staff that operates within their scope of practice as defined by their individual licensing board if licensure is required. The facility may offer traditional, complimentary, and alternative health practices and treatments in a spa-like setting.”

The Task Force also went into extensive discussion regarding the education and training of professionals working in Medical Spas. Currently, nurses and physicians receive their degree following the completion of the required amount of credit hours, while estheticians, electrologists and massage therapists are certified upon completion of the required amount of clock hours. These professionals that are all used to a different type of training model are all now working together in the same setting. Ms. D’Angelo believes that in the future, there may be a college level degree program for Estheticians with different specialties for medical spa related procedures. She believes that this would be an efficient way to raise education requirements, and it will subsequently get more qualified individuals practicing in Medical Spas. Ms. D’Angelo also spoke of her belief that the training for professionals working in Medical Spas should be measured in clock hours, and not credit hours, because clock hours can be stigmatizing. Credit hours may not be a true test of the qualifications of the individual practicing in the field.

4. Presentation by John Walsh, President of Elizabeth Grady Companies

Ms. Achin Audesse introduced Mr. John Walsh, the President of Elizabeth Grady Companies. She gave a background of the Medical Spa Task Force and the mission and prospective goals of the meetings. The members of the Task Force introduced themselves to Mr. Walsh and gave a brief introduction to their background and contribution to the Medical Spa business. Mr. Walsh also introduced himself to the Task Force and explained how he began his career with Elizabeth Grady in 1978 as a client where he was trained in the field of esthetics.

Mr. Walsh began to speak about the Elizabeth Grady Company. Elizabeth Grady is the largest employer of estheticians in the country. It is the most profitable chain of skin care salons in New England, performing roughly eleven thousand micro derm abrasions per year, and roughly twelve thousand chemical peels per year. In a school system that began in 1978, Elizabeth Grady trains and graduates roughly 200 estheticians per year.

Mr. Walsh informed the Task Force that the Elizabeth Grady School is licensed and accredited by the Department of Education (DOE), even though several schools that train estheticians are not licensed by the DOE and therefore do not need to follow DOE requirements for graduating the prospective estheticians.

In the quest to train and license highly accredited estheticians, the prospective Elizabeth Grady School student must be a graduate or have a GED equivalent in order to attend the

school, however 56 percent of Elizabeth Grady graduates have had a college degree or higher education.

Mr. Walsh went into a discussion of the specific procedures that are performed by Elizabeth Grady estheticians and the process that is in place for prospective patients. Mr. Walsh walked the Task Force through the process of what a potential patient would go through if they were deciding whether or not to go forward with a Botox® procedure. First, the patient reads a pamphlet describing the Botox® procedure. The patient has the opportunity to ask the esthetician questions prior to receiving the procedure. The patient will go through a variety of test to determine if they are a good candidate for the procedure, and if it is concluded that the procedure is right for the specific individual, they will be able to make an appointment to receive the Botox® procedure at a later date.

The presentation by Mr. Walsh turned to discussion, as Dr. Quibell pointed out that this description of patient consultation that was described is something that she is an advocate for and praised Elizabeth Grady for following this model. She described how important it is for a patient to have a consultation prior to having a procedure performed to determine if patient is appropriate for the specific procedure and to be able to think about reasons behind why they are about to receive this procedure. She added that physicians and estheticians should not just be selling services, but also making the determination whether or not their potential patient is the right candidate for the procedure.

The conclusion of the discussion consisted of questions that Task Force members asked Mr. Walsh, which in turn led to discussion and questions asked by Mr. Walsh to Task Force members. Although the questions that were asked were informative, the questions and discussion that they produced did not lead to substantive decisions.

5. Next Steps and Questions

Ms. Mullally informed the Task Force that in addition to the glossary terms that are being produced by the Task Force, her attorney has been working on putting together a list of terms and has been working with a variety of resources in order to do so. She hopes that the Task Force can make a more comprehensive list of Glossary terms by using her attorney's list along with Dr. Quibell's glossary terms.

Mr. Chisari stated that a potential problem with defining Medical Spa procedures is that the definition becomes specific to a specific procedure and questions that arise are not about the practice or science of esthetics, but rather about a specific activity within the field. He concluded that the goal of the Task Force should not to be to regulate by specific activity but rather by a more general scope.

Ms. Hinds offered the suggestion to begin using the textbook "Milady's Standard, Comprehensive Training for Estheticians" for future use in working with the definitions of glossary terms. She distributed a copy of the book to each member of the Task Force.

Dr. McCoy added the suggestion to the Task Force that as they go through the glossary terms and make an effort to define terms within the field, the Task Force keep ethics in mind as they be careful to be very specific in the glossary terms and try not to endorse certain procedures.

Ms. Achin Audesse spoke to the group her hope that by the end of the next meeting they can achieve next step with regards to the glossary terms. Her suggestion to the group was to cluster together the terms by injectables, mechanicals, etc. to discover if there are scope issues, training issues or universal issues, and then the Task Force will be able to drill down to the specifics. This approach was agreed upon by other members of the Task Force.

The next meeting of the Medical Spa Task Force is tentatively scheduled for Wednesday, February 14, 2007 from 8:00-11:00 am.

****UPDATE: The next meeting will be held on Wednesday, February 28, 2007 from 8:00 a.m. to 11:00 a.m.**