

January 25, 2023

AMPNH

Statement of Position regarding HB105 FN-A

Respectfully, the Aesthetic Medical Providers of New Hampshire (AMPNH) does not support the legislation as written in HB105 FN-A. As an organization, we cannot support this specific legislation; however, we are committed to working this year with Chairman McGuire, Representative Grote and the OPLC to propose legislation and/or rules together in the next legislative session that will be amenable to both sides and address all stakeholder concerns.

We understand based on a January 20, 2023 conversation with Chairman McGuire and Representative Grote that this bill will be referred to a study so that we can all work together to protect patients. We support this decision and look forward to supporting the efforts of the study. We thank Chairman McGuire and Representative Grote for taking this direction and they have our full support.

We oppose this legislation as written for the following reasons, exactly as we did in 2022 for HB 1444 FN-A, which is nearly identical:

- The language is directed only at “medical spas” and does not address those practicing medical aesthetics without a license, or those practicing medical aesthetics outside of “medical spas”
- This legislation does not protect patients or address existing problems as it does not address medical aesthetics performed outside of medical spa facilities or insist that such practices take place in a medical or clinical facility and doesn’t apply to all those practicing medical aesthetics (such as dentists, gynecologists, and ophthalmologists for example)
- This legislation does not address what should be proper and adequate required training for medical aesthetic practices and shows little to no understanding of the medical aesthetics industry, or our input on such legislation
- Some of the issues at hand can be addressed by the professional boards’ rules/rulings, or through the rule making process, and cannot only be remedied through duplicative legislation
- We have too many edits, additions, and changes to simply add amendments to the existing bill and make it meaningful for patients

Ultimately, we feel that this legislation is premature, and that it needs to be addressed by a group of knowledgeable stakeholders working together for the common goal of protecting patients. Doctors and nurses across the state legally perform medical aesthetics every day in different clinical settings, beyond simply “medical spas”, regulations must reflect this aspect of the industry. Moreover, there are bad actors performing medical aesthetics without licensure, in improper settings across the state, that will go undeterred under HB 105 FN-A.

We would like to thank and support the bi-partisan effort of Chairman McGuire and Representative Grote to work with us on this issue, hear our concerns, and refer this to a study committee. We look forward to writing new legislation together, protecting patients, and strengthening our medical community. We are here today to support Representative Grote and to extend our wishes to work further with the entire committee on this important issue.