

IN THE SENATE

SENATE BILL NO. 1252

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO INJECTABLE COSMETICS; AMENDING TITLE 39, IDAHO CODE, BY THE AD-
2 DITION OF A NEW CHAPTER 97, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TI-
3 TLE, TO PROVIDE A DECLARATION OF POLICY, AND TO PROVIDE REQUIREMENTS FOR
4 CERTAIN COSMETIC TREATMENTS.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Title 39, Idaho Code, be, and the same is hereby amended
8 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-
9 ter 97, Title 39, Idaho Code, and to read as follows:

10 CHAPTER 97

11 IDAHO INJECTABLE COSMETIC SAFETY ACT

12 39-9701. SHORT TITLE. This chapter shall be known and may be cited as
13 the "Idaho Injectable Cosmetic Safety Act."

14 39-9702. PUBLIC POLICY. It is the policy of the state of Idaho to pro-
15 tect the health, safety, and welfare of citizens by ensuring that the injec-
16 tion of a cosmetic treatment into a person's head and neck shall only be per-
17 formed by a person medically trained to engage in such practice.

18 39-9703. INJECTION OF A COSMETIC TREATMENT INTO A PERSON'S HEAD AND
19 NECK. (1) The practice of injecting a cosmetic treatment into a person's head
20 and neck shall be prohibited unless a person is:

21 (a) A physician or physician assistant licensed pursuant to the medical
22 practice act, chapter 18, title 54, Idaho Code;

23 (b) A registered nurse or an advanced practice registered nurse li-
24 censed pursuant to chapter 14, title 54, Idaho Code;

25 (c) A dentist licensed pursuant to chapter 9, title 54, Idaho Code; or

26 (d) A pharmacist licensed pursuant to chapter 17, title 54, Idaho Code.

27 (2) A person who is authorized by subsection (1) of this section to in-
28 ject cosmetic treatments into a person's head and neck shall not delegate
29 such injection to a person who is prohibited from such practice.

30 (3) A person who violates any provision of this section is guilty of a
31 misdemeanor.

32 (4) As used in this section, "cosmetic treatment" includes:

33 (a) Neuromodulators derived from clostridium botulinum or that are
34 biosimilar to or the bioequivalent of such neuromodulators; and

35 (b) Dermal or soft tissue fillers.