



Notice of Proposed Changes in the Regulations of the Alaska Board of Barbers and Hairdressers

Proposed Regulations - FAQ

March 2025

1. What is the purpose of the proposed regulations? What will this regulation do?

12 AAC 09.990 Definitions

- The proposed regulation change will further clarify the use of the term ‘appliances’ as referenced in AS 08.13.220(5) by adopting definitions and classifications of “laser products” under the Code of Federal Regulations.
- This will give clear guidance to all interested parties regarding what devices can be used by licensees thereby reducing the risk of potential cross over with unauthorized medical procedures permitted by licensed medical professionals only.
- The Alaska statutory and regulatory language is outdated. The proposed amendments will bring the board regulations up to date with current standards and practices, reflecting changes in the esthetics industry.

2. Where can I find the relevant Federal Regulation?

The Code of Federal Regulations is generally available to the public in state libraries and on court system libraries throughout Alaska, or on the Internet. The adopted text is contained within the FDA regulations under Title 21, Chapter 1, Subchapter J, Part 1040.10 “laser products”:

<https://www.govinfo.gov/app/details/CFR-2024-title21-vol8/CFR-2024-title21-vol8-sec1040-10>

3. Will I lose my business?

The goal of the board is to keep licensees in business; however, the board must also look to ensuring the health and safety of the public and licensees. Changes may be needed to the services that are provided and/or appliances being used. This could include additional education,

use of a medical director, or establishing a collaborative agreement with licensed medical professionals.

4. Can I still use “xyz” appliance?

A licensed esthetician cannot use an appliance if it meets the definition of either a “Class III” or a “Class IV” laser device under 21 C.F.R. 1040.10, or if it is used to make an incision into the skin beyond the epidermis or directly ablates or destroys live tissues. Use of any such appliance/device will be in violation of these regulations. Licensees must ensure that all other permitted devices are used and operated within the manufacturer’s guidelines.

5. What if an appliance I use is designated a medical device?

It may be necessary to use a medical director or establish a collaborative agreement with a licensed medical professional.

6. What if I want to continue to use appliances/provide services that are beyond my scope of practice?

Without relevant additional education or an established collective agreement with a medical professional, the continued use of appliances, or providing services, outside of the defined scope of practice may endanger public health and safety resulting in possible disciplinary action against the licensee.

7. What are the costs to comply with the proposed regulations?

There are no known costs to implement these changes.

8. When will the regulations be effective?

After the public comment deadline, comments received are compiled and given to the Board for consideration. The Board may adopt the regulation as written/publicly noticed, may amend and adopt them, choose to take no action, or may withdraw the proposed regulations in part or in its whole. After Board action, the adopted regulations go to Department of Law (DOL) for final review/approval. DOL either approves or disapproves regulations. Once approved by DOL, it goes to the Lt. Governor for filing. Regulation takes effect on the 30th day after they have been filed by the Lt. Governor.

Do you have a question that is not answered here? Please email RegulationsAndPublicComment@alaska.gov so it can be added.