



Dora

Department of Regulatory Agencies

Division of Registration Office of Barber and Cosmetology Licensure

WHAT SHOULD YOU KNOW ABOUT “RULE 800”?*

What is “Rule 800”? Rule 800 is the Colorado Medical Board of Examiners Rules Regarding The Delegation and Supervision of Medical Services to Unlicensed Health Care Providers Pursuant to Section 12-36-106 (3)(I), C.R.S. *This is referenced in the rule title.*

Where can you find “Rule 800”? Here is a link to the full rule:
<http://www.dora.state.co.us/medical/rules/800.pdf>. You can also find it on our Office’s homepage.

What does this rule do? Rule 800 is a group of rules adopted to clarify the Medical Board’s “Delegation Statute” governing the delegation of medical services by a physician to, and personal and responsible direction and supervision over, a person who is not licensed to practice medicine. Note that a physician cannot delegate the act of prescribing. *Please reference the rule’s “Purpose” in the “Introduction.”*

All of Rule 800 applies to the delegation of medical services involving providing medical-aesthetic services. However, in addition to the general rules, there is a special section that applies specifically to the provision of medical-aesthetic services. *Please reference Rule 800 (VI).*

What are medical services? In part, “medical services” are defined by the Medical Practice Act to include suggesting, recommending, prescribing, or administering any form of treatment, operation, or healing for the intended palliation, relief, or cure of any physical or mental disease, ailment, injury, condition or defect of any person. “Medical services” also include holding oneself out to the public as being able to diagnose, treat, prescribe for, palliate or prevent any human disease, ailment, pain, injury, deformity, or physical or mental condition. “Medical services” are further defined by section 12-36-106(1), C.R.S. *Please reference Rule 800 (I)(B)(2).*

What are medical-aesthetic services? “Medical-Aesthetic Services” are medical services in the cosmetic or aesthetic field that constitute the practice of medicine. Such medical-aesthetic services include, but are not limited to: (a) the use of a laser, radio-frequency device, intense pulsed light, or other technique that results in the revision, destruction, incision or other structural alteration of human tissue and/or for hair removal; and (b) the performance of injections of Botox, Collagen, Restylane, or any other substance injected for a primarily cosmetic purpose. *Please reference Rule 800 (VI)(B).*

What medical-aesthetic services can be delegated by a physician? Delegated medical-aesthetic services should be routine, technical services, the performance of which do not require the special skills of a licensed physician. *Please reference Rule 800 (VI)(B)(1).*

Is it okay for you to delegate services that have been delegated to you by a physician, to someone else? No, delegated services cannot be subsequently delegated to another party by the delegatee. *Please reference Rule 800 (I)(E).*

What are the physician's responsibilities? The delegating physician must:

- Provide information to patients identifying your authority to provide the medical-aesthetic services that have been delegated to you. *Please reference Rule 800 (V)(A).*
- Maintain a list of all delegates to whom the physician has delegated medical-aesthetic services and include the delegated services and their qualifications. *Please reference Rule 800 (VI)(D)(2).*
- Assure that you are qualified and competent by personal, initial assessment of education, training, and over-the-shoulder monitoring of your performance of the delegated service; annually reassess your qualifications, competence, and again, over-the-shoulder monitor your performance; and documentation of these assessments. *Please reference Rule 800 (VI)(D)(3).*
- Ensure that patients receive information regarding informed consent for services and that such is documented. *Please reference Rule 800 (VI)(E)(1).*
- Ensure that patients are informed that the physician is available for personal consultation. *Please reference Rule 800 (VI)(E)(2).*
- Assure that patient charts are maintained. *Please reference Rule 800 (VI)(E)(3).*
- Weekly, monitor the quality of services you provide by various means at the site that the services are performed. *Please reference Rule 800 (VI)(E)(4).*
- Be on the premises and readily available to provide adequate direction and supervision. Where written protocols and written emergency protocols are in place, the physician may not be required to be on the premises at all times, but must be available to attend to the patient. *Please reference Rule 800 (IV)(H & I).*
- Provide appropriate follow-up care and/or referrals, in the event of an adverse outcome from a delegated medical-aesthetic service. *Please reference Rule 800 (IV)(F).*

What are your responsibilities as a delegatee (provider) of medical-aesthetic services? Your medical-aesthetic services must conform to the same standard as if the delegating physician performed the service personally. *Please reference Rule 800 (IV)(G).*

What are the combined responsibilities for both you (the delegatee/provider of medical-aesthetic services) and the physician?

- You and the physician shall assure that you are identified in such a way that prevents confusion as to your qualifications and authority to provide medical-aesthetic services. *Please reference Rule 800 (V)(B).*
- You and the physician must have a written agreement documenting and detailing the relationship, and it must be available to the public. See <http://www.dora.state.co.us/medical/rules.htm> *Please reference Rule 800 (VI)(D)(1).*
- You must deliver medical-aesthetic services within an appropriate facility for the delegated service. *Please reference Rule 800 (VI)(D)(4).*

*** This is only a summary of Rule 800 for your convenience. As a licensee, it is your responsibility to read the rule in its entirety in order to be in compliance with its requirements.**

For questions or more information, please contact the Office of Barber and Cosmetology Licensure at http://www.dora.state.co.us/barbers_cosmetologists/index.htm or (303) 894-7772.