

## **Deregulation of Laser/IPL Services**

The Care Standards Act 2000 (as amended) made it a criminal offence to operate a laser or intense pulse light (IPL) machine without prior registration with the Healthcare Commission, however the Government has been considering deregulation of such equipment when used for cosmetic purposes for example hair removal. **Which?**, the consumer charity, has asked the Government to halt its plans to deregulate the industry as they believe the Government hasn't considered the full impact on customers. **Which?** report that Government officials are justifying the plans by saying the "risk to the public is small" however they acknowledge that deregulation of such treatments will give rise to a doubling of "adverse events". What does this mean for the industry providers and for the clients who receive the benefit of this service? We asked Chris Hart, MD of Cristianos Laser Clinic Ltd., for her opinion.

"The plans to deregulate cosmetic use of laser and IPL systems needs to be assessed from three points of view, firstly why the Government wants to deregulate the industry, secondly the impact on the business and thirdly, yet most importantly, the possible consequences for the client.

### **The Government**

Having dealt extensively with the Healthcare Commission and having written a book and provided training and development to help other users of light-based equipment to both register and then meet and maintain the required standard, I believe the two parties speak different languages. Many providers within the beauty industry simply do not understand what is being asked of them and how the regulations apply to what they do in practice. Therefore I consider the time invested by the Commission in regulating this area of service provision seems contradictory to the perceived risks to the public of deregulation.

## **The Business**

From the business perspective, Healthcare Commission registration seems on the surface to be a regulatory nightmare; in truth no business really wants to be inspected by the Government. The cost involved is extensive both in terms of annual registration fees per registered premises and in terms of time invested in compliance with the regulations. The Commission inspect each registered provider against a predetermined set of standards known as the National Minimum Standards (NMS) and, where providers are found to fall below this quality-assurance framework, the Commission will demand that the providers improve the service they provide or risk deregistration.

Sadly, many people avoid registration altogether and operate illegally. Purely in terms of time and expense, yes, it would be fabulous not to be regulated or inspected and therefore if overheads are reduced you could reasonably expect the price of treatments to reflect this saving. It would also, of course, allow unscrupulous providers to further reduce costs by reducing such outgoings as training, continuous professional development and maintenance costs.

However, I fear I can only draw a parallel to the price of crude oil dropping below 60 dollars a barrel but the price at the pump stays the same. Somehow the savings never seems to trickle down to the customer and the power to do anything about it has been removed!

## **The Client**

Every client is important, their safety and their need for the service is paramount. Therefore, every client needs to consider what benefits are received by having treatment with a registered practice. Firstly, a prospective client can research any registered provider through the Healthcare Commission; this gives them an opportunity to assess any clinic even before making a choice to attend for consultation. Registration brings with it a level of quality of treatment and care; many clinics like Cristianos strive constantly to exceed the National Minimum Standards (NMS). Health and Safety, recruitment and standards of training are also assessed, along with issues such as confidentiality and record keeping and information management within the business. Currently, Insurance only covers those providers who are operating within the Law. The client also has recourse to make

complaints directly to the Commission should the need arise. So what benefit would the client have from deregulation of such establishments. I cannot see any.

In conclusion, I believe the Government will benefit in terms of reducing the degree of difficulty they have encountered in regulating this industry. Individual businesses will benefit in terms of time and money saved from having to meet safety standards. However it is my belief that any plans to deregulate such treatments can only be detrimental both in terms of standards within the industry and in terms of the level of care a client can expect to receive. It also increases the potential for cases of injury. As the aim of the Healthcare Commission is to protect the public and help ensure clients receive quality-assured treatment and care, I strongly believe that deregulation of the industry will result in the client, the very person for whom this is most important, becoming the major loser.”

The Government decision is expected in March/April 2009.

**Which?** have put together a short guide to laser hair reduction treatments at [www.which.co.uk/cosmetic](http://www.which.co.uk/cosmetic).

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