

Activities which use laser or intense pulsed light (IPL) technology

From 1st October 2010 the regulation of Class 3B and Class 4 lasers and intense pulsed lights (IPLs) will be changing.

Here you can find out which kind of activity which uses laser or intense pulsed light technology falls into the scope of registration and which kind of activity is exempt.

The following activity falls within the Scope of Registration

- **Providers of surgical laser services**

All providers of surgery using a class 3B or class 4 laser (for example for laser eye surgery or laser lipolysis) and currently registered under the Care Standards Act 2000 (CSA 2000) will remain within scope of the Health and Social Care Act 2008(Regulated Activities) Regulations 2009. The providers of those services will need to register for the regulated activity of surgical procedures and complete a transition application within the appropriate application window from April 1st onwards.

- **Providers of non - surgical class 3B or 4 lasers and intense pulsed lights (Healthcare professionals)**

Healthcare professionals* as listed in the Health and Social Care Act 2008(Regulated Activities)Regulations 2009 s 5(4)(a) that undertake the regulated activity 'treatment of disease disorder and injury' (TDDI) and use a technology i.e. a class 3B and /or class 4 laser, IPL or ultrasound for the purposes of TDDI will have to register for that regulated activity. Please note it is not the use of the technology (laser or IPLs) that trigger registration but the carrying on of the regulated activity. This will mean for example that a medical practitioner or a registered nurse undertaking treatment for acne and using a class 3B or 4 laser or intense pulsed light to undertake that treatment will have to be registered under the Health and Social Care Act 2008 for the regulated activity 'treatment of disease disorder or injury'. Those providers who are currently registered under the CSA 2000 will complete a transitional application within the appropriate application window from April 1st onwards.

*"Health care professional" is defined in the Regulated Activities regulations 5(4)(a) as (i) a medical practitioner,(ii) a dental practitioner,(iii) a dental hygienist,(iv) a dental therapist,(v) a dental nurse,(vi) a dental technician,(vii) an orthodontic therapist,(viii) a nurse,(ix) a midwife,(x) a biomedical scientist,(xi) a clinical scientist,(xii) an operating department practitioner,(xiii) a paramedic, or(xiv) a radiographer; the regulations further define these categories so please refer to them.

The following activity falls outside the Scope of Registration and is exempt

- **Non - surgical lasers and intense pulsed lights providers currently registered under the Care Standards Act 2000 for non-surgical cosmetic purposes.**

Lasers and lights used for non surgical cosmetic aesthetic purposes such as hair removal by a healthcare or non healthcare professional (beautician for example) and currently registered under the Care Standards Act 2000 will **not** be required to register under the Health and Social Care Act 2008 and will therefore no longer be subject to regulation by the Care Quality Commission from October 1st 2010.

- **Use of lasers for teeth whitening in Dentistry**

Some dentists are currently registered under the Care Standards Act 2000 because they use a laser for teeth whitening. This is a non-surgical, aesthetic procedure and so will not be required to be regulated after 1st October 2010. Also, as a group, dentists are excluded from registration under the Health and Social Care Act 2008, for everything they do, until April 2011. Therefore, dentists currently registered under the 2000 Act because they use a laser for teeth whitening will no longer be regulated by the CQC from 1st October 2010, but will then need to apply for registration under the 2008 Act over the 2010/2011 winter so that they are ready to be registered from 1st April 2011.

CQC will contact all providers currently registered to provide lasers and light treatments

CQC will shortly contact all providers currently registered to provide lasers and light treatments for surgical or non surgical purposes and ask them to complete a form describing the kinds of procedures they undertake. Although our database distinguishes between surgical and non surgical lasers, it does not distinguish between those lasers and IPLs used by healthcare professionals for the treatment of disease disorder and injury and other providers who use lasers and IPLs for cosmetic aesthetic purposes. Further information on the process for deregulation of those providers who will not be registered under the Health and Social Care Act 2008 will be circulated

New Providers

Those providers new to regulation and undertaking surgery using a laser, or healthcare professionals as listed in the Health and Social Care Act 2008(Regulated Activities) 2009 s 5(4)(a) using a laser or IPL as part of treatment of disease disorder or injury must complete an application for new providers under the Health and Social Care Act 2008. This will include some previously exempt healthcare professionals (as defined above) who undertake the treatment of disease disorder or injury and use a class 3B laser or other technology as part of that treatment (for example wound healing or soft tissue injury).

The cut off date for applications under the Care Standards Act 2000 is July 1st 2010. Following that date applications should be completed under the Health and Social Act 2008.