

# PERFORMING NON-SURGICAL COSMETIC PROCEDURES

*Prepare for 1 July 2023*



**Guide**

# INTRODUCTION

On 1 July 2023, a suite of regulatory changes applicable to practitioners performing non-surgical cosmetic procedures will take effect.

The new Practise Guidelines published by AHPRA cover key aspects of practice with information to assist practitioners to meet the Board's expectations. Some of that information has been carried over from the previous guidelines, and some of it is new.

This guide will assist you in preparing for these changes but does not replace the requirement to read the new Practise Guidelines in full. Regard should also be had to the specific circumstances and procedure of each patient when seeking to implement any requirements of the new Practice Guidelines.

## What are the key changes?

- Assessment of underlying psychological conditions
- Provision of informed consent by patients
- Information about complaint avenues
- Continuing professional development (CPD) requirements
- Financial arrangements
- Advertising

## Who do they apply to?

The new Practise Guidelines apply to practitioners who perform non-surgical cosmetic procedures, being procedures that do not involve cutting beneath the skin but may involve piercing the skin. For example:

- Cosmetic injectables
- Fat dissolving injections
- Non-surgical varicose vein treatment
- CO2 laser skin resurfacing
- Cryolipolysis (fat freezing)
- Laser hair removal
- Dermabrasion
- Hair transplants

# KEY CHANGES



## Psychological Assessment

### You will need to:

- Assess patients for underlying psychological conditions which may render them unsuitable for the procedure.
- Such conditions include Body Dysmorphic Disorder (BDD).

### If there are any indicators:

You must refer the patient for evaluation by an independent:

- Psychologist;
- Psychiatrist; or,
- General Practitioner.

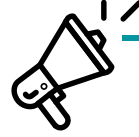


## Informed Consent

### You will need to:

Provide enough information for patients to make an informed decision about whether to have a cosmetic procedure. This must include:

- Information about the procedure (including possible risks, outcomes and complications)
- Information about the practitioner (including qualifications, training and experience)
- Information about total costs



## Complaint Avenues

### New obligations to:

- Provide information to patients about complaint processes and how to access them.
- Inform patients (before the procedure) of the range of complaint mechanisms available
- Ensure any non-disclosure agreements make clear that a patient can still make a complaint to AHPRA, the HCCC, the Medical Council of NSW, or the OHO in Qld.



## CPD Requirements

### New requirements to:

- Participate regularly in CPD activities that are relevant to your scope of practice.

### If your scope of practice includes cosmetic procedures, you must:

- Undertake CPD activities that are related to cosmetic procedures (including reviewing their performance and measuring their outcomes).



## Financial Arrangements

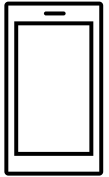
### New restrictions on:

- Financial arrangements for patients undergoing non-surgical cosmetic procedures.
- Offering or providing free or discounted procedures to prospective patients, including social media influencers, in exchange for promotion of cosmetic procedures or services.

# ADVERTISING NON-SURGICAL COSMETIC PROCEDURES



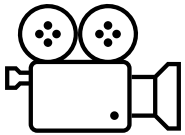
- Not much is changing with how non-surgical cosmetic procedures must be advertised. This is because AHPRA's new Advertising Guidelines, which come into effect on 1 July 2023, apply only to advertising cosmetic surgery.



- Like the previous guidelines that cease effect on 30 June 2023, the Practise Guidelines with effect from 1 July 2023 state that advertising for non-surgical cosmetic procedures should not:

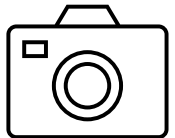
- Glamorise cosmetic procedures (e.g. use sexualised images, lifestyle shots, or include words like 'barbie' or 'transformation')

- Minimise the complexity of a procedure (e.g. describing a procedure as 'gentle', 'simple', 'safe' or 'easy')



- Overstate results (e.g. using inappropriate 'before and after' images, where the 'after image' is the prominent image and edited using filters, retouching or other artificial effects)

- Imply that patients can achieve outcomes that are not realistic (e.g. using statements like 'get her look' or 'bikini body' to imply that a desired outcome can be obtained).



- These requirements apply to all advertising including tv, radio, newspapers, billboards, pictures, social media, websites.

## HOW CAN PRACTITIONERS PREPARE?

---

### Before 1 July 2023, practitioners should:



**Familiarise themselves with the new practice guidelines**



**Review and make any amendments to their initial consultation process to ensure it is compliant with the Practise Guidelines. This may include:**

1. Providing the patient with important information on the procedure, including possible risks and complications, for reading prior to the initial consultation (for example, at the time of the booking request). Doing so would allow the patient to consider the key aspects of the procedure and identify any questions they have prior to engaging in consent discussions with the practitioner at a consultation;
2. Asking the patient whether they have any questions about material provided to them prior to the consultation, and recording their answer clearly in the clinical record; and
3. Identifying a validated screening tool for BDD to use when assessing patients before performing any non-surgical cosmetic procedures (please note that a list of tools recommended by the Australian Psychological Society is included in the 'Questions Raised By You' annexure to this advice).



**Review their consent forms and consider whether any amendments are needed to align with the requirements of the new Practise Guidelines**





**Review their existing advertising, including their websites and social media accounts, and assess whether it complies with the new Practise Guidelines**

## HOW CAN PRACTITIONERS PREPARE?

---

### After 1 July 2023, practitioners must:

-  Refer any patients who present with indicators of significant underlying psychological issues which may make them an unsuitable candidate for a cosmetic procedure to an independent psychologist, psychiatrist, or general practitioner for evaluation.
-  Participate in CPD that is relevant to their scope of practice.

### Additionally, practitioners should:

-  Regularly engage with the Practise Guidelines to reflect on their practise and ensure it is in line with the requirements.