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Phone: (803) 554-1226



Fax

To: The Honorable Governor Nikki Haley **From:** Ann Morris, CPE

Fax: (803) 734-5167 **Date:** June 2, 2016

Phone: **Pages:** 5

Re: Electrology Practice Licensing **CC:** Mr. David Glaccum

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

•Comments:

Please distribute this letter to Governor Haley with a copy to Mr. David Glaccum.

Sincerely,

Ann Morris
President, South Carolina Association of Electrologists
(803) 554-1226

June 2, 2016

The Honorable Nikki R. Haley
Office of the Governor
1205 Pendleton Street
Columbia, South Carolina 29201

Dear Governor Haley:

As you know, the Electrology Practice Act (House Bill #4574) did not become law this session, after passing the House unanimously and having a number of senators in both parties (including the chairman of the Medical Affairs Subcommittee) indicate to me that they would support it. I understand that you personally opposed this bill on the basis of general opposition to regulation and the fact that no official complaints have been lodged with the Labor Licensing and Regulation division about electrology. I feel very strongly about public safety and about the merits of the bill, and I feel that if we were able to sit down personally on the topic you would see the value of electrology licensing to protect the public safety and welfare as well as the economic value of implementing it. I'm sure we could come to a compromise that would protect the citizens of South Carolina while meeting your objective of limiting government oversight. I hope after reading this that you will be able to find time in your busy schedule to meet.

We are talking about inserting needles, breaking the blood barrier and running electrical current through a person's body.

Infection is *bound* to happen in the absence of infection control procedures. There are absolutely no controls right now on who uses needles, who they treat, whether they have any training at all or how they protect against infection. There are no requirements for an electrologist to take a health history, be aware of risk factors to treatment or know when to have a patient contact their physician about a possible underlying medical condition. These are the only people using needles in South Carolina with no oversight at all.

The State Board of Medical Examiners fully understands the risks here and believes that destruction of live tissue, which we do, constitutes the practice of surgery. They cannot publicly endorse legislation but I strongly urge your office to contact Dr. Stephen Gardner directly to discuss these concerns and proposals in detail.

It may be true that LLR has not received any complaints about electrology treatment.

I have been a resident of this state for many years and I never heard of LLR before undertaking this licensing process, so I sincerely doubt that a citizen would know to call them if they got an infection or were improperly treated. I also doubt that a receptionist at LLR would know what electrology is, or how to transfer a caller to a relevant party within the organization, or whether he or she would even log the complaint for future reference given that the profession is unlicensed. It seems more likely that if someone did call they would just be told that LLR doesn't oversee the profession. Furthermore, a

failure by an electrologist to recognize an underlying medical cause of hair growth (such as a hormonal problem or dangerous ovarian cysts) would never be reported, since the patient wouldn't know that they have a problem.

On the other hand, as president of the South Carolina chapter of the American Electrology Association (AEA), I have received a number of phone calls complaining about electrologists within our State.

Since my name appears on the AEA website people have a contact to call. In the six years I have lived in the state I have received complaints about the continuing practice of reusing needles to "save money," the spread of MRSA by an electrologist who does not sterilize or sanitize her office or equipment, and an electrologist who has a cat litter box underneath her treatment table. I also know that two people in the state are currently being medically monitored, one for HIV and the other for Hepatitis C, due to exposure during electrolysis treatment.

A person could sue the electrologist if an incident were significant enough, but they might just live with it, as we sometimes do when a contractor makes a mistake. Of course in the absence of licensing it would be difficult to prove what level of care was required, and it is likely there would be a settlement and the suit would not become public. We have been told directly by insurance companies that there have been claims for electrology malpractice, but that the number of occurrences is significantly lower in licensed states (see attached letter for example).

We also have many letters from distinguished doctors and professors all over the country outlining the risks of poor infection control and operating procedures, and the value of making infection control procedures and training methods mandatory. Two-thirds of other states have adopted electrology licensing over the last fifty years, including many led by Republican governors and legislatures.

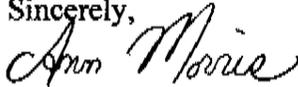
We tried to make the oversight as efficient and simple as possible to follow. Establishing a committee within the Board of Medical Examiners is the least burdensome method, and it would cost the State nothing. The fees and education requirements for existing electrologists would be very low. Brand new electrologists would be required to undertake a more significant program of study, both theory and practical, but in what profession is training *not* advisable? Currently anyone can practice with absolutely no training.

Licensing would *increase* jobs and revenue within the state; isn't that what we are looking to do? Currently some dermatologists recommend patients to out of state electrologists because nearby states (North Carolina, Tennessee and Florida) have licensing. They can't be confident of South Carolina practitioners and as a result this state loses revenue. Local schools have expressed interest in offering programs if there were an established set of requirements as there are in other professions.

Please give this additional consideration. We can all agree that increased regulation is burdensome without a clear public health benefit. But here we are talking about inserting needles into people and running electric current through their bodies. If that doesn't involve public health considerations I don't know what does. If you don't accept my arguments then please have your office meet with the Board of Medical Examiners to get their opinion directly. We believe we have provided a win-win situation, where increased public health and safety is coupled with economic benefits for in-state businesses, leading to growing revenues for current and new professionals.

Thank you so much for your consideration. I would hope we can speak further to provide more information and work out a solution that would be acceptable to you.

Sincerely,



Ann Morris, President
South Carolina Association of Electrologists
803-554-1226

cc: Mr. David Glaccum



July 20, 2015

Ann W Morris CPE
1226 Stacey Ln
Fort Mill, SC 29707

Re: South Carolina Licensing for Electrolysis

Dear Ann:

Thank you for contacting us regarding your efforts to enact licensing rules for electrologists working in South Carolina.

Marine Agency Corp has been the leading provider of professional liability (malpractice) insurance coverage for electrologists throughout the U.S. for nearly 40 years. In that capacity, we routinely encounter disease transmissions (and infections) arising from a broad range of circumstances and conditions. Without exception, rates of injury are lower for licensed professions where pre-licensing education is a requirement.

Mandatory education in industry best-practices including proper sterilization procedures is critically important. To the extent that professional licensure will allow the state to monitor pre-licensing education, we support your endeavors.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Chris Stevens II', written over a horizontal line.

R. Chris Stevens II, CIC CISR
President



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