



**Incorrect laser treatment settings result in burns to woman's face
21HDC00153**

The level of care provided by a beauty therapist and beauty clinic, and the importance of open disclosure when things go wrong was highlighted in a decision published by Deputy Health and Disability Commissioner Dr Vanessa Caldwell.

In her decision, Dr Caldwell found a beauty therapist in breach of the Code of Health and Disability Services Consumers' Rights (the Code), for using incorrect laser settings in her treatment of a woman, resulting in burns to her face. Dr Caldwell also considered that the skincare products recommended and given to the woman (retinal and a glycolic scrub) following the treatment were inappropriate for use on burned and damaged skin, and could cause further damage.

Dr Caldwell concluded the beauty therapist did not provide services with reasonable care and skill to the woman for hair removal treatment at a beauty clinic.

"While I acknowledge a potential factor in the error by the beauty therapist was the short turnaround time between clients, forgetting to alter the machine settings to ensure they were appropriate for the woman's skin tone was a significant error with a severe outcome," says Dr Caldwell.

The woman asked the clinic how the burns to her face occurred, but it was not until after she made a complaint that she found out incorrect settings had been used for her treatment.

Dr Caldwell therefore also found the beauty clinic, LCNZ Takapuna Pty Limited, in breach of the Code, for misleading the woman and avoiding accountability for the error made by the beauty therapist.

"Under the Code, every consumer has the right to information a reasonable consumer, in that consumer's circumstances, would expect to receive.

"This includes details of how adverse events occurred and I am critical of the clinic for failing to inform the woman about the cause of her burns once it became known. An error was made that caused her harm, and it is unacceptable this was not disclosed to the woman," says Dr Caldwell.

Dr Caldwell also criticised the working environment of the laser clinic that contributed to the poor outcome suffered by the woman.

“The clinic has a responsibility to ensure staff have a supportive and well-resourced working environment to complete procedures. Unfortunately, in this situation the strain on staff contributed to the harm caused to the woman,” says Dr Caldwell.

Dr Caldwell recommended the beauty therapist provide a written apology to the woman, and, if she returned to work as a laser therapist, she should undertake further training on providing laser services to a range of skin tones, as well as training on burns and burn aftercare.

She further recommended the laser clinic provide a written apology to the woman, review the client booking system to consider whether longer breaks between clients or throughout the day would prevent stress on therapists; consider providing staff guidance on how to manage customer requests for treatment additional to what was booked; and create clinic protocols relating to appropriate products to give to a consumer in the event of a reaction. Dr Caldwell also recommended training sessions on responding to burns and appropriate burn aftercare, and providing laser services to a range of skin tones.

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21 November 2022

Editor's notes

The full report of this case will be available on HDC's [website](#). Names have been removed from the report to protect privacy of the individuals involved in this case.

The Commissioner will usually name providers and public hospitals found in breach of the Code, unless it would not be in the public interest, or would unfairly compromise the privacy interests of an individual provider or a consumer.

More information for the media and HDC's naming policy can be found on our website [here](#).

HDC promotes and protects the rights of people using health and disability services as set out in the [Code of Health and Disability Services Consumers' Rights](#) (the Code).