



Certified Laser Safety Officer

Policies & Procedures Manual



Board of Laser Safety[®]
Certified Laser Safety Officer[®] Program

Policies & Procedures Manual

Table of Contents

Introduction.....	1
Laser Safety and the Laser Safety Officer	2
BLS Code of Professional Conduct	3
Application Requirements	4
Application Procedures.....	4
Policies.....	5
Fees	5
Rights and Privileges	6
Examination Information.....	6
Maintaining Certification.....	10
Change in CLSO Status	12
References.....	16

Board of Laser Safety[®]
Certified Laser Safety Officer[®] Program

Policies & Procedures Manual

Introduction

Certification

As the use of lasers grows both in popularity and applications, there will be a growing demand for trained laser safety professionals. Board of Laser Safety (BLS) certification will enhance the credibility of a designated Laser Safety Officer, and demonstrate that individuals serving in the field of laser safety have agreed to adhere to high standards of safety and professional practice.

Certification demonstrates that an individual has met certain requirements of professional experience and has successfully completed an examination designed to test knowledge in the field of laser safety. Holders of BLS certification may identify themselves as a Certified Laser Safety Officer or a CLSO. **It should be emphasized that a certificate awarded by the BLS does not constitute a license to practice, nor does it guarantee that a CLSO meets any federal, state, or other requirements related to the practice of laser safety.**

There are two steps involved in becoming a Certified Laser Safety Officer. First, an individual must provide information demonstrating he or she meets certain educational prerequisites and work experience. Second, the individual must pass an examination demonstrating his/her knowledge in the area of laser safety.

Certification and certification maintenance will identify and distinguish laser safety officers among those involved in laser safety practices.

Information on the Board of Laser Safety

The Board of Laser Safety (BLS) was incorporated in September 2002 as a nonprofit organization affiliated with the Laser Institute of America (LIA), a California nonprofit corporation.

The mission of the BLS is to provide a means for improvement in the practice of laser safety by providing opportunities for the education, assessment, and recognition of laser safety professionals.

The BLS achieves this purpose by: (1) offering examinations to individuals who have met the qualifications of education and experience; (2) acknowledging individuals who have passed the examination by issuing a certificate and allowing them to use the title of “Certified Laser Safety Officer” and the CLSO acronym after their name; (3) requiring each CLSO to maintain their certification by obtaining certification maintenance points in laser safety; and (4) maintaining and publishing a roster of CLSOs for public knowledge.

All applications for CLSO submitted to the BLS are reviewed without consideration of age, sex, religion, race, disability or national origin. BLS reserves the right to revise, update, and amend its applications, examinations, policies, and other material related to the certification program at any time.

Laser Safety and the Laser Safety Officer

Laser Safety

Laser safety can be defined as optimizing the safe design and use of laser equipment to further the use of laser technology with minimum risk to safety and health.

Laser Safety Officer (LSO)

One who has the authority to monitor and enforce the control of laser hazards and effect the knowledgeable evaluation and control of laser hazards. Depending on the extent and number of laser installations, the position of LSO may or may not be a full time position.

Responsibilities of an LSO

As background, listed below are specific responsibilities of an LSO as outlined in the ANSI Z136.1-2007 *American National Standard for Safe Use of Lasers*. In addition to specific responsibilities listed here, additional responsibilities are referenced in the ANSI Z136.1 standard. Note, however, that performing one or more of these responsibilities does not constitute eligibility for certification. LSO responsibilities, as defined above, include:

- **Safety Program.** The LSO shall establish and maintain adequate policies and procedures for the control of laser hazards. These policies and procedures shall comply with applicable requirements, including federal, state and local regulations.
- **Classification.** The LSO shall classify, or verify classifications of, lasers and laser systems used under the LSO's jurisdiction.
- **Hazard Evaluation.** The LSO shall be responsible for hazard evaluation of laser work areas, including the establishment of Nominal Hazard Zones (NHZ).
- **Control Measures.** The LSO shall be responsible for assuring that the prescribed control measures are implemented and maintained in effect. This includes avoiding unnecessary or duplicate controls, and recommending or approving substitute or alternate control measures when the primary ones are not feasible or practical.
- **Procedural Approvals.** The LSO shall approve Class 3B and Class 4 standard operating procedures (SOPs), and other procedures that may be part of the requirements for administrative and procedural controls.
- **Protective Equipment.** The LSO shall recommend or approve protective equipment i.e., eyewear, clothing, barriers, screens, etc., as may be required to assure personal safety. The LSO shall assure that protective equipment is audited periodically to ensure proper working order.
- **Signs and Labels.** The LSO shall approve the wording of area signs and equipment labels.

- **Facility and Equipment.** The LSO shall review Class 3B and Class 4 laser installations, facilities and laser equipment prior to use. This also applies to modification of existing facilities or equipment.
- **Training.** The LSO shall assure that adequate safety education and training are provided to laser personnel.
- **Medical Surveillance.** The LSO shall determine the personnel categories for medical surveillance.
- **Records.** The LSO shall assure that the necessary records required by applicable government regulations are maintained.
- **Audits, Surveys and Inspections.** The LSO shall periodically audit or survey by inspection for the presence and functionality of the laser safety features and control measures required for Class 3B and Class 4 laser or laser system in the laser facilities.
- **Accidents.** The LSO should develop a plan to respond to notifications of incidents of actual or suspected exposure to potentially harmful laser radiation.
- **Approval of Laser System Operations.** Approval of a Class 3B or Class 4 laser or laser system for operation shall be given only if the LSO is satisfied that laser hazard control measures are adequate. These include SOPs for maintenance and service operations within enclosed systems and operation procedures for Class 3B and 4 laser systems. The procedures should include adequate consideration of safety from non-beam hazards.

Board of Laser Safety Code of Professional Conduct

This code provides principles of professional conduct for Laser Safety Officers certified by the Board of Laser Safety. As a requirement of being certified, such persons act professionally, safely, and in accordance with this code.

Certified Laser Safety Officers shall:

1. Practice the profession using their knowledge and skill for the enhancement of safety and health of people whose lives and well-being may depend on their professional judgment.
2. Strive to increase or improve their self-development, competence, professional knowledge and skills in the area of laser safety.
3. Perform services and assignments only in the areas of their competence.
4. Act in the best interests of public health and safety.
5. Avoid conflicts of interest.
6. Be honest and impartial and act responsibly to uphold the integrity of the profession while serving the public, employees, employers and clients with fidelity.
7. Counsel the public, employees, employers and clients regarding potential health and safety risks to avoid unsafe practices and injury.
8. Obey all federal and state laws applicable to the profession.

Application Requirements

In order for an individual to qualify to take the CLSO examination, the following requirements must be met:

1. Candidates must have a 4-year degree from an accredited institution **or** they may have either a 2-year AS degree or a high school diploma **and** substantial experience in laser safety.
2. One (1) year of experience with laser safety **or** acting as LSO, having performed the specific responsibilities outlined in the ANSI Z136.1 *American National Standard for Safe Use of Lasers*.
3. Two (2) reference statements or letters of recommendation from the applicant's supervisor and/or other knowledgeable person(s) stating that the applicant has performed the specific responsibilities of an LSO.
4. A certificate of completion of a Laser Safety Officer Course. (In special cases, this requirement may be waived by the BLS upon application with supporting documentation.)

Application Procedures

New Applicants

Each new application must be completed in full. If any part of the application is incomplete, it will automatically be returned to the applicant. Applications may be obtained by contacting the BLS or by visiting www.lasersafety.org. A nonrefundable fee of \$50.00 must accompany the application. Any application submitted without the appropriate fee will not be processed and will be returned to the applicant.

The BLS will advise each applicant in writing of his/her eligibility to sit for the CLSO examination.

During the application review process, the BLS may request further information from the applicant. All such requests will be made in writing and all such applications will be identified as pending. Pending applications will not be processed until all requests for additional information are addressed to the satisfaction of the BLS. In addition, BLS may independently verify or audit any information received.

Retaking the Examination

Within two years of notification of acceptance to sit for the examination, an applicant who wishes to retake the exam due to cancellation or failure must notify the BLS in writing. Applicants may only take the examination two (2) times in a two-year period. There is a \$100 fee to retake the exam. Written notification must be received within this two-year period.

An applicant who was originally accepted more than two years previously must reapply, following new applicant procedures, which includes payment of a new application fee.

Policies

Application Deadlines

All applications for the CLSO examination must be postmarked no later than two weeks prior to the exam date.

Exam Dates & Delivery Method

Exam dates, locations and delivery method (pencil and paper, web, computer, etc.) are administrative decisions and at the discretion of the BLS staff. There will be a minimum of two pencil and paper exam dates per year, in the spring and fall. Other exam dates throughout the year may be added at the discretion of the BLS staff.

Confidentiality

In general, BLS employees, volunteers and contracted partners shall keep confidential and not release information contained in an individual's application, examination, and related material without the applicant's consent, or as provided below. Specifically, no BLS employees, volunteers or contracted partners are authorized to reveal the name of any individual who has applied to take the examination, except: 1) as designated by the individual in writing; 2) to necessary staff, legal consultants, or others with a need to know; 3) when verifying references provided by the applicant; 4) as required by law or these procedures; or 5) in the course of providing a list of examinees to exam site proctors. Names of certified individuals will be made publicly available.

Fees

Payment of Fees (US dollars only)

Fees are non-refundable except where stated.

Application \$50.00

An application processing fee of \$50.00 must accompany each application. An applicant whose application is not accepted may reapply within two years of the original application date without paying another fee. After the two-year period, if an applicant wishes to reapply he/she must once again submit an application fee with the application.

Examination \$300.00

Once an applicant has been accepted he/she will be notified by the BLS in writing as to when and where he/she is expected to take the examination. The applicant must submit the examination fee at least two weeks prior to the examination. Any applicant who has not paid will not be permitted to sit for the examination. An applicant may cancel or request to reschedule an examination. Petitions for refund of the examination fee must be made in writing and received by the BLS at least 30 days prior to the applicant's scheduled examination date. If an applicant cancels or reschedules less than 30 days prior to the scheduled exam date, the examination fee may be applied to a future exam within the two-year period. No refunds will be issued in this case.

Recertification (every 3 years) \$150.00

A fee of \$150.00 is due upon becoming recertified. Recertification fees are due no later than February 1 after the 3rd year and must be accompanied by the Certification Maintenance forms and supporting documentation. Failure to submit the form and recertification fee will result in inactive status, as discussed in more detail below. A CLSO who turns in his/her form after the February 1 deadline must also submit a \$50.00 late fee.

Rights and Privileges

Certified Laser Safety Officer (CLSO)

A person who is certified by the Board of Laser Safety will receive an individually numbered certificate. That person may then use the designations “Certified Laser Safety Officer” or “CLSO” in accordance with BLS policies, so long as he/she is in good standing with the BLS.

A person who is not certified, who has let their certification expire, or is not in good standing may not use the designations “Certified Laser Safety Officer” or “CLSO”.

Disclaimer

Certification does not constitute a license to practice and is not a substitute for compliance with government, agency, or other requirements. BLS cannot and does not guarantee, warrant, endorse, or otherwise make representations with regard to an individual applicant or CLSO’s ability or performance. BLS expressly disclaims any and all liability, costs, or damages, including but not limited to direct, indirect, or consequential damages that may result from the certification program or the actions of a BLS Certified Laser Safety Officer.

Examination Information

Message to Examinees

This information can help you prepare for the CLSO exam. However, use of this information by itself will not be adequate for preparation for the exam. A CLSO Examination Reference Guide may be obtained by contacting the BLS or by visiting www.lasersafety.org. An online practice test is also available through CASTLE Worldwide, a testing agency contracted by the BLS. The practice test consists of 35 questions and can be taken at www.castleworldwide.com. There is a minor administration fee associated with the practice test.

Examination Procedures

Registration for the exam will begin promptly one hour prior to exam start time. For example, an examination that is scheduled to begin at 9:00 am local time will start registration at 8:00 am local time. Exam times will be posted on the website and included in the attendee’s letter of admission. Each examinee must provide a picture ID

such as a driver's license or a state identification card, in addition to bringing his or her letter of admission from the BLS.

The examination is made up of 100 multiple-choice questions. The questions are grouped into areas of practice. Each question has five possible answers from which to choose. The total allotted time to take the examination is three hours.

All exam booklets, answer sheets and number 2 pencils will be provided at the time of the exam. Examinees may bring a simple scientific calculator (non-programmable) and spare batteries if desired. Personal computers are not permitted in the examination. Books, manuals, notes or other reference materials may not be brought into the exam room.

Materials will be inspected on site, and proctors can refuse to allow examinees to bring certain calculators or other materials into the examination room. If you have any questions about what types of calculators or other materials are permitted, please contact the BLS in advance.

Examination Content

There are nine areas of practice on the subject matter of laser safety. Each area of practice is broken down into tasks needed to be performed by an LSO. To assist you in understanding the subject matter the areas of practice and their tasks are provided here.

Area of Practice I – Lasers & Optics Fundamentals – 11%

- Task 1 – Radiometric Terms and Units
- Task 2 – Properties of Laser Light
- Task 3 – Laser Output
- Task 4 – Laser Types & Wavelengths
- Task 5 – Electromagnetic Radiation
- Task 6 – Laser Components
- Task 7 – Geometrical Optics
- Task 8 – How Lasers Work
- Task 9 – Laser Applications

Area of Practice II – Laser/Optical Radiation Bioeffects – 11%

- Task 1 – Effects on the Eye
 - a. Structure and Function of the Human Eye
 - b. Optical Gain of the Eye
 - c. Photochemical and Thermal Effects
 - d. Retinal Effects
 - e. Corneal Effects
- Task 2 – Effects on the Skin
 - a. Structure of the Skin
 - b. Thermal Effects
 - c. Photochemical Effects

Area of Practice III – Non-beam Hazards Associated with Lasers – 8%

- Task 1 – Chemical Hazards
 - a. Laser Generated Airborne Contaminants
 - b. Compressed Gasses
 - c. Laser Dyes and Solvents
- Task 2 – Physical Hazards
 - a. Electrical Hazards
 - b. Collateral and Plasma Radiation
 - c. Fire Hazards
 - d. Explosion Hazards

Area of Practice IV – Laser Control Measures – 17%

- Task 1 – Engineering Controls
- Task 2 – Administrative and Procedural Controls
- Task 3 – Laser Protective Eyewear

Area of Practice V – Regulations and Standards – 14%

- Task 1 – Working knowledge of ANSI Z136.1 *Safe Use of Lasers* standard and an understanding that Z136.2 *Safe Use of Optical Fiber Communication Systems Utilizing Laser Diode and LED Sources* is used within the optical fiber communications industry, ANSI Z136.3 *Safe Use of Lasers in Health Care Facilities* is used within the medical industry, ANSI Z136.5 *Safe Use of Lasers in Educational Institutions* is used in education institutions, and ANSI Z136.6 *Safe Use of Lasers Outdoors* is used with the military, entertainment industries and anybody using lasers outdoors.
- Task 2- 1040.10 - 21 CFR Subchapter J – Federal Laser Product Performance Standard (FLPPS)
- Task 3 – OSHA Regulations
 - a. Construction Industry Standard (29 CFR 1926)
 - Non-ionizing Radiation (29 CFR 1926.54)
 - b. General Industry Standard
 - Personal Protective Equipment (29 CFR 1910.132)
 - Eye and Face Protection (29 CFR 1910.133)
 - Respiratory Protection (29 CFR 1919.134)
 - Lock out/Tag out (29 CFR 1910.147)
- Task 4 – IEC 60825-1 Safety of Laser Products
- Task 5 – State Regulations

Area of Practice VI – Hazard Evaluation & Classification – 15%

- Task 1 – Determining Laser Hazard Class
- Task 2 – Laser Hazard Classification
- Task 3 – Environment in Which the Laser is Used
 - a. Nominal Hazard Zone
 - b. Indoor Applications
 - c. Outdoor Applications
- Task 4 – Determining Exposure Conditions

Area of Practice VII – Maximum Permissible Exposures (MPE) – 11%

Task 1 – Parameters Needed to Determine MPE

Task 2 – Extended and Small Source Viewing

Task 3 – Ocular MPE

- a. Visible & Infrared Exposures
- b. Ultraviolet Exposures
- c. Repeated Exposures

Task 4 – Skin MPE

- a. Visible & Infrared Exposures
- b. Ultraviolet Exposures
- c. Repeated Exposures

Area of Practice VIII – Laser Safety Program Administration – 10%

Task 1 – Standard Operating Procedures

Task 2 – Training for Employees

Task 3 – Laser Audits

Task 4 – Accident Investigation & Documentation

Task 5 – Duties and Responsibilities of an LSO

Task 6 – Medical Surveillance

- a. Categories of Personnel
- b. Procedures

Area of Practice IX – Laser Measurements – 3%

Task 1 – Small Source

Task 2 – Extended Source

Task 3 – Instruments Used for Measurements

Scoring/Grading

Each examinee will be notified in writing within (20) twenty business days after a pencil and paper examination whether or not he/she passed the exam. Computer based examinees receive their score immediately following completion of the exam. The score to pass the examination is established by the BLS and CASTLE Worldwide. Scores may be nullified in the event that the BLS determines that cheating or other irregularities have occurred.

Examination Preparation/Strategy

This examination is multiple choice consisting of 100 questions. Each question has a possibility of five answers. A listing of reference materials and suggested readings can be obtained by contacting the BLS. Here are a few issues to consider prior to beginning the examination:

1. Allow yourself time to answer all questions.
2. Answer the questions you are sure of first, then go back and answer the remaining ones.
3. Answer all questions even if you are unsure of the answer. An educated guess is better than no guess at all.
4. If you are unsure of an answer, your first instinct is usually the correct one.

Maintaining Certification

Certification Maintenance (CM)

After an individual has passed the certification examination he/she will be sent a certificate, roster of active CLSOs, a CLSO wallet card and a form for certification maintenance. Maintaining certification is an important and vital part of becoming a CLSO. As the industry and technology changes, so must the knowledge of a CLSO.

Details of Certification Maintenance Points (CM Points)

- 10 CM Points must be obtained over a 3-year period.
- The CM cycle starts on January 1 of the year following the year in which the individual passed the examination and ends on December 31 of the 3rd year.
- An updated list of courses and activities eligible for CM Points will be maintained by the BLS. You can obtain a listing by contacting the BLS or visiting the website at www.lasersafety.org.

CM Point Categories

1. Laser Safety Experience - maximum of 3 CM points total¹. One CM point per year for professional practice of laser safety to be certified in writing by CLSO's supervisor. Refer to page 2 of this manual for specific responsibilities of an LSO.
2. Attendance² and successful completion of laser safety specific education and training - maximum of 6 CM points total.
Point breakdown:
 - < 2 hours = ¼ CM point
 - 2 hours to 4 hours = ½ CM point
 - 4 hours to 6 hours = ¾ CM point
 - > 6 hours = 1 CM point
3. Writing of laser safety articles published external of your organization in the form of peer review journals, proceedings, periodicals, books and book chapters - maximum of 3 CM points total, one CM point per article.
4. Teaching laser safety courses or laser safety in a course external from your organization - maximum of 3 CM points total. Point breakdown:
 - < 2 hours = ¼ CM point
 - 2 hours to 4 hours = ½ CM point
 - 4 hours to 6 hours = ¾ CM point
 - > 6 hours = 1 CM point
5. Membership in laser safety-related professional/technical organizations or societies - maximum of 3 CM points total, one CM point given per year of membership.
6. Active participation in laser safety standards or regulations committees external of your organization - maximum of 3 CM points total. For example,

¹ For each category, maximum number of points total means per the 3-year period

² Attendance means online, electronic or in person

a CLSO could earn one CM point per year for being an active member of ANSI ASC Z136 or one of its subcommittees.

7. Attendance at laser safety or applications professional conferences or meetings - maximum of 4 CM points total. For example, a CLSO could earn one CM point for each day of attendance at the International Laser Safety Conference.
8. Presentations or poster papers at laser safety professional conferences or meetings – maximum of 2 CM points total, ½ CM point given per presentation.
9. Writing CLSO exam questions – maximum of 2 CM points total, ¼ CM point awarded for each accepted question.

A current list of sample conferences ancillary to laser safety and a list of laser related professional/technical organizations and societies may be obtained by contacting the BLS or visiting the website www.lasersafety.org.

Reviewing Certification Maintenance

It is the responsibility of the CLSO to submit CM forms and recertification fees on time. Notices will be sent out via email only as a reminder to turn them in. All forms must be postmarked by February 1 after the 3rd year. Failure to recertify by February 1 will result in “*Inactive Status*”. To restore status, CM worksheets accompanied with the recertification fee and a late fee of \$50 will be accepted up to and including May 31. After that time, it will be necessary to retake the exam to become active again. CM forms should include all supporting documentation. The BLS may or may not ask for additional supporting documentation when reviewing a CM form. Once a CM form has been reviewed and accepted by the BLS, a letter stating certification has been maintained will be sent to the CLSO. If there are any questions with the CM form, a letter will be sent to the CLSO requesting clarification and/or resolution. The CLSO then has 60 days to resolve the situation with the BLS. If the situation is not resolved, the CLSO will go to inactive status.

Applying for CM Credit

Organizations or individuals may apply for CM credits.

If an organization believes it offers products and services that are beneficial to the continuing education of CLSOs, it may submit its offerings to the BLS for consideration.

If an individual attends a training course, or participates in an activity that is currently not approved for CM points, he/she may submit the information to the BLS for consideration of points toward Certification Maintenance.

CM forms may be downloaded from www.lasersafety.org or obtained by contacting the BLS. Completed forms should be sent directly to the BLS with all supporting documentation for consideration. Approval of CM points is an approximate one-month process. Only activities that contribute to continuing education in the area of lasers and

laser safety will be considered. If an activity is approved by the BLS for CM points, it will be assigned a unique BLS approval code and the number of CM points assigned.

Change in CLSO Status

CLSO

Active CLSOs maintain certification every 3 years by earning 10 CM points, and by paying the recertification fee. Notices will be sent out via email only as a reminder to turn them in. All forms must be postmarked by February 1 after the 3rd year. Failure to submit the form and recertification fee will result in inactive status. Current mailing address/contact information is the sole responsibility of the CLSO.

Inactive Status

Inactive status means a CLSO may no longer use the rights and privileges outlined by the BLS in this document until he/she has obtained active status again. An inactive CLSO may become active again by submitting the CM form with all dues and late fees before June 1 after the 3rd year. After that time, it will be necessary to retake the exam to become active again.

Revocation of Certification

The BLS may revoke certification if there is evidence of intent to deceive on an application or CM form, examination fraud, recertification process, violation of the responsibilities of an LSO, or violation of the law. Any person for whom such action is contemplated shall have the right to appear before the BLS Commission.

Disciplinary Procedures for Revocation of Certification

The Board of Laser Safety (BLS) was incorporated as a nonprofit organization affiliated with the Laser Institute of America for the evaluation of individuals who wish to enter, continue and/or advance in the profession of laser safety through the certification process.

Those certified (referred to as “CLSOs”) have successfully completed the required certification process, which includes meeting certain educational requirements, passing a certification test, verifying professional knowledge, and demonstrating experience in the profession. BLS CLSOs subscribe to a Code of Professional Conduct established by the BLS.

Successful candidates are granted certification by the BLS and may hold themselves out to the public as such. In order to maintain and enhance the credibility of the BLS certification program, the BLS has adopted these Administrative Procedures to allow consumers and others to bring complaints concerning a CLSO’s conduct to the BLS. In the event of a violation of the Code of Professional Conduct or of other substantive requirements of the certification process by a CLSO, the BLS Commission may reprimand or suspend the CLSO, or revoke the CLSO’s certification. The grounds for sanctions under these Procedures are as follows:

1. Conviction of a felony or other crime of moral turpitude under federal or state law in a matter related to the practice of, or qualifications for, professional activity.
2. Gross negligence or willful misconduct in the performance of professional services, or other unethical or unprofessional conduct based on demonstrable and serious violations of the Code of Professional Conduct.
3. Fraud or misrepresentation in the application or maintenance of association membership, professional accreditation, or other professional recognition or credential.

The BLS will ensure that information concerning the complaint process as developed by the BLS will be available to consumers and the public at appropriate locations. These Administrative Procedures apply to all complaints or inquiries received about a BLS CLSO.

It should be emphasized that actions taken under these Procedures do not constitute enforcement of the law, although referral to appropriate federal, state, or local government agencies may be made about the conduct of the CLSO in appropriate situations. Individuals initially bringing complaints are not entitled to any relief or damages by virtue of this process, although they will receive notice of the actions taken.

I. BLS Commission

The BLS Commission is responsible for the implementation of these Procedures. The BLS Commission is composed of eight individuals elected or appointed in accordance with the BLS Bylaws.

The BLS Chairman presides at all meetings of the BLS Commission and is specifically responsible for ensuring that these Administrative Procedures are implemented and followed.

All BLS volunteers, staff, and other individuals engaged in investigations or decisions with respect to any complaint under these Procedures may be indemnified and defended by the BLS against liability arising from BLS related activities to the extent provided by law.

II. Complaints

Complaints may be transmitted in any manner by any individual or entity, but must be in writing. Inquiries or submissions other than complaints may be reviewed and handled by the BLS Commission at its discretion.

Upon receipt and preliminary review of a submission involving the BLS certification program or the Code of Professional Conduct, the BLS Chairman may conclude, in the his/her sole discretion, that the submission: (1) contains unreliable or insufficient information, or (2) is patently frivolous or inconsequential. In such cases, the BLS Chairman may determine that the submission does not constitute a valid and actionable complaint that would justify bringing it before the BLS Commission for investigation and a

determination of whether there has been a violation of the Code of Professional Conduct or other substantive requirements of the certification process. If so, the submission is disposed of by notice from the BLS Chairman to its submitter, if the submitter is identified. All such preliminary dispositions by the BLS Chairman are reported to the BLS Commission and the BLS Executive Director.

If a submission is deemed by the BLS Chairman to be a valid and actionable complaint, the BLS Commission shall see that written notice is provided to the CLSO whose conduct has been called into question and to that individual's employer, if applicable. The BLS Chairman also shall ensure that the individual submitting the complaint receives notice that the complaint is being reviewed by the BLS Commission.

III. Review of Complaint

For each submission involving an alleged violation of the Code of Professional Conduct that the BLS Chairman concludes is a valid and actionable complaint, the BLS Commission authorizes an investigation into its specific facts or circumstances to whatever extent is necessary in order to clarify, expand, or corroborate the information provided by the submitter.

Both the individual submitting the complaint and the CLSO who is the subject of the investigation (or his or her employer) may be contacted for additional information with respect to the complaint. The time for providing such additional information shall be established by the BLS Commission. The BLS Commission may at its discretion contact such other individuals who may have knowledge of the facts and circumstances surrounding the complaint.

All investigations and deliberations of the BLS Commission are conducted in confidence, with all written communications sealed and marked "Personal and Confidential," and they are conducted objectively, without any indication of prejudice. An investigation may be directed toward any aspect of a complaint which is relevant or potentially relevant. Formal hearings are not held and the parties are not expected to be represented by counsel, although the BLS may consult their own counsel.

IV. Determination of Violation

Upon completion of an investigation, the BLS Commission should make a determination if there has been a violation of the Code of Professional Conduct or of other substantive requirements of the certification process. If the BLS Commission finds a violation, they should impose an appropriate sanction. If the BLS Commission determines that a violation has not occurred, the complaint is dismissed with notice to the CLSO, the CLSO's employer, and the individual or entity who submitted the complaint; a summary report is also made to the BLS Commission and the BLS Executive Director.

In certain circumstances, the BLS Commission may consider that the CLSO who has violated the Code of Professional Conduct should be offered an opportunity to submit a written assurance that the conduct in question has been terminated and will not recur. If such an offer is extended, the CLSO at issue must submit the required written assurance

within thirty days of receipt of the offer, and the assurance must be submitted in terms that are acceptable to the BLS Commission. If the BLS Commission accepts the assurance, notice is given to the CLSO's employer and to the submitter of the complaint, if the submitter agrees in advance and in writing to maintain the information in confidence.

V. Sanctions

Any of the following sanctions may be imposed by the BLS Commission upon a CLSO whom the BLS Commission has determined to have violated the Code of Professional Conduct, although the sanction applied must reasonably relate to the nature and severity of the violation, focusing on reformation of the conduct of the member and deterrence of similar conduct by others:

- (1) written reprimand to the CLSO;
- (2) suspension of the CLSO for a designated period; or
- (3) termination of the CLSO's certification from the BLS.

For each of these three sanctions, a summary of the determination and the sanction with the CLSO's name is published by the BLS.

Reprimand in the form of a written notice from the BLS Chairman normally is sent to a CLSO who has received his or her first substantiated complaint. Suspension normally is imposed on a CLSO who has received two substantiated complaints. Termination normally is imposed on a CLSO who has received two substantiated complaints within a two-year period, or three or more substantiated complaints. The BLS Commission may at its discretion, however, impose any of the sanctions, if warranted, in specific cases.

CLSOs who have been terminated shall have their certification revoked and may not be considered for BLS certification in the future. If certification is revoked, any and all certificates or other materials requested by the BLS must be returned promptly to the BLS.

VI. Appeal

Within thirty days from receipt of notice of a determination by the BLS Commission that a member violated the Code of Professional Conduct, the affected CLSO may submit to the BLS in writing a request for an appeal. Upon receipt of a request for appeal, the BLS Chairman establishes an appellate body consisting of at least three, but not more than five, individuals. This Appeal Board may review one or more appeals, upon request of the BLS Chairman. The Appeal Board may be composed of CLSOs, but must include at least one individual who is not. No current members of the BLS Commission may serve on the Appeal Board; further, no one with any personal involvement or conflict of interest may serve on the Appeal Board.

The Appeal Board may only review whether the determination by the BLS Commission of a violation of the Code of Professional Conduct was inappropriate because of: (1) material errors of fact, or (2) failure of the BLS Commission to conform to published criteria, policies, or procedures. Only facts and conditions up to and including the time of the BLS Commission's determination as represented by facts known to the BLS Commission are considered during an appeal. The appeal shall not include a hearing or any similar trial-type proceeding. Legal counsel is not expected to participate in the appeal process, unless requested by the appellant and approved by the BLS Commission. The BLS and Appeal Board may consult BLS legal counsel.

The Appeal Board conducts and completes the appeal within ninety days after receipt of the request for an appeal. Submissions are made according to whatever schedule is reasonably established by the Appeal Board. The decision of the Appeal Board either affirms or overrules the determination of the BLS Commission, but does not address a sanction imposed by the BLS Commission. The decision of the Appeal Board, including a statement of the reasons for the decision, is reported to the BLS Commission and the BLS Executive Director. The Appeal Board decision is binding upon the BLS, the CLSO who is subject to the termination, and all other persons.

VII. Resignation

If a CLSO who is the subject of a complaint voluntarily surrenders his or her BLS certification at any time during the pendency of a complaint under these Procedures, the complaint is dismissed without any further action by the BLS Commission, the BLS, or an Appeal Board established after an appeal. The entire record is sealed and the individual may not reapply for certification by the BLS. However, the BLS may communicate the fact and date of resignation, and the fact and general nature of the complaint which was pending at the time of the resignation, to or at the request of a government entity engaged in the administration of law. Similarly, in the event of such resignation, the CLSO's employer and the person or entity who submitted the complaint are notified of the fact and date of resignation and that BLS has dismissed the complaint as a result.

References

A CLSO Examination Reference Guide may be obtained by contacting the BLS. A copy of this guide can also be downloaded from www.lasersafety.org. Any individual who has been accepted to sit for the CLSO exam will be sent the CLSO Examination Reference Guide.



Board of Laser Safety

The mission of the BLS is to provide a means for improvement in the practice of laser safety by providing opportunities for the education, assessment, and recognition of laser safety professionals.

13501 Ingenuity Drive, Suite 128 • Orlando, FL 32826
407.380.1553 • 800.345.2737 • Fax: 407.380.5588
bls@lasersafety.org • www.lasersafety.org