

# SENATE . . . . . No. 1112

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## The Commonwealth of Massachusetts

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PRESENTED BY:

*Thomas P. Kennedy*

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the definition of surgery.

\_\_\_\_\_  
PETITION OF:

NAME:

*Thomas P. Kennedy*

DISTRICT/ADDRESS:

# SENATE . . . . . No. 1112

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By Mr. Kennedy, petition (accompanied by bill, Senate, No. 1112) of Kennedy for legislation relative to the definition of surgery [Joint Committee on Public Health].

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 826 OF 2009-2010.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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An Act relative to the definition of surgery.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 112 of the General Laws, as appearing in the 2006 Official Edition,  
2 is hereby amended by inserting the following new section :-

3           Section 6A: The Board shall have the authority to define the practice of surgery;  
4 provided further, that surgery is limited to physicians licensed by the Board of Registration in  
5 medicine.

6           For the purposes of this chapter “surgery” shall be defined as structurally altering the  
7 human body by the incision or destruction of tissues and is part of the practice of medicine.  
8 Surgery also is the diagnostic or therapeutic treatment of conditions or disease processes by any  
9 instruments causing localized alteration or transposition of live human tissue which include  
10 lasers, ultrasound, ionizing radiation, scalpels, probes, and needles. The tissue can be cut,

11 burned, vaporized, frozen, sutured, probed, or manipulated by closed reductions for major  
12 dislocations or fractures, or otherwise altered by mechanical, thermal, light-based,  
13 electromagnetic, or chemical means. Injection of diagnostic or therapeutic substances into body  
14 cavities, internal organs, joints, sensory organs, and the central nervous system also is considered  
15 to be surgery (this does not include the administration by nursing personnel of some injections,  
16 subcutaneous, intramuscular, and intravenous, when ordered by a physician). All of these  
17 surgical procedures are invasive, including those that are performed with lasers, and the risks of  
18 any surgical procedure are not eliminated by using a light knife or laser in place of a metal  
19 knife, or scalpel.