

HOUSE No. 1964

The Commonwealth of Massachusetts

PRESENTED BY:

Ronald Mariano

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 defining surgery.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Ronald Mariano</i>	<i>3rd Norfolk</i>	<i>1/18/2019</i>

HOUSE No. 1964

By Mr. Mariano of Quincy, a petition (accompanied by bill, House, No. 1964) of Ronald Mariano for legislation to further define the term “surgery”. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2470 OF 2017-2018.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to defining 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 2016 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. For the purposes of this chapter “surgery” shall be defined as structurally altering the
6 human body by the incision or destruction or cutting of tissues and is part of the practice of
7 medicine. Surgery also is the diagnostic or therapeutic treatment of conditions or disease
8 processes by any instruments causing localized alteration or transposition of live human tissue
9 which include lasers, ultrasound, ionizing radiation, scalpels, probes, and needles. The tissue can
10 be cut, burned, vaporized, frozen, sutured, probed, or manipulated by closed reductions for major

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

SECTION 2. Nothing in this act shall be construed to restrict, limit or expand the current scope of practice authorized under Chapter 112 and in effect upon passage of this act, of any profession licensed under Chapter 112.