

House Bill 830

By: Representatives Willard of the 51st, Cooper of the 43rd, Clark of the 101st, Peake of the 141st, Watson of the 166th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 43 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to professions and businesses, so as to define the term 'surgery';
3 to restate the health care professionals who are authorized to perform surgery; to provide for
4 statutory construction; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 1 of Title 43 of the Official Code of Georgia Annotated, relating to general
9 provisions relative to professions and businesses, is amended by adding a new Code section
10 to read as follows:

11 "43-1-33.

12 (a) For purposes of this title except as used in Chapter 50 of this title, the term 'surgery'
13 means the structural alteration of the human body by the incision or cutting into of tissue
14 for the purpose of diagnostic or therapeutic treatment of conditions or disease processes by
15 any instrument causing localized alteration or transposition of live human tissue, but does
16 not include procedures for the removal of superficial foreign bodies from the human body,
17 punctures, injections, dry needling, acupuncture, or removal of dead tissue. For purposes
18 of this subsection, incision shall not mean the scraping or brushing of live tissue.

19 (b) No person shall perform surgery in this state unless he or she:

20 (1) Is licensed pursuant to Article 2 of Chapter 34 of this title as a physician;

21 (2) Is licensed pursuant to Chapter 35 of this title as a podiatrist;

22 (3) Is licensed pursuant to Article 2 of Chapter 11 of this title as a dentist;

23 (4) Is licensed pursuant to Article 1 of Chapter 26 of this title as a nurse practitioner and
24 is acting pursuant to physician delegation under protocols reviewed by the Georgia
25 Composite Medical Board;

26 (5) Is licensed pursuant to Article 4 of Chapter 34 of this title as a physician assistant and
27 is acting pursuant to physician delegation under an approved job description;

28 (6) Is licensed pursuant to Article 1 of Chapter 26 of this title as a registered professional
29 nurse and recognized by the Georgia Board of Nursing as a certified nurse midwife only
30 in the performance of episiotomies during childbirth; or

31 (7) Is licensed pursuant to Article 9 of Chapter 34 of this title, if such article becomes
32 effective, as a cosmetic laser practitioner acting under agreement with a consulting
33 physician.

34 (c) Nothing in this Code section shall be construed to restrict, limit, alter, or expand the
35 scope of practice, as such scope of practice existed on January 1, 2014, of any health care
36 professional licensed under this title."

37 **SECTION 2.**

38 All laws and parts of laws in conflict with this Act are repealed.