



The Connecticut Society of
Plastic Surgeons



Testimony of

CT Society of Plastic Surgeons

Before the Public Health Committee

On SB 418, AAC the Recommendations of the Department of Public Health Concerning
Medspas.

March 14, 2014

Good Afternoon Senator Gerratana, Rep. Johnson and distinguished members of the Public Health Committee. I am here today as the President of the CT Society of Plastic Surgeons and on behalf of the Connecticut State Medical Society to speak on SB 418, An Act Concerning the Department of Public Health's Recommendations Concerning MedSpas.

You may remember that I was here last year testifying on this issue at about 1:00am. As I spoke about this issue, I discussed the explosion of Medspas around the country and the variety of injuries and even deaths that had occurred in these facilities. To quote my testimony from that night, "We are before you today with the hope of avoiding that outcome here in Connecticut." I was thrilled that we were able to pass this important legislation last year, overwhelmingly in both chambers. Our original bill would have established standards and safety provisions that we believed were critical. Unfortunately, that bill was vetoed by the Governor and a working group created in an effort to reach a "compromise." I would personally like to thank Sen. Terry Geratanna, Anne Foley from the Governor's staff and Wendy Furniss from the Department of Public Health for their involvement in this sometimes difficult process. In my mind, "compromise" is difficult

when we are talking about patient safety. While we were not able to come to complete agreement on this bill, I do believe that with some adjustments to the proposal before you, we will be taking a step toward addressing with I consider to be “the wild west.”

To be clear, Medspas are **facilities** where surgical and non-surgical procedures are performed. Currently, there are no licensure requirements in Connecticut and therefore, there is no regulatory oversight by the department of public health, no facility inspections, no infection control requirements or other patient safety and quality of care guidelines now in place in hospitals and ambulatory surgical centers. Several states have moved to regulate these facilities, with Massachusetts requiring licensure as a clinic. In fact, we would have liked to see these facilities licensed by the Department of Public Health, but because of budgetary constraints, instead suggested some requirements be established in the short term to address safety concerns, while further licensure requirements could be explored.

Understand that currently in some Medspas, procedures are performed without physician supervision and without patients being seen or evaluated by a physician. This fact will not change under SB 418. An actively practicing physician medical director was also eliminated from the bill before you today.

Please understand that in my own practice, I have seen patients who have been treated in facilities without physician oversight and have needed corrective intervention. These patients present to me with irregular contours and skin irregularities following liposuction, problems associated with lidocaine toxicity, unnatural features following botox and cosmetic filler application and scarring from laser procedures. The DPH has documented a number of proceedings filed against designated providers in Medspas for inappropriate or illegal actions.

The bill before you today looks at a Medspa as an office setting and therefore only requires licensed providers to provide services. It does not raise the bar on safety. Remember, this very committee passed legislation to address safety concerns in the physician-office setting several years ago when you required physician offices that provided certain levels of anesthesia to become licensed as outpatient surgical centers. A new type of facility-the MedSpa- has been established since that time requiring further regulatory oversight in order to ensure the safety and well-being of Connecticut's patients.

While requiring licensure of these "facilities" would be my goal, I do believe there are things we can do in this bill to address existing patient safety concerns. Patients-some likely your own constituents-enter these facilities with the belief that their safety is in the hands not only of their provider but of the state of Connecticut. Thinking that a facility would not be able to operate in our state without the proper oversight and appropriate safety regulations in place. Remember, horrible infections can occur without proper infection control policies and procedures and patients can be injured. For your information, I have also included an article I came across from CBS regarding these very issues. In any case, who is checking and who is responsible under this bill? I'm not sure that issue has truly been addressed.

I have attached language that we had suggested after our last working group meeting in an effort to address one aspect of our concerns with the proposal. It provides greater transparency and public information on the role of key providers within the Medspa setting. How could more patient disclosure be a bad thing?

I hope, with this added language to SB 418, we will be improving the safety and well-being of patients that access care in Connecticut's Medspas. I'm just not completely convinced. Thank you.