

Senator Terry B. Gerratana  
Representative Matthew Ritter  
Co-Chairs, Public Health Committee

Dear Co-Chairs, Gerratana, Ritter and distinguished Committee Members,  
My name is Mark L. Ginella, I am the Managing Partner of Radiance Medspa in Avon, CT and I also had the privilege to serve on the Governor's task force which drafted the language to what would become B418. (An Act Concerning The Dept. of Health's Recommendations Concerning Medical Spa's)

My concern has to do with the language of 5625 not its intent. Starting back in 2007 the American College of Surgeons (ACS) sought to draft language that its members could bring to their state legislators to codify by statute the definition of surgery. The reason stated on the (ACS) website is as follows:

"A statutory definition of surgery at the state level can help to limit non-physician attempts to expand their scope into the performance of surgery". The language in 5625 is taken verbatim from the ACS draft as has been done in other states. That is why I have no argument with this bill's intent.

I work with APRN's, PA's and RN's on a daily basis and I have yet to meet one who has expressed a desire to get into an operating room to perform surgery nor as a consumer would I feel comfortable having surgery performed by anyone but a Board Certified Surgeon. However my concern has to do with some of the terms used in the draft language such as lasers, needles and ultrasound. My APRN's and PA's use lasers to perform laser hair removal, needles to inject derma fillers and neural modulators and ultrasound to non-invasively treat skin laxity. I'm certain this committee has no intent to define these types of non-invasive medical procedures, which are currently codified in the statutes as within their scope of practice, as surgery. Yet, I can assure this Committee that if 5625 is passed as written, the ink will not have dried before some will argue that in fact these procedures are forbidden to all except physicians. I believe there is a simple solution to harmonize the desire to codify by statute the definition of surgery while still maintaining the rights and privileges currently extant in the scope of practice of the other medical professionals.

Please consider adding a Section II that would read as follows:

Nothing in this act shall be construed to restrict, limit or expand the current scope of practice authorized under Chapter 370 and Chapter 378, and in effect upon passage of this act, of any profession licensed under the same.

Our neighbor in MA also adopted the ACS language and prevented any turf wars by adding a similar Section II. I have attached for the Committee's review.

The addition of this simple language would assure all stakeholders that their concerns are being met.

In the event that this fails to happen, I wish to advise Senator Gerratana that I will submit my name in advance for the impending task force but humbly request that we be served snacks this time around. I would anticipate some very long meetings.

Thank you for your attention.

Respectfully,  
Mark L. Ginella