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Connecticut State Medical Society
Testimony in support of
H.B. 5625 AN ACT CONCERNING THE DEFINITION OF SURGERY
Presented to the Public Health Committee
February 23, 2015

Good Morning Senator Gerratana, Representative Ritter and other distinguished members of the Public Health Committee. My name is Dr. David Emmel and I am a board certified ophthalmologist practicing in Wethersfield. I am the current Legislative Chair of the Connecticut State Medical Society and a Co-legislative chair of the Connecticut Society of Eye Physicians as well as a past president of that society. I am here today to support H.B. 5625 AN ACT CONCERNING THE DEFINITION OF SURGERY on behalf of the over 6000 member physicians of the Connecticut State Medical Society and many specialty medical and surgical subspecialties and societies.

50 years ago a transistor radio was an electronic marvel, the slide rule was the college student's calculator of choice, and no one dreamed that one day a scalpel could be made from a beam of light. Statute did not require a precise definition of surgery because everyone understood exactly what surgery was. Today in 2015 with over 425 references to surgery in our general statutes and new technologies emerging almost daily, the need for defining surgery is greater than ever and critical to the well being of the citizens of this great state.

50 years ago everyone understood that surgery meant cutting tissue with a scalpel or scissors and sewing it back together with sutures. In 2015 living human tissue is transformed and altered in its function and anatomy, not only with scalpels, scissors and suture, but with chemicals, lasers, ultrasound, ionizing radiation, mechanical, thermal and electromagnetic probes and needles, and sutures have been replaced in part by staples and glue. The defining principle of surgery is no longer the tool itself, but the concept that living tissue can be transposed and transformed in ways that are beneficial to health. Surgery is not massage, or the manipulation of the spine, however well it may make you feel. It is not the application of acupuncture needles that may improve well being, but that do not alter the shape or function of human tissue. It is not the use of heat or cold that an athlete receives in a tub. It is the action of instruments whether made with material or energy that fundamentally alter either the shape or the function of living human tissue. Surgery is not the trimming of toenails or cuticles, nor the removal of corns; it is the art of transforming living tissue to improve function.

The state of Connecticut, and all other states, regulate who can and cannot perform surgery by licensing practitioners who have proven the adequacy of their education and training and through the precise delineation of scope within the practice act of each specialty within the general statutes. Connecticut statute is very clear with regard to who

can and cannot perform surgery. That body of law, built up over many decades, will not change with a definition of surgery. Oral surgeons, dentists and podiatrists will continue to perform surgery to the full limit of their training and skill, as of course will all manner of surgeons who receive either a medical or osteopathic degree. The long and arduous training that these individuals undergo to give them the basic fundamentals of surgical care as well as the practical hands on training for specific operations and procedures recommends them for this work. Other health care professions that presently do not perform surgery will continue as before, unless, as established by law, they are able to prevail upon the general assembly to change their practice acts.

A complete and accurate definition of surgery will ensure that surgical craft and art remains in the hands of those who are properly trained and skilled, and not subject to the whim of any who may have read a book or watched a video. It ensures that no other body, professional or otherwise, can seize control of the fundamental prerogative of the legislature to regulate an important healing art.