

Regular Session, 2014

HOUSE CONCURRENT RESOLUTION NO. 43

BY REPRESENTATIVE CARMODY

BOARDS/COMMISSIONS: Requests the State Board of Medical Examiners to study and make recommendations concerning authorization to perform certain surgical procedures

1 A CONCURRENT RESOLUTION

2 To authorize and request the Louisiana State Board of Medical Examiners to study whether
3 authorization to perform surgical procedures on the human eye could be extended to
4 health professionals other than physicians in a manner that ensures an adequate level
5 of patient safety, and to report its findings to the legislative committees on health and
6 welfare along with any necessary and appropriate policy recommendations.

7 WHEREAS, because of its unique qualifications as the regulatory body for the
8 practice of medicine in this state, the Louisiana State Board of Medical Examiners is the
9 proper authority to which the legislature should turn for guidance concerning any proposal
10 to extend authorization to perform surgery to health professionals other than physicians; and

11 WHEREAS, "surgery" is generally defined as the treatment of disease, injury, or
12 disorder of the body by incision or manipulation with an instrument; and

13 WHEREAS, "ophthalmic surgery" is specifically defined in Louisiana law, R.S.
14 37:1041(C)(4), as a procedure upon the human eye or its adnexa in which in vivo human
15 tissue is injected, cut, burned, frozen, sutured, vaporized, coagulated, or photodisrupted by
16 the use of surgical instrumentation such as, but not limited to, a scalpel, cryoprobe, laser,
17 electric cautery, or ionizing radiation; and

18 WHEREAS, the Paragraph of law defining ophthalmic surgery also provides
19 explicitly that only persons licensed to practice medicine by the Louisiana State Board of
20 Medical Examiners under the laws of this state may perform this type of surgery; and

1 WHEREAS, balancing access to health care with patient safety is a vital public
2 health priority of this state.

3 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
4 authorize and request the Louisiana State Board of Medical Examiners to study whether
5 authorization to perform surgical procedures on the human eye could be extended to health
6 professionals other than physicians in a manner that ensures an adequate level of patient
7 safety.

8 BE IT FURTHER RESOLVED that in conducting the study, the Louisiana State
9 Board of Medical Examiners shall engage and solicit input and perspective from the
10 Louisiana State Board of Optometry Examiners on matters related to ophthalmic care.

11 BE IT FURTHER RESOLVED that the Louisiana State Board of Medical Examiners
12 shall submit its findings from the study, along with any necessary and appropriate policy
13 recommendations, in the form of a report to the House Committee on Health and Welfare
14 and the Senate Committee on Health and Welfare on or before November 1, 2014.

15 BE IT FURTHER RESOLVED that the Louisiana State Board of Medical Examiners
16 shall transmit to the Louisiana State Board of Optometry Examiners the findings and
17 recommendations it submits to the legislative committees specified herein, and shall do so
18 on the same date that it submits the materials to the specified legislative committees.

19 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
20 executive director of the Louisiana State Board of Medical Examiners and to the executive
21 director of the Louisiana State Board of Optometry Examiners.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HCR No. 43

Authorizes and requests the La. State Board of Medical Examiners to study whether authorization to perform surgical procedures on the human eye could be extended to health professionals other than physicians in a manner that ensures an adequate level of patient safety, and to report findings and recommendations to the legislative committees on health and welfare on or before Nov. 1, 2014.