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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 758 Session of  
2017

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INTRODUCED BY ARGALL, ALLOWAY, MCGARRIGLE, RAFFERTY, COSTA,  
REGAN, FONTANA, MARTIN AND McILHINNEY, JUNE 14, 2017

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
JUNE 14, 2017

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AN ACT

1 Amending the act of December 20, 1985 (P.L.457, No.112),  
2 entitled "An act relating to the right to practice medicine  
3 and surgery and the right to practice medically related acts;  
4 reestablishing the State Board of Medical Education and  
5 Licensure as the State Board of Medicine and providing for  
6 its composition, powers and duties; providing for the  
7 issuance of licenses and certificates and the suspension and  
8 revocation of licenses and certificates; provided penalties;  
9 and making repeals," further providing for definitions and  
10 for applicability of act.

11 The General Assembly of the Commonwealth of Pennsylvania  
12 hereby enacts as follows:

13 Section 1. Section 2 of the act of December 20, 1985  
14 (P.L.457, No.112), known as the Medical Practice Act of 1985, is  
15 amended by adding a definition to read:

16 Section 2. Definitions.

17 The following words and phrases when used in this act shall  
18 have the meanings given to them in this section unless the  
19 context clearly indicates otherwise:

20 \* \* \*

21 "Ophthalmic surgery." The part of the practice of medicine

1 that entails a treatment or procedure that is diagnostic,  
2 palliative, therapeutic, rehabilitative, cosmetic or refractive  
3 for conditions or disease processes involving the eye or ocular  
4 adnexa, or both, that utilizes lasers, cautery, ionizing or  
5 nonionizing radiation, scalpels, probes, needles or other  
6 instruments and in which the human eye or ocular adnexa, or  
7 both, is cut, drained, penetrated, thermally altered, vaporized,  
8 frozen, burned, sutured, probed, manipulated, injected or  
9 otherwise altered by a mechanical, thermal, light-based,  
10 electromagnetic, radiofrequency, ultrasonic, chemical or  
11 pharmacologic means. The term does not include hot or cold  
12 compresses.

13 \* \* \*

14 Section 2. Section 49(a)(3) of the act is amended to read:  
15 Section 49. Applicability of act.

16 (a) General rule.--The provisions of this act shall not  
17 apply either directly or indirectly, by intent or purpose, to  
18 affect the practice of:

19 \* \* \*

20 (3) Optometry, as authorized by the act of June 6, 1980  
21 (P.L.197, No.57), known as the Optometric Practice and  
22 Licensure Act, except that the practice of optometry does not  
23 include ophthalmic surgery.

24 \* \* \*

25 Section 3. This act shall take effect immediately.