

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 54.1-2400.01:1, relating to*
3 *surgery; definition and who may perform.*

4
5 Approved

[H 266]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding a section numbered 54.1-2400.01:1 as follows:**
8 **§ 54.1-2400.01:1. Surgery defined; who may perform surgery.**

9 *A. For the purposes of this subtitle, except as used in Chapter 38 (§ 54.1-3800 et seq.) related to*
10 *veterinary medicine, "surgery" means the structural alteration of the human body by the incision or*
11 *cutting into of tissue for the purpose of diagnostic or therapeutic treatment of conditions or disease*
12 *processes by any instrument causing localized alteration or transposition of live human tissue, but does*
13 *not include the following: procedures for the removal of superficial foreign bodies from the human*
14 *body, punctures, injections, dry needling, acupuncture, or removal of dead tissue. For the purposes of*
15 *this section, incision shall not mean the scraping or brushing of live tissue.*

16 *B. No person shall perform surgery unless he is (i) licensed by the Board of Medicine as a doctor of*
17 *medicine, osteopathy, or podiatry; (ii) licensed by the Board of Dentistry as a doctor of dentistry; (iii)*
18 *jointly licensed by the Boards of Medicine and Nursing as a nurse practitioner; (iv) a physician*
19 *assistant acting under the supervision of a doctor of medicine, osteopathy, or podiatry; (v) a licensed*
20 *midwife in the performance of episiotomies during childbirth; or (vi) acting pursuant to the orders and*
21 *under the appropriate supervision of a licensed doctor of medicine, osteopathy, podiatry, or dentistry.*

22 *C. Nothing in this section shall be construed to restrict, limit, change, or expand the scope of*
23 *practice in effect on January 1, 2012, of any profession licensed by any of the health regulatory boards*
24 *within the Department of Health Professions.*

ENROLLED

HB266ER