



Office-Based Surgery (OBS)

Board-by-Board Statutes, Regulations, and Policies

| |
|---|
| Boards with statutes, rules, or guidelines relating to OBS: 44 |
| Boards that regulate ambulatory surgery centers (ASCs), but omit OBS (<i>see Notes</i>): 11 |
| Boards that regulate neither OBS nor ASCs: 14 |

| | Statute, Regulation, or Board Policy | Citation |
|------|--------------------------------------|---|
| AL | X | Alabama Admin. Code Ch. 540-x-10. |
| AK | X | Guidelines Regarding the Use of Lasers and Laser Surgery Alaska State Medical Board, October 2007 |
| AZ-M | X | Arizona Rev. Stat. §36-402(3) Arizona Admin. Code R4-16-701-707 |
| AZ-O | X | Arizona Admin. Code R4-22-501-508 |
| AR | X | Arkansas Code R. § 060.00.18-002. Regulation 35 |
| CA-M | X | California Bus & Prof. Code §2216.1; California Bus & Prof D. 2, Ch. 5, Art. 11.5; Art. 12 § 2240 |
| CA-O | X | California Health & Safety Code D. 2, Ch. 1.3 California Code. Regs. tit. 16 §1356.6 |
| CO | X | Policy 40-12: Office Based Surgery and Anesthesia Colorado Medical Board, May 2016 |
| CT | X | Connecticut Gen. Stat. Ann. § 19a-490m; § 19a-493b-494 |
| DE | X | Delaware Code tit. 16 § 122(y-z); tit. 24 §17-1705 16 Delaware Admin. Code 3335 |
| DC | X | District of Columbia Code § 44-501-502; § 44-504(H); § 44-505, § 44-509 |
| FL-M | X | Florida Admin. Code Ann. Rule Ch. 64B8-9.009 |
| FL-O | X | Florida Admin. Code Ann. Rule Ch. 64B15-14.007 |
| GA | X | Office-based Anesthesia and Surgery Guidelines Georgia Composite Medical Board, April 2019 |
| GU | -- | (None found) |
| HI | -- | (None found) |
| ID | -- | (None found) |
| IL | X | 68 Illinois Admin. Code § 1285.340; 77 I.A.C. § 205.110; 205.118; 205.840-850 210 Illinois Comp. Stat. 5/3 |
| IN | X | 844 Indiana Admin. Code 5-5-5; 5-5-13; 5-5-20-22 |
| IA | -- | (None found) |
| KS | X | Kansas Admin. Regs. 100-25-1-3 |
| KY | X | Guidelines for Office-Based Surgery Kentucky Board of Medical Licensure, last amended March 2018 |
| LA | X | 46 Louisiana Admin. Code Ch. 73 - Office-Based Surgery |
| ME-M | X | Ch. 12 - Rule Regarding Office Based Treatment of Opioid Use Disorder |
| ME-O | X | Maine Board of Medicine and Board of Osteopathic Licensure, April 2020 |
| MD | X | Maryland Code. Health Occupations §14-404(41) Maryland Code Regs. 10.12.03.01-02; 10.12.03.09-10 |

| | | |
|------|----|---|
| | | Guidelines: The Use of Lasers for Hair Removal Maryland Board of Physicians, October 2002 |
| MA | X | Office-Based Surgery Guidelines Massachusetts Medical Society, August 2011 |
| MI-M | X | Michigan Comp. Laws § 333.20801-20821 Mich. Admin. Code r. 368-1978-17-201; -208 LARA Freestanding Surgical Outpatient Facilities Fact Sheet |
| MI-O | X | |
| MN | * | See Notes |
| MS | X | Mississippi Code R. § 30-17-2635 Ch. 2 |
| MO | * | See Notes |
| MP | -- | (None found) |
| MT | * | See Notes |
| NE | -- | (None found) |
| NV-M | X | Nevada Rev. Stat. Ann. § 449.435-437; 449.442; 449.446-447 |
| NV-O | X | Nevada Rev. Stat. Ann. § 633.524 |
| NH | * | See Notes |
| NJ | X | New Jersey Admin. Code 13:35 Subchapter 4A |
| NM-M | * | See Notes |
| NM-O | * | |
| NY | X | New York Public Health Law § 230-d.; § 2998-e Office Based Procedures Position Statement North Carolina Medical Board, amended May 2011 |
| NC | X | |
| ND | -- | (None found) |
| OH | X | Ohio Rev. Code Ann. §4731-25. |
| OK-M | X | Guidelines for Office-Based Surgery and Other Invasive Procedures Oklahoma Board of Medical Licensure and Supervision, June 2000 |
| OK-O | -- | (None found) |
| OR | X | Oregon Admin. R. 47-017-0000-0040 |
| PA-M | X | 28 Pennsylvania Code § 551.31; 553; 555; 559.2-3; 563.1 |
| PA-O | X | |
| PR | -- | (None found) |
| RI | X | Rhode Island Gen. Laws § 23-17-2; 4; 17 South Carolina Code of Regulations R. 81-96 Liposuction procedures. Parameters for Office-based South Carolina Board of Medical Examiners, February 2002 |
| SC | X | |
| SD | -- | (None found) |
| TN-M | X | Tennessee Code Ann. § 63-6-221 Tennessee Comp. R. & Regs. 0880-02-.21 |
| TN-O | X | Tennessee Code Ann. § 63-9-117, Tennessee Comp. R. & Regs. 1050-02-.21 |
| TX | X | Texas Occ. Code §162.103-104 22 Texas Admin. Code § 192.1-2 Texas Medical Board Office-Based Anesthesia Guidance |
| UT-M | * | See Notes |
| UT-O | * | |
| VT-M | * | See Notes |
| VT-O | * | |
| VI | -- | (None found) |
| VA | X | 18 Virginia Admin. Code 85-20-310-390 |
| WA-M | X | Washington Admin. Code § 246-919-601 |
| WA-O | X | Washington Admin. Code § 246-853-650 |
| WV-M | -- | (None found) |
| WV-O | -- | (None found) |
| WI | -- | (None found) |
| WY | * | See Notes |

| | *Notes |
|----|--|
| MN | Minnesota Code r. § 4675.0100 State law defines ASCs to explicitly exclude physician and dentist offices. |
| MO | Missouri Code Regs. tit. 19, § 30-30.010(B)(3) State regulations define ASCs to explicitly exclude physician, dentist and podiatrist offices. |
| MT | Montana Code Ann. § 50-5-101 Montana regulates ASCs but omits office-based surgery. |
| NH | N.H. Code Admin. R. He-P 812 New Hampshire regulates ASCs but omits office-based surgery. |
| NM | New Mexico Admin. Code § 7.11.2 New Mexico regulates ASCs but omits office-based surgery. |
| UT | Utah Admin. Code Rule R432-500 Utah regulates ASCs but omits office-based surgery. |
| VT | ASC Rule 10.28.19 Vermont regulates ASCs but omits office-based surgery. |
| WY | Wyoming Admin. Rules HLS Ch. 5 Wyoming regulates ASCs but omits office-based surgery. |

For informational purposes only: This document is not intended as a comprehensive statement of the law on this topic, nor to be relied upon as authoritative. Non-cited laws, regulation, and/or policy could impact analysis on a case-by-case or state-by-state basis. All information should be verified independently.