

# State of Tennessee

## PUBLIC CHAPTER NO. 909

HOUSE BILL NO. 1896

By Representatives Shipley, Todd

Substituted for: Senate Bill No. 2033

By Senator Hensley

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 4 and Title 63, relative to professions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be referred to as the "Tennessee Patient Safety Cosmetic Medical Procedures Act".

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 1, Part 1, is amended by adding the following as a new section:

63-1-152.

(a) As used in this section:

(1) "Cosmetic medical service" means any service that uses a biologic or synthetic material, a chemical application, a mechanical device, or a displaced energy form of any kind that alters or damages, or is capable of altering or damaging, living tissue to improve the patient's appearance or achieve an enhanced aesthetic result;

(2) "Media" or "advertising" means oral, written and other types of communication disseminated for the purpose of soliciting medical services. These communications include, but are not limited to, newspaper or magazine advertisement, telephone directory displays, printed brochures or leaflets, websites, email correspondence, and television or radio announcements;

(3) "Medical director" or "supervising physician" means a physician who:

(A) Holds an active medical license under chapter 6 or 9 of this title in this state;

(B) Has an active medical practice in this state; and

(C) Is responsible for the provision of or supervises the provision of cosmetic medical services; and

(4) "Medical spa" means any entity, however named or organized, which offers or performs cosmetic medical services; provided, that a medical spa shall not include an individual physician's office or practice owned by a physician.

(b) Any entity doing business as or advertised as a medical spa shall display the name of the medical director or supervising physician and shall indicate one of the following by signage at its practice site and in its media and advertising:

(1) Whether the medical director or supervising physician is certified or eligible for certification by a private or public board, parent association, multidisciplinary board or association that is a member of the American Board of Medical Specialties (ABMS) or the American Osteopathic Association (AOA);

(2) Whether the medical director or supervising physician is certified by a board or association with equivalent requirements to the ABMS or AOA as approved and recognized by the board of medical examiners or the board of osteopathic examination, as appropriate; or

(3) Whether the medical director or supervising physician is certified by a board or association requiring an Accreditation Council for Graduate Medical Education (ACGME) or AOA approved training program that provides complete training in the specialty or subspecialty certified, followed by prerequisite certification by a certifying board of the ABMS or AOA in that training field and successful completion of an additional examination in the specialty or subspecialty certified.

(c) If the medical director or supervising physician is not certified by any of the entities identified in subsection (b), then the lack of certification shall be displayed by signage at its practice site and in its media and advertising.

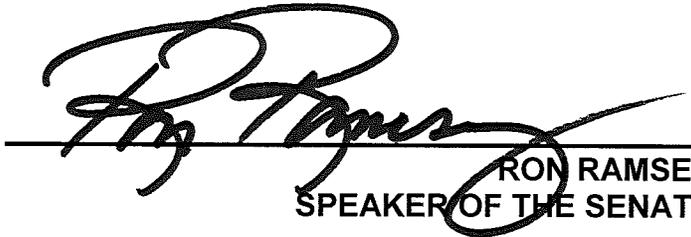
SECTION 3. This act shall take effect July 1, 2014, the public welfare requiring it.

HOUSE BILL NO. 1896

PASSED: April 15, 2014



BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES



RON RAMSEY  
SPEAKER OF THE SENATE

APPROVED this 13<sup>th</sup> day of May 2014



BILL HASLAM, GOVERNOR