

TENNESSEE BOARD OF MEDICAL EXAMINERS

POLICY: DUAL-LICENSED MEDICAL DOCTORS AND DENTISTS PERFORMING OFFICE BASED SURGERY

The Board of Medical Examiners issues the following policy to clarify the application of its rules governing office based surgery to dual-degreed, dual-licensed physicians/dentists who practice in the area of oral and maxillofacial surgery. It has long been the understanding of the Board of Medical Examiners that the practice of dentistry is not a part of the practice of medicine and is controlled by the Board of Dentistry's laws and rules. See Tenn. Code Ann. §63-6-204(a)(2).

Pursuant to Tenn. Code Ann. §63-6-221, the Board of Medical Examiners has promulgated rules and regulations with respect to Office Based Surgery. See Tenn. R. Comp. Rules and Regs. §0880-2.21. It is the intent that these rules apply to all physicians performing Office Based Surgery.

The Board of Dentistry has statutory authority over dentists performing oral and maxillofacial surgeries pursuant to Tenn. Code Ann. §63-5-108(b)(5), (b)(12), and (g). The Board of Dentistry has promulgated sufficient rules and regulations to ensure that surgery performed within the scope of dentistry practice is safe. See Tenn. R. Comp. Rules and Regs. §§0460-2-.06 and 0460-2-.07.

The Board of Medical Examiners therefore interprets the statute and rules governing Office Based Surgery to apply only to dual-degreed, dual-licensed physicians/dentists practicing within the scope of medicine. If a physician performs surgery outside the scope of the dental rules, he or she must comply with the Board of Medical Examiners rules governing Office Based Surgery.

Adopted by the Board of Medical Examiners on March 18, 2008.