

Office Based Surgery Rule Clarification

The Board recognizes that physicians performing office based surgery often send their patients to recovery care centers for overnight wound care. R4-16-703(B)(2) states that a physician shall not perform office-based surgery using sedation if the patient will require inpatient services at a hospital. The Board does not consider recovery care centers, for the limited purposes of obtaining wound care, as inpatient services at a hospital.

The full text of R4-16-703, Procedure and Patient Selection, is as follows:

R4-16-703. Procedure and Patient Selection

- A. A physician shall ensure that each office-based surgery using sedation performed:
 - 1. Can be safely performed with the equipment, staff members, and health care professionals at the physician's office;
 - 2. Is of duration and degree of complexity that allows a patient to be discharged from the physician's office within 24 hours;
 - 3. Is within the education, training, experience skills, and licensure of the physician; and
 - 4. Is within the education, training, experience, skills, and licensure of the staff members and health care professionals at the physician's office.
- B. A physician shall not perform office-based surgery using sedation if the patient:
 - 1. Has a medical condition or other condition that indicates the procedure should not be performed in the physician's office, or
 - 2. Will require inpatient services at a hospital