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December 10, 2020

The Honorable Hob Bryan
Chair, Public Health and Welfare Committee
Mississippi State Senate
P.O. Box 1918
Jackson, MS 39215

Dear Senator Bryan:

On behalf of the American Medical Association (AMA) and our physician and student members, I am writing to clarify some information recently provided to the Senate Public Health and Welfare Committee (Committee) concerning use of the Current Procedural Technical (CPT®) code set to define a procedure or service as “surgery.”

In recent testimony before this Committee, claims have been made that optometrists already perform “surgery” as defined by the “Insurance Codebook” also known as the CPT® code set. This claim is inaccurate. In fact, it misconstrues proper use of the CPT® code set, which states as part of the instructions for use, “the listing of a service or procedure in a specific section of this book should not be interpreted as strictly classifying the service or procedure as “surgery” or “not surgery” for insurance or other purposes.” (*CPT® Professional 2021* codebook, page xiv). Simply put, the “surgery” section of the CPT® code set refers to both “surgeries” and non-surgical “procedures.” The terms “surgery” and “procedures” are often used interchangeably, but they are technically not the same. In short, inclusion of a service or procedure in the surgery section of the CPT® code set does not alone define the procedure as “surgery.”

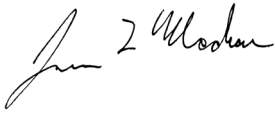
It is notable that the AMA defines “surgery” as the diagnostic or therapeutic treatment of conditions or disease processes by any instruments causing localized alteration or transposition of live human tissue, which include lasers, ultrasound, ionizing radiation, scalpels, probes, and needles. All of these surgical procedures are invasive, including those that are performed with lasers. Importantly, the risks associated with any surgical procedure are not eliminated by using a light knife or laser in place of a metal knife or scalpel. Similarly, the injection of diagnostic or therapeutic substances into body cavities, internal organs, joints, sensory organs, and the central nervous system is also to be considered surgery (AMA Policy H-475.983).

Finally, as noted in previous communications with the Mississippi Senate, there are no “uncomplicated” surgeries involving the eye or tissues surrounding the eye. Patient safety and quality of care demand that patients be assured that individuals who perform invasive procedures have appropriate medical education and training. Optometrists simply do not have the education and training to perform these procedures nor the education and training to analyze when surgery may or may not be clinically indicated.

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Thank you for your consideration. We hope this information is helpful to the Committee and welcome the opportunity to provide any further information or clarification. If you have any questions, please contact Kim Horvath, JD, Senior Legislative Attorney, AMA Advocacy Resource Center, at kimberly.horvath@ama-assn.org.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim L. Madara".

James L. Madara, MD

cc: Mississippi State Medical Association