

The Board of Medical Examiners offers this information to remind licensees that physicians performing certain office-based surgery or procedures are required to register with the Board and to submit information regarding the accreditation of their practices. These requirements are explained in more detail below.

In 2007, the Board promulgated S.C. Code Ann. Regs. 81-96. The Board's regulations were amended in 2012, but this amendment did not affect the content of S.C. Code Ann. Regs. 81-96. A complete copy of this regulation is attached hereto, and a brief overview is provided below; however, this overview should not be considered a substitute for reading the regulation in its entirety.

By way of overview, S.C. Code Ann. Regs. 81-96 provides that any physician performing Level II or Level III office-based surgery or procedures that require the administration of moderate or deep sedation/analgesia, or general anesthesia, **must** register with the South Carolina Board of Medical Examiners. The offices in which any physician performs such surgery or procedures **must** be accredited by an accreditation agency within the first year of operation. Acceptable accreditation agencies are set forth in more detail in the regulation.

Whether a surgery or procedure qualifies as Level II or Level III is dependent **only** on the level of sedation/analgesia administered—not the procedure actually performed. The full definitions of Level II and Level III procedures are set forth in full in the regulation.

Physicians performing **only** Level I office-based surgery or procedures are **not** required to register. Level I surgery and procedures are minor procedures in which preoperative medication and/or unsupplemented local anesthesia is used in quantities equal to or less than the manufacturer's recommended dose adjusted for weight and where the likelihood of complications requiring hospitalization is remote. Please see the regulation for the full definition of Level I surgery.

Finally, this regulation does **not** apply to physicians performing procedures in a hospital or any other facility licensed by DHEC. Physicians performing procedures in these settings, only, are **not** required to register.

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Physicians required to register must provide each address at which Level II or Level III office surgery is performed and identification of the accreditation agency that accredits each location. The [Registration Form](#) is available on the Board's website. Additionally, physicians are encouraged to take this opportunity to review the [Medical Practice Act](#) and all [Regulations](#) promulgated by the Board.

Licensees who have been performing office-based surgery and procedures that would require registration who have not previously registered are granted a safe harbor whereby if they register within 90 days of the date of this e-blast and submit proof of current accreditation (or if the practice is not currently accredited, provide proof of accreditation within one year of the date of registration) shall not be subject to disciplinary action for previously failing to register. This safe harbor applies to the failure to register, only, and does not otherwise limit the Board's ability to investigate and/or bring disciplinary action against licensees performing office-based surgery and procedures for any violation of the Medical Practice Act and Regulations other than their failure to register.