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§19-3C-02.

(a) The Secretary may adopt regulations for cosmetic surgical facilities in the State.

(b) Regulations adopted by the Secretary under this section shall include deeming a cosmetic surgical facility to meet specified requirements, if the cosmetic surgical facility is accredited by:

- (1) The American Association for Accreditation of Ambulatory Surgical Facilities;
- (2) The Accreditation Association for Ambulatory Health Care;
- (3) The Joint Commission; or
- (4) Any other accreditation organization, as determined by the Secretary.

(c) Regulations adopted under this section may not require higher standards for cosmetic surgical facilities than the standards required for ambulatory surgical facilities under Subtitle 3B of this title.

(d) (1) The Secretary may adopt regulations that establish the circumstances under which a procedure is a “cosmetic surgical procedure” under § 19-3C-01(c)(3) of this subtitle.

(2) The regulations adopted under paragraph (1) of this subsection shall be based on a finding by the Secretary that the procedure raises substantial health and safety concerns that warrant regulation of the procedure under this subtitle.

(3) In adopting regulations under paragraph (1) of this subsection, the Secretary shall consider available studies, reports, and other literature related to:

- (i) The safety or risks of the procedure;
- (ii) The education and training of the health care practitioners administering anesthesia for the procedure;
- (iii) The education and training of the health care practitioners performing the procedure; and
- (iv) The setting in which the procedure is performed.

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