

AMERICAN ACADEMY OF COSMETIC SURGERY'S POSITION ON MEDISPAS

The American Academy of Cosmetic Surgery (AACS) recognizes medispas are becoming more prevalent across the country, and presenting a new source for patients seeking cosmetic surgery, especially non-invasive procedures. The following reflects AACS's answers to some of the more frequently asked questions.

What is a medispa?

A medical spa, medspa, or "medispa" is a fairly new term for both patients and providers, and the definitions applied by various mediums are fairly loose. Generally, a medispa is a facility offering a range of aesthetic procedures including both those typically offered in a spa (such as facials, body wraps, waxing, and massage), as well as non-invasive cosmetic surgery procedures (such as Botox®, chemical peels, fillers, hair removal, and various laser treatments). These facilities differ from traditional spas because they offer advanced medical procedures and, therefore, require the care of a qualified medical professional.

What are the laws governing medispas?

While a review of the laws governing medispas is beyond this document, a sample review of five states revealed no laws or regulations established specifically for medispas and no definition for the term medispa. Instead, the state laws applicable to other healthcare facilities in the sample states govern medispas. In the states reviewed, the laws and regulations to which a medispa is subject are driven by two main factors: (1) the procedures and services provided by the facility; and (2) the location of the facility. The nature of the procedures determines a medispa's legal classification within a given municipality, county, or state, and the necessary regulations and licensure requirements with which the facility must comply. Moreover, State laws impose various and definite obligations upon physicians associated with medispas. Physicians considering any affiliation with a medispa should consult with an attorney experienced in the healthcare field prior to committing to any such affiliation.

Does the AACS endorse medispas?

AACS endorses patient safety, not a particular type of facility. The fact that a cosmetic procedure is performed at a medispa does not, and should not, alter the medical and legal obligations of the physician and the facility. Likewise, patients should not be lulled into a false sense of security simply because a cosmetic procedure is performed at a medispa instead of a more traditional facility, and should use the same caution and care as they use in any medical encounter.

Physicians involved with medispas must comply with all applicable statutes, ordinances, rules, regulations, and standards of care. While state laws may vary with respect to physicians' specific responsibilities, AACS believes physicians should be directly involved with all patient care. As with all cosmetic procedures, AACS urges patients to be their own advocates, educating themselves about the procedure; the education, training, experience, and competency of the individual performing the procedure; and the licensure and capabilities of the facility before deciding whether to undergo a particular procedure, or choosing a particular physician or facility. Patients may review a list of questions and issues to consider when contemplating a cosmetic procedure and choosing a cosmetic surgeon at www.cosmeticsurgery.org.

It is imperative cosmetic surgeons continue to maintain and develop respect for the practice of cosmetic surgery, and keep patient safety their single greatest priority.

What is the American Academy of Cosmetic Surgery?

AACS is a professional medical society whose members are dedicated to patient safety and physician education in cosmetic surgery. Most members of the AACS are cosmetic surgeons, dermatologic surgeons, general surgeons, obstetricians and gynecologists, ophthalmic surgeons, oral and maxillofacial surgeons, otolaryngologists, or plastic and reconstructive surgeons -- all of whom specialize in cosmetic surgery. AACS represents cosmetic surgeons in the American Medical Association (AMA) through its seat in the AMA House of Delegates.

How is cosmetic surgery defined?

Cosmetic surgery is a unique discipline of medicine focused on enhancing appearance through surgical and medical techniques. Cosmetic surgery can be performed on all areas of the head, neck and body. Because treated areas function properly and the procedures are not medically necessary, cosmetic surgery is elective. Plastic surgery is a separate practice, which is defined as a surgical specialty dedicated to the reconstruction of facial and body defects due to birth disorders, trauma, burns and disease. Plastic surgery is intended to correct dysfunctional areas of the body and is reconstructive in nature.