

Board Memo

To: Committee Members, Participants
From: Kelli Stevens, General Counsel
Date: August 8, 2013
Re: Ultrasound & Laser Fat Reduction Committee Summary Report from meeting on August 5, 2013

The Board's Ultrasound & Laser Fat Reduction Subcommittee met on August 5th to continue discussion about reconsideration of Board Policy 13-01. Representatives from KMS and KCA participated in-person and provided input to the Subcommittee. A general summary of the issues discussed and the plan for another meeting are as follows:

The Subcommittee agreed that the use of ultrasound and lasers for fat reduction falls within the practice of the healing arts. The Subcommittee heard further comments from KMS and KCA regarding whether the use of ultrasound and laser modalities specifically for fat reduction constitutes surgery. The discussions focused on the definitions of surgery set forth in the *Acupuncture Society* case compared to the Board's office-based surgery regulations, specifically K.A.R. 100-25-1(I). The Subcommittee acknowledged that chiropractors are trained to use ultrasound and laser modalities and are taught about their physiological effects. It was generally accepted that the training in both the medical profession and the chiropractic profession does not include the use of these modalities specifically for fat reduction.

The Subcommittee also raised the issue of whether ultrasound and laser fat reduction procedures should be allowed at all due to the questionable efficacy and risks involved. The Subcommittee discussed that some uses may be quackery or at least experimental in nature. It is not entirely clear whether there is FDA approval of the devices used which have been identified to the Subcommittee. The Subcommittee determined that it could not yet provide further recommendations to the full Board. Additional information is needed about the specific devices, including their use, FDA approval, efficacy and safety. It was reiterated that Policy 13-01 does not have the force and effect of law.

Next steps- Board staff will obtain further information about FDA approval of the devices and contact practitioners using the devices, device manufacturers and other interested parties about participating in another meeting of the Subcommittee. It is anticipated that another meeting will be scheduled for late October.