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New Donda West Law Addresses Elective Cosmetic Surgery

There is a new California law governing elective cosmetic surgery procedures. The Donda West Law (AB 1116), named after the mother of rapper Kanye West, took effect January 1, 2010. It provides that patients who are scheduled to undergo cosmetic surgery should receive the following:

1. An appropriate physical exam, which includes an appropriate medical history, conducted within 30 days prior to the procedure and confirmed as up to date on the day of the procedure. Exams and medical history done on the day of the procedure are presumed to be in compliance; and
2. The physical exam for the procedure may be done by:
 - (a) the surgeon, another physician, a certified NP or licensed PA (in accordance with their scope of practice), or
 - (b) in the case of elective facial cosmetic surgery, a licensed dentist with a permit to perform elective facial cosmetic surgery; and

The new legislation defines cosmetic surgery as "elective surgery that is performed to alter or reshape normal structures of the body in order to improve the patient's appearance, including but not limited to, liposuction and elective facial cosmetic surgery."

When you perform cosmetic surgery in a free-standing surgery center or your office, you should obtain or document a medical history and physical exam as part of your pre-operative work-up.

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