

Laparoscopic Exception Submission Guidance

Pursuant to 28 Pa.Code §551.21, no procedure may be performed in an ASF which is associated with the risk of extensive blood loss, requires major or prolonged invasion of body cavities, or directly involves major blood vessels. To the extent that a facility wishes to perform laparoscopic procedures in an ASF which would violate this provision, an exception is required. Such procedures will generally include laparoscopic procedures which invade the abdomen and heart, among others.

Requests for **new exceptions** to perform laparoscopic procedures which are excluded from being performed in an ASF by Section 551.21 must include the following information:

- The procedure name and CPT Code for each laparoscopic procedure which will be performed in the facility.
- Attestation for each surgeon who will perform laparoscopic procedures in the facility, stating that the surgeon has completed a minimum of 30 of each of the identified laparoscopic procedures which the surgeon will perform in the facility in any setting, and has performed at least one of the identified laparoscopic procedures which the surgeon will perform in the facility per quarter for the four quarters prior to the application.
 - If this attestation cannot be made, a narrative presenting equivalent laparoscopic surgery experience for the surgeon will be considered.
- Attestation for each surgeon who will perform laparoscopic procedures in the facility, stating that the surgeon has completed 20 unsupervised laparoscopic procedures (any type of lap procedure, in any setting) in each of the two 12-month periods prior to approval.
 - If this attestation cannot be made, a narrative presenting equivalent laparoscopic surgery experience for the surgeon will be considered.
- Attestation for each surgeon who will perform laparoscopic procedures in the facility, stating that the surgeon has performed at least one laparoscopic procedure per quarter for the previous four quarters.
 - If this attestation cannot be made, a narrative presenting equivalent laparoscopic surgery experience for the surgeon will be considered.
- Policies that address credentialing of physicians which include the above, require peer review within 30 days of any unanticipated event during a lap procedure, and address transfer of patients in the case of an unanticipated event.

If the exception is granted, the following conditions will apply:

- Surgeons performing laparoscopic procedures in the facility must perform 20 laparoscopic procedures (any procedure, any setting) per year.
- Surgeons must perform at least one per year of each type of laparoscopic procedure which they perform at the facility, (in any setting).
- Peer review must take place within 30 days of any unanticipated event during a laparoscopic procedure.

DAAC will review for compliance with conditions during Annual licensure surveys.