243 CMR: BOARD OF REGISTRATION IN MEDICINE

243 CMR 2.00: LICENSING AND THE PRACTICE OF MEDICINE

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(4) Definitions. For the purposes of 243 CMR 1.00 through 3.00, the terms listed in 243 CMR

2.01(4) have the following meanings, unless otherwise provided:

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The Practice of Medicine means the following conduct, the purpose or reasonably foreseeable

effect of which is to encourage the reliance of another person upon an individual's knowledge

or skill in the maintenance of human health by the prevention, alleviation, or cure of disease, and

involving or reasonably thought to involve an assumption of responsibility for the other person's

physical or mental well being: diagnosis, treatment, use of instruments or other devices, or the

prescribing, administering, dispensing or distributing of drugs for the relief of diseases or adverse

physical or mental conditions.

(a) A person who holds himself or herself out to the public as a physician or surgeon, or

with the initials "M.D." or "D.O." in connection with his or her name, and who also assumes

responsibility for another person's physical or mental well being, is engaged in the practice

of medicine.

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2.07: General Provisions Governing the Practice of Medicine

243 CMR 2.07 addresses some issues relating to the practice of medicine by licensees. The

Practice of Medicine is defined in 243 CMR 2.01(4).

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(4) Delegation of Medical Services. There shall be no delegation of medical services to an

individual who is not licensed to perform those services in Massachusetts.

Nothing in 243 CMR 2.07(4) shall be construed as permitting an unauthorized person to

perform activities requiring a license to practice medicine. A full licensee who knowingly

permits, aids or abets the unlawful practice of medicine by an unauthorized person is subject to

discipline pursuant to M.G.L. c. 112, § 5, and 243 CMR 1.05(6).

