

(2) "PRACTICE MEDICINE" INCLUDES DOING, UNDERTAKING, PROFESSING TO DO, AND ATTEMPTING ANY OF THE FOLLOWING:

(I) DIAGNOSING, HEALING, TREATING, PREVENTING, PRESCRIBING FOR, OR REMOVING ANY PHYSICAL, MENTAL, OR EMOTIONAL AILMENT OR SUPPOSED AILMENT OF AN INDIVIDUAL:

1. BY PHYSICAL, MENTAL, EMOTIONAL, OR OTHER PROCESS THAT IS EXERCISED OR INVOKED BY THE PRACTITIONER, THE PATIENT, OR BOTH; OR

2. BY APPLIANCE, TEST, DRUG, OPERATION, OR TREATMENT;

(II) ENDING OF A HUMAN PREGNANCY; AND

(III) PERFORMING ACUPUNCTURE.

(3) "PRACTICE MEDICINE" DOES NOT INCLUDE:

(I) SELLING ANY NONPRESCRIPTION DRUG OR MEDICINE;

(II) PRACTICING AS AN OPTICIAN; OR

(III) PERFORMING A MASSAGE OR OTHER MANIPULATION BY HAND, BUT BY NO OTHER MEANS.

REVISOR'S NOTE: This subsection is new language derived without substantive change from Art. 43, § 119(f) and (g)(3), (4), and (5).

The definition is stated in the infinitive form to permit minor verb variations of the defined phrase without taking these variations out of the scope of the definition.

In paragraph (1) of this subsection, the present description of medicine as an "art of science" is deleted as unnecessary.

In paragraph (2)(i)2. of this subsection, the word "drug" is added to clarify that a physician may practice medicine by prescribing a "drug".

In paragraph (2)(ii) of this subsection, the present words "assisting, attempting, inducing, or causing" are deleted as unnecessary in light of the terms "attempting" and "ending".

In paragraph (3)(i) of this subsection, the term "nonprescription drug or medicine" is substituted for "proprietary or patent medicines" to conform with current usage.