

Minutes of the Meeting of the  
NYS Medicine Board Meeting  
March 4, 2022  
1411 Broadway NY, NY and Via WebEx

Meeting is available via WebEx and being recorded.

Board Members Present: Dr. Autz, Dr. Berger, Dr. Epstein, Dr. Grayson, Dr. Guthrie, Dr. Kasinathan, Dr. Mark, Dr. Papa, Dr. Plummer, Dr. Rajan, Dr. Raju, Dr. Nahjeeb Rehman, Dr. Sahgal, Dr. Shah, Dr. Sharma, Dr. Shelat, and Dr. Walther; PA Kathleen Lill and PA Greg Shutts; public members Marian Goldstein and JoAnn Marino.

Board Members Absent: Dr. Lerner, Dr. Salemi, and Dr. Sapio.

Guests Present: Anu Ashok of Greater New York Hospital Association, Dr. Wlody prospective new member of the board, Diana Georgia representing SGU, Michael Powers of the Athletic Training Committee, and Lawrence Rothenberg of the Medical Physics Committee.

Staff Members Present: Stephen Boese, Executive Secretary to the Board; Carla Wells, Education Program Assistant 2; Lee Fitzgerald, Education Program Assistant 1; and Heidi Weinman, Secretary.

Meeting is called to order by Dr. Epstein at 9:30 am.

Motion to accept minutes: Motion is made, seconded, and passed to accept the minutes from the December 2021 meeting.

**Discussion Items:**

Chair's Report:

There are no updates from the Chair.

International Medical Graduate Workgroup Report:

Mr. Boese reports that the IMG Workgroup has been working diligently to license doctors during the recent crisis. 22 applications have been reviewed since the last meeting.

Executive Secretary's Report:

Accommodations for meeting by WebEx made under the Governor's COVID Executive Orders have been extended again until March 16, 2022. All other provisions have been extended until March 31.

The Governor's budget has proposed that all health profession licensing be moved to the Department of Health. The Department of Education has released a statement strongly opposing the proposal. Both legislative houses will need to propose this in their budgets as well for it to move forward. The budget also proposes adopting the Interstate Medical Licensure Compact. There are currently more than 35 states who either have or are moving toward adopting it.

We've had a lot of restoration meetings come up recently and we thank the board members who have volunteered their time for those panels, as well as the members of the IMG and Intellectual Disabilities Workgroups.

### Technical Review of Legislation:

S. 4650: Allowing unlicensed personnel to administer emergency medication for seizures and allowing students to carry that medication. There is discussion of whether the Board agrees that those measures are good practice. One of the drugs specifically mentioned is Diazepam, which is one of the most abused drugs in the US. The main expressed concerns are the possibility of diversion or theft if the students carry the medication on them and requiring training for anyone who could be put in the position of administering the medication.

A. 1125: Allowing pharmacists to dispense self-administered contraceptive drugs and devices through non-patient specific prescriptions from physicians. Concerns are expressed about dispensing oral medications without a doctor's exam or knowing medical history and dispensing devices that require exam and fitting. There is also concern that "devices" is vague and doesn't stipulate exactly what would fall under this bill. There is support for the possibility of doing this but with more structure and requirements like requiring proof of a medical exam within a certain time previous to the prescription or a checklist of contraindicative conditions like thrombosis, a screening of some sort. Greg Shutts also mentions that PAs are not included in this bill.

A. 3040: Allowing pharmacists to administer injections for the treatment of mental health conditions. This requires a patient-specific prescription, notice to the physician that it has been administered, and specific training. -There is a concern that the first injection of any medication should not be administered by a pharmacist because if there were to be a poor reaction, a pharmacist would not be able to respond properly.

A. 7268: Allowing the creation of the licensed profession of Certified Registered Nurse Anesthetist. Currently in NYS they are solely credentialed and monitored as RN's. They are not NP's. They are mentioned in DOH law 405. Currently any licensed physician needs to directly supervise a Nurse Anesthetist and this bill would change that and allow them to practice without direct supervision, it would be more of a collaborative agreement structure. There is concern that this could create disparity in care based on socioeconomic factors because a Nurse Anesthetist would be less expensive to employ than a physician. There is also a concern that it should be required that specifically an anesthesiologist should be available for supervision/consult in case of a problem because the surgeon is actively performing the surgery and would not be able to properly handle an anesthesia problem. Kathleen Lill brings up the fact that PAs are not able to administer anesthesia without direct supervision and this bill would further limit PA practice.

### Preview FSMB Annual Meeting:

April 28-30 will be the annual meeting in New Orleans. There will be both in-person and virtual attendance allowed. Mr. Boese and Dr. Shelat are meeting with the FSMB next week to discuss the agenda for the Delegates meeting. Dr. Shelat will present at the next meeting on what occurred at the annual event.

### Report from the Developmental Disabilities Workgroup:

The Workgroup for Intellectual Disabilities presented to the FSMB previously on what the workgroup is doing and their goals. Dr. Chaudry (president of FSMB) suggested writing an article to be published in a well-distributed medical publication.

Review: FSMB Report on the Appropriate Use of Telemedicine Technologies in the Practice:

Dr. Raju discusses the topics discussed at the meeting, including creating equity in quality and access to care for people of color. There was discussion of creating private space in public places like libraries for people who don't have home internet access to access telemedicine appointments. There was also discussion of making licensure as a physician or other licensed professional more affordable and accessible. A suggestion is made for also requiring specific provider training for telemedicine modalities and the Board is supportive of adding that to medical school education for the current/next generation of providers. There is a concern about encryption of videoconference platforms as well as physical location of the provider to ensure HIPAA compliance.

Presentation: Athletic Training in NYS:

Dr. Michael Powers presents on the practice of Athletic Training in NYS and the role of certified trainers. He's been the Program Director at Marist College for 13 years. He has a PhD in Sports Medicine. Athletic Trainers are allied health professionals, not personal trainers. He discusses current certification requirements, the current breadth and scope of practice of Athletic Trainers, supervision, and the history of the profession. He also explains common curriculum topics that are covered in all education programs.

Presentation: Medical Physics in NYS:

Dr. Lawrence Rothenberg presents on the practice of Medical Physics in NYS. He is the director of the residency program at MSKCC as a Diagnostic Medical Physicist. He explains the four different specialties, license requirements, and scopes of practice. He also explains the many services provided in the field such as radiation oncology, radiation safety, and imaging. He also describes the different accrediting agencies. There is also an explanation of Limited Permit requirements and scope of practice.

Report from the Perfusion Committee:

Dr. Salemi is not present to discuss. A report will be provided at the next meeting if necessary.

Report from the Medical Physics Committee:

Mr. Boese reports that the committee is ultimately referring to the health dept regarding therapy and supervision. There was an executive session reviewing a Dosimetry curriculum to see if it fell under the scope of medical physics.

Pathologists' Assistant Committee:

Dr. Plummer reports there has been no recent meeting.

Report from the Athletic Training Committee:

Dr. Raju reports that the committee discussed the new legislation involving the scope of practice of ATs with regard to physician supervision. The new legislation would require a written collaborative agreement between the Athletic Trainer and the supervising physician.

Next Meeting Dates:

The next meeting is set for June 10, 2022

Meeting Adjourned at 12:40 pm

Draft respectfully submitted,

Carla Wells

Education Program Assistant 2