

Minutes of the Meeting of the
NYS Medicine Board
March 1, 2024
1411 Broadway NY, NY

Board Members Present: Dr. George Autz, Dr. Roseanne Berger, Dr. Lawrence Epstein, public member Marian Goldstein, Dr. Martha Grayson, Dr. Elisabeth Guthrie, Dr. Sumathi Kasinathan, Brenton LaRicca PA-D, Dr. Lynn Mark, Dr. Louis Papa, Dr. Maria Plummer, Dr. James Romanelli, Dr. Nancy Sapio, Dr. Neeta Shah, Dr. Rahul Sharma, Gregg Shuts PA, Dr. Robert Walther, Dr. David Wlody

Board Members Absent: Dr. Roosevelt Boursiquot, public member JoAnn Marino RN, Dr. Najeeb Rehman, Dr. Sumir Sahgal, Dr. Arash Salemi, Dr. Amit Shelat

Guests Present: Dr. David Besser, Executive Secretary of BPMC; Edward J. Mathes PA-C, DFAAPA, President of NYSSPA; Cassandra Pineda, Senior Director of Graduate Medical Education and Health Workforce of the Greater New York Hospital Association; Emily Whalen, Lobbyist PA Society of Albany; public observer Al Watermaker

Staff Members Present: Stephen Boese, Executive Secretary to the Board; Michelle Pawlowski, Education Credential Specialist 2; Lee Fitzgerald, Education Program Assistant 2.

Meeting is called to order by Dr. Epstein at 9:31 am.

Motion to Accept Minutes: Motion is made, seconded, and passed to accept the minutes from the December 2023 meeting after corrections are made to record Brenton LaRicca as present that day.

Report on the Advisory Committee on Clinical Clerkships: Dr. Epstein reported to the Board that clinical site visits have begun, 3 clinical site visits will be reviewed at the next IMS Committee meeting. The Board of Regents approved Medical University of the Americas for seven years and one year extension for University of Queensland and a three-month extension for Universidad of Autonoma De Guadalajara.

International Medical Graduate Workgroup Report: Stephen Boese reported IMG Workgroup has reviewed 33 cases since the last meeting, IMG workgroup members will stay after today's meeting to discuss a PGT case.

Executive Secretary's Report:

- Update from the Office of the Professions
 - Sarah Benson's retirement
 - FSMB annual meeting conflicts with IMS meeting. Dr. Raju will represent the Med Board at FSMB. Stephen will not be available.

- The Midwifery Board is seeking an OGYN or Family Physician for that board. Please contact Stephen with recommendations or nominations.
- Pharmacy dispensing hormonal contraceptives regulations are out for public comment.
- Regulations regarding a hospital being able to use the word University in their name have been approved by the Regents.
For a hospital to use the term University it needs at least two ACGME accredited residency programs and appointed faculty.
- Legislative Update
 - The Governor has once again proposed as part of the state budget that NYS participate in the Interstate Medical Licensure Compact. We will keep the board apprised as the legislature deliberates on this initiative.
 - Unsupervised practice of certain PAs is proposed in the Governor's budget.
 - The Governor's budget contains a proposal to allow unlicensed medical assistants to provide immunizations. The board is concerned that high-risk individuals may especially be at risk with such a policy. After discussion, the board suggests that:
 - The statute authorizing administration of eye drops by unlicensed persons be used as a model.
 - The Board suggests that the initiative refer to "unlicensed persons" as medical assistant is not a defined term in NYS.
 - Recommend that administration of vaccine by an unlicensed person only be done under the direct and personal supervision of the physician.
 - The Board suggests that PAs may also provide such supervision.
 - Requiring national certification may assure that the individual has attained the required competencies.
 - The Board acknowledges that the shortage of health care workers will require future discussions regarding the role of unlicensed assistants.
 - The Governor's budget proposes to eliminate funding for the Committee on Physicians Health (CPH). CPH provides non-disciplinary, confidential assistance to physicians, residents, medical students, and physician's assistants experiencing problems from stress and difficult adjustment, emotional, substance abuse and other psychiatric disorders, including psychiatric problems that may arise as a result of medical illness.
 - The Board appreciates the important work of CPH and requests additional information regarding the Governor's proposal. The Board is also concerned that CPH is supported by a licensure/registration surcharge that is collected by NYSED. What will happen to this surcharge if the program is eliminated? We will keep the Board apprised of next steps.

Mr. Boese introduced the next presentation.

- The PA profession has grown nearly 25% in 5 years. It is a unique profession in that both NYSED and DOH are responsible for scope of practice. The Governor's budget proposal would allow for PAs to practice without physician supervision under certain circumstances. We will hear more about this proposal, but our mission is not to oppose or

support legislation. We can provide technical support and advice on the various provisions.

Presentation from the New York State Society of Physician Assistants

- Edward J. Mathes, PA=C, DFAAPA, President, NYSSPA
A PA typically sees around 60 patients per week
 - 1700 PAs licensed in NY and 3000 with out of state addresses.
 - At least 25% of NY PAs practice in primary care
 - Governor's 2024 proposal would allow the option of removal of supervision after 8000 hours of practice,
 - Allow to prescribe durable medical.
 - Why is the Governor's proposal necessary? Aging population overcrowded emergency rooms, physician and health care workforce shortage, emphasis on preventive care, healthcare access decreasing in rural areas, able to shift and move PA to areas of need during pandemic.
- Gregg Shutts, PA and Brent LaRiccia, PA-D led the discussion
 - Supervision equals physician liability.
 - No difference in malpractice suits in strict supervision or loose supervision of PAs in study.
 - Once the physicians retire who will supervise PA in primary care when less physicians are going in that field?
 - Dr. Sharma stated that training and education aspect is crucial for PAs.
 - Public needs to be aware of experience level of PAs.
 - A suggestion was made that health deserts in shortage areas should have supervision waived. Places like NYC should keep supervision. Supervision could depend on area.
 - Many ER physicians are replaced with less expensive PAs.
 - In accordance with New York DOH regulations, PAs may not administer anesthesia in inpatient settings.
 - If approved by the Legislature, there should be legislation to hold PA and NPR to the same standards as physicians.
 - Institutions may require that PAs have malpractice insurance, but the state does not.
 - They can work in private practice in psychiatry, but they need an OMH waiver verifying they have the education experience for outpatient psychiatry.
 - Field of radiology- PAs can do ultrasound but not x-rays.
 - Many PAs want to work with Physicians, but Physicians are hard to find who want to collaborate with PAs.
 - Many PAs are not being hired by one physician. Instead, they are hired by a group or hospital. The physicians don't know the experience of the PAs they are supervising that day.
 - Should the requirement for non-supervised practice be 8000 hours *in a particular field* and how do you validate that you have 8000 in a specific field.
 - Some medical school graduates are not going into clinical care. They are going into areas of business.

- Hospitals have financial incentive to hire PAs.
- Medical Students are not going into primary care. They have huge loans and want to make the money in specialized fields.
- Hospital Associations back this proposal.
- Hospitals have survived the general Surgery shortage because of PAs.
- NPR are licensed in different specialties.
- What happens after a PA gains 8000 in one area and then the PA changes fields?

Professional Committee Reports

- Pathologists Assistants-Dr. Plummer
Members of the board met on Feb 16. They did not have a quorum, The Board discussed declining licenses since 2016, 418 licenses in Pathology Assistance in 2018. The Board heard a presentation by Kelly Murphy on NYSED's Pathways to the Professions project.
- Medical Physics-Dr. Autz
Feb 15 discussion on procedural policy application process for medical physics, trying to streamline process. Recommend that medical physics licensure applicant who is admitted into a CAMPEP accredited residency program, that individual's education should be accepted by NY for licensure. Secondly, an individual who has passed the required licensure examination should have their experience accepted as inherently meeting the NYSED regulatory standard. The Board heard a presentation by Kelly Murphy on NYSED'S Pathways to the Professions project.
- Athletic Training-Stephen Boese for Dr. Raju
Governor has signed into law that revises the athletic training practice act. They will be a full profession with a protected scope of practice. The new law will require a written protocol with the physician supervisor. The law also institutes a new continuing education requirement for athletic trainers. The Athletic Training Board will meet again in May to discuss draft regulations.
- Perfusion Committee-Stephen Boese for Dr. Salemi
They did not have a quorum. No action items.
Future of perfusion as a profession was discussed, prompted by questions from the Board's public member.

Next Meeting Dates:

The next meetings are set for 6/7/24, 9/6/2024, 12/6/24, 2/28/25 at 9:30 am.
Meeting adjourned at 11:52 am.

Draft respectfully submitted,

Michelle Pawlowski,
Education Credentials Specialist 2