

Minutes of the Meeting of the  
NYS Medicine Board  
December 6, 2024  
1411 Broadway NY, NY

Board Members Present: Dr. Roseanne Berger, Dr. Roosevelt Boursiquot, Dr. Lawrence Epstein, public member Dr. Alice Fornari EdD, public member Marian Goldstein, Dr. Martha Grayson, Dr. Elisabeth Guthrie, Dr. Gregory Harvey, Dr. Krishan Kumar, Brenton LaRicca PA-D, Dr. Lynn Mark, Dr. Louis Papa, Dr. Maria Plummer, Dr. James Romanelli, Dr. Ramanathan Raju, Dr. Sumir Sahgal, Dr. Rahul Sharma, Dr. Amit Shelat, Dr. Steven Sherman, and Dr. Robert Walther.

Board Members Absent: Dr. Sumathi Kasinathan, Dr. Najeeb Rehman, Dr. Arash Salemi, Dr. Nancy Sapio, Dr. Neeta Shah, and Dr. David Wlody.

Guests Present: Dr. Humayun “Hank” Chaudhry, CEO of FSMB, Shelly Wang Bandago, Director of OPMC, Dr. David Besser, Executive Secretary BPMC, Cassandra Pineda, GNYHA, extended board member Dr. Kristin Harkin, extended board member Dr. Roger Oskvig, Jason Szober from OPD, and Al Watermaker.

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

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

Welcome/Introductions: Dr. Epstein

- New Members: Alice Fornari (public); Gregory Harvey MD; Krishan Kumar, MD Steven Sherman, DO;
- Retiring Members: George Autz, MD (11/17); Lawrence Epstein, MD (12/15); Marion Goldstein (public, 12/15); Lynn Mark, DO (11/17)

Motion to Accept Minutes: Motion was made, seconded, and passed to accept the minutes from the September 2024 meeting.

Chair Report:

There is no chair report for this meeting. Dr. Epstein is ending his second term as a board member on 12/15/2024, and will also be ending his term as chair.

Report on the Advisory Committee on Clinical Clerkships:

Dr. Epstein reports that the committee conducted a site visit at Avalon University School of Medicine, and conducted a virtual site visit at the Autonomous University of Guadalajara. Our new public board member, Dr. Fornari has also volunteered and assisted with international school site visits, including the site visit at Guadalajara.

## Executive Secretary's Report:

### Update from the Office of the Professions:

The Board held a Leadership election for the new Chair, two Vice Chairs and FSMB representative. Dr. Amit Shelat will serve as the new Chair. Dr. Louis Papa, and Dr. Rahul Sharma will serve as the new Vice Chairs. Dr. Ramanathan Raju will continue to serve as the FSMB Representative.

Dr. Epstein receives a certificate of appreciation from NYSED commemorating ten years of service to the Board and nearly eight years as Chair of the Board and Co-Chair of the Clinical Clerkship Advisory Council.

Dr. Autz ended his term as a board member on 11/17/24, consequently the committee for Medical Physics will need a new physician liaison.

Stephen Boese recently attended the FSMB State Board Advisory Council Meeting in Dallas, Texas. They discussed several issues and the impacts of new policies, such as the pass/fail scoring on USMLE Step 1, and the USMLE maximum attempt limit. They also discussed a recent incident and ongoing investigation of "irregular activity" from multiple applicants who sat for the licensing examination.

### Legislative Update:

A8378-A has been signed into law. This raises the Physician Assistant supervision limit from 4 to 6 in a private practice setting, and from 6 to 8 in a correctional facility. Clarifying language has also been added to indicate that 6 PAs can be supervised "at one time". In addition to the new supervision limits, PAs can now write non-patient specific orders.

### Physician Licensure and IMGs in NYS:

Stephen presents to the Board on NYSED's policies and procedures for licensing international medical graduates who have obtained their postgraduate training outside of the United States. The licensure regulations essentially require that international medical graduates present 3 years of accredited training (ACGME or AOA), or the substantial equivalent. For non-accredited training, the Board for Medicine and the NYS Education Department generally expect to see at least two years of training to compensate for every one year of accredited training lacking. For non-accredited post graduate training, the workgroup typically expects documented training experiences to have provided instructional objectives, educational objectives, periodic formative evaluations, and a summative evaluation/test at the end that demonstrates that the applicant has acquired the intended competencies. The Medicine Board also generally expects to see a logical progression in the required training, comparable to at least three years of ACGME or AOA accredited training.

Additionally, applicants who are licensed in another country, who have not completed an acceptable U.S. licensing examination may apply for licensure by endorsement. They must present a valid foreign license, acceptable medical education, acceptable training, five years

practice experience/employment, and demonstrations of clinical competency and proficiency such as diplomate certificate earned by examination, clinical post professional medical education PhD, other acceptable certifications earned by examination. Individuals may not apply for endorsement if they have failed any step or level of the USMLE or COMLEX exams.

#### Presentation from the FSMB - Advisory Commission on Additional Licensing Models:

Dr. Hank Chaudhry, CEO of FSMB gives a presentation on their advisory commission for additional licensing models. These additional models create licensure pathways for physicians with international credentials. Nationally, there is an overall shortage of licensed physicians. Applicants entering the United States from other countries present an opportunity to address these shortages. The FSMB is looking to draft initial recommendations for state medical boards regarding additional IMG licensure pathways.

New York is one of the few states in the country that already has established procedure for licensing IMGs, as discussed in Mr. Boese's previous presentation. It is estimated that 40% of New York's licensed physicians are IMGs.

Dr. Chaudhry provides an overview of the Interstate Medical Licensure Compact. States who participate in the compact have agreed to specific requirements that would allow physicians to be automatically licensed in their state upon applying. Dr. Chaudhry answered questions from the Board members and addressed concerns regarding how the Compact would be compatible with NYS laws and licensing requirements. A change in legislation would be required for New York to join the compact.

#### Discussion - Use of lasers for aesthetic purposes:

Jason Szober from the Office of Professional Discipline consults with the Medicine Board on their position regarding the use of lasers in medicine. OPD recently received a complaint regarding ablative lasers and radiofrequency being used in an appearance enhancement business.

This is a complicated issue with many different factors at play. There are many uses for lasers that are not medical in nature, so it would be difficult to label a laser as a "medical product". The board would be considering the use of said laser, and also the definition of the practice of medicine under Article 131, §6521 (...diagnosing, treating, operating or prescribing for any human disease, pain, injury, deformity or physical condition.).

In a previous statement from 2002, The Medicine Board had determined that any use of a laser "through the basement membrane" of skin is considered the practice of medicine.

Due to the complexity of this issue, the Board has decided to create a workgroup to perform a thorough review. Tentative members include Dr. Berger, Dr. Plummer, Dr. Raju, Dr. Romanelli, and Dr. Walther.

#### Professional Committee Reports:

- Athletic Training – Mr. Boese

The committee discussed the upcoming licensure legislation and worked on draft regulations. Once completed, the proposed regulations will be made available for comment. The legislation will become effective next December.

No other committee meetings were held since the last Medicine Board Meeting.

Other Issues: The Medicine Board received an inquiry regarding the need for licensing of “EMG Technicians”. These individuals receive a certification from The American Board of Electrodiagnostic Medicine (ABEM) to perform nerve conduction studies. The actual EMG procedure would be performed by a Neurologist. Our current practice guidance on the utilization of unlicensed staff prohibits nerve conduction studies. The Medicine Board approves revising this guidance under these circumstances.

Next Meeting Dates:

The next meetings are set for 3/7/25, 6/6/25, 9/5/25, 12/5/25 at 9:30 am.

Meeting adjourned at 12:30 pm.

Draft respectfully submitted,

Lee Fitzgerald  
Education Program Assistant 2