



STATE OF NEW YORK
DEPARTMENT OF HEALTH

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Antonia C. Novello, M.D., M.P.H. Dr. P.H.
Commissioner

Dennis P. Whalen
Executive Deputy Commissioner

April 27, 2004

Dear Chief Executive Officer:

This letter is written to advise facilities of initiatives that directly impact the operations of hospitals in New York State. A brief summary for each initiative is provided and intended to offer guidance to providers in implementing and assuring compliance in these areas.

Emergency Contraception Brochure

During the 2003-2004 legislative session, Public Health Law was amended by adding a new section 2805-p. The legislation required the Department to prepare a brochure providing information relating to emergency contraception for distribution to rape survivors. Every hospital is now required to provide rape survivors with the brochure, *Emergency Contraception for Rape Survivors*, advise each patient of the availability of emergency contraception, its use and efficacy, and, if requested, provide emergency contraception to such patient consistent with current standards of professional practice.

A copy of the legislation and the brochure are included for your information and reference. The brochure will also be available in Spanish, Arabic, Chinese, Creole, Hindi and Russian. Copies of the brochure will soon be available for downloading from the Department's web site at www.health.state.ny.us, and a supply of the brochures in English and Spanish will be shipped to you when available, with instructions for ordering additional copies. In the interim, each hospital should copy the enclosed brochure to give to rape survivors, as needed.

Credentialing Practices – Verification of Practitioner Licensure

The Department has initiated efforts to review/update current guidelines for facilities regarding the credentials verification process. It is recognized that much of the guidance previously provided in this area is dated and should be updated to reflect emerging practices such as telemedicine and to recognize the resources available to facilities through independent credentials verification organizations. Such review efforts will continue. In the interim, this letter will confirm the Department's position in regard to the verification of New York State Licensure. Effective immediately providers may document New York State Licensure directly from the State Education Department (SED), Office of the Professions' website at www.op.nysed.gov/opsearches.htm. This will obviate a facility's obligation to obtain/copy a practitioner's original license. During the appointment or reappointment process, facilities may access the SED web site and print a verification of licensure for each licensed practitioner. The information provided will document the date of licensure and the end date of the current registration period. A copy of this information should be retained in the practitioner's credentials file.

Graduate Medical Education

For teaching hospitals, it should be noted that the New York State Education Department (SED) has approved the following medical schools for placing students in clinical clerkships in SED approved University affiliated hospitals.

- Saba University School of Medicine has been approved effective May 29, 2003.
- St. Matthew's University School of Medicine has been approved effective April 5, 2004
- The medical schools that are now approved by SED for clerkships of more than 12 weeks are: American University of the Caribbean (Montserrat), Fatima School of Medicine (Philippines), Ross University (Dominica), St. George's University School of Medicine (Grenada), St. Matthew's University School of Medicine (Grand Cayman), Medical University of Lublin (Poland), Medical University of Silesia (Poland), MD Program in International Health and Medicine at Ben Gurion University of the Negev (Israel), Saba University School of Medicine (Saba), and the Universidad Autonoma de Guadalajara (Mexico).

Students graduating from the above approved programs are eligible for post-graduate training positions in New York State. All such graduates must be certified by the Educational Commission for Foreign Medical Graduates (ECFMG) as meeting the requirements of the ECFMG and have been awarded the ECFMG certificate (10NYCRR, 405.4(f)(1)(i)(b)).

Medical Physics

Chapter 495 of the Laws of 2001 created Article 166 of the Education Law, establishing medical physics as a licensed profession regulated under Title VIII of the Education Law. Section 8701 of Article 166 defines four specialties in medical physics that require individual licensure: diagnostic radiological physics, medical health physics, medical nuclear physics, and therapeutic radiological physics or radiation oncology physics. Effective May 21, 2003, only persons who are licensed, hold limited permits, or are exempt pursuant to Article 166 may practice as professional medical physicists. A copy of Article 166 of the Education Law and the relevant Regulations of the Commissioner of Education are enclosed for your reference.

The responsibilities of the medical physicist include assuring that diagnostic and therapeutic uses of radiation and radioactive materials meet established standards for safety and performance. The medical physicist is responsible for performing complex tasks with the potential for patient, operator and public harm, e.g. calibration of a linear accelerator. The licensed physicist may supervise licensed or unlicensed staff in the performance of quality control tests for analysis. The licensed physicist retains responsibility for the interpretation of such findings.

In accordance with current Department requirements, each hospital is responsible for ensuring that the credentials of all medical physicists meet the licensure requirements set forth by the State Education Department. In conjunction with the credentialing and professional privilege review process, the licensure status of all medical physicists must be confirmed at the Education Department Office of the Professions web site.

Any questions related to the information provided should be directed to this office in writing or by calling (518) 402-1003.

Sincerely,



Frederick J. Heigel
Director
Bureau of Hospital & Primary Care Services

Enclosures