



STATE OF NEW YORK
DEPARTMENT OF HEALTH

433 River Street, Suite 303

Troy, New York 12180-2299

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

Dennis P. Whalen
Executive Deputy Commissioner

November 2, 2006

Dear Chief Executive Officer:

This letter is written to assist hospitals in carrying out the credentials verification process for post-graduate trainees entering accredited training programs in New York State. It is recognized that much of the guidance issued specific to this area is dated and that facilities currently exercise considerable cost and effort in completing these activities. In addition, such efforts often duplicate legitimate practices in place by credentials verification organizations. To promote a uniform process and to reduce duplication, for candidates applying for post-graduate training positions after this date the Department will accept facility practices as set forth in this correspondence.

The guidance provided addresses only credentials verification/documentation and does not extend to the assessment of competencies or the granting of professional privileges. The information provided has been prepared in collaboration with the State Education Department (NYSED).

CREDENTIAL REVIEW PROCEDURES – GUIDELINES AND QUESTION/ANSWER DOCUMENT

Verification of Practitioner Licensure

While most post-graduate trainees are unlicensed, some will obtain licensure or a limited permit during their residency. New York State Licensure for any licensed practitioner may be directly verified/documented from the NYSED, Office of the Professions' website at www.op.nysed.gov/opsearches.htm. In verifying licensure for post-graduate trainees, facilities may access the NYSED 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 must be retained in the practitioner's credentials file. Electronic verification of licensure information will obviate a facility's obligation to obtain/copy a practitioner's original license.

- ✓ Post-graduate trainees participating in accredited residency programs are not required to have a license or limited permit since the residency program, through its accreditation, is expected to provide adequate structure and supervision of its residents. Supervision of the resident with a license or limited permit must be maintained just as for unlicensed residents.
- ✓ Post-graduate trainees practicing outside of an accredited residency program must have a license or limited permit with the required years of post-graduate training experience (10NYCRR, Section 405.4(g)).

- ✓ Post-graduate trainees participating in accredited fellowship programs are not required by the Department to have a limited permit or license if they practice within the accredited program. Facilities may require a limited permit or license as a condition of employment. All fellows in unaccredited fellowship programs involved in patient care must have a license or a limited permit with the required years of post-graduate training experience.

Graduates of Medical Schools Outside of the United States

A graduate of an international medical school 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, Section 405.4(f)(1)(i)(b)).

- ✓ ECFMG certification may be confirmed directly with the ECFMG through the ECFMG Credentials Verification Service with a copy of such verification retained in the practitioner's credentials file.
- ✓ International medical students who have completed Fifth Pathway supervised clinical clerkships may be admitted to post-graduate training programs without an ECFMG certificate. Verification of completion of the Fifth Pathway clerkship may be obtained from the registry of the American Medical Association in Chicago, Illinois (312 464-4666).
- ✓ A graduate of a medical school that is not accredited by the LCME or AOA but is located in a United States licensing jurisdiction (e.g., San Juan Bautista, Puerto Rico) is eligible for admission to an accredited training program if the graduate has a full and unrestricted license to practice medicine in a United States licensing jurisdiction in which they trained.

Prior Post-Graduate Training Experience

- ✓ Verification is required from any prior post-graduate training program that occurred in the United States. The verification may be written or verbal but must verify the dates of training and must be retained as part of the practitioner's credentials file. The individual obtaining the information must sign, date and time notes obtained as a result of verbal inquiries. The file must also confirm the name and title of the individual providing the information.

The ECFMG will verify post-graduate training that occurred outside of the United States. As such, a copy of the ECFMG's electronic page should be retained in the practitioner's file as primary source verification of the training.

Medical School Education/Graduation

Facilities are not required to obtain an original diploma directly from a medical school when any of the following circumstances are documented in the practitioner's credentials file.

- ✓ Medical school graduation has been confirmed and documented by the NYSED for U.S. or international medical school graduates who have a current/valid NYS license or limited permit, or
- ✓ Medical school graduation has been confirmed and documented by the Federation of State Medical Boards/Federation Credentials Verification Service (FCVS), or

- ✓ For international medical graduates graduating after August 2004, medical school graduation has been confirmed and documented by the ECFMG through the ECFMG Credentials Verification Service and the international medical graduate has been awarded the ECFMG certificate.

Medical School Education / Clinical Clerkships

Previous guidance required that each facility verify *all* U.S. clerkships completed by graduates of international medical schools. Verification of clerkship attendance and dates of rotations were required for each facility at which a clerkship took place. Effective immediately, facilities will no longer be required to verify such information for candidates entering accredited residency programs.

Current Department of Health (DOH) regulations (10NYCRR, Section 405.4(f)(1)(ii)) do limit the eligibility of post-graduate trainees whose medical education included more than 12 weeks of clerkship training outside of the country where the medical school is located unless that medical school is approved by the NYSED. Facilities must review applications, transcripts or other documentation to determine if a candidate participated in clerkships of more than 12 weeks. The NYSED has approved the following medical schools for clerkships of more than 12 weeks. The listing of approved medical schools is periodically updated and available on the NYSED website at <http://www.op.nysed.gov/medforms.htm>.

- American University of Antigua, Antigua
 - American University of the Caribbean, St. Martin, Netherland Antilles
 - The Autonomous University of Guadalajara, Guadalajara, Mexico
 - English Language Program, University of Debrecen, Medical and Health Science Center, Medical School, Debrecen, Hungary
 - English Language Program, Medical University of Lublin, Lublin, Poland
 - English Language Program, Medical University of Silesia, Katowice, Poland
 - Fatima College of Medicine, Manila, Philippines
 - International Health and Medicine Program, Ben Gurion University of the Negrev, Beer-Sheva, Israel
 - Kasturba Medical College, Manipal, India
 - Medical University of the Americas/Nevis, Nevis, West Indies
 - Ross University School of Medicine, Roseau, Dominica
 - Saba University School of Medicine, Saba, Netherland Antilles
 - St. George's University School of Medicine, St. George's, Grenada
 - St. Matthew's University School of Medicine, Grand Cayman, Cayman Islands
- ✓ Medical students whose medical education included more than 12 weeks outside of the country where the medical school is located are ineligible to participate in post-graduate training programs in New York State if the medical school is not approved by the NYSED for extended clerkships.
 - ✓ International medical students who meet the requirements of a Fifth Pathway Program are eligible for residency training programs in New York regardless if the foreign medical school is approved for clinical clerkships by the NYSED. Verification of completion of the Fifth Pathway clerkship may be obtained from the registry of the American Medical Association in Chicago, Illinois (312 464-4662).

In addition to the information provided in this letter, the enclosed Question/Answer Document is intended to address frequently asked questions. Should you have any questions or concerns regarding the information provided, please contact this office at (518) 402-1003.

Sincerely,

A handwritten signature in cursive script that reads "Martin J. Conroy".

Martin J. Conroy
Director
Division of Primary and Acute Care Services

Enclosure

Question / Answer Document
Post-Graduate Trainee Credentialing Requirements

Q: Are there new requirements pertaining to the credentials verification process for post-graduate trainees entering accredited residency programs?

A: No. The Department is updating previously issued guidance on this subject to provide greater flexibility to facilities and to ease the burden associated with securing primary source documentation. This will update information previously provided by the Department in 1984, Health Facility Responsibilities for Physician Credentials Verification. The guidance provided is intended to allow facilities to adopt policies that reduce duplication and promote uniform practices. In granting this flexibility in regard to State requirements, facilities must continue to be aware of and adopt policies that assure compliance with all areas, i.e. Medicare GME requirements, ACGME, etc.

Q: What are the FCVS and ECFMG and what are their roles in credentials verification?

A: The Federation of State Medical Boards/Federation Credentials Verification Service (FCVS) gathers, verifies and permanently stores a physician's and/or physician assistant's credentials. FCVS is recognized by the New York State Education Department (NYSED) as an approved credentials verification organization. For international medical graduates, the Educational Commission for Foreign Medical Graduates (ECFMG) Credentials Verification Service provides a similar service that has been determined by the State to be acceptable for those students graduating after August of 2004. The NYSED has established an official link with the FCVS, and through the FCVS with the ECFMG to verify medical education and graduation of post-graduate trainees. As such, the DOH will similarly allow that FCVS credentials verification documentation/practices and ECFMG certification may be used as validation/documentation of medical education transcript and/or graduation/diploma documents.

Q: For all international medical graduates who are in our residency programs, we complete a "Request for Confirmation of ECFMG Certification" and we receive from the ECFMG a "Confirmation of ECFMG Certification Form 282 B". Is this acceptable documentation in their file for a primary source verification of their certification?

A: Yes. Confirmation of ECGMG Certification Form 282B would serve as primary source verification of the resident's graduation from an international medical school and the receipt of an ECFMG certificate.

Q: Will DOH require original diplomas and transcripts from international medical graduates?

A: No, facilities are not required to obtain an original diploma directly from a medical school when any of the following circumstances are documented in the practitioner's credentials file:

- ✓ Medical school graduation has been confirmed and documented by the NYSED for U.S. or international medical school graduates who have a current/valid NYS license or limited permit, or
- ✓ Medical school graduation has been confirmed and documented by the Federation of State Medical Boards/Federation Credentials Verification Service (FCVS), or
- ✓ For international medical graduates graduating after August 2004, medical school graduation has been confirmed and documented by the ECFMG through the ECFMG Credentials Verification Service and the international medical graduate has been awarded the ECFMG certificate.

Q: How would a facility review a candidate's application to determine if clinical clerkship training would meet NYS requirements?

A: Facilities would need to review a chronology of the candidates medical school education to determine if the training included more than 12 weeks of clinical clerkship training outside of the country where the medical school is located. If more than 12 weeks of clinical clerkship training did occur outside of the country where the school is located, then that medical school must be approved by the NYSED.

Q: What is the required documentation for clinical fellows in non-accredited programs?

A: In order to practice medicine while participating in a non-accredited program, fellows must have a limited permit or license. As such, fellows that hold a limited permit or license should be credentialed and privileged in the same way as licensed physicians on staff at the hospital.

Any physician practicing under the authority of a limited permit, including those in non-accredited programs, *must* meet the additional requirement of one year of post graduate medical training for US graduates and three years of post graduate medical training for graduates of foreign medical schools, prior to appointment (10NYCRR, Section 405.4(g)).

Q: With respect to limited permittees and determining the acceptability of post graduate training, what does the term "equivalent accrediting agency" mean?

A: The term "equivalent accrediting agency" would mean an accrediting agency recognized by the NYSED to be equivalent to the ACGME or AOA with regard to quality, structure, and supervision. Questions regarding limited permittees and comparable post graduate training may be directed to the Division of Primary and Acute Care Services at 518-402-1003 or the New York State Education Department at 518-474-3817, ext. 560.

Q: What is the definition of "supervision" for physicians with limited permits?

A: Physicians practicing under the authority of a limited permit are practicing under a provision that provides an exemption for unlicensed physicians. Regulations set forth in 10NYCRR, Section 405.4(g) identify credentialing requirements for this category of personnel. It is recognized that

physicians with limited permits practice at times relatively independently which is why current DOH requirements impose the additional requirement of post-graduate training for such physicians with valid limited permits. Physicians with limited permits are credentialed in much the same way as licensed physicians. Based upon written criteria, they are granted privileges based upon training, experience and competency. In the granting of such professional privileges, hospitals are expected to identify the level of supervision required. Continuous supervision as required in the State Hospital Code means an ongoing system of supervision that is appropriate for the level of training, experience, and competency of the physician with the limited permit. DOH does not prescribe the system of oversight and relies on each hospital to identify an ongoing system of supervision to assure quality. Since privileges granted are to be specific to treatments/procedures performed, hospitals may set forth a system of oversight based upon competencies established that is also specific to the privileges granted.

Q: For licensed residents in accredited programs, what requirements must they meet, licensed MD's or residents?

A: For a resident who participates in an accredited program, facilities would follow credentialing requirements for residents. When practicing medicine in the role of a resident, the licensed post-graduate trainee's activities must be appropriately supervised at all times, just as an unlicensed resident. When practicing medicine outside of their residency program (e.g. moonlighting), they must be licensed or hold a valid limited permit and must meet all credentialing requirements of the institution in which they are practicing.

Q: What are the Medicare GME requirements for credentialing?

A: According to §413.75 of 42 CFR, CMS requires the following in order for a hospital to include a resident in the Full time equivalent (FTE) count for payment:

1. Name and Social Security number of the resident;
2. Type of residency program in which the individual participates and the number of years the resident has completed in all types of residency programs;
3. Dates the resident is assigned to the hospital and any hospital-based providers;
4. Dates the resident is assigned to other hospitals, or other free-standing providers, and any nonprovider setting during the cost reporting period, if any;
5. Name of the medical, osteopathic, dental, or podiatric school from which the resident graduated and the date of graduation;
6. If the resident is an FMG, documentation that the resident has satisfied the requirements above, and;
7. Name of the employer paying the resident's salary.

Q: Do the credentials requirements for New York State cover other purposes, such as documentation requirements for Medicare GME payment purposes?

A: No. These documentation requirements do not automatically cover other purposes. For purposes of verifying the appropriateness of Medicare GME reimbursement, the fiscal intermediary may require additional documentation support. Specific questions regarding those document requirements should be addressed to the hospital's finance department or the Medicare fiscal intermediary."

Hospitals need to ensure that they are meeting both State and Federal requirements for credentialing in order that they remain in compliance and eligible for payment.