



MEMORANDUM OF OPPOSITION

A.10009 (Stirpe)/S.9214 (Stavisky) Enacts the health care professional transparency act

On behalf of the signatory Title VIII licensed health care professionals, we strongly oppose this legislation. This bill is a blatant attempt to undermine public confidence in the qualification and expertise of tens of thousands of non-physician health providers who are called upon to provide the delivery of and access to health care for millions of New Yorkers. This is a misguided attempt by proponents of the legislation to diminish the services provided by vital health care professionals and to restore a 1950's era health system that cannot serve the needs of a modern patient population.

We strongly believe in transparency and accountability in health care. Existing laws, rules and regulations already affirm those goals. Specifically, Article 130, subarticle 3, lays out the many grounds for disciplinary action, including misrepresentation of education and training and practicing beyond one's scope of practice. In a patient care setting, health care professionals often wear name badges, clearly and concisely stating the provider's title and profession, along with prominent posting of credentials at facilities. In addition, there are numerous provisions in the Education Law that require any advertisements by health care providers to state their area of specialty, titles and education, clearly and accurately.

Further, this bill is overreaching in its attempt to address issues related to board credentialing and certification. Certification issued in a specialty is usually done intra-professionally and is the province of private specialty groups. This bill appears to propose doing away with private credentialing and certification altogether outside of the medical profession and favors only the credentialing of specialists among medical physicians. This limitation would minimize and negate the value of the credentials that many professions have created to encourage their practitioners to continue their education and work to gain additional expertise. The majority of these programs are vetted and must meet federal and national standards of each profession to be issued. For any credentialing that is noted, it already states who the credentialing body is so there should be limited confusion on this point.

While we all agree that transparency and accountability in the delivery of health care is important, we believe that existing laws in New York State are sufficient to protect the public. The additional requirements proposed by this legislation are not designed to benefit patients, but merely to protect titles and professions of certain medical professionals. For these reasons, we strongly oppose this legislation.

American Association of Nurse Practitioners
American Massage Therapy Association – New York Chapter
American Nurses Association – New York
New York Mental Health Counselors Association
New York Chapter of the American Physical Therapy Association
New York State Podiatric Medical Association
New York State Association of Licensed Midwives
New York State Association of Nurse Anesthetists
New York State Chiropractic Association
New York Chiropractic Council
New York State Clinical Laboratory Association
New York State Dental Association
New York State Optometric Association
New York State Psychological Association
New York State Society for Clinical Social Work
New York State Society of Physician Assistants
New York State Association of Neuropsychology
Pharmacists Society of the State of New York
The Nurse Practitioner Association of New York State