

**MEDICAL SOCIETY**  
of the  
**STATE OF NEW YORK**

Morris Auster, Esq.  
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*Division of Governmental Affairs*  
**MEMORANDUM IN SUPPORT**

**ON SENATE HIGHER EDUCATION COMMITTEE AGENDA**

**S.5870 (GRIFFO)**

**IN ASSEMBLY HIGHER EDUCATION COMMITTEE**

**A.560 (STIRPE)**

**AN ACT to amend the education law, in relation to enacting the health care professional transparency act**

This bill would amend the Education Law to ensure appropriate identification of all health care professionals in their one-on-one interactions with patients and in their advertisements to the public. **The Medical Society of the State of New York supports this measure.**

Importantly, this bill will provide greater clarity for consumers and patients in their interactions with various health care providers. A recent survey conducted by the American Medical Association confirms increasing patient confusion regarding the many types of health care providers. For example, the survey revealed:

- **54%** of patients incorrectly believe an optometrist is a medical doctor;
- **35%** of patients believe a nurse with a “doctor of nursing practice” degree is a medical doctor;
- **44%** of patients believe it is difficult to identify who is a licensed medical doctor and who is not by reading what services they offer, their title, and other licensing credentials in advertising or other marketing materials.

This legislation would help to address this confusion. It would require that advertisements for services to be provided by health care practitioners identify the type of professional license held by the health care professional. In addition, this measure would require all advertisements to be free from any and all deceptive or misleading information. Ambiguous provider nomenclature, related advertisements and marketing, and the myriad of individuals one encounters in each point of service exacerbate patient uncertainty. Further, patient autonomy and decision-making are jeopardized by uncertainty and misunderstanding in the health care patient-provider relationship.

Additionally, this measure would require health care practitioners to wear an identification name tag during patient encounters that includes the type of license held by the practitioner. The bill would also require the health care practitioner outside of a general hospital to display a document in his or her office that clearly identifies the type of license that the practitioner holds.

**For all the above-stated reasons, the Medical Society of the State of New York supports this bill and urges its enactment.**

**Respectfully submitted,**

5/4/18  
MMA - support

**MSSNY DIVISION OF GOVERNMENTAL AFFAIRS**