

MEDICAL SOCIETY
of the
STATE OF NEW YORK

Morris Auster, Esq.
Senior Vice President /
Chief Legislative Counsel

Division of Governmental Affairs
MEMORANDUM IN OPPOSITION

**IN ASSEMBLY RULES
COMMITTEE**

A.2631 (DINOWITZ)

IN SENATE HEALTH COMMITTEE

S.3583 (COMRIE)

AN ACT to amend the public health law, in relation to requiring primary care physicians to post certain information detailing how parents or guardians of infants and children can subscribe to the United States consumer product safety commission's e-mail subscription lists

This legislation would amend the public health law to require all “primary care” physicians to prominently post in a location near the office area designated for the receipt of payment a notice designed by the Department of Health containing information detailing how parents or guardians of infants and children can subscribe to the United States Consumer Product Safety Commission's e-mail subscription lists to receive consumer product recall and safety news by e-mail.. **The Medical Society of the State of New York is opposed to this legislation.**

While the intention of this legislation to increase awareness of product recalls is laudable, the additional mandate on already overburdened physicians is misplaced. With so much information already available online and through social media, there is no need to place this additional requirement on physician practices to make sure patients and their families can be made aware of these recall notices. New York physicians are already struggling to ensure they comply with the excessive number of mandates required of them under state law in order to continue to deliver care to their patients. Some studies have reported that physicians already spend 2/3 of their time on non-patient care activities, rather than delivering patient care. This legislation is just one more way to unfairly place the physician at unnecessary risk of disciplinary or other professional sanction if the requirement is not met, giving physicians one more reason to flee New York State, already deemed by Wallet Hub to be the worst state in the country to be a physician (<https://wallethub.com/edu/best-and-worst-states-for-doctors/11376/>). We must take steps to better ensure physician supply in New York for our patients, not drive more physicians away.

For all the reasons above, the Medical Society of the State of New York opposes this measure and urges its defeat.

Respectfully submitted,

MSSNY DIVISION OF GOVERNMENTAL AFFAIRS

**MMA/Oppose
7/15/20**