

MEDICAL SOCIETY of the STATE OF NEW YORK

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Division of Governmental Affairs
MEMORANDUM IN SUPPORT

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S.5493 (GRIFFO)

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 require that advertisements for services to be provided by health care practitioners identify the type of professional license and board certification (if applicable) 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 to display a document in his or her office that clearly identifies the type of license that the practitioner holds.

A recent survey conducted by the American Medical Association's Scope of Practice Partnership (SOPP), on which the AADA serves as a steering committee member, confirms increasing patient confusion regarding the many types of health care providers - including physicians, nurses, physician assistants, technicians and other varied providers. The survey revealed:

- **54 percent** of patients incorrectly believe an optometrist is a medical doctor;
- **35 percent** of patients believe a nurse with a "doctor of nursing practice" degree is a medical doctor;
- **44 percent** 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.

As you know, there is a wide spectrum of training and expertise among caregivers. In a clinical setting, it is often impossible for patients to know whether the person providing their care is a physician, nurse, physician assistant, pharmacist, dentist, or dental hygienist, for example. Greater transparency concerning the credentials of health care

professionals in their advertisements will assist the public in making informed decisions concerning the providers from whom they seek treatment.

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

Respectfully submitted,

ELIZABETH DEARS, ESQ

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LDK-support