

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

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*Division of Governmental Affairs*

**MEMORANDUM IN SUPPORT**

**IN SENATE HIGHER EDUCATION  
COMMITTEE AGENDA**

**S.9214 (STAVISKY)**

**IN ASSEMBLY HIGHER  
EDUCATION COMMITTEE**

**A.10009 (STIRPE)**

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

This legislation would amend the Education Law to facilitate greater patient and public awareness of the professional credentials of the various health care providers who may treat them. **The Medical Society of the State of New York supports this legislation.**

Patients, potential patients, and the general public are increasingly confused about the licensure, education, and training of individuals who are providing health care in hospitals, clinics and private practice settings. As noted in the sponsor's memo of support, a recent survey conducted by the American Medical Association's Scope of Practice Partnership revealed that 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.

To respond to this concern, this legislation would require that an advertisement for health care services that names a specific health care practitioner must identify the type of license held by that health care professional and requires that advertisements shall be free from any and all deceptive or misleading information. The legislation would also require a health care practitioner treating a patient in a clinical setting to wear a photo ID with conspicuous lettering identifying the title of that health care practitioner, and requires a non-physician holding themselves out as a "doctor" to a patient in a clinical setting to identify that they are not a physician. While current provisions require practitioners working in facilities licensed under Article 28 of the Public Health Law to wear such ID badge, these laws do not apply to practitioners in non-Article 28 settings.

This legislation would follow the model of several other states, including California and New Jersey, which have recognized the changing landscape of healthcare delivery and have enacted similar transparency requirements to ensure patients have more detailed information about a particular practitioner's professional credentials.

**For all of the reasons stated above, the Medical Society of the State of New York supports this legislation and urges that it be enacted.**

**5/17/24  
MMA - Support**

**Respectfully Submitted,**

**MSSNY DIVISION OF GOVERNMENTAL AFFAIRS**