



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO: The Honorable the Members of the Board of Regents

FROM: Douglas E. Lentivech 

SUBJECT: Report of the Committee on the Professions Regarding Licensing Petitions

DATE: December 1, 2016

AUTHORIZATION(S): 
SUMMARY

Issue for Consent Agenda

Should the Regents approve the recommendations of the Committee on the Professions pertaining to licensing petitions as listed on the attachment?

Reason(s) for Consideration

Required by State Statute.

Proposed Handling

This question will come before the full board at its December 13, 2016 meeting where it will be voted on and action taken.

Procedural History

Section 6506(5) of the Education Law and Section 24.7 of the Rules of the Board of Regents authorize the Regents to waive education, experience and examination requirements for a professional license as well as to confer the degree Doctor of Medicine.

Background Information

There are 2 licensing petitions and there are 11 requests for the conferral of the degree Doctor of Medicine for review and approval.

Recommendation

It is recommended that the Regents approve the recommendations of the Committee on the Professions regarding the licensing petitions and the degree conferrals.

Timetable for Implementation

Approval of the Committee on the Professions' recommendations will be effective December 13, 2016.

Cases Presented to Board of Regents on December 13, 2016			SUMMARY REPORT					
PROFESSION	EDUCATION			EXAMINATION		Experience	Confer Degree Doctor of Medicine	Three-Year Limited License
	Pre- Professional	Professional	Post- Graduate	Proficiency	Licensing			
Certified Public Accountancy					16-21-07			
Dentistry	16-17-50	16-17-50						
Medicine					16-94-60		16-157-60C to 16-167-60C	
OTHER :						Total for fiscal year to date: 361 Total for calendar year to date: 178		

Board of Regents: December 13, 2016

CERTIFIED PUBLIC ACCOUNTANCY

16-21-07

Heena Rana

Petition for: Acceptance of passing grades on the Uniform Certified Public Accountancy Examination.

Statement of Problem: Ms. Rana is an applicant for licensure as a CPA in New York State. She was licensed as a CPA in New Jersey on April 1, 2016 under a conditioning requirement for passing the CPA Examination that is different than New York State's conditioning requirement. Since she has only been licensed since April 2016, Ms. Rana does not have the four years of post-licensure experience that are required to qualify for licensure by endorsement in NYS. Therefore, she must petition the Committee to accept her passing Examination scores from New Jersey.

Ms. Rana passed the Financial Accounting and Reporting (FAR) section of the Examination in December 2012. Under NYS' conditioning requirement, she needed to pass the remaining three sections of the Examination by June 30, 2014 to retain credit for FAR. Ms. Rana passed Regulation (REG) in May 2013 and Auditing and Attestation (AUD) in October 2013, both within NYS' conditioning period. She did not pass Business Environment and Concepts (BEC) until July 18, 2014, 18 days outside of NYS' conditioning period. Ms. Rana sat for BEC three times (December 2013, February 2014 and May 2014) before passing BEC in July 2014.

The New Jersey Board for Accountancy generally requires that the four sections of the Examination be passed within an 18-month period, similar to NYS. However, they approved the waiver of that requirement in Ms. Rana's case because she experienced interruptions by testing center staff during the BEC Examination sitting in May 2014.

Given that the Board of Regents has approved waivers of the conditioning period for NYS candidates when they experience interruptions at the Examination site, and the fact that New Jersey has accepted Ms. Rana's Examination scores outside of the 18-month conditioning period, the Executive Secretary of the State Board for Public Accountancy supports her petition to waive the 18-month requirement to pass all four parts of the Uniform CPA Examination.

APPLICABLE REQUIREMENTS:	QUALIFICATIONS:
Section 7404 of Education Law and Part 70 of the Commissioner's Regulations require:	
(1) A bachelor's or higher degree based on a program in accountancy.	(1) Veer Narmad South Gujarat University, Surat, India, Bachelor of Commerce, April 1992; Maharaja Sayajirao University of Baroda, Baroda, India, Master of Commerce, February 1995.
(2) Passing scores on the Uniform CPA Examination.	(2)(a) December 2012: Financial Accounting and Reporting (passing score).

	<p>(2)(b) May 2013: Regulation (passing score).</p> <p>(2)(c) August 2013: Auditing and Attestation (failing score); October 2013 (passing score).</p> <p>(2)(d) December 2013, February and May 2014: Business Environment and Concepts (failing scores); July 2014 passing score).</p>
(3) Two years of satisfactory experience.	(3)

RECOMMENDATION: The Committee on the Professions, in concurrence with the Executive Secretary of the State Board for Public Accountancy, recommends that the applicant's petition for acceptance of passing grades on the Uniform CPA Examination be accepted.

DENTISTRY**16-17-50**

Virginia Yanez Fontenla
Rochester, NY

(Universidad Alfonso X “El Sabio,” Facultad de Ciencias, Madrid, Spain, Licenciado en Odontologia, July 2012)

Petition for: Acceptance of education.

Statement of Problem: Regulations of the Commissioner require an applicant for licensure in dentistry to complete an acceptable preprofessional education program of at least two years in length (including courses in general chemistry, organic chemistry, biology or zoology, and physics) and an acceptable professional dental education program of at least four years in length, for a total of six years of preprofessional and professional education.

Dr. Yanez Fontenla completed a five-year combined preprofessional and professional dental education program at Universidad Alfonso X “El Sabio” in Madrid, Spain. Therefore, she lacks one year of education which is in the preprofessional area.

However, Dr. Yanez Fontenla also completed a one-year Community Dentistry Fellowship from June 2013 to June 2014 at University of Rochester Eastman Institute for Oral Health in Rochester, New York. The Executive Secretary for the State Board for Dentistry recommends that these studies be considered to fulfill the one year of required preprofessional education.

Additionally, an applicant who completed a program of dental education in an unregistered or unaccredited dental school must complete the required two academic years of study in an accredited dental school program, culminating in certification that the applicant has achieved the level of knowledge and clinical proficiency expected of a graduate of that school. Dr. Yanez Fontenla enrolled in a two-year Advanced Education in General Dentistry program at the Eastman Institute for Oral Health of the University of Rochester and completed the program in June 2016. This program is acknowledged by the State Board for Dentistry as the substantial equivalent of the two-year program required in Regulation.

APPLICABLE REQUIREMENTS:	QUALIFICATIONS:
Section 61 of the Regulations of the Commissioner of Education and §24.3(a)(2) of the Rules of the Board of Regents	
(1) Not less than 60 semester hours of preprofessional education including courses in general chemistry, organic chemistry, biology or zoology, and physics.	(1)(a) One year Community Dentistry Fellowship from June 2013 to June 2014 at University of Rochester Eastman Institute for Oral Health in Rochester, New York. (1)(b) Additional year included in professional education listed below.

(2) Four academic years of dental education culminating in a degree in an acceptable dental school.	(2) Five years of combined acceptable preprofessional and professional dental education culminating in a Licenciado en Odontologia at Universidad Alfonso X “El Sabio” in Madrid, Spain, July 2012.
(3) Two academic years of study in an accredited dental school program culminating in certification that the applicant has achieved the level of knowledge and clinical proficiency expected of a graduate of that school.	(3) Two-year Advanced Education in General Dentistry at the University of Rochester, Eastman Institute for Oral Health, Rochester, New York, June 2014 through June 2016.
(4) Satisfactory scores on Parts I and II of the National Dental Board Examinations.	(4)
(5) Acceptable clinically-based dental residency program of at least one year's duration.	(5)
(6) United States citizen or alien lawfully admitted for permanent residence in the United States.	(6)
(7) Evidence of the required course in the identification and reporting of child abuse and maltreatment.	(7)

RECOMMENDATION: The Committee on the Professions, in concurrence with the Executive Secretary of the State Board for Dentistry, recommends that the applicant's professional education requirements be considered fulfilled.

MEDICINE – Revised 12/13/16

Roberto Hernandez-Alejandro
London, Ontario, Canada

Petition for: Waiver of the education requirement for licensure as a physician as well as acceptance of unaccredited postgraduate training.

Statement of Problem: Dr. Roberto Hernandez-Alejandro is seeking physician licensure but is lacking certain elements typically provided as evidence that education and licensure examination are satisfied. Dr. Hernandez-Alejandro graduated from a medical school in Mexico and was granted licensure as a physician in Mexico. While his medical degree program is acceptable for licensure, there are issues related to education proficiency exam and licensure exam requirements.

Commissioner's Regulations (C.R.) §60.1(a) specifies that applicants for initial licensure who completed non-LCME accredited programs are required to pass a satisfactory proficiency examination as part of the education requirement. For foreign applicants, the Department traditionally accepts Educational Commission for Foreign Medical Graduates (ECFMG) certification as a satisfactory proficiency examination. Dr. Hernandez Alejandro is not ECFMG-certified.

NYS licensure applicants are also required to complete an acceptable examination sequence pursuant to C.R. §60.4, such as the USMLE or FLEX exam sequences. Dr. Hernandez Alejandro has not completed an acceptable examination sequence. Department staff have researched the licensure requirements of foreign countries and found that certain countries, including Mexico, do not require an examination for licensure.

In addition, applicants from non-LCME accredited programs are required to complete at least three years of approved postgraduate training (PGT) pursuant to C.R. §60.3(b)(2). Dr. Roberto Hernandez-Alejandro has not completed three years of accredited PGT. As such, he is petitioning for the Committee on the Professions (COP) to accept his unaccredited training on a pro-rata basis as stipulated in C.R. §60.3 (d).

Therefore, given that he doesn't meet the examination requirement as outlined in regulations, Dr. Hernandez-Alejandro (in addition to petitioning the COP for acceptance of his unaccredited PGT as noted in part 3 of the table below) is requesting a waiver of the examination requirement under Education Law (E.L.) §6506(5).

E.L. §6506(5) provides that in supervising the admission to and the practice of the professions, the Board of Regents may waive education, experience, and examination requirements for a professional license prescribed in the article relating to the profession, provided the Board of Regents shall be satisfied that the requirements of such article have been substantially met.

Dr. Hernandez-Alejandro reports many years of experience and scholarly activity, and holds medical licenses in Mexico and Canada (2003-present). Dr. Hernandez-Alejandro's sponsors at University of Rochester School of Medicine in Rochester have

attested to his significant professional achievements which, according to Dr. Hernandez-Alejandro's C.V., include numerous awards and honors, and over 50 published articles which he co-authored. He is a Fellow in Royal College of Physicians and Surgeons Canada; Member of American College of Surgeons; Member of American Society of Transplant Surgeons and many other international medical, surgical, and transplant societies.

Dr. Hernandez-Alejandro is an internationally recognized expert in living donor transplants. Dr. Hernandez-Alejandro served as the Surgical Director of the Liver Transplant and Hepatobiliary Surgery at London Health Sciences Center in London, Ontario, which oversees an average of 70 liver transplants per year with a patient survival rate of 95%. The Department has received letters of endorsement from prominent physicians across the state indicating that Dr. Hernandez-Alejandro has a unique set of skills in living donor transplants, Donation after Cardiac Death (DCD), and Associating Liver Partition with Portal Vein Ligation (ALPPS) that will help the State of New York address the issue of severe donor organ shortages. He has performed at least 13 successful transplants in this state while under the supervision of a prestigious medical hospital. His specialized unique liver transplant technique represents a novel area of practice that is directly relevant to the state's needs. His expertise in expanding the donor pool through innovation is critical to the citizens of New York to try to manage an organ shortage that precludes eligible patients from having life-saving treatments available to them.

APPLICABLE REQUIREMENTS:	QUALIFICATIONS:
E.L. §6524 and Part 60 of the Commissioner's Regulations require:	
(1) Six years of postsecondary education, including at least 32 months of medical education in a medical program recognized by the appropriate civil authorities of the country in which the school is located as an acceptable educational program for physicians.	(1) Licenciado, La Salle University, Mexico City, Mexico, 1995.
(2) Proficiency examination.	(2) See Statement of Problem
(3) Three years of approved postgraduate hospital training.	(3)(a) Residency in Surgery at the National Medical Centre XXI Centre in Mexico City, Mexico from March 1997 to February 2001. (3)(b) Clinical transplant fellowship at the University of Calgary in Alberta, Canada from August 2003 to July 2005. (3)(c) Fellowship in transplant surgery at London Health Sciences Centre/Western University in Ontario, Canada from July 2006 through June 2008.

(4) Licensing examinations.	(4) See Statement of Problem
(5) United States citizen or alien lawfully admitted for permanent resident status in the United States.	(5) documented in file
(6) Evidence of good moral character.	(6)
(7) Course in the identification of child abuse and maltreatment.	(7) documented in file

RECOMMENDATION: Based on Dr. Hernandez-Alejandro's qualifications and these novel, unique and exceptional circumstances, the Committee on the Professions recommends that the applicant's petition for waiver of proficiency and licensing examinations be forwarded to the Board of Regents for consideration and final determination.

MEDICINE

Petition for: Conferral of the degree Doctor of Medicine (M.D.) pursuant to Section 6529 of the Education Law.

Summary Statement: The petitioners listed below are all graduates of foreign medical schools who have been licensed in New York.

The applicable requirements of Section 3.57 of the Rules of the Board of Regents require completion of a medical education program in a foreign medical school satisfactory to the Department which does not grant the degree Doctor of Medicine (M.D.), and in which the philosophy and curriculum were equivalent, as determined by the Department in accordance with the policy of the Board of Regents, to those in programs leading to the degree Doctor of Medicine (M.D.) at medical schools in the United States satisfactory to, or registered by, the Board of Regents and the Department. Secondly, petitioners must have licensure to practice medicine in New York State in accordance with provisions of Section 6524 or 6528 of the Education Law or their equivalent as determined by the Board of Regents pursuant to their authority under Section 6506 of the Education Law.

NAME OF PETITIONER	QUALIFICATIONS
<u>16-157-60C</u> Rajbabu Krishnamoorthy Horseheads, NY 14845	(1) Tamilnadu Dr. M.G.R. Medical University, Chennai, India, Bachelor of Medicine, Bachelor of Surgery, 03/21/96 (2) License# 286654, Issued 10/03/16
<u>16-158-60C</u> Shamee Mane Albany, NY 12206	(1) GOA Medical College & Hospital, Goa India, Bachelor of Medicine, Bachelor of Surgery 02/18/95 (2) License# 286562, Issued 09/20/16
<u>16-159-60C</u> Balaji Pratap Middletown, NY 10941	(1) Sri Ramachandra Medical College, Chennai, India, Bachelor of Medicine, Bachelor of Surgery 03/16/07 (2) License #271989, Issued on 08/23/13
<u>16-160-60C</u> Gabriel Purice Pelham, NY 10803	(1) Carol Davila University of Medicine and Pharmacy, Bucharest, Romania, Physician, 05/31/07 (2) License #270988, Issued on 06/25/13
<u>16-161-60C</u> Rahul Sao Elmsford, NY 10523	(1) University of Delhi, Delhi, India, Bachelor of Medicine, Bachelor of Surgery, 08/19/11 (2) License # 286448, Issued on 09/09/16
<u>16-162-60C</u> Thomas Schwaab Amherst, NY 14226	(1) Hannover Medical School, Hanover, Germany, Examination in Medicine Certificate 11/09/99 (2) License # 266670, issued on 09/14/12
<u>16-163-60C</u> Konstantinos Spaniolas Smithtown, NY 11787	(1) University of Athens School of Medicine, Athens, Greece, Diploma in Medicine 12/06/04 (2) License #286029 issued 08/04/16
<u>16-164-60C</u> Usha Venugopal	(1) Coimbatore Medical College Hospital, Tamilnadu, India, Bachelor of

Tenafly, NJ 07670	Medicine, Bachelor of Surgery 12/30/92 (2) License #271617 issued on 07/31/13
<u>16-165-60C</u> Xiaotong Wang Glen Head, NY 11545	(1) China Medical University, Liasning, People's Republic of China, Bachelor of Medicine 07/02/90 (2) License #241034, issued 07/13/16
<u>16-166-60C</u> Junkui Zhang Getzville, NY 14068	(1) Third Military Medical College, Chongqing, China, Bachelor of Medicine, 07/30/86 (2) License #224740, issued 05/10/02
<u>16-167-60C</u> Guo Zhu New York, NY 10065	(1) Xiangya School of Medicine, Hunan, People's Republic of China, Certificate of Medical School graduation, 07/10/02 (2) License #283351, issued 03/08/16

RECOMMENDATION: The Committee on the Professions recommends that the petitioners be awarded the degree Doctor of Medicine (M.D.) in accordance with provisions of Section 6529 of the Education Law.