



TO: The Honorable the Members of the Board of Regents

FROM: Sarah S. Benson *Sarah A. Benson*

SUBJECT: Report of the Committee on the Professions Regarding Licensing Petitions and Degree Conferrals

DATE: December 2, 2021

AUTHORIZATION(S): *Betsy...*

SUMMARY

Issue for Decision (Consent)

Should the Regents approve the recommendations of the Committee on the Professions pertaining to licensing petitions and degree conferrals 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 2021 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 two licensing petitions and ten requests for the conferral of the degree of Doctor of Medicine for review and determination.

Related Regents Items

Not applicable.

Recommendation

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

Timetable for Implementation

Approval of the Committee on the Professions' recommendations will be effective, December 14, 2021.

Cases Presented to Board of Regents on December 14, 2021

SUMMARY REPORT

PROFESSION	EDUCATION			EXAMINATION		Experience	Confer Degree Doctor of Medicine
	Pre-Professional	Professional	Post-Graduate	Proficiency	Licensing		
Dentistry		21-14-50 To 21-15-50					
Medicine							21-131-60C To 21-140-60C
OTHER:						Total for fiscal year to date:	146
						Total for calendar year to date:	167

Board of Regents, December 14, 2021

DENTISTRY

21-14-50

Isma Khalid

(Lahore Medical and Dental College, Lahore, Pakistan, Bachelor of Dental Surgery, January 2010)

Petition for: Waiver of the education requirement.

Statement of Problem: Commissioner's Regulations §61.1(b) requires that applicants from dental programs, which are not accredited by an accrediting agency acceptable to the Department, must complete not less than two academic years of study satisfactory to the Department in a registered or accredited dental school program, including such subjects as may be necessary for certification by such registered or accredited school that the candidate has achieved the level of knowledge and clinical proficiency expected of a graduate of the school.

The Commission on Dental Accreditation (CODA) serves the public and profession by developing and implementing accreditation standards that promote and monitor the continuous quality and improvement of dental education programs. It is nationally recognized by the United States Department of Education (USDE) as the sole agency to accredit dental and dental-related education programs conducted at the post-secondary level. CODA's accreditation standards specify the minimum acceptable requirements for programs and provide guidance regarding alternative and preferred methods of meeting standards. Completion of an accredited clinically based program is stipulated by state law and is an eligibility requirement for licensure in New York State (Education Law §6604(3)).

Isma Khalid has not completed an acceptable two-year accredited dental school program. In order for the Department to accept Ms. Khalid's advanced dental education, pursuant to Commissioner's Regulations §61.1(b), such training must constitute an education certified by the school as representing the same level of knowledge and clinical proficiency expected of a graduate of the school. Ms. Khalid's Dental Public Health program has not been certified by the school as representing the same level of knowledge and clinical proficiency expected of a graduate of the school's accredited Doctor of Dental Medicine or Doctor of Dental Surgery (DMD/DDS) programs. Ms. Khalid was advised of the determination that her education was not satisfactory to the Department under §61.1(b).

Subsequently, Ms. Khalid requested a waiver of the education requirement by the COP and Board of Regents pursuant to §24.7 of the Rules of Board of Regents and Education Law §6506(5). This section 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. Commissioner's regulation §24.7 provides that the Committee on the Professions shall review and submit its recommendations to the Board of Regents for final determinations on applications pursuant to Education Law

§6506(5), for the waiver of an education, experience or examination requirement on the ground that the requirement has been substantially met.

In April 2021, Ms. Khalid's education was documented and submitted to the Dentistry Board for consideration. The considered training included an accredited one-year Certificate of Advanced Graduate Study in Dental Public Health from Boston University; an accredited one-year Dental Public Health residency from Eastman Institute of Oral Health; an unaccredited one-year preceptorship in Prosthodontics at Eastman Institute of Oral Health; and a Master's of Public Health degree in Dental Public Health from Rutgers University. Ms. Khalid also completed an accredited Pediatric Dentistry residency. However, the residency requirement for licensure is separate and distinct from the education requirement. Accordingly, while Ms. Khalid's Pediatric Dentistry residency could be used towards meeting the residency requirement, it cannot be used to satisfy the education requirement.

Historically, the interpretation of the advanced education requirement is that graduates of unaccredited dental school programs must achieve the same level of knowledge and clinical proficiency expected of a graduate holding a DMD or DDS from an accredited dental school. Graduates of dental education programs (DMD/DDS) should possess the basic knowledge, skills, and values to practice dentistry, independently, at the time of graduation. As a result of reviewing applications over the years, both the Bureau of Comparative Education and the Dentistry Board Office have found that the level of knowledge and clinical proficiency which individuals, like Ms. Khalid, gain from specialty programs are not comparable to that achieved in accredited DMD/DDS programs. Advanced dental education programs in specialty areas are designed to provide special knowledge and skills rather than the broad general knowledge and basic clinical competency skills of the DMD/DDS training.

Accredited dental schools offer advanced standing DMD/DDS programs, as well as one- and two-year Advanced Education in General Dentistry (AEGD) programs in an effort to evaluate and bring the skills of unaccredited dental school graduates up to the level of accredited dental school graduates. The AEGD curriculum includes, but is not limited to, providing emergency and multidisciplinary comprehensive oral health care, providing patient focused care that is coordinated by the general practitioner, as well as using critical thinking, evidence- or outcomes-based clinical decision-making, and technology-based information retrieval systems. Such AEGD programs are acceptable to the Department for purposes of meeting the education licensure requirement, as completion of these programs ensures that candidates have achieved the level of knowledge and clinical proficiency expected of a graduate of an accredited dental school. Although Ms. Khalid was referred to these programs by the Department, she has not completed any such AEGD program.

Therefore, Ms. Khalid's presented education does not substantially meet the requirement of having achieved the level of knowledge and clinical proficiency required for licensure, nor does it substantially satisfy the requirements of Commissioner's Regulation §61.1(b) because her Certificate of Advanced Graduate Study in Dental Public Health, Master's of Public Health, and Dental Public Health residency are not clinically focused programs. Therefore, such cannot be used to demonstrate the clinical proficiency expected of a graduate of a DMD/DDS program. Ms. Khalid's preceptorship in Prosthodontics is not CODA-accredited and therefore, as previously noted, cannot be

used toward substantially meeting licensure, because completion of an accredited program is required by Commissioner's Regulation §61.18(b)(2) and is an eligibility requirement for licensure in New York State pursuant to Education Law §6604(3).

It should be noted that, in the past, certain accredited specialty residency programs were accepted to satisfy the two-year education requirement, through Regents action, based on attestations of equivalence from the program directors of such programs. However, since at least 2015, the Department has not accepted such programs because no DMD or DDS program director has attested that any specialty program achieves the level of knowledge and clinical proficiency of a DMD/DDS program because the dental specialty subject matter of such specialty residency programs is focused on whatever the specialty field is. As a result, the Department has regularly denied petitions for their acceptance for fulfilling the educational requirements for licensure.

As previously stated, Dental Public Health is not a clinically based residency; therefore, it is not considered or qualified to evaluate or enhance a dentist's clinical skills. For the same reason, Dental Public Health is not a licensure qualifying specialty. Commissioner's Regulation §61.18(b)(2) states: "[t]he accredited residency program in a specialty of dentistry shall be in the specialty of endodontics, oral and maxillofacial surgery, orthodontics and dentofacial orthopedics, pediatric dentistry, periodontics, prosthodontics, oral and maxillofacial pathology, oral and maxillofacial radiology, dental anesthesiology or another specialty of dentistry, as determined by the department, **for which at least 50 percent of the accredited residency program consists of clinical training ...**" (emphasis added).

As a result of the foregoing lack of qualifying academic study, it is recommended that Ms. Khalid be denied a waiver of the education requirement pursuant to Education Law §6506(5).

In rare instances, where an applicant for licensure presents substantial evidence that he or she is qualified for licensure but lacks one or more of the specific examination, education, or experience requirements as stated in regulation, the Department and COP have, historically, further considered the following additional factors when evaluating waiver requests, pursuant to Education Law §6506(5), and have recommended the granting requests when an applicant documents fulfillment of all of the following, to the satisfaction of the Department:

1. Licensure in another U.S. state or U.S. territory following completion of the applicable professional education, experience, and examination requirements satisfactory to the jurisdiction in which licensed;
Ms. Khalid has presented evidence of licensure as a dentist in Vermont (September 2020), Virginia (October 2020), and Texas (November 2020).
2. Satisfactory evidence of professional practice including at least seven of the ten years preceding application for licensure in New York State; and
Ms. Khalid received the first of three licenses to practice dentistry in another jurisdiction, approximately one year ago in September of 2020.

Therefore, she does not possess the required length of professional practice experience required for a waiver.

3. Evidence of significant professional achievement.

Although Ms. Khalid was licensed in three other states in 2020, there is no record or submission of any significant professional achievement by her during that short period of time.

Accordingly, based on the information above, the Executive Secretary for the State Board of Dentistry does not support a waiver under Education Law 6506(5) of the education requirements for a professional license contained in Education Law §6604(3) and Commissioner’s Regulation §61.1(b). Since the licensure requirements have not been substantially met, the Executive Secretary recommends disapproval of the petition for a waiver of such requirement pursuant to Education Law §6506(5).

APPLICABLE REQUIREMENTS:	QUALIFICATIONS:
Section 61 of the Regulations of the Commissioner of Education, and §24.7 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 of higher secondary studies from Pakistan, and (1)(b) see below
(2) Four academic years of dental education culminating in a degree in an acceptable dental school.	(2) Five years of acceptable professional dental education culminating in a Bachelor of Dental Surgery at Lahore Medical and Dental College, Lahore, Pakistan, January 2010.
(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) See Statement of Problem
(4) Satisfactory scores on Parts I and II of the National Dental Board Examinations.	(4) NDBE Part I passed March 2011; NDBE Part II failed August 2016; NDBE Part II failed April 2017; NDBE Part II passed July 2020
(5) Acceptable clinically based dental residency program of at least one year’s duration.	(5) Pediatric Dentistry Residency from July 2018 to June 2020 at Boston University, Boston, MA
(6) United States citizen or alien lawfully admitted for permanent residence in the United States.	(6) U.S. Citizen or National
(7) Evidence of the required course in the identification and reporting of child abuse and maltreatment.	(7) Access Continuing Education September 2020

RECOMMENDATION: The Committee on the Professions, in concurrence with the Executive Secretary of the State Board for Dentistry, recommends that the applicant's petition for acceptance of her advanced dental education, and consideration of a waiver of this requirement pursuant to Education Law §6506(5), be denied.

DENTISTRY

21-15-50

Ramya Siddaiah
Rochester, New York

(JSS Dental College and Hospital, Rajiv Gandhi University of Health Sciences, Mysore, India, Bachelor of Dental Surgery, March 2008)

Petition for: Acceptance of education.

Statement of Problem: An applicant for licensure in dentistry who has completed a program of dental education in an unregistered or unaccredited dental school is required to complete 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.

Ms. Siddaiah enrolled in the two-year Advanced Education in General Dentistry at the Eastman Institute for Oral Health of the University of Rochester and completed the program in July 2021. 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) One year of Higher Secondary Education
(2) Four academic years of dental education culminating in a degree in an acceptable dental school.	(2) Five years of acceptable professional dental education culminating in a Bachelor of Dental Surgery, JSS Dental College and Hospital, Rajiv Gandhi University of Health Sciences, Mysore, India, March 2008.
(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 Eastman institute for Oral Health of the University of Rochester, Rochester, New York, May 2019 through July 2021.
(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

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>21-131-60C</u> Muhammad Aslam Centereach, NY 11720	(1) Sindh Medical College, Karachi, Pakistan, Bachelor of Medicine, Bachelor of Surgery, 05/28/2012 (2) License # 312296, Issued 07/29/2021
<u>21-132-60C</u> Erum Azhar Hummelstown, PA 17036	(1) AGA Khan University, Karachi, Pakistan, Bachelor of Medicine, Bachelor of Surgery, 11/27/2004 (2) License # 268088, Issued 12/20/2012
<u>21-133-60C</u> Revant Grewal New York, NY 10006	(1) Dayanand Medical College and Hospital, Ludhiana, India, Bachelor of Medicine, Bachelor of Surgery, 08/31/2017 (2) License # 312315, Issued 07/29/2021
<u>21-134-60C</u> Nicholas Halper Rockville Centre, NY 11570	(1) Kasturba Medical College, University of Mysore, Mysore, India, Bachelor of Medicine, Bachelor of Surgery, 02/06/1977; and prior completion of licensure-eligible 5th pathway program (2) License # 129141, Issued 10/29/1976
<u>21-135-60C</u> Sheetal Jain Germantown, NY 12526	(1) Terna Medical College, Maharashtra, India, Bachelor of Medicine, Bachelor of Surgery, 05/12/2005 (2) License # 312990, Issued 09/13/2021
<u>21-136-60C</u> Ayesha Jamil Syracuse, NY 13202	(1) Khyber Medical College, Peshawar, Pakistan, Bachelor of Medicine, Bachelor of Surgery, 08/13/2013 (2) License # 312870, Issued 09/03/2021

<u>21-137-60C</u> Abdullah Bin Munir Staten Island, NY 10304	(1) King Edward Medical College, Lahore, Pakistan, Bachelor of Medicine, Bachelor of Surgery, 10/23/2013 (2) License # 299671, Issued 06/18/2019
<u>21-138-60C</u> Min Qiao Rochester, NY 14620	(1) Medical Center of Fudan University Shanghai, P.R. China, Bachelor of Medicine, 07/01/2000 (2) License # 307685, Issued 11/04/2020
<u>21-139-60C</u> Kalpesh Shukla Newburgh, NY 12550	(1) M.P. Shah Medical College, Gujarat, India, Bachelor of Medicine, Bachelor of Surgery, 12/27/1987 (2) License # 250504, Issued 09/24/2008
<u>21-140-60C</u> Yufei Tu Roslyn, NY 11576	(1) Capital University of Medical Sciences, Beijing, P.R. China, Bachelor of Medicine, 07/10/2003 (2) License # 288740, Issued 04/20/2017

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