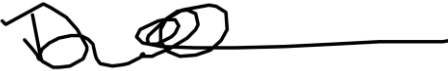





**THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE
OF NEW YORK / ALBANY, NY 12234**

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: October 25, 2018

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 November 6, 2018 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 12 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 licensing petitions and degree conferrals.

Timetable for Implementation

Approval of the Committee on the Professions' recommendations will be effective, November 6, 2018.

Cases Presented to Board of Regents on November 6, 2018

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					18-23-07			
Medicine					18-114-60		18-158-60C to 18-169-60C	
OTHER:						Total for fiscal year to date: 170 Total for calendar year to date: 230		

Board of Regents: November 6, 2018

CERTIFIED PUBLIC ACCOUNTANCY

18-23-07

Lauren Wilkowski

(University of Maryland, Bachelor of Science, May 2015)

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

Statement of Problem: Ms. Wilkowski, an applicant for licensure as a CPA, recently passed the four parts of the Uniform CPA Examination. However, the applicant exceeded the 18-month conditioning requirement by 19 days. Ms. Wilkowski is requesting a petition for the requirement of the 18-month conditioning period to extend the testing period one window, and accept the passing scores. Ms. Wilkowski originally requested waiver based on the delay of the release of the 2017 Quarter 2 scores.

Ms. Wilkowski passed Auditing and Attestation (AUD) on April 4, 2016 and needed to pass the remaining sections within the 18-month conditioning period by December 31, 2017. Within the conditioning period, Ms. Wilkowski sat for and passed Financial Accounting and Reporting (FAR) on her fourth attempt on August 26, 2016 and Business Environment and Concepts (BEC) on September 6, 2017 on her second attempt. During the conditioning period, Ms. Wilkowski sat for the Regulation (REG) section of the Examination during Quarters 2 and 4 of 2016 and Quarters 1, 3 and 4 of 2017; however, she failed at each of these five attempts. On her sixth attempt, Ms. Wilkowski did pass REG; however, because she did not sit for REG in Quarter 2 of 2017 (when there was a delay in the release of the Examination scores from that Quarter), Ms. Wilkowski was informed that her set of circumstances did not qualify for a waiver based on the Quarter 2 of 2017 score release delay.

Ms. Wilkowski has since submitted medical documentation for a medical condition during Quarter 3 of 2017, and medical documentation for another medical condition in Quarter 4 that occurred after she sat for failed REG in Quarter 4. The Executive Secretary of the NYS CPA Board notes that Ms. Wilkowski has made multiple prior requests for a waiver of the 18-month conditioning period. After reviewing medical documentation, the Executive Secretary notes that the time period of the medical issue does not appear to align with the failure of REG. It is also noted that despite having the same medical condition in January, Ms. Wilkowski successfully passed the REG examination in January 2018. As a result, the Board does not see a link between the documented medical issue and the testing of REG on November 22, 2017. The Executive Secretary therefore asserts that the 18 month requirement to pass all four parts of the exam should not be waived.

However, COP notes that letters submitted by Ms. Wilkowski's health care providers offer a reasonable explanation of the ongoing medical issues during the testing period. Two providers confirm that Ms. Wilkowski reported chronic pain both before and after the November test administration which ultimately required surgical intervention, and one letter attests that her medical condition had a profound effect on her ability to prepare and sit for the November 2017 REG exam. While the initial treatment began in September 2017 for a period of ten days, the explanations given by the providers and confirmation of the medical conditions illustrate a timeline that aligns with the testing period that lasted through February 2018.

Given the documented medical conditions during the testing period, and Ms. Wilkowski's eventual success at passing all parts of the exam, the Committee on the Professions supports Ms. Wilkowski's 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) University of Maryland, Bachelor of Science, May 2015.
(2) Passing scores on the Uniform CPA Examination.	<p>(2)(a) January 2016: Auditing and Attestation (failing score); April 2016 (passing score).</p> <p>(2)(b) November 2015, February 2016 and April 2016: Financial Accounting and Reporting (failing scores); August 2016 (passing score).</p> <p>(2)(c) May 2017: Business Environment and Concepts (failing score); September 2017 (passing score).</p> <p>(2)(d) May 2016, November 2016, January 2017, July 2017 and November 2017: Regulation (failing scores); January 2018 (passing score).</p>
(3) One year of satisfactory experience.	(3)

RECOMMENDATION: The Committee on the Professions (COP) notes the Executive Secretary's recommendation to not accept the petition for waiver, however COP recommends that the applicant's petition for acceptance of passing grades on the Uniform CPA Examination be accepted.

MEDICINE

18-114-60

Mohammad Tahir

Washington, District of Columbia

(Khyber Medical College, University of Peshawar, Peshawar, Pakistan, Bachelor of Medicine and Bachelor of Surgery, November 1994)

Petition for: Endorsement of his medical license from the United Kingdom.

Statement of Problem: Commissioner's Regulations allow endorsement of an applicant's license from another jurisdiction if appropriate requirements are met, and the applicant has not failed any part of New York State's licensing examination. A license granted in a foreign country can be endorsed if licensure in that country is regulated by an organization designated as responsible for quality assurance and acceptable to the Board of Regents. Additionally, the applicant must satisfactorily demonstrate completion of an acceptable proficiency examination, clinical competency examination, three years of American Council on Graduate Medical Education

(ACGME) accredited postgraduate training or the equivalent, and five years of satisfactory professional experience.

Representatives from the State Board for Medicine have reviewed the documentation submitted in support of Dr. Tahir's application. The Executive Secretary of the State Board for Medicine recommends that Dr. Tahir's Indian and United Kingdom Post Graduate Training between 1994 and 2009 be accepted as the substantial equivalent of the three years of ACGME-accredited postgraduate training required for licensure.

Commissioner's Regulations allow the Board of Regents to accept appropriate foreign medical licenses and diplomate certificates to fulfill the licensure, proficiency, and clinical competency requirements for licensure by endorsement. Dr. Tahir obtained his medical license in the United Kingdom in April 2005. His United Kingdom license is active and in good standing. Dr. Tahir has a Master of Public Health from John's Hopkins University, a Doctor of Medicine from University of Leicester, is a Fellow of the Royal College of Physicians and Surgeons of Glasgow as of January 2016 and is a member of The Royal College of Surgeons of Edinburgh as of May 2005.

The Executive Secretary of the State Board for Medicine recommends that Dr. Tahir's United Kingdom license be endorsed, and his Masters, Doctorate, Fellowship and Membership be accepted to fulfill the proficiency examination and the clinical competency requirements for endorsement.

APPLICABLE REQUIREMENTS:	QUALIFICATIONS:
Sections 60.1 and 60.5 of the Commissioner's Regulations require:	
(1) Six years of postsecondary education, including at least 32 months of medical education.	(1) Khyber Medical College, University of Peshawar, Peshawar, Pakistan, Bachelor of Medicine and Bachelor of Surgery, November 1994.
(2) Proficiency examination.	(2) Masters of Public Health from John's Hopkins University in Baltimore, Maryland, August 2014.
(3) Three years of approved postgraduate hospital training.	(3) (a) Junior House Officer in Surgical and Allied Discipline at Khyber Teaching Hospital in Peshawar, Pakistan from December 1994 through May 1995. (b) Senior House Officer in Medical & Allied Discipline at Khyber Teaching Hospital in Peshawar, Pakistan from June 1995 through November 1995. (c) Medical Officer/Trainee Medical Officer at Khyber Teaching Hospital in Peshawar, Pakistan from October 1996 to December 2000. (d) Senior House Officer in General Surgery at Tyrone County Hospital in Omagh, United Kingdom from February 2004 through November 2004. (e) Senior House Officer in General Surgery at University Hospital Crosshouse in Kilmarnock, United Kingdom from December 2004 to August 2005.

	<p>(f) Senior House Officer in General Surgery at Queen's Hospital in Staffordshire, United Kingdom from September 2005 to September 2006.</p> <p>(g) Fellowship in General Surgery at University Hospitals of Leicester in Leicester, United Kingdom from October 2007 to October 2009.</p>
(4) Appropriate medical license or certificate.	(4) United Kingdom license, General Medical Council, April 2005.
(5) Acceptable scores on a clinical competency examination acceptable to the Department.	<p>(5) (a) Doctor of Medicine from University of Leicester in Leicester, United Kingdom, July 2014.</p> <p>(b) Fellowship in the Royal College of Physicians and Surgeons of Glasgow, as of January 2016.</p> <p>(c) Membership in the Royal College of Surgeons of Edinburgh, as of May 2005.</p>
(6) Not less than five years of satisfactory professional experience.	(6) Over five years of satisfactory professional experience.
(7) United States citizen or alien lawfully admitted for permanent resident status in the United States.	(7)
(8) Evidence of good moral character.	(8)
(9) Course in the identification of child abuse and maltreatment.	(9)

RECOMMENDATION: The Committee on the Professions, in concurrence with the Executive Secretary of the State Board for Medicine, recommends that the applicant's qualifications be accepted to fulfill the requirements for licensure by endorsement.

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>18-158-60C</u> Ayotunde Bamimore Chesterfield, MO 63005	(1) Obafemi-Awolowo University, Osun State, Nigeria, Bachelor of Medicine, Bachelor of Surgery, 08/14/01 (2) License # 254160 Issued 07/22/09
<u>18-159-60C</u> Javeria Chaudhry Yorktown Heights, NY 10598	(1) King Edward Medical College, Punjab, Pakistan, Bachelor of Medicine, Bachelor of Surgery, 11/30/07 (2) License # 294197, Issued 05/30/18
<u>18-160-60C</u> Basma Elsayy Brooklyn, NY 11235	(1) Tanta University, Gharbia, Egypt, Bachelor of Medicine, Bachelor of Surgery, 03/01/11 (2) License # 295442, Issued 08/07/18
<u>18-161-60C</u> Yuli Fradkin Montclair, NJ 07062	(1) Russian State Medical University, Moscow, Russia, Physician 07/08/94 (2) License # 255476, Issued 11/25/09
<u>18-162-60C</u> Javed Ghani Saint James, NY 11780	(1) Dow Medical College, Sind, Pakistan, Bachelor of Medicine, Bachelor of Surgery 06/01/85 (2) License # 218479, Issued 07/24/00
<u>18-163-60C</u> Tehmina Khan Harriman, NY 10926	(1) Rawalpindi Medical College University of Punjab, Rawalpindi, Pakistan, Bachelor of Medicine Bachelor of Surgery, 02/14/98 (2) License # 282343, Issued on 11/17/15
<u>18-164-60C</u> Oscar Mitchell Brooklyn, NY 11211	(1) University of Nottingham, Nottingham, United Kingdom, Bachelor of Medicine, Bachelor of Surgery, 07/16/12 (2) License # 295526, Issued on 08/09/18
<u>18-165-60C</u> Valeriy Sabodash	(1) Dnipropetrovsk State Medical Academy, Dnipropetrovsk, Ukraine, Physician,

Naples, FL 34109	06/24/97 (2) License # 293346, issued on 04/04/18
<u>18-166-60C</u> Daniel Salmeron Reston, VA 20190	(1) Universidad Autonoma De Guadalajara, Talisco, Mexico, Physician and Surgeon 06/14/02 (2) License # 294858, issued on 06/29/18
<u>18-167-60C</u> Hitesh Shah Dix Hills, NY 11746	(1) Jawaharlal Nehru Medical College Karnatak University, Karnataka State, India, Bachelor of Medicine, Bachelor of Surgery, 03/28/92 (2) License # 208117, issued on 08/29/97
<u>18-168-60C</u> Gurdeep Singh Vestal, NY 13850	(1) Christian Medical College, Punjab, India, Bachelor of Medicine, Bachelor of Surgery 02/19/07 (2) License # 274191, issued on 03/14/14
<u>18-169-60C</u> John Stamoulis South Dartmouth, MA 02748	(1) Universidad Del Noreste, Tamps, Mexico, Bachelor of Medicine, Bachelor of Surgery 06/15/87 (2) License # 194923, issued on 02/16/94

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