



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

**TO:** Full Board

**FROM:** Douglas E. Lentivech

**SUBJECT:** Proposed Amendments to the Rules of the Board of Regents and the Regulations of the Commissioner of Education Relating to the Approval of Dual-Campus International Medical Schools Seeking to Place Their Students in Long-Term Clinical Clerkships in New York State

**DATE:** July 5, 2011

**AUTHORIZATION(S):**

**Summary**

**Issue for Decision (Consent Agenda)**

Should the Board of Regents amend section 3.2 of the Rules of the Board of Regents and section 60.2 of the Regulations of the Commissioner to establish an Advisory Committee on Long-Term Clinical Clerkships and to describe the composition and duties of such Committee?

**Reason(s) for Consideration**

Review of Policy.

**Proposed Handling**

The proposed amendment is submitted to the Professional Practice Committee for permanent adoption at its July 2011 meeting.

**Procedural History**

At its meeting in February 2011, the Board of Regents approved a plan for the establishment of an advisory committee on clinical clerkships. The proposed amendment implementing that plan was adopted, as an emergency measure, by the Board of Regents at its April 2011 meeting and adopted as a second emergency measure at its June 2011 meeting. A Notice of Proposed Rule Making was published in the State register on April 27, 2011. Supporting materials are available upon request from the Secretary to the Board of Regents.

## Background

The proposed amendment to section 3.2 of the Rules of the Board of Regents authorizes the PPC to review the recommendations of the Department regarding applications by dual-campus international medical schools to place students in long-term clinical clerkships in New York.

The proposed amendment of section 60.2 of the Regulations of the Commissioner of Education establishes and describes the composition of the Advisory Committee on Long-Term Clinical Clerkships, and specifies the terms of the Committee members. The Committee, which would be appointed by the Chancellor after consultation with the Board of Regents, would include representatives from the Board of Regents, the State Education Department, the Department of Health, registered New York State medical schools, dual-campus international medical schools, hospitals that serve as clinical clerkship sites, and physicians experienced in evaluating medical education. The proposed regulations also define the duties of the Committee, including the development of standards and processes by which dual-campus international medical schools seeking authorization to operate in New York State would be evaluated. The Committee would also be responsible for appointing an appropriate site review team for each school which seeks approval. After consideration of the site review report, the Committee would issue a report and recommendation to the Department, with minority opinions reflected, as to whether an application for authorization to place students in a long-term clinical clerkship should be approved. After consideration of the Committee's recommendations, the Department would make a recommendation to the Board of Regents as to whether an application should be approved. Until the Board of Regents approves the new standards and processes, schools currently approved for such purpose would continue to be subject to the current standards and processes.

Following publication of the proposed amendment in the State Register, the Department received one comment. An assessment of the public comment is attached.

## Recommendation

VOTED: That paragraph (5) of subdivision (d) of section 3.2 of the Rules of the Board of Regents and that section 60.2 of the Regulations of the Commissioner of Education be amended, as submitted, effective August 11, 2011.

## Timetable for Implementation

If adopted at the July meeting, the proposed amendment will become effective as a permanent rule on August 11, 2011.

AMENDMENTS TO THE RULES OF THE BOARD OF REGENTS AND THE  
REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 6506, 6507, and 6508 of the Education Law.

1. Paragraph (5) of subdivision (d) of section 3.2 of the Rules of the Board of Regents is amended, effective August 11, 2011, to read as follows:

(5) Committee on Professional Practice:

(i) ...

(ii) ...

(iii) ...

(iv) ...

(v) ...

(vi) ...

(vii) ...

(viii) ...

(ix) ...

(x) reviews and approves appointments to the State [Board] Boards for the Professions; [and]

(xi) reviews and makes recommendations to the full board on incorporation and chartering of professional organizations and non-degree granting institutions or organizations related to the professions; and

(xii) reviews recommendations of the Department relating to applications from international medical schools to place their students in long-term clinical clerkships in New York State.

2. Section 60.2 of the Regulations of the Commissioner of Education is amended, effective August 11, 2011, to read as follows:

§60.2 Clinical clerkships.

(a) Definitions: As used in this Part:

(1) Clinical clerkship [as used in this Part] shall mean a supervised educational experience which is part of the clinical component of a program of undergraduate medical education, which takes place in a general hospital or in an equivalent health organization acceptable to the department and which is performed in accordance with all requirements of the jurisdiction in which such facility is located;

(2) Long-term clinical clerkship shall mean a clinical clerkship which, in the aggregate of all clerkship experience received during two academic years, exceeds 12 weeks.

(b) ...

(c) ...

(d) ...

(e) ...

(f) Establishment of Advisory Committee on Long-Term Clinical Clerkships.

(1) Upon consultation with the Board of Regents, the Chancellor shall appoint an Advisory Committee on Long-Term Clinical Clerkships. The Committee shall serve in a consultative and advisory capacity on matters pertaining to the standards and process for approving international medical schools to place their students in long-term clinical clerkships in New York State and shall perform such specific tasks as are assigned by the Department or the Board of Regents.

(2) Composition of the committee. The committee shall consist of:

(i) one member of the Board of Regents, who will serve as co-chair of the committee along with the chairperson of the State Board for Medicine;

(ii) the chairperson of the State Board for Medicine or another member of the such board designated by the chairperson, who will serve as co-chair of the committee along with the member of the Board of Regents;

(iii) the Executive Secretary of the State Board for Medicine, who shall be a non-voting member of the committee;

(iv) one representative of the Department of Health;

(v) two physicians who are experienced in the evaluation of medical education programs;

(vi) two representatives of international medical schools approved by the Department or Board of Regents to place their students in long-term clinical clerkships in New York State;

(vii) two representatives of medical schools registered in New York State; and

(viii) two representatives from hospitals that serve as sites for clinical clerkships in New York State.

(2) Terms of members. The terms of the members of the first committee appointed pursuant to subparagraphs (v) through (viii) of paragraph (1) of this subdivision shall be so arranged that the terms of two members shall expire on June 30, 2013, the terms of two on June 30, 2014, and the terms of two on June 30, 2015, and the terms of two on June 30, 2016. Thereafter, all members appointed pursuant to subparagraphs (v) through (viii) of paragraph (1) of this subdivision shall be appointed to serve a term of four years each, beginning with the first day of July next following the ending of the term to which each, respectively, is to succeed, except that an appointment to fill a vacancy created other than by the expiration of a term shall be for the unexpired term. Members shall serve no more than two terms in succession, except that a member may serve a succeeding third term if at least one of the preceding two

terms was less than two years in duration. Members may again serve two terms in succession after a gap in service of at least four years.

(3) Duties of the Advisory Committee on Long-Term Clinical Clerkships. The committee shall gather and study existing research on relevant issues, such as health workforce demands and trends, health workforce diversity and Board of Regents policy determinations. Based on such research and policy determinations, the committee shall:

(i) make recommendations regarding the standards to be applied in assessing applications by international medical schools for approval to place their students in long-term clinical clerkships in New York State;

(ii) make recommendations regarding the process to be followed in assessing such applications for approval to place their students in long-term clinical clerkships;

(iii) appoint an appropriate site review team from a roster of individuals approved by the committee; and

(iv) after consideration of the site review report, issue a report and recommendation, with minority opinions reflected, as to whether an application for placement of students in a long-term clinical clerkship should be approved.

(4) After consideration of the committee's recommendations, the Department shall make a recommendation to the Board of Regents as to whether an application for authorization to place students in a long-term clinical clerkship should be approved. Upon approval by the Board of Regents, the medical school shall be authorized to place students in long-term clinical clerkships in New York State pursuant to standards and/or limitations prescribed by the Board of Regents.

(5) Until the Board of Regents approves the new standards and processes for approval for the placement of students in international medical schools in long-term

clinical clerkships, schools currently approved for such purpose will continue to be subject to the current standards and processes prescribed in subdivision (c) of this section.

## ASSESSMENT OF PUBLIC COMMENT

Since publication of a Notice of Proposed Rule Making in the State Register on April 27, 2011, the State Education Department received the following comments.

COMMENT: One comment requested that section 60.2(f)(2)(viii) of the proposed regulations be amended to specifically state that at least one hospital representative be from a hospital that is affiliated with an approved international medical school. The comment suggests that the proposed regulation be revised to read as follows:

(viii) two representatives of hospitals that serve as sites for clinical clerkships in New York State, at least one of which is a hospital affiliated with an approved international medical school that trains students from international medical schools in such clerkships.

The comment states that it is essential for at least one of the hospital representatives on the Committee to be an institution that actually works with approved international medical students in such clerkships, and that including at least one hospital with first-hand experience would allow for direct input and informed discussion regarding pertinent medical education, training and patient care issues.

RESPONSE: The proposed regulation provides for two representatives from “approved” international medical schools and two representatives of hospitals that serve as sites for clinical clerkships. Such representation will ensure that the advisory committee will have input from persons who are engaged in providing clinical clerkship programs and are familiar with pertinent aspects of the implementation of a clinical clerkship program. Moreover, the selection of representatives for each category mentioned in the regulation will be guided by the recognition that the advisory committee must reflect a broad range of perspectives and experiences, including experience with the implementation of a long-term clinical clerkship program.