Statement on Mandatory Continuing Education for Physicians

New York ACEP is concerned about the growing number of bills introduced in the New York State Legislature to mandate Continuing Medical Education (CME) and coursework for physicians, medical students, and medical residents.

Physicians are currently mandated by law to complete numerous hours of CME. In 2016, the New York State Legislature passed a law to require a three-hour course on pain management, palliative care, and addiction every three years. This law requires the following topic areas to be included: state and federal requirements for prescribing controlled substances, appropriate prescribing, managing acute pain, palliative medicine, prevention, screening and signs of addiction, responses to abuse and addiction, and end of life care.

In addition, all physicians in the State are currently required to take a one-time two-hour course on child abuse and identification and reporting and an infection control and barrier precaution course every four years. These courses typically run for three or four hours.

Many bills currently introduced in the New York State Legislature would add new mandated CME and coursework for physicians. We are not aware of any evidence which demonstrates the efficacy of requiring any of the proposed course work in improving patient health outcomes.

New York ACEP is not opposed to continuing medical education. In fact, New York ACEP requires 150 hours of CME every three years as a condition of membership. In addition, physicians board certified by the American Board of Emergency Medicine are required to complete four Lifelong Learning and Self-Assessment activities in each five-year period of their ten-year certification. Rather than having the State legislate the type of education and training which physicians should participate in to keep current and improve their practice, we believe it is essential for physicians to determine what continuing education is best to meet their needs based on type of practice, specialty area and the patients that they treat.

Below is a brief summary of legislation pending in 2020 and New York ACEP’s position.

A466 (Paulin)
Status: Assembly Higher Education Committee
Provides that no physician may be re-registered unless they include an attestation made under penalty of perjury, that they have completed at least 50 hours of CME prescribed in regulations of the Commissioner of Education. Certification or recertification of the physician by a physician specialty organization may be completed in lieu of compliance with these CME requirements.

The bill also permits the American Board of Physician Specialties (ABPS) to be recognized as a certifying body for emergency medicine. New York ACEP is strongly opposed to this provision because ABPS allows physicians who are residency trained in a primary care specialty including family practice, internal medicine, pediatrics, as well as general surgery to sit for the emergency medicine certification exam. This is misleading to the public who would likely assume that the ABPS board certified emergency physician was residency trained in emergency medicine when in fact they were not.
A608 (Rosenthal)  
**Status: Assembly Higher Education Committee**  
Establishes the State Chronic Pain Management Education and Training Council to advise the commissioners of Health and Education on standards to advance the management and treatment of chronic pain and to recommend course materials to be incorporated in CME education programs for health care practitioners who treat patients with chronic pain.

A2886 (Rodriguez)/S2406-A (Serrano)  
**Status: A2886 in Assembly Higher Education Committee**  
**S2406-A Passed Senate. Delivered to Assembly Higher Education Committee. Senate bill has a different effective date.**  
Requires physicians, PAs, RNs, dentists, LPNs, podiatrists, optometrists, and nurse practitioners every registration period to complete two hours of course work or training in cultural awareness competence which must include minority healthcare issues such as ethnic, religious, linguistic, sexual orientation and gender identity health care issues. Requires an additional mandatory fee of five dollars per registration period.

A6619 (Burke)/S1537(Kennedy)  
**Status: Senate and Assembly Higher Education Committee**  
Mandates three hours of CME for physicians, registered nurses (RNs), and dentists on the prescription of opiate analgesics and psychotropic drugs and the risks of addiction.

A7695 (Rosenthal)/S5887(Stavisky)  
**Status: Senate Health Committee and Assembly Higher Education Committee**  
Requires physicians to complete six hours of coursework or training every two years on nutrition, including but not limited to, plant-based nutrition and other clinically proven methods for the prevention, reversal, and treatment of diet-related illnesses.

A8741 (Reyes)/S6889(Salazar)  
**Status: Senate and Assembly Health Committees**  
Requires every medical student, medical resident, and PA to complete course work or training regarding awareness of and elimination of practices for both implicit and explicit bias.

New York ACEP is in strong support of the intent of this legislation. As of the 2016-17 academic year, 145 medical schools already mandate ethics as part of their curriculum. Changes in medical school curriculum should be guided by the Association of American Medical Colleges (AAMC) to reflect modern medical practice rather than through legislation.

S7102-A (Benjamin/A9829 (Rosenthal)  
**Status: Passed Senate. Delivered to Assembly Higher Education Committee.**  
**A9829 in Assembly Higher Education Committee**  
Requires mandatory physician coursework or training in techniques that will reduce the likelihood of overdose and other harms related to the use of controlled substances and medications used for the treatment of addiction, including information about becoming a buprenorphine prescriber. Requires the NYS DOH to establish standards and approve coursework for providing patient centered care with the consideration of social determinants of health and co-occurring disorders.