



May 28, 2013

The Honorable Joseph A. Griffo  
Senator, 47<sup>th</sup> District  
New York State Senate  
188 State Street Room 612, Legislative Office Building  
Albany, NY 12247

RE: SUPPORT S 5493

Dear Senator Griffo:

As President of the American Society for Dermatologic Surgery Association (ASDSA), a surgical specialty organization representing over 5,700 physician members, I am writing to thank you for your leadership and to pledge our support for your S 5493, which will allow patients to make informed and educated decisions when seeking medical treatment.

Dermatologists in New York and across the country provide treatment to patients suffering from complications they received from visiting cosmetic medical spas, salons, or any other licensed facility that advertises low-cost treatments from physicians with questionable credentialing. In these places, physicians are often not on-site, and most of the procedures are performed by assistants and technicians whose training or credentialing is unknown. These facilities are driven by profits earned through deceptive advertising and promoting lower cost procedures, often with lower quality care.

While the ASDSA has the utmost respect for other health providers practicing within their scope of practice and training, we believe that patients deserve the opportunity to make informed decisions about from who they receive medical treatment. The proposition of asking detailed questions of a provider's qualifications and credentialed just as one is about to put one's health and well-being in that provider's hands can be understandably daunting. The use of clear terminology and transparency lessens the likelihood of misunderstandings.

In a 2013 consumer survey conducted by the American Society for Dermatologic Surgery, respondents ranked the specialty in which the physician is board certified as the most important factor they take into consideration in deciding selection of a practitioner to perform a cosmetic procedure. However, in the state of New York, there are currently no laws which ensure physicians advertising board-certification are required to be transparent with regard to in what board they are certified, and that this board is one which requires legitimate training and assessment, rather than an online, fly-by-night operation.

We are concerned with the practice of advertising oneself as board certified in one of the so-called "junk boards," which have names that deliberately mislead consumers but which have no legitimate testing or training programs—i.e. advertising oneself as board certified by the "American Academy of Cardiology," when, in fact, the name of the American Board of Medical Specialties'-approved board is the American College of Cardiology. Both physicians and patients have been duped by so-called "junk boards," which offer the ability to claim "board certification" in exchange for a fee, but do not have training which measures up to standards. In the absence of such requirements, there is the potential for abuse for those who would venture



to mislead consumers by claiming board certification by an entity which may sound legitimate, but which may be simply a guise.

We encourage implementing legislation that provides the state with simple mechanisms to improve transparency in services provided by healthcare professionals by prohibiting deceptive and misleading advertising, such as that contained within S 5493. Patients deserve to know more about a healthcare professional – and to be able to trust that the person in the white coat providing medical care is licensed or certified to do so.

For these reasons, we support S 5493. Thank you for your consideration. Should you have any questions or need further information, please feel free to contact Director of Advocacy and Public Policy Lisle Soukup at (847) 956-9126 or [lsoukup@asds.net](mailto:lsoukup@asds.net).

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy C. Flynn, MD". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Timothy C. Flynn, MD  
ASDSA President

cc: Mitchel P. Goldman, MD, President-Elect, ASDSA  
George J. Hruza, MD, Vice President, ASDSA  
Thomas E. Rohrer, MD, Secretary, ASDSA  
Abel Torres, MD, Treasurer, ASDSA  
Susan H. Weinkle, MD, Immediate Past President, ASDSA  
Katherine J. Duerdoth, CAE, Executive Director, ASDSA  
Lisle Soukup, Director of Advocacy and Public Policy, ASDSA  
Liz Dears, Executive Director, New York State Society of Dermatology and Dermatologic Surgery  
Roy G. Geronemus, MD, New York State Advocacy Network for Dermatologic Surgery Representative