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September 20, 2019

Howard Zucker, MD
Commissioner
New York State Department of Health
Empire State Plaza, Corning Tower
Albany, New York 12237

Dear Dr. Zucker,

I want to thank you again for taking the time to meet with us to discuss our continued partnership to address the litany of public health challenges we face.

With regard to the issue of physician wellness, we look forward to hearing from you regarding your efforts to confront the increasing challenge of physician "burnout". A recent Physicians' Foundation survey noted that 78% of physicians reported experiencing some form of "burnout" from the enormous pressures they face in delivering care to their patients. Little wonder, as the same survey found that 80% of physicians indicated they were "at capacity or overextended," limiting their ability to see new patients or take on new administrative duties. Sadly, studies shows that one doctor commits suicide in the U.S. every day -- the highest suicide rate of any profession - and that the number of physician suicides is more than twice that of the general population. This is a growing public health crisis. We are anxious to collaborate with you on such efforts.

With regard to the growing vaping public health threat, we again strongly commend you and Governor Cuomo for taking bold steps to limit the rapid increase in youth use of these products. The hundreds of cases across the country of serious lung illness arising from the use of vaping products is a dangerous public health threat, and an emergency regulation to prohibit the sale of e-cigarette flavorings is a tremendously important first step. We look forward to working with you and the State Legislature to enact legislation such A.47/S.428 (Rosenthal/Hoylman) that would codify this prohibition into law including menthol flavorings for e-cigarettes.

We also commend the extensive efforts of the DOH to identify the nature of the products and/or modalities that are causing “vape lung”. To our best understanding, the outbreak has affected users of both THC- and nicotine-containing products, but has been much more prevalent among THC vapers than those using nicotine products. As we discussed, we are aware that the Wadsworth lab has found Vitamin E Acetate in many of the cases of vaping related lung illness in in New York. However, we remain very concerned that it has not been determined to be the definitive cause. Therefore, given the ongoing uncertainty surrounding whether it is the e-cigarette flavorings or the vaping mechanism itself that is contributing to these lung illness cases, the MSSNY Council (our leadership body) has recommended that DOH place a moratorium on dispensing of vaporized products to new certificate holders for medical marijuana until data on the long term safety of vaporized marijuana is available. We are anxious to continue to work with you to further educate our physicians and the public as more definitive information becomes available.

With regard to our mutual efforts to promote immunization, we look forward to working with you to further educate our patients regarding the essential need to receive necessary immunizations, and to address any concerns they may have about safety.

Again, thank you and your staff for your continued efforts to work with New York physician leaders to protect our public health. We look forward to future discussions with you on these and many other public health issues.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Fougner', written in a cursive style.

ARTHUR FOUGNER, MD
PRESIDENT