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MINISTRY OF HEALTH AND SOCIAL SECURITY

Tel. No.: 448-2401 (Ext. 3259 & 3250)
 Fax No.: (1-767) 448-6086

GOVERNMENT HEADQUARTERS
 KENNEDY AVENUE
 ROSEAU
 COMMONWEALTH OF DOMINICA
 WEST INDIES

February 21, 2001


Ms. Bonnie L. LeBold
 Executive Director
 NCFMEA
 U.S. Department of Education
 Office of Postsecondary Education
 National Committee on Foreign Medical Education and Accreditation
 1990 K St. NW - Room 7007
 Washington D.C.
 2006-7583
UNITED STATES OF AMERICA

Dear Ms. LeBold,

In reply to your letter regarding the meeting of the National Committee on Foreign Medical Education and Accreditation scheduled for 9th March, 2001. I wish to inform you that our representatives will be the Hon. Dr. John Toussaint, Minister for Health & Social Security and Dr. Dorian Shillingford, Chairman of the Dominica Medical Board and legal counsel Martin Michaelson of Hogan and Hartson, Washington.

Please find attached Registration forms.

Yours truly,



 DR. JOHN TOUSSAINT
 MINISTER FOR HEALTH
 & SOCIAL SECURITY



DOMINICA MEDICAL BOARD

Tel. 448-2401 Ext. 3258
Our Ref.
Your Ref.

Ministry of Health,
Government Headquarters,
Kennedy Avenue,
Roseau,
Commonwealth of Dominica,
West Indies.

February 26, 2001

Dear Ms. Griffiths:

In response to your letter sent February 9, 2001 and the accompanying U.S. Department of Education staff analysis, I enclose the response of the Commonwealth of Dominica.

We are pleased that the staff analysis so positively evaluated our submission to the U.S. Department of Education, and we look forward to meeting with the NCFMEA on March 9.

Very truly yours,

Dorian C. Shillingford
Chairman, Dominica Medical Board

Ms. Carol Griffiths
Chief, Accrediting Agency Evaluation
Accreditation and State Liaison
1990 K Street, N.W., Room 7105
Washington, DC 20006-8509

Enclosure

cc: Hon. John Toussaint
Martin Michaelson, Esq.

BEFORE THE U.S. DEPARTMENT OF EDUCATION

RESPONSE OF THE COMMONWEALTH OF DOMINICA TO

**STAFF ANALYSIS OF THE
STANDARDS USED BY DOMINICA FOR THE
EVALUATION OF MEDICAL SCHOOLS
(dated as of MARCH 9, 2001)**

February 26, 2001

The Commonwealth of Dominica ("Dominica") acknowledges with thanks the letter from Carol Griffiths, Chief, Accrediting Agency Evaluation, Accreditation and State Liaison, U.S. Department of Education (the "Department") to Hon. John Toussaint, Minister of Health and Social Security of Dominica, and the accompanying Staff Analysis of the Standards Used by Dominica for the Evaluation of Medical Schools (dated as of March 9, 2001) ("Staff Analysis"). Dominica is very pleased that the considerable work of the Medical Board resulted in a Staff Analysis that is positive in virtually all respects. This response addresses the few items as to which the Staff Analysis suggested some remaining matter.

The Honorable Minister for Health and Social Security of Dominica, Dr. John Toussaint, plans to attend the March 9 meeting of the National Committee on Foreign Medical Education and Accreditation ("NCFMEA"). In addition, as Dominica has previously informed Bonnie LeBold, Executive Director of the NCFMEA, the Chair of the Medical Board, Dr. Dorian Shillingford, and the Medical Board's counsel, Martin Michaelson of Hogan & Hartson L.L.P., will attend the March 9 meeting. They will be pleased to respond to any further questions that the NCFMEA or Department staff may have.

Dominica appreciates the Department's consideration of this response.

(1) *"The country did not specify the length of time that is devoted to clinical training or the length of each rotation. As noted above, the Medical Board does routinely conduct on-site visits to clinical sites to ensure that students are being adequately trained."* Staff Analysis at 8.

Like the NCFMEA Guidelines and Liaison Committee on Medical Education accreditation standards, the Dominica Standards and Procedures for Certification of Medical Education Programmes (Jan. 11, 2001) ("Dominica Standards") do not specify the length of time devoted to clinical training or the length of each rotation. According to its Fall Semester 2000 Student Handbook and related information, the medical school in Dominica requires 48 weeks of rotations in core subjects and 42 weeks of rotations in elective subjects, for a total of 90 weeks. See Submission of the Commonwealth of Dominica to the National Committee on Foreign Medical Education and Accreditation (Jan. 16, 2001) ("Submission") Ex. F at App. 17. As noted in the Staff Analysis, the Medical Board conducts periodic visits to clinical sites to review the adequacy of clinical instruction.

(2) *"The site visit team includes at least two experienced and licensed physicians as well as individuals qualified to examine the basic science and clinical*

programs. The country did not specify the typical size of a [site visit] team." Staff Analysis at 15.

In accordance with Dominica Standards, the Medical Board selects individuals to serve on a site visit team. See Dominica Standards III.A.2. and III.B., Submission Ex. B at 11. The size of the site visit team depends on the purpose of the visit and the relevant areas of experience needed. For example, the site visit in the fall of 2000 concerning the medical school's change in ownership included a four-member team that included three highly experienced physicians and a senior educator. Visits to clinical sites outside Dominica include at least two experienced physicians. Site visits may be conducted in conjunction with representatives of state licensing agencies. The upcoming site visit to the medical school concerning renewal of its certification will include, among other team members, one or more site visitors with pertinent experience in basic sciences and related curricula.

(3) *"Department staff notes that no documents were presented that verified that the country follows its evaluation and monitoring policies. Also, the policies do not include any adverse action or sanction as a Board option." Staff Analysis at 15.*

The Medical Board has monitored the medical school in Dominica on an ongoing basis. As the Medical Board has previously reported to the NCFMEA, representatives of the Medical Board visit the administrative offices of the medical school in New York City approximately three to four times a year in conjunction with visits to clinical sites. These meetings provide periodic opportunities for the medical school to provide updates to the Medical Board concerning developments at the medical school.

The Medical Board conducted a site visit of the medical school in October and November 2000 to assess whether a change in ownership of the medical school affected the medical school's compliance with Board standards. Department representatives attended and observed that site visit, and a copy of the site visit report was included with Dominica's submission to NCFMEA. See Submission Ex. F. In addition, last year the Medical Board sought and obtained information from the medical school in connection with complaints about the medical school. Correspondence related to such information requests was included with the Medical Board's submission to NCFMEA. See Submission Ex. F. The Medical Board also addressed the complaints during its October and November 2000 site visit. As indicated with specificity in the Submission and its accompanying appendices, the Medical Board will address certain issues raised by the complaints during the coming year in the course of its comprehensive accreditation review of the medical school.

On January 11, 2001, the Medical Board adopted new, detailed re-evaluation and monitoring procedures. See Dominica Standards III.D., Submission Ex. B at 12-13. The Medical Board anticipates that under these procedures the medical school will submit written reports to the Medical Board on a regular basis.

At the end of January the medical school notified the Medical Board of certain changes in the corporate structure involving the parent companies of the medical school. See Letter from N. Simon to D. Shillingford (Jan. 31, 2001) (Attachment A). The Medical Board requested and received additional information from the medical school concerning this change, including information relating to the reasons for the restructuring, notices to other governmental agencies, and the anticipated benefits and other effects of the restructuring. The Medical Board collected such information through correspondence, conference calls, and a meeting with medical school directors and officials. Based on this information the Medical Board has concluded that while the Medical Board would have expected advance notice of the restructuring, the medical school complied with reporting procedures in effect at the time of the restructuring. Under those procedures the Medical Board was not required to approve the restructuring in advance, but, consistent with prior practice, Medical Board representatives visited with school officials concerning the effects of the restructuring. Under the revised Dominica Standards, the Medical Board would not consider this restructuring a substantive change requiring its prior approval because the restructuring did not have a significant effect on the operation of the medical school. See Letter from D. Shillingford to N. Simon (Feb. 22, 2001) (Attachment B).

The Dominica Standards do permit the Medical Board to take adverse action in the event that serious concerns arise during a period of certification. The Standards provide:

4. After review of a progress report or any other report submitted by the medical school to the Board pursuant to these Standards and Procedures, the Board may take appropriate action, including but not limited to (a) accept the report, with or without requesting additional reports as follow up, (b) receive the report as information, (c) defer action pending receipt of further information, or (d) if the report is deficient, decline to accept it and request that a more complete report be submitted.
5. If the Board finds strong cause for concern about the status of a school, it may take appropriate action, including but not limited to (a) requesting additional information, (b) arranging a special visit, or (c) arrange for a new comprehensive review of the school.

Dominica Standards III.D.4.-5., Submission Ex. B at 13 (emphasis added). Were the Board to find significant deficiencies in compliance with the Dominica Standards, it may take adverse action against the medical school in accordance with the procedures for certification decisions generally. See Dominica Standards III.C., Submission Ex. B at 12.

(4) *The Board did not submit any evidence that it follows its conflict-of-interest policy; however, during a meeting between Department staff and the Board, the staff raised this issue and the Board Chair did state that in previous evaluations individuals had been removed as a result of the conflict-of-interest policy.*" Staff Analysis at 17.

Dominica is a sufficiently small community that the Medical Board is readily aware of any potential conflict of interest on the part of members of the Medical Board or site visitors. Physicians in Dominica typically work for the Ministry of Health, Princess Margaret Hospital, or Ross University School of Medicine, and the Medical Board is familiar with their affiliations. As the Staff Analysis observes, the Board does enforce its conflict of interest policy. The Board takes its conflict of interest policy quite seriously.

* * *

In order to facilitate communication with the Department, Dominica requests that the Department send copies of correspondence to the Minister of Health and Social Security simultaneously by telecopier to:

Dr. Dorian C. Shillingford
Chairman, Medical Board
Ministry of Health and Social Security
Government Headquarters
Kennedy Avenue
Roseau, Dominica, West Indies
Fax: 767/448-7826
Phone: 767/448-4839

and

Martin Michaelson, Esquire
Hogan & Hartson L.L.P.
555 Thirteenth Street, N.W.
Washington, D.C. 20004
Fax: 202/637-5910
Phone: 202/637-5748

This procedure should avoid delays in communications with the Department in the future.

Dominica appreciates the Department's consideration of this response and requests that, for the reasons stated in its Submission to the NCFMEA and here, the NCFMEA continue to recognize the comparability of Dominican and American standards for medical education.

ATTACHMENTS

- A Letter from N. Simon to D. Shillingford (Jan. 31, 2001)
- B Letter from D. Shillingford to N. Simon (Feb. 22, 2001)

Office of the President & General Counsel

VIA OVERNITE COURIER

January 31, 2001

Dr. Dorian Shillingford
DOMINICA MEDICAL BOARD
Ministry of Health & Social Security
Government House - Kennedy Avenue
Roseau
Commonwealth of Dominica
WEST INDIES (W.I.)
(767) 448-7826

RE: ROSS UNIVERSITY SCHOOL OF MEDICINE

Dear Dr. Shillingford:

I am writing to notify you of certain changes of corporate structure involving the parent companies of the Ross University School of Medicine. These changes have been undertaken solely because of the savings that will result under U.S. tax laws, and will have no effect on the Medical School's educational program or operations other than to make additional financial resources available to the School.

As you will recall, the Medical School is owned by a corporation named the Ross University School of Medicine School of Veterinary Medicine, Ltd. (the "Medical School Corporation"). As a result of the change of ownership that occurred last year, that corporation has been wholly owned by Dominica Management, Inc. ("DMI"). Two investor groups, Leeds Equity Partners III, L.P., and J.W. Childs Equity Partners II, L.P., each own 45% of the stock of DMI. They thus control DMI and, through DMI, the Medical School Corporation and the Medical School.

It has come to the attention of Leeds and Childs that significant tax savings would result if two new corporations, one of them incorporated outside the United States, were inserted into the corporate structure. Accordingly, Ross University Management, Inc. ("RUMI"), organized under the laws of St. Lucia, and Ross University Services, Inc. ("RUSI"), a Delaware corporation, were formed, and on January 5, 2001, inserted into the corporate structure. RUMI owns all of the outstanding stock of the Medical School Corporation, and RUSI owns all of the stock of RUMI. DMI owns all of the stock of RUSI. Leeds and Childs each continue to own 45% of the stock of DMI. Thus, Leeds and Childs continue to control DMI and, through DMI and its subsidiaries, the Medical School Corporation and the Medical School.

NS

U.S. Inquiries c/o Dominica Management, Inc.
460 West 34th Street, 12th Floor
New York, New York 10001-2169

Telephone: (212) 270-5500
Facsimile: (212) 629-3147

e-mail: Admissions@Rossmed.ed

Page Two - January 31, 2001
Dr. Dorian Shillingford, DMB

We understand that the Medical Board has recently adopted new standards and procedures, including requirements for approval of substantive changes such as changes in ownership and governance. The additions to the corporate structure described above, however, occurred prior to the adoption of the new substantive change requirements. The Board's standards and procedures in effect at the time of the changes in structure we are now reporting contained no requirements for Board review and approval of changes of ownership. (Your predecessor confirmed that Board approval was unnecessary during last year's change of ownership; the Board undertook the change of ownership site visit as a discretionary matter).

Moreover, we respectfully submit that the insertion of RUMI and RUSI into the corporate structure should not be viewed by the Board as a change of ownership under its new standards even if they were applicable. The direct ownership of the Medical School has not changed; it continues to be owned by the Medical School Corporation. More importantly, control of the Medical School is also unchanged; Leeds and Childs remain in control through DMI and the subsidiaries. The Medical Board, of course, has recently reviewed the effects of their acquisition of control, and it will be comprehensively reviewing the Medical School when it begins the process for renewing its accreditation by the Board later this year. Let me also reiterate that these corporate structural changes will have no effect on the Medical School, its educational program or its students. Thus, we do not believe that any Board review and action is required at this time. I would appreciate your confirming this conclusion by letter at your earliest possible convenience. If there is any additional information that the Board would like us to supply or steps that it wishes us to take, please let me know.

Please also note that the U.S. Department of Education's standards for changes of ownership cover more types of transactions than do the standards of many accrediting agencies. We have filed an application with the Department in regard to this change in corporate structure to ensure that U.S. financial aid continues to be available to our students. We anticipate no difficulties with that application and will keep you informed of any developments in regard to it. Thank you.

Sincerely,



Neal S. Simon

cc: Marty Michaelson, Esq.
Mark Pelesh, Esq.
Timothy Foster, Chairman

NSS:jsk

NS
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DOMINICA MEDICAL BOARD

Tel. 448-2401 Ext. 3258
Our Ref.
Your Ref.

Ministry of Health,
Government Headquarters,
Kennedy Avenue,
Roseau,
Commonwealth of Dominica,
West Indies.

February 22, 2001

Mr. Neil Simon
President
Ross University
460 West 34th Street
New York, NY 10001

Dear Mr. Simon:

This responds to your letters dated January 31 and February 9, 2001, with respect to the transactions they identify; and takes into account the letter dated February 15, 2001 from the Medical Board's counsel to you, enclosing a list of questions; your letter dated February 21, 2001 enclosing responses to those questions; and the confirmatory information obtained in the February 22, 2001 meeting with directors and senior officers of Ross University.

In light of these and other pertinent facts, I write to confirm that the referenced change of ultimate corporate ownership of Ross University has not adversely affected the accreditation approval of the University by the Dominica Medical Board, and that the accreditation approval remains in effect.

We look forward to the upcoming re-accreditation process.

Very truly yours,


Dorian C. Shillingford
Chairman, Dominica Medical Board