



# AMERICA NEPAL MEDICAL FOUNDATION

120 Palencia Village Drive, Unit 105, Box 103  
St. Augustine, FL 32095

Emergency Board Meeting Minutes  
February 2<sup>nd</sup>, 2024, 8.30 pm EST  
Zoom meeting

Board Members				
Ananta Subedi - A	Anil Suwal - P	Bhupesh Khadka - P	Bikash Bhattarai - P	Binod Dhungana - A
Binod Khadka - P	Birendra Sah - A	Bishnu Sapkota - P	Dilli Bhurtel - P	Dinesh Subedi - A
Ganesh Chaudhary - P	Jivan Lamichhane - A		Kalpna Shrestha - A	Libby Wilson - P
Marvin Brustin - P	Narayan Neupane - P	Navin Raj Kaini - P	Rachana Tiwari - P	Raju Century - P
Sandesh Pandit - P	Santosh Sapkota - A	Saroj Kandel - P	Shradha Manandhar - A	Subodh Mallik - P
Suman Raj Regmi - P	Sunil Sharma - A	Swikrity Upadhaya - P	Upendra Kaphle - P	Vikash Pathak - A

Agenda: Regarding USMLE Notification of Invalidated Exam Scores and its implication on Nepalese medical graduates pursuing career in the US or currently practicing in the US.

On Jan 31st 2024, numerous medical graduates from Nepal attempting to train in the US were notified by the USMLE Secretariat's Office that their previous Step scores have been invalidated and that they will be required to take a validation exam(s). It cited "As part of an ongoing investigation, the USMLE program has identified a pattern of anomalous exam performance associated with Nepal, which challenges the validity of test results for a group of examinees. Highly irregular patterns can be indicative of prior unauthorized access to secure exam content."

Invalidated scores in step 1, and step 2 Clinical Knowledge no longer would meet the requirements for ECFMG Certification. ECFMG Certificates issued to those whose test scores have been invalidated are no longer considered ECFMG Certified. The individuals will no longer be verified to NRMP as meeting the examination requirements for ECFMG Certification, and status report will be resent to the residency programs, employers, US state medical boards and other organizations. USMLE Step 3 scores does not impact ECFMG Certification. There may be implications to those who are being sponsored by ECFMG on a J-1 visa.

The applicants who received the notice were seemingly given three choices with need to fill the form to indicate their choice within 15 days of receipt of the notice. First option is to retake exam in between mid to late 2024. Second option for the applicant is to submission for reconsideration of an invalidated outcome and appeal if needed. Reconsideration review by USMLE staff could take up to 10 weeks. If the review is appealed, ad hoc committee will look into all the evidence provided, and only overturn the decision if the decision was clearly contrary to the weight of the evidence provided. Third option is to take no action. In doing so, USMLE will suspend the applicant for three years to apply again for the exam.

Exact number of affected applicants and Nepalese medical graduates are unknown, thought to be in 100s. Prometric center in Nepal has been shut down for some time now with ongoing investigation. This development has created enormous fear with impact in residency applications from Nepal, defamation of Nepalese medical graduates as a whole with reputational damage, and life changing effect on J1 candidates having to return to Nepal prematurely. ANMF understands previous optima university in NJ vs USMLE lawsuit with similar action from USMLE.

ANMF is aware of the investigation on individuals from Nepal. Explanation given by USMLE was that reaction time for questions were abnormal, along with similar patterns of each answers and statistically skewed answering. However, blanket statement regarding all Nepalese applications and all Nepalese medical graduates is inappropriate. It would be unconstitutional to be discriminated based on Nationality and lump the whole medical graduates from Nepal, while being evaluated for interview and residency matching process.



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ANMF seeks to reach out to all concerned authorities that are related to this action by USMLE, including Nepalese government, Nepal Medical Association, Nepal Medical Council and Nepalese Embassy to the US.

ANMF unanimously voted to seek legal counsel to assist us on generating a letter of concern. Marvin Brustin has contacted several legal teams to hire in a pro-bono basis. ANMF is concerned with the current development regarding Nepalese applicants, why it was done by USMLE, what is the basis for their action against the whole “Nepalese” applicants. ANMF may need to contact American Civil Liberties Union. Marvin expressed that ANMF may need to contact corporate lawyer and maintain 501(3)c and corporate status.

It was proposed to form an ad-hoc committee to include the president, vice-president, secretary, co-secretary, Dr Libby Wilson, Marvin Brustin, Dr Bhupesh Khadka and Dr Dilli Bhurtel, along with other collaborators from outside the ANMF to tackle the ongoing need after the initial counsel recommendations.

Meeting adjourned: 10.15 PM EST.