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## IMMEDIATE RELEASE

May 26, 2017

### Doctor with Dyslexia Sues National Board of Medical Examiners

**Trenton, New Jersey** – Bryan Messenger, a doctor with dyslexia, filed suit today against the National Board of Medical Examiners (NBME) alleging that the testing entity discriminated against him on the basis of disability in violation of the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act (RA), and the New Jersey Law Against Discrimination (NJLAD) when it repeatedly denied his requests for accommodation on the United States Medical Licensing Examination (USMLE).

Messenger, who graduated from St. George’s Medical School in 2017 and plans to work in pediatric medicine, provided the NBME documentation establishing that he requires additional time on the USMLE due to his dyslexia. Despite federal and state law requiring the NBME to make modifications for individuals with disabilities, the NBME summarily denied his requests. In order to participate in a residency program and practice medicine, Messenger must take and pass the USMLE.

The NBME has a history of denying testing accommodations to people with dyslexia like Dr. Messenger. In February 2011, NBME entered a settlement with the U.S. Department of Justice (DOJ) to resolve a complaint alleging that NBME denied testing accommodations to a Yale medical student with dyslexia.<sup>1</sup>

Dr. Messenger remains hopeful that NBME will change its mind and allow him to prove himself. “I want to move on to the next steps in my career but right now I’m in limbo,” said Messenger. He added, “I hope NBME will start treating test takers with dyslexia fairly. We just want to be tested on our knowledge, not on our disability.” Messenger lives in Branchburg, New Jersey with his wife and four young children.

Dr. Messenger is represented by Stein & Vargas, LLP and the Law Office of Clara R. Smit.

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<sup>1</sup> <https://www.justice.gov/opa/pr/justice-department-settles-national-board-medical-examiners-over-refusal-to-provide-testing> (last accessed 5/22/2017)

*Stein & Vargas, LLP is a civil rights firm based in Washington, D.C. and committed to the principle that all people have full and equal access to all parts of society.*

*Law Office of Clara R. Smit is based in Hamilton, NJ and focuses on disability rights issues.*

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