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STATE BOARD OF POLYSOMNOGRAPHY HUDSON CONFERENCE ROOM, 6TH FLOOR

PUBLIC SESSION MINUTES

JANUARY 12, 2016

FINAL

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The January meeting of the State Board of Polysomnography was convened in accordance with its notice to the Secretary of State, the Bergen Record, the Trenton Times, the Star Ledger and the Courier Post and was posted at the Division's website. The meeting was conducted in accordance with the provisions of the Open Public Meeting Act.

Chair, Sara Gallagher called the meeting to order at 10:00 A.M. A roll call was taken and the following attendance was recorded for these minutes.

PRESENT: Sara Gallagher, RPSGT, RST
Mitchell Rubinstein, RPSGT, RST
Kathleen Feeney, RPSGT, RST
Dr. Gerald Ferencz

Also in attendance: Dorcas K. O'Neal, Executive Director, Virginia Class-Matthews, Deputy Attorney General, Maryann Sheehan, Director of Legislative and Regulatory Affairs and Kathleen Griffith, Staff.

I. APPROVAL OF MINUTES

a. The Board reviewed the December 8, 2015 Public Session Minutes. **On a motion by Mitchell Rubinstein, seconded by Dr Gerald Ferencz , the minutes were approved as submitted.**

II. OLD BUSINESS/ LEGISLATION/REGULATIONS/REAGENDIZED

a. The Board reviewed a letter from Suzie Steger, Regulatory Coordinator requesting that ACHC be added as an accredited option for sleep centers and laboratories. Also, the Board reviewed the **Policies, procedures of the Accreditation Commission for Health Care (ACHC), as it relates to the proposed rule sections N.J.S.A. 45:14G-3, N.J.A.C. 13:44L-1.2, 2.3, 5.2 and 5.3, which refer to facilities that are "State-licensed" or are "provisionally accredited or fully accredited by the (American Academy of Sleep Medicine) AASM."**

After careful review, **it is the Board's opinion that Policies, procedures** from the **Accreditation Commission for Health Care (ACHC), are not equivalent. Therefore, the Board will not recognize the (ACHC) at this time. The ACHC may however, request reconsideration at a future date.**

b. The Board reviewed the **Proposed Amendments at N.J.S.A. 45:14G-3**, which defines "polysomnography" as the allied health specialty involving the treatment, management, diagnostic testing, research, control, education and care of patients with sleep and wake disorders under a qualified medical director (QMD).

Additionally, the Board is proposing to amend its rules, so that an applicant for a technician's license who is not a trainee may substitute for successful completion of a Commission on the Accreditation of Allied Health Education Programs (CAAHEP) course of study, successful completion of the A-STEP Introductory Course and A-Step Self-Study Modules so long as the applicant has also completed the Certified Polysomnographic Technician's (CPSGT) examination administered by the Board of Registered Polysomnographic Technologists (BRPT).

The Board reviewed the comment from Lori-Ann Ligon, President, New Jersey Society for Respiratory Care regarding accreditation of the Certified Polysomnographic Technicians (CPGST).

On a motion by Mitchell Rubinstein, seconded by Dr. Gerald Ferencz, the Board unanimously voted that the CPGST examination remain in the proposal. The Board believes that the CPSGT examination is not costly, that it is reasonable, that it is nationally accepted by Medicare and believes that the CPSGT is equivalent to the Polysomnographic Technicians requirement.

c. The Board reviewed the comment from **Laura Linley, RST,, RPSGT, CRTT, President, American Association of Sleep Technologists (AAST).**

Ms. Lingley stated that the Board of Registered Polysomnographic Technologist (BRPT) now offers both the RPSGT and the CPSGT credential. However, since the BRPT now offers both the RPSGT and CPSGT examination, she suggested that both definitions should be added for clarity and that a definition for the Registered Polysomnographic Technologist and the American Board of Sleep Medicine (ABSM) also be added because the Board has determined that this examination is equivalent to the RPSGT.

d. DISCUSSION OF EMPLOYMENT VERIFICATION AND EMPLOYMENT HISTORY - Regulatory Analyst, Greenblatt indicated that there is no statutory or regulatory authority for requesting Verification of Non-Medical Employment.

At this meeting DAG Class-Matthews reported that she had reviewed the case Greenblatt used as a basis for her determination and advised the Board that Greenblatt was referencing a transcript of a trial court ruling.

The Board unanimously determined that the Verification of Non-Medical Employment form to be included in the application.

Maryann Sheehan, Director of Legislative and Regulatory Affairs will discuss the matter with the Deputy Director and report back to the Board as to the decision.

REAGENDIZED

- e. **Notice of Adoption Amendments: N.J. A.C. 13:44L-1.2; 13:44L-2.2; 13:44L-2.3; 13:44L-2.4; 13:44L-3.3; 13: 44L-5.1, 13:44L-5.2; 13:44L-5.3.**

Maryann Sheehan Director of Legislative and Regulatory Affairs advised the Board that she would prepare a draft with the changes and it will be placed on the February agenda for review by the Board. **REAGENDIZED**

III. NEW BUSINESS

None

There being no other business to come before the Board in Public Session, on a motion by Dr. Gerald Ferencz, seconded by Mitchell Rubinstein the Public Session was adjourned at 11:20 a.m., and the Board convened in Executive Session for the purpose of receiving counsel, to review five (5) items of old business and five (5) items of new business.

The Board reconvened in Public Session. The next scheduled meeting is February 9, 2016. There being no other business to come before the Board, on a motion by Kathleen Feeney, seconded by Mitchell Rubinstein, the meeting was adjourned at 1:00 P.M.

Respectfully submitted
State Board of Polysomnography

Dorcas K. O'Neal
Executive Director

