

**STATE BOARD OF POLYSOMNOGRAPHY
124 HALSEY STREET, NEWARK, NJ
MONMOUTH CONFERENCE ROOM, 7TH FLOOR
10:00AM., JANUARY 11, 2011**

PUBLIC SESSION MINUTES

I. CALL TO ORDER

This scheduled meeting was called to order at 10:15 a.m. in the Monmouth Conference Room, 7th Floor, 124 Halsey Street, Newark, NJ by the Chair, Michael Lahey.

II. ROLL CALL

Present:

Michael J. Lahey, RPSGT, Chair
Mitchell L. Rubinstein, RPSGT, Vice Chair
Kathleen A. Feeney, RPSGT
Sara Rose Gallagher, RPSGT
Don J. Fahy, RPSGT
Penni L. Smith, RPSGT

Absent:

John Penek, M.D.
Frances J. Almanzar, Esq.
Gerald J. Ferencz, M.D.

Also in Attendance:

Francine Widrich, Acting Executive Director
Susan Carboni, Deputy Attorney General
Lolly Merced, Administrative Staff
Elena Parlati, Administrative Staff
Tiesha Frederick, Administrative Staff

Announcement of Quorum

The Chair announced that a quorum was present. The Chair also announced that in accordance with Chapter 231, of P.L. 1975, more commonly referred to as the Sunshine Law, adequate notice of this meeting was provided by mailing to the Office of Secretary of State, **The Newark Star Ledger, The Trenton Times, The Bergen Record** and **The Courier Post**.

III. REVIEW OF MINUTES

A motion was made by Kathleen A. Feeney and seconded by Penni L. Smith to approve the December 14, 2010 Public Minutes as submitted. Motion carried.

IV. ACTING EXECUTIVE DIRECTOR REPORT

1. Newly licensed polysomnographers

The Acting Executive Director submitted to the Board for approval the following individuals whom she processed for licensure as polysomnographers under the grandfathering clause:

Sunil Kumar
Mark G. Monahan
Wendy J. Renaud
Nusrath Unnisa
Abid Rahim
Lynnda M. Kane

A motion was made by Sara Rose Gallagher and seconded by Penni L. Smith to approve the above listed applicants for licensure. Motion carried.

2. List of pending polysomnographers applicants

Board reviewed the complete list of pending applicants for licensure. There were approximately 50 names on the list. The Board members expressed concern that the February 10th deadline to apply under the grandfather clause was fast approaching, and that very few applications have been received. It was the Board members' decision to send an email to the electronic distribution list reminding polysomnographers of the February 10th deadline and notifying them that in order to qualify under the grandfathering clause, applications must be postmarked no later than February 10th. Mr. Lahey will send the Acting Executive Director the language to be used in the email.

3. Housekeeping Items

- A. The members received several forms that needed to be completed in order to be reimbursed for travel expenses.
- B. The Polysomnography Trainee - Provision License Application is ready for posting on the website. Mr. Fahy volunteered to draft the blurb for posting with application.

V. Correspondence

The Board reviewed the following inquiries it received via email.

1. Email Inquiry from Lee Catlin asking if the February 1st is still the deadline for submitting applications for licensure under the grandfathering clause. She also questioned the fees for the application. The Acting Executive Director informed the Board that she spoke with Ms. Catlin and answered all her questions.

2. Email Inquiry from Board Member Sara Gallagher requesting information on behalf of a polysomnographic technician who has worked under her supervision and who was placed on disability and unable to gain the required hours of experience. The technician wants to continue her polysomnographic career once she is released from disability. Therefore, she wants to apply for

licensure under the grandfathering clause, however, is unable to provide a “technician supervision form” because she is not actively performing PSG due to a disability. How does she proceed?

After discussion by the Board, it was decided that the candidate should submit her application, along with the specific details regarding her situation, for the Board to review and make a determination.

3. Email inquiry from Matthew Williams concerning what types of criminal convictions would preclude an applicant from obtaining licensure.

After discussion the Board members decided that they unable to answer this question, as there are many things to consider before a decision about a criminal background is made regarding licensure (i.e. the type of crime, the age of the applicant when the crime was committed, that New Jersey is a rehabilitative, etc).

The Board members decided to include this in its online FAQ.

4. Email Inquiry from Tara Staten requesting clarification as to polysomnographers continuing to work, after the February 10th deadline, in sleep labs that are not accredited by AASM. If the polysomnographers are able to work in these labs after February 10th, for how long and under what conditions/circumstances?

The Board reviewed and discussed this matter. There are no regulations that provide an answer this question. The Board members decided to ask the Deputy Attorney General to research this answer further. Therefore, this matter is tabled for discussion at the next meeting. DAG Carboni will research this matter and will report her findings at the next meeting.

5. Email from Beverly Garcia asking if she is required to be licensed in New Jersey if she scores studies conducted in New Jersey, but lives in North Carolina.

The Board discussed this matter and agreed that scoring sleep studies is within the scope of practice of polysomnography. The members believe that if the data being scored was collected in New Jersey, then a New Jersey licensed would be required. However, they referred this matter to DAG Carboni for further research to report at the next meeting scheduled for February 8, 2011.

VI. Old Business

1. Revised FAQs - The Board reviewed and discussed the Frequently Asked Questions. It was the decision of the Board that the document be approved with minor corrections. Once the document has been amended, Deputy Attorney General Carboni will review and approve it for posting to the web.

2. Application Review

A. Polysomnography Technologist - Licensure through Endorsement

- B. Polysomnography Technologist - Holder of a Polysomnographic Technician's License.
- C. Polysomnography Technologist - Not Licensed as Polysomnographic Technician
- D. Polysomnography Technician - Temporary License
- E. Polysomnography Technician - Temporary License Holder of a Polysomnographic Trainee's License

Due to weather conditions, the Board decided to table the review of these applications until the next meeting scheduled for February 8, 2011.

3. Online Email Address Collection - The Board reviewed and approved the Online Email Address Collection form to be posted on the website. This form was created for the purpose of collecting email addresses for anyone who is interested in receiving information via email.

VII. Adjournment

A motion was made by Sara Rose Gallagher and seconded by Penni L. Smith to adjourn the public session and go into Executive Session for attorney advice on several matters and will report back in public session any public decision made. Motion carried. Meeting adjourned at 1:10 p.m.