



## *New Jersey Office of the Attorney General*

### **STATE BOARD OF POLYSOMNOGRAPHY HUDSON CONFERENCE ROOM, 6<sup>TH</sup> FLOOR**

#### **PUBLIC SESSION MINUTES**

**JANUARY 13, 2015**

#### **FINAL**

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 conducted in accordance with the provisions of the Open Public Meetings Act.

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

**PRESENT:** Sara Gallagher, RPSGT, RST - Chair  
Mitchell Rubinstein, RPSGT, RST - Vice Chair  
Kathleen Feeney, RPGST, RST  
Dr. Gerald Ferencz

**EXCUSED:** Dr. John Penek

**Also in attendance:** Dorcas K. O'Neal, Executive Director, Susan Carboni, Deputy Attorney General and Kathleen Griffith, Staff.

#### **I. APPROVAL OF MINUTES**

a. The Board reviewed the October 14, 2014 Public Session Minutes. **On a motion by Mitchell Rubinstein, seconded by Dr. Gerald Ferencz, the minutes were unanimously approved as submitted.**

#### **II. DISCIPLINARY ACTION**

a. **I/M/ O CATHERINE FRENCH** - The Consent Order filed for Catherine French on December 16, 2014 for Aiding and Abetting the unlicensed practice of Estelle Murphy at the Sleep Disorder Center of Pulmonary Associates which is now part of Holy Name Hospital is being reported out in Public Session.

### III. NEW BUSINESS/CORRESPONDENCE

a. The Board reviewed an e-mail from a consumer inquiring as to whether sleep technologists can work on ventilator patients.

The Board determined that a letter be sent to the querist advising that based on the limited facts presented, the question is unclear. Therefore, more clarity is required specifically, as it relates to the phrase "work on". **Querist will be so advised.**

b. The Board reviewed as informational the letter of resignation from Penni Smith, Chair. The Board was advised that Don Fahy also resigned.

c. **ELECTION OF OFFICERS** - Executive Director O'Neal opened the floor for nomination of Chair. Sara Gallagher was nominated by Mitchell Rubinstein. Executive Director O'Neal, called for any other nominations. Hearing none, the nominations were closed. **Sara Gallagher was unanimously elected Chair.**

Executive Director O'Neal opened the floor for nomination of Vice Chair. Mitchell Rubinstein was nominated by Kathleen Feeney. Executive Director O'Neal, called for any other nominations. Hearing none, the nominations were closed. **Mitchell Rubinstein was unanimously elected Vice Chair.**

### IV. LEGISLATION/REGULATIONS/(FYI)

a. **Proposed Amendments: N.J.A.C. 13:44L-5.4 Unlicensed practice of polysomnography; exemptions - Elizabeth Greenblatt, Regulatory Analyst - REAGENDIZED**

There being no other business to come before the Board in Public Session, on a motion by Mitchell Rubinstein, seconded by Dr. Gerald Ferencz, the Public Session was adjourned and the Board convened in Executive Session for the purpose of receiving counsel, to review three (3) items of old business and four (4) items of new business.

The Board reconvened in Public Session. The next scheduled meeting is February 10, 2015. There being no other business to come before the Board, on a motion by Mitchell Rubinstein, seconded by Dr. Gerald Ferencz, the meeting was adjourned at 12:00 noon.

Respectfully,

*State Board of*

*Polysomnography*

Dorcas K. O'Neal  
Executive Director