

**STATE BOARD OF POLYSOMNOGRAPHY
124 HALSEY STREET, NEWARK, NJ
MONMOUTH CONFERENCE ROOM, 7th FLOOR
10:00 A.M., February 8, 2011**

PUBLIC SESSION MINUTES

I. CALL TO ORDER

This scheduled meeting was called to order at 10:30 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 I. Rubinstein, RPSGT, Vice Chair
Penni L. Smith, RPSGT
Sara Rose Gallagher, RPSGT
Don J. Fahy, RPSGT

Absent:

Kathleen A. Feeney, RPSGT
John Penek, MD
Gerald J. Ferencz, M.D.
Frances J. Almanzar, Esq.

Also in Attendance:

Francine Widrich, Acting Executive Director
Tobey Palan, Deputy Attorney General, Division of Law
Charles Manning, Regulatory Analyst
Lolly Merced, Administrative Staff
Elena Farfan, Administrative Staff
Tiesha Frederick, Administrative Staff
Ryan Stewart, Intern

Attendance: Members of the Public

Joseph Goss, American Association for Respiratory Care

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 Don J. Fahy and seconded by Mitchell L. Rubinstein to approve the January 11, 2011 Public Minutes as submitted. Motion carried.

IV. ACTING EXECUTIVE DIRECTOR REPORT

1. Newly Licensed Polysomnographers

Kayla Feeney	49FC00000200	George P. Evans	49FW00001800
Patricia Gaciofano	49FC00000300	Richard Colton	49FW00001900
Susan M. Kochis	49FW00001300	Brian P. Hogarth	49FW00002000
Thomas Keiser	49FW00001400	Larry A. Johns	49FW00002100
Katherine M. Dill	49FW00001500	Jacek S. Kotowski	49FW00002200
James T. King	49FW00001600	Darren J. Lefande	49FW00002300
Monica Szydowski	49FW00001700		

A motion was made by Don J. Fahy and seconded by Mitchell L. Rubinstein to affirm the above listed applicants for licensure. Motion carried.

2. List of Pending Polysomnographers Applicants

The Board reviewed the complete list of pending applicants for licensure. Acting Executive Director submitted the latest numbers of pending applications and explained that the board office was receiving a significant number of applications each day, as the grandfathering deadline approached.

3. BRPT Verification Issue

The Acting Executive Director apprised the board that there was an issue regarding the receipt of the BRPT verification. Applicants are sending multiple requests to the BRPT

requesting that their verifications be sent to the board office, but the board office is still not receiving them. Also, the BRPT is notifying applicants that the verification has been sent to the board when in fact they have not been received. Chairman, Michael J. Lahey will reach out to the BRPT to facilitate the process.

V. CORRESPONDENCE

1. Email inquiry from C. L. Blackman

The board reviewed an email inquiry from C. L. Blackman asking when the last day an RPSGT can legally work in the state of New Jersey. The board's response was if you are not currently seeking licensure as a polysomnographer you should stop working as a polysomnographer in the State of New Jersey.

2. Electronic Newsletter from AASM regarding Sleep Technologist Certification Evaluation.

This newsletter was submitted for informational purposes.

3. Email from Brian Dunne regarding licensure

The board reviewed an email from Brian Dunne regarding the provisions of licensure under the grandfathering clause. Mr. Dunne states that his education and training makes him qualified to be a technologist and that he has been practicing as a technologist since he passed the BRPT exam on December 10, 2011. He believes that it's unfair that he can not be licensed as a technologist because he did not pass the BRPT examination until after the May 17, 2010 deadline especially since licensure only began recently.

The Board's decision was that Mr. Dunne did not qualify for licensure under N.J.S.A. 45:14G-13, the grandfathering clause, as he had not passed the licensing examination prior to the effective date of May 17, 2010.

4. Email from Steve Mavrakes regarding licensure

The Board reviewed an email from Steve Mavrakes which expressed concern about a trainee, who works for him, who is from Egypt. He explained at this current time it would be very difficult to get any legal documentation sent from there and asked may the applicant still apply.

The board members all agreed that the applicant should continue with applying for licensure and the board will take this matter into consideration and will reach out to applicant regarding this matter.

VI. OLD BUSINESS

1. Application Review

- a. Polysomnography Technologist - Licensure through Endorsement
- b. Polysomnography Technician - Holder of Polysomnographic Technician's License
- c. Polysomnography Technologist - Not Licensed as a Polysomnographic Technician
- d. Polysomnography Technician - Temporary License
- e. Polysomnography Technician - Temporary License Holder of Polysomnography Trainee's License

All the applications were reviewed by the board and minor corrections were made. A motion was made by Don Fahy and seconded by Mitchell Rubinstein to approve all of the above 5 applications with amendments. Motion carried. After the changes have been made to the above referenced applications, they should be submitted for web posting.

VII. NEW BUSINESS

1. CPR Certification for Polysomnographers

It has come to the attention of the Board that some applicants have CPR cards that are not issued by The American Heart Association (AHA) or Red Cross. A valid CPR card must be issued by the AHA or Red Cross, pursuant to the Board's requirement for licensure. The board will allow him to submit his application for grandfathering as long as he submits a non-refundable application fee of \$100. This will place his application in a pending status until he is able to complete a CPR course from AHA or Red Cross.

2. Extension of the Deadline for Licensure under the Grandfathering Clause

The Board discussed the possibility of extending the deadline for submitting applications for licensure under the grandfather clause from February 10, 2011 to March 17, 2011 in order to give all potential applicants the full 6 months. A motion was made by Don Fahy and seconded by Mitchell Rubinstein that due to further production delays, the application forms by which those eligible for licensure under N.J.A.C. 13:44L-2.5 were to apply were not available until September 17, 2010 and in order to provide the full six month period for such application contemplated under the statute, the State Board of Polysomnography has further extended the deadline for filing an application under N.J.A.C. 13:44L-2.5 to March 17, 2011. Motion carried.

Regulatory Analyst Manning will submit a Public Notice for publication in the New Jersey Register announcing the extension.

VIII. ADJOURNMENT

A motion was made by Don J. Fahy and seconded by Mitchell L. Rubinstein to adjourn the public session and move into executive session for the purpose of reviewing and discussing confidential matters. Motion carried. The public session meeting adjourned at 2:30 P.M.