



New Jersey Office of the Attorney General

STATE BOARD OF POLYSOMNOGRAPHY HUDSON CONFERENCE ROOM, 6TH FLOOR

PUBLIC SESSION MINUTES

FEBRUARY 10, 2015

FINAL

The February 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 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 - Chair
Mitchell Rubinstein, RPSGT, RST- Vice Chair

EXCUSED: Dr. Gerald Ferencz
Dr. John Penek
Kathleen Feeney

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

Due to lack of quorum, the members met in Committee with all action subject to ratification by the full Board.

I. APPROVAL OF MINUTES

The Committee reviewed the Public Session Minutes for January 13, 2015. **On a motion by Mitchell Rubinstein, seconded by Sara Gallagher, the Committee recommended approval as submitted, subject to ratification. REAGENDIZED**

II. DISCIPLINARY ACTION

a. I/M/O ESTELLE MURPHY - The Consent Order filed on January 13, 2015 for Unlicensed Practice at the Sleep Disorder Center of Pulmonary Associates which is now part of Holy Name Hospital is being reported out in Public Session. Respondent was assessed a \$1000.00 penalty plus \$391.00 costs.

III. NEW BUSINESS/CORRESPONDENCE

a. The Committee reviewed a fax from **John Farraye, polysomnographic technologist**, inquiring as to whether a respiratory therapist can perform sleep studies without being licensed as a polysomnographic technologist.

The Committee determined that this question be referred to the Board of Respiratory Care.

IV. LEGISLATION/REGULATIONS/(FYI)

a. **Proposed Amendments: N.J.A.C. 13:44L-5.4 Unlicensed practice of polysomnography; exemptions - Elizabeth Greenblatt, Regulatory Analyst, Due to lack of a quorum the Committee reviewed the Proposed Amendments but could not approve them as a Committee. REAGENDIZED**

b. **Adopted New Rules: N.J.A.C. 13:44L-2.1A; 2.2A; 2.3A - Credit towards licensure for education, training and experience received while serving as a member of the Armed Forces. A quorum is required to vote on this adoption. REAGENDIZED**

The comment period was extended through January 4, 2015. The Board received no comments. Due to lack of a quorum a vote could not be taken on the adoption.

There being no other business to come before the Board in Public Session, on a motion by Mitchell Rubinstein, seconded by Sara Gallagher, the Public Session was adjourned and the Committee convened in Executive Session for the purpose of receiving counsel, to conduct one (1) investigative inquiry, to review four (4) items of old business, three (3) items of new business.

The Board reconvened in Public Session. The next scheduled meeting is March 10, 2015. There being no other business to come before the Committee, on a motion by Mitchell Rubinstein, the meeting was adjourned at 1:00 P.M.

Respectfully submitted,

State Board of

Polysomnography

Dorcas K.O'Neal
Executive Director