

**STATE BOARD OF POLYSOMNOGRAPHY**  
**124 HALSEY STREET, NEWARK, NJ**  
**MONMOUTH CONFERENCE ROOM, 7<sup>TH</sup> FLOOR**  
<http://www.njconsumeraffairs.gov/poly/>  
**APRIL 09, 2013**

**PUBLIC SESSION MINUTES**

**I. CALL TO ORDER**

This scheduled meeting was called to order at 10:25 a.m. in the Monmouth Conference Room, 7<sup>th</sup> Floor, 124 Halsey Street, Newark, NJ by the Chair, Penni L. Smith.

**II. ROLL CALL**

**Present:**

Penni L. Smith, Chair  
Mitchell L. Rubinstein, RPSGT  
Sara Rose Gallagher, RPSGT  
Kathleen A. Feeney, RPSGT  
John Penek, M.D.

**Absent:**

Gerald J. Ferencz, M.D.  
Don J. Fahy, RPSGT

**Also in Attendance:**

Susan Carboni, Deputy Attorney General  
Francine Widrich, Acting Executive Director  
Elizabeth Greenblatt, Regulatory Analyst  
Paul Ray, Deputy to the Special Asst. to the Director  
Tiesha Frederick, Administrative Staff

**III. REVIEW OF MINUTES**

A motion for the approval and affirmation of the December 11, 2012 and March 13, 2013 public session minutes was made by Sara Rose Gallagher and seconded by Kathleen Feeney. Motion carried.

**IV. ACTING EXECUTIVE DIRECTOR REPORT**

**1. Newly Licensed Polysomnographers**

A list of all newly licensed polysomnographers submitted for the Board to review.

Silva, Areden B	49FC00024800	Bhalodia, Sonal P	49FE00003500
Rodriguez, Caesar	49FE00003600	Soliman, Magda	49FW00033700
Granada, Raymond P	49FW00033800		

A motion was made by Sara Rose Gallagher and seconded by Kathleen Feeney to affirm the above listed applicants for licensure. Motion carried.

**2. Monthly Executive Report**

The monthly executive report was submitted for informational purposes to the Board.

**3. Division of Law Billing**

The Division of Law Billing Report for legal services provided to the Board was submitted for informational purposes.

**4. Nomination for Board Offices; Elect at next Board meeting**

A call for the nominations for Board Officers was tabled for the next scheduled meeting.

**V. NEW BUSINESS**

**1. Discussion on expired polysomnographic technicians licensed through grandfathering who do not meet the requirements to be licensed technologists and who do not meet the requirements to be licensed trainees. Five technicians who have not passed the licensing examination prior to the expiration of their technician licenses expiration have requested the Board to waive the education requirement (the A-Step Introductory Course) for licensure as a trainee.**

The Board members discussed the issue and determined not to grant a waiver for the education requirements for technicians who failed the licensing examination as they have not demonstrated an understanding of the fundamentals of polysomnography. In order for technicians to be granted trainee licenses, the board determined that all applicants must take the A-Step Introductory Course. Below is a list of those technicians seeking a waiver of the educational requirements for a trainee license:

**Asma Shariff  
Ernestine Boyd  
Kimberly Langford**

**Rinkle Anish  
Giovanni Sanchez**

## **2. HSI Presentation at 11:00 a.m.**

On November 28, 2012, the Board received a petition for rulemaking from Ralph M. Shenefelt, Vice President, Strategic Compliance, on behalf of the Health and Safety Institute (HSI), requesting that the Board amend its regulations set forth at N.J.A.C. 13:44L-2.2, 2.2, 2.3, 2.4, 2.5, 3.2, 3.3, 3.4 and 4.1 to permit a current certificate in Basic Life Support (BLS) issued by the American Safety and Health Institute (ASHI), an HSI affiliate, to satisfy the Board's requirements for current certification in BLS or CPR/AED training.

On April 9, 2013, Mr. Shenefelt addressed the Board in open public session via video conference to further explain the ASHI CPR PRO program and to answer the Board's questions. The Board raised questions relating to quality control of instructors, program content, including skills taught by the program and any hands-on component, and how ASHI keeps up with AHA protocol changes.

The Board determined at this meeting that the HSI program is substantially equivalent to the AHA and ARC training programs, and granted the petitioner's request for rulemaking. The Board notes that the Department of Health, which requires all of its approved programs to meet AHA guidelines, permits emergency medical technicians to complete the ASHI Professional Rescuer program as a prerequisite for entrance to the New Jersey EMT-Basic Certification Examination. The Board has further determined that any BLS or CPR/AED course certification acceptable to the Department of Health would also meet the Board's standards. Therefore, the Board proposes to amend N.J.A.C. 13:44L-2.1, 2.2, 2.3, 2.4, 2.5, 3.2, 3.3, 3.4 and 4.1 to permit an applicant seeking licensure, license renewal, or license reactivation to offer proof of current certification in Basic Life Support or Cardiopulmonary Resuscitation/Automated External Defibrillator (CPR/AED) to the level of the Professional Rescuer or Health Care Provider, issued by either the American Heart Association (AHA), the American Red Cross (ARC), or another entity determined by the State Department of Health to comply with AHA CPR Guidelines.

## **3. Christopher Gambaro's response received regarding question #5 on the renewal application.**

The Board directed the Acting Executive Director to send a letter to Mr. Gambaro requesting documentation of the disposition.

## **4. Inquiry from Sharon Laganella concerning the non-accreditation of her work facility and her licensure approval.**

The Board directed the Acting Executive Director to send a letter to Ms. Laganella and

her employer advising that the facility is not accredited to employ a polysomnographic trainee or technician. Under current Board rules only a polysomnographic technologist may be employed at the facility.

The Board advises Ms. Laganella that she must be employed in an accredited facility in order to maintain her license.

## **VI. OLD BUSINESS**

### **1. Discussion with Elizabeth Greenblatt, Regulatory Analyst, on the Notice of Adoption of the Ph. D. Proposal (N.J.A.C. 13:44L-2.3)**

A motion was made by Sara Rose Gallagher and seconded by Kathleen Feeney to adopt the Ph. D. Proposal (N.J.A.C. 13:44L-2.3). Motion carried.

## **VII. ADJOURNMENT**

A motion was made by Sara Rose Gallagher and seconded by Mitchell Rubinstein to close Public Session and go into Executive Session for the purpose of reviewing confidential matters. The Public Session ended at 12:30 p.m.