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Governor

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State Board of Polysomnography  
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## STATE BOARD OF POLYSOMNOGRAPHY MONMOUTH CONFERENCE ROOM, 7<sup>TH</sup> FLOOR

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### PUBLIC SESSION MINUTES

**JULY 8, 2014**

### FINAL

The July 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, Penni Smith, 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:** Penni Smith, RPSGT, RST, Chair  
Sara R. Gallagher, RPSGT, RST, Vice Chair  
Mitchell Rubinstein RPSGT, RST  
Dr. Gerald Ferencz

**EXCUSED:** Don Fahy, RPSGT, RST  
Dr. John Penek  
Kathleen A. Feeney, RPSGT, RST

**Also in attendance:** Dorcas K. O’Neal, Executive Director, Jodi Krugman, Deputy Attorney General and Kathleen Griffith, Staff.

#### I. APPROVAL OF MINUTES

a. The Board reviewed the June 10, 2014 Public Session Minutes. **On a motion by Mitchell Rubinstein, seconded by Sara Gallagher, the minutes were unanimously approved as redacted.**

#### II. OLD BUSINESS/REAGENDIZED (FYI)

a. The Board reviewed the Notice sent to Dentist regarding Sleep Apnea. **However, the Board has questions and need specific answers. The Board determined that when the frequently asked questions come before the Board for approval, at that time the questions will be addressed.**

**b. I/M/O JAMES BARDOS** - The Board reviewed an e-mail from **James Bardos** stating that he received the letter dated June 12, 2014, wherein his request for his license to be placed on inactive status retroactively has been denied. He requested that this be placed before the Board again. He believes that his request was denied solely because it is being made retroactively. He further stated that he had a serious medical issue to deal with when he was on Disability and he was not aware until months later that “Inactive Status” was an option.

The Board reaffirmed its decision, made at the June 10, 2014 meeting that the request for his license to be placed on inactive status retroactively is denied.

Mr. Bardos will be advised that on advice from Counsel, no license can be placed on inactive status retroactively.

### **III. NEW BUSINESS**

**a.** The Board reviewed an e-mail from **Hernando Cortes**, requesting a waiver of the **50 sleep studies** required for a trainee to obtain the polysomnographic technician license. Mr. Cortes was grandfathered August 3, 2011. His license expired August 3, 2013.

The Board determined that Mr. Cortes complete a polysomnographic technologist application, request a waiver of the experience equivalence (50 sleep studies) based on his work experience. Upon receipt of the relevant documents the Board will review the application.

#### **REAGENDIZED**

**b.** The Board reviewed an e-mail from **Laura Carhart** stating that she would like to apply for a provisional license for PSGT. Currently she does not have a job. She worked for two years and did her A-Step and has the hours and inquiring as to who should sign her license form. She further stated that she is scheduled to take the BRPT examination on August 11, 2014.

The Board determined that the prospective employer should complete and sign the trainee supervision form. Ms. Carhart must submit a completed application for a provisional license as a polysomnographic trainee and the required non-refundable application fee. **Ms. Carhart will be so advised.**

**c.** The Board reviewed an e-mail from **Robert Warrell**, inquiring as to whether the Registered Sleep Technologist (RST) credentialed by the American Board of Sleep Medicine (ABSM) satisfies the registry requirements for State PSG licensure.

The Board determined that Mr. Warrell may submit an application and request a waiver of the BRPT requirement as he has the Registered Sleep Technologist (RST) credential from the American Board of Sleep Medicine (ABSM). **Mr. Warrell will be so advised.**

**d.** The Board reviewed an e-mail from **Lore Schaffner**, stating that she has a staff member who is RPSGT and is licensed as a respiratory therapist in the State of New Jersey and has been working in sleep medicine in another state for many years. She is inquiring as to

whether she is allowed to work in sleep medicine in New Jersey under her Respiratory Care license or does she have to obtain a polysomnography license.

The Board determined that Ms. Schaffner be advised that a respiratory care therapist cannot hold himself/herself out as a polysomnographer with a respiratory therapy license. This matter will be forwarded to the Board of Respiratory Care for review.

e. The Board reviewed an e-mail from **Ravi Persaud** stating that he is licensed in the State of New York as a Polysomnographic Technician listed as the APT license and have been in sleep since September 2001 as a night technician; is a chief technician/lab manager; he completed the A-Step program; has a degree in respiratory; he does not have his RPSGT, CRT or RRT and inquiring what he needs to be licensed in the State of New Jersey if the above does not meet the State of New Jersey requirements.

The Board determined that Mr. Persaud apply for a provisional license as a polysomnographic trainee. **Mr. Persaud will be so advised.**

f. **I/M/O ERIC NELSON** - Mr. Nelson submitted a Polysomnographic Technologist application. He is licensed as an Out-of-State polysomnographic technologist.

He submitted A certification and Authorization Form For A Criminal Background Check; a signed Studies For Technologist Form in the amount of 720 Sleep Studies;a current CPR card; a certificate from Board of Registered Polysomnographic Technologist(BRPT); a certificate from The American Board of Sleep Medicine (ABSM); a certificate from Sleep Health Centers that Mr. Nelson graduated from the A-Step-Introductory Course and ten (10) continuing education credits.

The Board reviewed the application for Mr. Nelson and determined that Mr. Nelson should contact the American Academy of Sleep Medicine (AASM) to send certification that he successfully completed the A-Step Introductory Course on-line Final Exam, and the A-Step Self-Study Modules. Further, he must have certification that he passed the BRPT examination. Upon receipt of all the requested documents, the application will be reviewed by the Board for approval.

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

a. **Division of Consumer Affairs, State Board of Polysomnography. Application for a Temporary License as a Polysomnographic Trainee; Application for a Temporary License as a Polysomnographic Technician; Application for License as a**

**Polysomnographic Technologist; Application for Licensure by Out-of-State Licensed Polysomnographic Technologist; Licensure for Those who Passed BPRT Examination or Practiced Prior to May 17, 2010; Renewal of Polysomnographic Technologist License; Renewal of Polysomnographic Technician License; Inactive Status for Provisional and Temporary Licensee; Continuing Education.**

**Adopted Amendments: N.J.A.C. 13:44L-2, 3..2, 3.3, 3.4 and 4.1**

**Adopted January 14, 2014**

**Effective Date June 16, 2014**

State Board of Polysomnography  
Public Session Minutes  
July 8, 2014-p.3.

The Committee reviewed the Adopted Regulations, **as informational.**

**Polysomnographic Technologist; Application for Licensure by Out-of-State Licensed Polysomnographic Technologist; Licensure for Those who Passed BPRT Examination or Practiced Prior to May 17, 2010; Renewal of Polysomnographic Technologist License; Renewal of Polysomnographic Technician License; Inactive Status for Provisional and Temporary Licensee; Continuing Education.**

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**Adopted January 14, 2014  
Effective Date June 16, 2014**

The Committee reviewed the Adopted Regulations, **as informational.**

There being no other business to come before the Board in Public Session. On a motion by Sara Gallagher, seconded by Mitchell Rubinstein, the Public Session was adjourned and the Board convened in Executive Session for the purpose of receiving counsel, to conduct one (1) investigative inquiry, one (1) item of old business, two (2) items of new business.

The next scheduled meeting is August 12, 2014. There being no other business to come before the Board, on a motion by Sara Gallagher, seconded by Dr. Gerard Ferencz, the meeting was adjourned at 2:30 P.M.

Respectfully submitted,  
State Board of Polysomnography

Dorcas K. O'Neal  
Executive Director

