

**STATE BOARD OF POLYSOMNOGRAPH
124 HALSEY STREET, NEWARK, NJ
MONMOUTH CONFERENCE ROOM, 7TH FLOOR
JULY 10, 2012**

PUBLIC SESSION MINUTES

I. CALL TO ORDER

This scheduled meeting was called to order at 10:25 a.m. in the Monmouth Conference Room, 7th Floor, 124 Halsey Street, Newark, NJ by the Chair, Michael J. Lahey.

II. ROLL CALL

Present:

Michael J. Lahey, RPSGT, Chair
Mitchell L. Rubinstein, RPSGT, Vice Chair
Penni L. Smith, RPSGT
Sara Rose Gallagher, RPSGT
Kathleen A. Feeney, RPSGT
John Penek, M.D.
Gerald J. Ferencz, M.D.

Absent:

Don J. Fahy, RPSGT, Secretary

Also in Attendance:

Susan Carboni, Deputy Attorney General
Francine Widrich, Acting Executive Director
Burt Liebman, Director of Legislative & Regulatory Affairs
Elizabeth Greenblatt, Regulatory Analyst
Tiesha Frederick, Administrative Staff
Ksenia Lebedeva, Intern

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 mail to the Lieutenant Governor, The Newark Star Ledger, The Trenton Times, The Bergen Record and The Courier Post.

III. REVIEW OF MINUTES

A motion was made by Penni Smith and seconded by Mitchell L. Rubinstein to approve the May 08, 2012 Public Minutes as presented. Motion carried.

IV. ACTING EXECUTIVE DIRECTOR REPORT

1. Newly Licensed Polysomnographers

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

Ricardo R. Miller	49FC00023400	Habid C. Montoya	49FC00023500
James P. Bardos	49FC00023600	Dina M. Ghubrial	49FE00001000
Kamran H. Choundry	49FE00001100	Terri A. Lansing	49FE00001200
Samer Gerges	49FW00030700	Jennifer McLaughlin	49FW00030800
Aurelio A. Henriques	49FW00030900	Samuel Prieto-Reyes	49FW00031000
Cover J. Bryan	49FW00031100	Patricia M. Bramble	49FW00031200
Patrice Forchione	49FW00031300	Tara L. Toth	49FW00031400

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

2. Division of Law Billing / Monthly Report

The monthly report contained a list of the expired licensee's and the expired notification letter was submitted to the board for review.

The division of law billing and monthly report were submitted for informational purposes.

V. OLD BUSINESS

1. Discussion to determine if CPSGT Exam can play a role in current licensing structure.

The Board reviewed amended regulations that included the CPSGT Exam to be recognized as an alternate pathway to be a Polysomnographic technician and found the CPSGT Exam to be an equivalent pathway to become a Polysomnographic technician.

The Board is recognizing the CPSGT Exam, RPSGT Exam and the RST Exam as an alternate pathway to become a licensed Polysomnographic technician in the State of New Jersey.

A motion was made by Penni Smith and seconded by Mitchell Rubinstein to approve the regulations for amendment with the above changes. Motion carried.

2. Discussion of Technologist role in the use of mandibular advancement devices in the sleep center.

This matter was tabled to next scheduled meeting.

3. Regulatory Analyst Elizabeth Greenblatt with revised and new proposed regulations.

Ms. Greenblatt revised regulations for the Qualified Medical Director (QMD) which concerns Technologist working for facilities outside the sleep center, i.e. DME companies. The Board discussed various issues about the accountable of which party concerning patient safety, as well as Medicare's requirement that the person is a licensed healthcare professional.

Ms. Greenblatt will revise the regulations with QMD to add prescribing physician.

The Board decided to view the regulations of other licensed healthcare professionals in New Jersey who work with DME companies at the next scheduled meeting.

VI. NEW BUSINESS

1. Addressing Unlicensed Practice of Polysomnography.

The Board will enforce the unlicensed practice of Polysomnography. The Board will verify the employment of the individual reported. If the board finds that there is a violation of the unlicensed practice of Polysomnography a letter will be sent to the individual stating that there is proof that the individual is practicing in Polysomnography without a Polysomnographic license in the State of New Jersey. The Board will ask the individual to cease and desist from practicing Polysomnography until they are licensed with the State of New Jersey and the individual will also be advised that civil penalties may occur.

2. Correspondence from Lynnda M. Kane (RST Credentialing).

Ms. Kane sent a letter to the Board asking for recognition of her RST credentials to become licensed as a Polysomnographic Technologist.

The Board has already recognized the RST as being equivalent to the RPSGT to apply for licensure as a Polysomnographic Technologist. The Board's regulations are being amended to include the RST Exam as a pathway for licensure.

A motion was made by Sara Rose Gallagher and Dr. Ferencz to approve for Lynnda M. Kane to apply for a Polysomnographic Technologist license with her RST credentials with a waiver request. Motion carried.

3. Home Sleep Testing.

The Board feels that companies need to be informed of Polysomnography's regulations on home sleep testing to ensure that they are not in violation of any New Jersey laws and keeping patient safety first.

The Chair, Mike Lahey, will draft a letter for the Board to review concerning this matter and it will be presented at the September Board meeting for review and approval.

VII. ADJOURNMENT

A motion was made by Penni Smith and seconded by Sara Rose Gallagher to close Public Session and go into Executive Session for the purpose of reviewing confidential matters. Motion carried. The Public Session ended at 1:30 p.m.