

**STATE BOARD OF POLYSOMNOGRAPHY
124 HALSEY STREET, NEWARK NJ 07101
SOMERSET CONFERENCE ROOM, 6TH FLOOR
10:00 A.M. JULY 14, 2009**

PUBLIC SESSION MEETING MINUTES

I. CALL TO ORDER

This scheduled meeting was called to order at 10:30 a.m. in the Somerset Conference Room, 6th floor, 124 Halsey Street, Newark, New Jersey by the Chair, Kathleen Feeney.

II. ROLL CALL

Present:

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

Absent

Frances J. Almanzar, Esq.

Also attending:

J. Michael Walker, Executive Director
Darlene Lapola, Deputy Attorney General
Charles Manning, Regulatory Analyst
Lucy Chalet, Administrative Staff

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 the Secretary of State, The Newark Star Ledger, The Trenton Times, The Bergen Record and The Courier Post.

III. REVIEW OF MINUTES

Minutes from September 9, 2008 public session were read. Upon motion by Mr. Don Fahy, seconded by Mr. Michael Lahey, the minutes were approved as read.

IV. EXECUTIVE DIRECTOR'S REPORT

Election of officers:

- A- The Chair recognized Executive Director Walker for the purpose of conducting the election of officers for a one year term beginning in September. Michael Lahey was nominated by Kathleen Feeney for Chair, Dr. Ferencz seconded the nomination. Mr. Lahey was elected by acclamation.
- B- Nomination for Mr. Lahey nominated Mitchell Rubinstein for the position of Vice-Chair. Mr. Fahey seconded the nomination. Mr. Rubinstein was elected by acclamation.

Dr. Walker returned control of the meeting to the Chair, Ms. Feeney.

V. CORRESPONDENCE

- 1- Division of Law Billing- for the first and third quarters of fiscal year 2009 from Darlene Kane, Budget Officer, was accepted as informational.
- 2- Budget report for the final half of budget year 2008 from Darlene Kane, Budget Officer, was accepted as informational.
- 3- Budget report for the first half of budget year 2009 from Darlene Kane, Budget Officer, was accepted as informational.
- 4- AAST Legislative update and Regulatory Activity in different states from Board member Mr. Don Fahy, was accepted as informational.
- 5- Copy of a thank you letter to Maryland Governor, Martin O'Malley, for signing senate bill 433, was accepted as informational.
- 6- Report for the State Board of Polysomnography for Legislative Affairs for the fourth quarter of 2008 (October 1, 2008-December 31, 2008), was accepted as informational.

Public Session Minutes
July 14, 2009
Page 3

- 7- Report for the State Board of Polysomnography for Legislative Affairs for the first quarter of 2009 (January 1, 2009- March 31, 2009), was accepted as informational.
- 8- Sleep Report from Alabama School of Sleep Medicine and Technology, was accepted as informational

VI. REGULATORY PROCESS

Regulatory Analyst Charles Manning led the discussion concerning comments received concerning the proposed regulations.

(Minutes on comments to be supplied by Mr. Manning.)

VII. MEETING DATES FOR 2009

- 8/11/2009 - Somerset Conference Room, 6th FL
- 9/8/2009 - Somerset Conference Room, 6th FL
- 10/13/2009 - Somerset Conference Room, 6th FL
- 11/10/2009 - Somerset Conference Room, 6th FL
- 12/8/2009 - Somerset Conference Room, 6th FL

VII. PUBLIC COMMENTS

VIII. ADJOURNMENT

Upon motion by Ms. Smith, seconded by Mr. Fahy the Board unanimously voted to adjourn the meeting at 1:30 p.m.

APPROVED:

Kathleen A. Feeney, RPSGT, (Chair)

Date