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New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Polysomnography
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State Board of Polysomnography
Public Session Minutes
October 8, 2013

A regular meeting of the New Jersey State Board of Polysomnography was held at 124 Halsey Street, Newark, NJ on the seventh floor, on Tuesday, October 8, 2013. The meeting was convened in accordance with the schedule filed with the Secretary of State and was conducted in accordance with provisions of the Open Public Meetings Act, Chapter 321, P.L. 1975 more commonly referred to as the Sunshine Law. Adequate notice of the meeting was provided to the Office of the Secretary of State, the Newark Star Ledger, the Bergen Record, the Courier Post and the Trenton Times. The meeting was called to order at 10:30 a.m. A roll call was taken and the following attendance of Board members was recorded for these minutes:

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

Also in attendance were: Francine Widrich, Acting Executive Director of the State Board of Polysomnography, Deputy Attorney General Susan Carboni, Elizabeth Greenblatt, Regulatory Analyst, and administrative staff Tiesha Frederick and Lyann Hope.

ANNOUNCEMENT OF QUORUM

I. APPROVAL OF PUBLIC SESSION MINUTES OF SEPTEMBER 10, 2013.

A motion was made by Sara Rose Gallagher and seconded by Mitchell Rubinstein to approve the Public Session Minutes of September 10, 2013 with corrections. The motion was passed unanimously.

II. ACTING EXECUTIVE DIRECTOR'S REPORT

1. NEWLY LICENSED LIST POLYSOMNOGRAPHERS

Andrew Grace	49FC00025600	William J. Hamilton	49FC00025700
Mercedes Luna	49FC00025800	Joanecia Brun	49FE00004900
Erica L. Knuckles	49FE00005000	Cassandra Schmidt	49FW00038400
Mark Spizewski	49FW00038500	Patricia Gaciofano	49FW00038600

A motion was made by Don J. Fahy and seconded by Mitchell L. Rubinstein to affirm the list of newly licensed polysomnographers. The motion was passed unanimously.

2. MONTHLY EXECUTIVE REPORT

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

III. NEW BUSINESS

1. The Board reviewed the polysomnographic technologist licensure requirements for the State of California.

A motion was made by Don J. Fahy and seconded by Sara Rose Gallagher that the licensure requirements of California do not meet the licensure requirements of New Jersey and that California licensed technologists are not eligible to apply for licensure by endorsement in New Jersey. The motion was passed unanimously.

2. The Board reviewed the polysomnographic technologist licensure requirements for the State of Washington D.C.

A motion was made by Sara Rose Gallagher and seconded by Don J. Fahy that the licensure requirements of Washington D.C. do not meet the licensure requirements of New Jersey and that Washington D.C. licensed technologists are not eligible to apply for licensure by endorsement in New Jersey. The motion was passed unanimously.

IV. OLD BUSINESS

1. Rulemaking to implement PL. 2013, c.49, which requires that professional and occupational boards designated in section 2 of P.L. 1978, c.73 (C.45:1-15) that issue a professional or occupational license, certificate of registration, or certificate for which professional training, education, or experience is required, give credit towards its requirements for licensure or certification for whatever portion of the training, education, and experience received while serving as a member of the Armed Forces of the United States is substantially equivalent to the training, education or experience required for licensure or certification.

The regulatory analyst discussed with the Board the rulemaking requirements and explained that the Board must determine whether a military applicant's training, experience and education is substantially equivalent to the Board's requirements by reviewing the applicant's military transcript of courses evaluated by the American Council on Education and the applicant's Verification of Military Experience and

Training (VMET) Document, DD Form 2586.

The regulatory analyst will be drafting a proposal to comply with the statutory requirement. This matter will be further discussed once regulations have been drafted for proposal.

2. The Board was informed that the proposed rule for alternative providers of Basic Life Support Certification has been approved by the Governor's office and will be published in the New Jersey Register on October 21, 2013.

3. The Board continued the discussion on alternative educational pathways for polysomnographic technologists who do not hold technicians' licenses. The Board would like to amend the current regulations to include as an alternative pathway for non-technician applicants, completion of the A-Step Introductory Course and A-Step Self Study Modules, where the applicant can also meet all other requirements for licensure.

The regulatory analyst will re-draft proposed regulations for an alternate pathway for the Board to review. This matter will be further discussed once regulations have been re-drafted for proposal.

4. The Board discussed the concept of "under the direction of" as it pertains to role of the Qualified Medical Director in the technologists' scope of practice.

The Deputy Attorney General for the Board will do further research pertaining to the amended regulations for scope 44L-5.1. This matter will be tabled until the research has been completed.

V. ADJOURNMENT

A motion was made by Mitchell L. Rubinstein and seconded by Sara Rose Gallagher to adjourn public session at 12:30 p.m. and move into executive session to discuss confidential matters.

A motion was made by Kathleen A. Feeney and seconded by Mitchell Rubinstein to adjourn public session meeting at 12:40 p.m. Motion carried unanimously.

Respectfully Submitted,

Francine Widrich
Acting Executive Director