

**STATE BOARD OF POLYSOMNOGRAPHY  
124 HALSEY STREET, NEWARK, NJ  
MONMOUTH CONFERENCE ROOM, 7<sup>th</sup> FLOOR  
OCTOBER 11, 2011**

**PUBLIC SESSION MINUTES**

**I. CALL TO ORDER**

This scheduled meeting was called to order at 10:30 a.m. in the Monmouth Conference Room, 7<sup>th</sup> Floor, 124 Halsey Street, Newark, NJ by the Chair, Michael Lahey.

**II. ROLL CALL**

*Present:*

Michael J. Lahey, RPSGT, Chair  
Mitchell L. Rubinstein, RPSGT, Vice Chair  
Don J. Fahy, RPSGT  
Sara Rose Gallagher, RPSGT  
Penni L. Smith, RPSGT  
John Penek, MD

*Absent:*

Kathleen A. Feeney, RPSGT  
Gerald J. Ferencz, M.D.

*Also in Attendance:*

Susan Carboni, Deputy Attorney General  
Francine Widrich, Acting Executive Director  
Charles Manning, Regulatory Analyst  
Tiesha Frederick, Administrative Staff  
Christopher Goscimski, 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 mailing to the Office of Secretary of State, **The Newark Star Ledger, The Trenton Times, The Bergen Record and The Courier Post.**

### **III REVIEW OF MINUTES**

A motion was made by Penni L. Smith and seconded by Sara Rose Gallagher to approve the September 13, 2011 Public Minutes as presented. Motion carried.

### **IV. ACTING EXECUTIVE DIRECTOR REPORT**

#### **1. Newly Licensed Polysomnographers**

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

Anthony Monderine	49FC00018300	Sharon DiSanto	49FC00018400
Tricia Samodio	49FC00018500	Jennifer Dean	49FC00018600
Zaniyah Greene	49FC00018700	Bhavesh Engineer	49FC00018800
Inez Harden	49FC00018900	Shawn T. Miller	49FC00019000
Bethsaida Lozano	49FC00019100	James Monticello	49FC00019200
Cortney L. Koenig	49FC00019300	Stephanie Robinson	49FC00019400
Mathew Thomas	49FC00019500		
Marzenna Karcz	49FE00000100	Susan J. Bondrowski	49FE00000200
Melissa E. Manieri	49FW00026900	Philip J. Maffertone	49FW00027000
Claire Dehart	49FW00027100	Kevin J. Costello	49FW00027200
Michael Jose	49FW00027300	Lauren K. Parachini	49FW00027400
Tatiana Majjul	49FW00027500	Ramon Concepcion	49FW00027600
Michelle Cichon	49FW00027700	Mary G. Luge	49FW00027800
Hassan Farag-Hebela	49FW00027900	Jorge M. Costa	49FW00028000

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

#### **2. Executive Director Monthly Report**

The Monthly Report was submitted for informational purposes.

#### **3. Consent Order**

Based on the criminal history background check, Mr. Engineer had been convicted of assault and grand larceny. Mr. Engineer did not admit to being convicted of these crimes on his application. The board's decision was to grant licensure by Consent Order, imposing a monetary penalty of \$250 for misrepresentation.

## **V. NEW BUSINESS**

### **1. Renewal of Technician's Application.**

The Board reviewed the technician's renewal application. This renewal application must be processed manually because not all technician licenses expire on the same date and because the license can be renewed once. Once per month the Division will send out renewal notices to those technicians whose licenses are to expire in the next 60 days. The licensee will send to the Board via US mail the completed renewal application, a copy of a valid CPR card and other required documents.

### **2. Medicare**

The Board reviewed the CMS Manual System of the IDTF regulations. This is for national use. At this time, Medicare does not recognize polysomnography technicians as a licensed health care profession even though licensure is required in New Jersey. This means that Medicare will not reimburse for services provided by licensed polysomnographic technician. Medicare only recognizes technologists that are board certified by the BRPT.

The Board will have the acting executive director reach out to Medicare.

### **3. Registered Sleep Technologists (RST)**

The Board is aware that the RST provides credential via online exam module but has not evaluated the exam to determine if it is equivalent to the BRPT which is used by New Jersey for licensure. At this time the Board does not have enough information to make a decision of equivalency.

The Board will reach out to the RST group to meet with a representative to show a demonstration of the exam and explain their regulations. The goal date will be for the January monthly meeting.

Don Fahy left the meeting at 11:30 a.m.

Dr. John Penek left the meeting at 11:30 a.m.

As of 11:30 a.m. the Board is a sub-committee with the Chair, Mike Lahey, who has decisional authority for any motions when there is not a quorum.

#### **4. PH Probe (Scope of Practice)**

The Board reviewed the statutes and the statutes does not exclude PH probe. PH probes are modalities which **does** fall into polysomnography's scope of practice.

The Board also contends the polysomnographer should have training in the use of PH probe even though it is within scope of practice.

#### **5. Licensure by Reciprocity (Louisiana)**

This matter was tabled until the Board receives further clarification of Louisiana laws. The New Jersey State Board will reach out to Louisiana State Board and ask for their current regulations and a description for licensure on Polysomnography.

#### **6. Review of Frequently Asked Questions on Website**

The Board will review the online FAQ's and send the changes to the Polysomnography staff with corrections. The acting Executive Director will make the appropriate changes based on the regulations and will have for the Board to review when ready.

#### **7. Home Sleep Studies**

Dr. Penek expressed concerns about home sleep studies and maybe the home care company should be notified of the state regulations. The Chair, Mike Lahey will draft a letter to The State Board of Medical Examiners to ensure that physicians running home sleep studies are following regulations.

### **VI. REGULATIONS**

The Board requested that the Regulatory Analyst appear at the next board meeting to discuss possible amendments to the regulations.

### **VII. ADJOURNMENT**

A motion was made by Penni L. Smith and seconded by Mitchell Rubinstein to adjourn the public session and move into executive session for the purpose of reviewing and discussing confidential matters. Motion carried. The public session meeting adjourned at 12:15 P.M.