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**PUBLIC NOTICES**

**LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF POLYSOMNOGRAPHY**

**N.J.A.C. 13:44L-2.1, 2.2, 2.3, 2.4, 2.5, 3.2, 3.3, 3.4, and 4.1**

**Notice of Final Action on Petition for Rulemaking**

**Certification in Basic Life Support**

Petitioner: Ralph M. Shenefelt, Vice President, Strategic Compliance on behalf of the Health and Safety Institute.

**Take notice** that on November 28, 2012, the State Board of Polysomnography (the Board) received a petition for rulemaking from Ralph M. Shenefelt, Vice President, Strategic Compliance, on behalf of the Health and Safety Institute (HSI), requesting that the Board amend its rules set forth at N.J.A.C. 13:44L-2.1, 2.2, 2.3, 2.4, 2.5, 3.2, 3.3, 3.4, and 4.1 to permit a current certificate in Basic Life Support (BLS) issued by the American Safety and Health Institute (ASHI), an HSI affiliate, to satisfy the Board's requirements for current certification in BLS or Cardiopulmonary Resuscitation/Automated External Defibrillator (CPR/AED) training.

**Take further notice** that the Board considered the petition for rulemaking during the open public session of its December 11, 2012 meeting, at which time the Board determined that further review and analysis of the issues raised by the petitioner were warranted in order to determine whether the requested amendments to N.J.A.C. 13:44L-2.1, 2.2, 2.3, 2.4, 2.5, 3.2, 3.3, 3.4, and 4.1 are necessary and reasonable. The Board requested that the petitioner appear before the Board to provide additional information and to answer the Board's questions regarding the petition. A notice acknowledging receipt of the petition and the Board's determination to refer the action for further review and analysis of the issues raised by Mr. Shenefelt was published in the New Jersey Register on January 7, 2013 at 45 N.J.R. 73(b).

**Take further notice** that On February 22, 2013, the Board requested, and the petitioner granted, an extension of time for the Board to consider the petition. A notice of action on petition for rulemaking reflecting this extension was published on April 1, 2013 at 45 N.J.R. 767(a).

**Take further notice** that on April 9, 2013, Mr. Shenefelt addressed the Board in open public session via video conference to speak about the ASHI CPR PRO program and to answer the Board's questions. Mr. Shenefelt represented that the ASHI program has been accredited by the Continuing Education Coordinating Board for Emergency Medical Services, the national accrediting body to Emergency Medical Services continuing education courses and course providers. He also stated that the ASHI program has been approved by the State Department of Health and by the American Academy of Sleep Medicine. The Board raised questions relating to quality control of instructors, program content (skill areas covered and hands-on component), and how ASHI keeps up with AHA protocol changes.

**Take further notice that** on April 9, 2013, the Board determined that the ASHI CPR PRO for the Professional Rescuer program is substantially equivalent to the AHA and ARC training programs. The Board was satisfied that the program requires successful completion of a written examination and evaluation of hands-on skill to verify provider skill competency. The Board was also satisfied that ASHI has quality control procedures in place to maintain the integrity of the program and to maintain compliance with AHA current Guidelines. The Board has decided to grant the petitioner's request for rulemaking by amending its rules to recognize certification from any BLS or CPR/AED program that has been approved by the Department of Health. The Department of Health rule (N.J.A.C. 8:40A-1.3) relating to emergency medical technician training and certification recognizes only those certifications from CPR programs that comply with American Heart Association CPR Guidelines. Because the petitioner represents that ASHI has Department of Health approval for its CPR PRO for the Professional Rescuer program, this program would also be acceptable to the Board under the proposed amended rules.

A copy of this notice has been mailed to the petitioner consistent with the requirements of N.J.A.C. 1:30-4.2.