



## BILL SUMMARY

# Licensing Sleep Techs HF 2358

Status of Bill: First House Passage  
 Committee: State Government (passed 22-1)  
 Lead Democrats: Rep. Vicki Lensing  
 Floor Manager: Rep. Jake Highfill  
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### Background

The bill comes from the Iowa Sleep Society. They would like to be licensed. The official title is licensing of polysomnographic technologists. Polysomnography is the study of sleep and sleep disorders. The Iowa Sleep Society says sleep technology is a separate and distinct multidisciplinary allied health care occupation, embracing a unique body of knowledge and skills. Sleep technologists, technicians, and trainees are the technical group specially trained to perform polysomnography evaluations used for the diagnosis and treatment of sleep disorders.

The Iowa Society for Respiratory Care opposes the bill. Licensed respiratory care practitioners want to be exempt from this licensure. They believe that requiring a licensed respiratory care practitioner to obtain a dual licensure to practice polysomnography creates an unnecessary burden for professionals who are well qualified and already practicing in this area. They believe the bill will create costly and unnecessary additional education and testing barriers for respiratory care practitioners, limiting access to important sleep-related services for patients.

Here is the response from the Iowa Sleep Society on avenues for respiratory therapists to transition to sleep medicine:

Time	Avenue	Options
As of Jan. 1, 2016	Grandfathering	<ul style="list-style-type: none"> <li>• Logged 500 hours of polysomnographic work within 3 years prior to submission of application</li> <li>• Verification from their supervising physician they are competent to perform polysomnography</li> <li>• No exam</li> <li>• No required formal degree education</li> <li>• A second license is not required</li> </ul>
After Jan.1, 2016	Clinical Experience	<ul style="list-style-type: none"> <li>• Have the CRT or RRT credentials and they may provide sleep-related services under the direct supervision of a licensed polysomnographic technologist for up to 6 months while gaining clinical experience necessary before taking the exam</li> <li>• Technologist exam required (Either NBRC's RT-SDS = \$300, BRPT's PRGST = \$450, or ABSM's RST = \$250)</li> <li>• A second license not required</li> </ul>
	Education Pathway	<ul style="list-style-type: none"> <li>• Graduate from a COARC accredited RT program with a polysomnography add-on and passing a sleep exam (NBRC's SDS = \$300, BRPT's RPSGT = \$450, ABSM's RST = \$250)</li> <li>• A second license is not required</li> </ul>

Other lobbyists registered in opposition to the bill include the Iowa Hospital Association, Iowa Osteopathic Medical Association, and the Iowa Medical Group Management Association.

## Bill Summary

The bill requires the licensing of polysomnographic technologists beginning January 1, 2016, and makes the provisions of Code chapters 147 (General Provisions, Health-Related Professions) and 272C (Regulation of Licensed Professions and Occupations), including penalty and other regulatory provisions, which are applicable to other health professions applicable to the practice of polysomnography.

**Penalty.** Code section 147.86 provides that it is a serious misdemeanor to violate a provision of the licensing laws. A serious misdemeanor is punishable by confinement for no more than one year and a fine of at least \$315 but not more than \$1,875.

**Board of Respiratory Care and Polysomnography.** The licensing program is administered and regulated by the five-member Board of Respiratory Care and Polysomnography, with one respiratory care practitioner being replaced by a polysomnographic technologist. The make-up is one licensed physician with training in respiratory care, two respiratory care practitioners, one polysomnographic technologist, and one non-licensed person representing the general public.

**Licensing Requirements.** A licensed polysomnographic technologist practices under the general supervision of a physician, a physician assistant, or an advanced registered nurse practitioner, providing specifically enumerated services related to sleep disorders. A polysomnographic student enrolled in an approved educational program provides services under the direct supervision of a polysomnographic technologist. The bill sets out educational standards and testing requirements, and provides for disciplinary actions.

**Location of Services.** The practice of polysomnography can only take place in a facility that is accredited by a nationally recognized sleep medicine laboratory or center accrediting agency, in a hospital licensed under chapter 135B, or in a patient's home pursuant to rules adopted by the board; provided, however, that the scoring of data and the education of patients may take place in another setting.

**Persons Exempt from Licensing Requirements.** The following persons may provide sleep-related services without being licensed as a polysomnographic technologist:

- A qualified health care practitioner may provide sleep-related services under the direct supervision of a licensed polysomnographic technologist for a period of up to six months while gaining the clinical experience necessary to meet the admission requirements for a polysomnographic credentialing examination. The board may grant a one-time extension of up to six months.
- A polysomnographic student may provide sleep-related services under the direct supervision of a polysomnographic technologist as a part of the student's educational program while actively enrolled in a polysomnographic educational program that is accredited by the commission on accreditation of allied health education programs or an equivalent program as determined by the board.
- Before providing any sleep-related services, a polysomnographic technician or polysomnographic student who is obtaining clinical experience must give notice to the board that the person is working under the direct supervision of a polysomnographic technologist in order to gain the experience to be eligible to sit for a national certification examination. The person shall wear a badge that appropriately identifies the person while providing such services.

**Initial Appointment of Polysomnographic Technologist to Board.** For the initial appointment of the polysomnographic member to the Board of Respiratory Care and Polysomnography, the appointee must be eligible for licensure pursuant to this bill. The appointment will be effective upon the first expiration of the term of an existing respiratory care board member.

**Effective Date.** Effective January 1, 2015, a person cannot engage in the practice of polysomnography unless the person has obtained a license from the board.

**Implementation Period.** A person who is working in the field of sleep medicine on January 1, 2016, who is not eligible to obtain the registered polysomnographic credential has until January 1, 2017, to achieve a passing score on the registered polysomnographic technologist examination for licensure only. The individual will be allowed to attempt the examination and be awarded a license as a polysomnographic technologist by meeting or exceeding the passing point established by the board of respiratory care and polysomnography. After January 1, 2017, only persons licensed as polysomnographic technologists or exempt from this bill may perform sleep-related services.

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