


North Carolina Medical Board Registry of Polysomnographic Technologists

The Law and Its Implications

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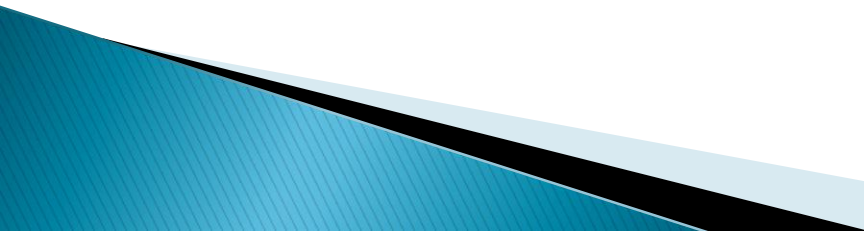
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 - ▶ The speaker does not have any conflicts of interest to report regarding the contents of this lecture.
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Why?

- ▶ The NC General Assembly enacted NCGS 90-677, the Polysomnography Practice Act, on October 1, 2009. The statute requires the NC Medical Board to establish a registry of sleep techs. The Polysomnography Practice Act makes it unlawful, beginning January 1, 2012, for any unregistered sleep tech to practice polysomnography, represent themselves as someone credentialed to practice polysomnography or use the title “Registered Polysomnographic Technologist.”

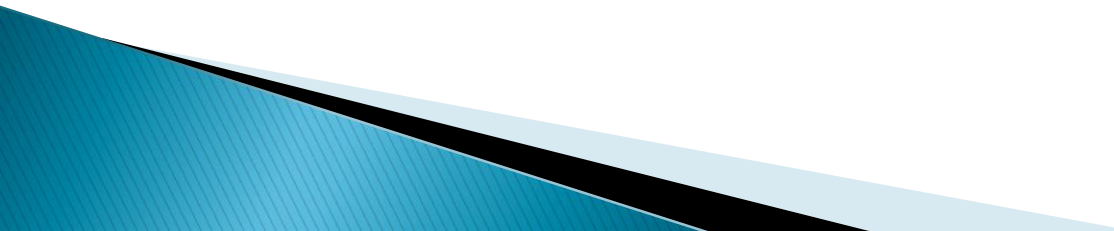
Alphabet Soup (The Players)

- ▶ BRPT (Board of Registered Polysomnographic Technicians; credentials RPSGT)
 - ▶ NCMB (North Carolina Medical Board)
 - ▶ ABSM (American Board of Sleep Medicine: the original sleep medicine MD organization; credentials RST for Sleep Technology Registry Examination)
 - ▶ ABMS (American Board of Medical Specialties provides board certification for all of the major medical specialties and is the successor certifying organization to the ABSM for purposes of certifying sleep specialty physicians)
 - ▶ RCP (Registered Care Practitioner; NC Respiratory Care Board)
 - ▶ AASM (American Academy of Sleep Medicine; accredits sleep centers and laboratories)
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What if a sleep tech fails to register?

- ▶ Under the new law, it shall be a Class 1 misdemeanor to practice polysomnography without registering with the Medical Board. Failure to register could result in criminal prosecution or a court injunction barring the unregistered sleep tech from practicing.

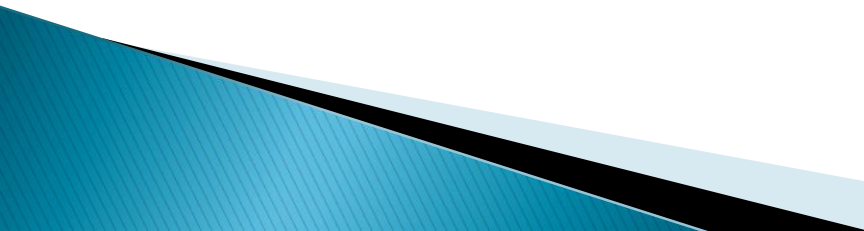
Will the Medical Board process complaints and investigate?

- ▶ No. The Medical Board is directed by statute only to maintain the registry. Complaints and investigations of violations of the Polysomnography Practice Act shall be directed to and conducted by the national Board of Registered Polysomnographic Technologists (BRPT).
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Are there any exemptions to the registration requirement?

- ▶ Yes. Persons who are registered, certified, credentialed, or licensed to engage in a profession other than polysomnography or any person working under the supervision of a person who is registered, certified, credentialed, or licensed to engage in another profession are not required to register with the Board if 1) The person is performing work incidental to or within the scope of practice of that profession or occupation and 2) The person does not represent him- or herself as a registered polysomnographic technologist.

Are there any exemptions to the registration requirement?

- ▶ In addition the following individuals are not required to register:
 - ▶ 1) individuals employed by the US government;
 - ▶ 2) persons performing research that monitors physiological parameters during sleep or wakefulness for purposes unrelated to the practice of clinical medicine;
 - ▶ 3) licensed physicians, PAs, FNPs, RPSGT-supervised polysomnography students in a program
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When will the Medical Board be ready to accept registration information?

- ▶ The Board expects to have its online registration system ready to accept information by 9/15/11 (\$50 fee; online registration only; although email, mail, faxed information may be required)

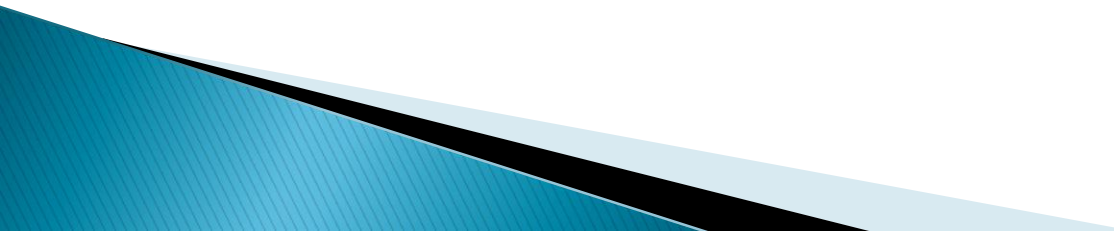
How often must sleep techs register with the Medical Board?

- ▶ Annually, on or before Sept 1 after the first year.

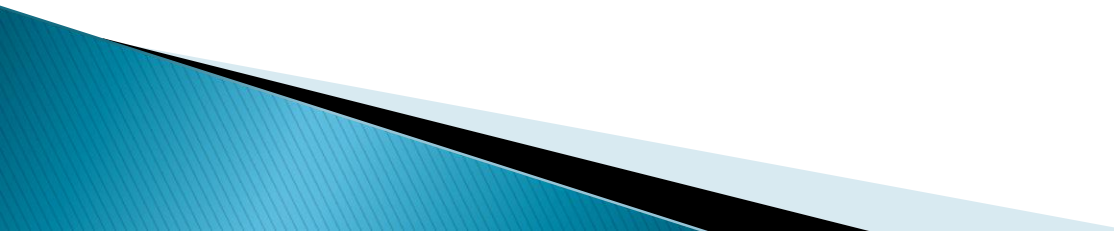
What information must be submitted to the Medical Board?

Full legal name; complete address; current telephone number; evidence of current credentials in good standing by the BRPT

What is evidence of credentials?

- ▶ The Medical Board will accept a copy of the sleep tech's BRPT certificate. Registrants can email, mail, or fax a copy of the certificate to the Medical Board upon completion of the online registration.
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Members of Work Group

- ▶ The work group consisted of Thomas Hill, MD (representing the Board) Bradley Vaughan, MD (Chapel Hill), and RPSGTs Karen Monarchy Rowe (New Bern) and William Underwood (Chapel Hill)
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Responsibilities of Physicians under the Polysomnography Practice Act

- ▶ The physician shall be immediately available, either in person or by telephone or electronic means, at the time polysomnography services are rendered.

The physician shall establish a written scope of practice not to exceed that permitted by the North Carolina Polysomnography Practice Act. Protocols shall be in place for each RPSGT under the physician's supervision. Protocols shall be written, updated and reviewed at least annually. Scope of practice documents and protocols shall be available at each testing site and shall be immediately available for inspection by an agent of the Board.

The physician shall require the RPSGT to update the RPSGT's current and complete address and contact information, including home and all practice locations, with the supervising physician within thirty days of any changes.

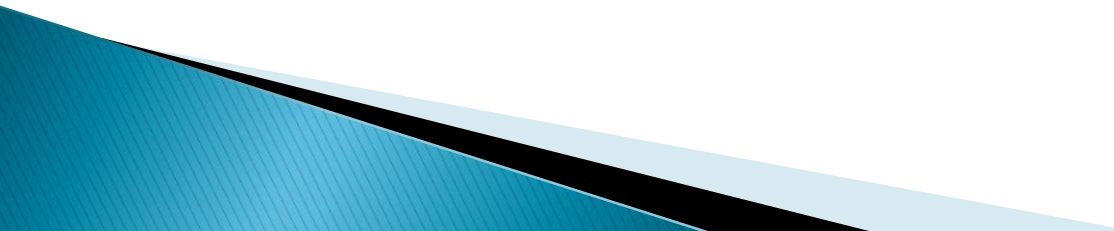
The physician shall ensure that the RPSGT makes the supervising physician's contact information available to all patients seen by the RPSGT and informs patients that they are encouraged to call the supervising physician with any concerns regarding the RPSGT's performance.

The physician shall have current knowledge of the proper operation and calibration of equipment used by the supervised RPSGT.

It is further recommended that the supervising physician attend continuing medical education in the area of sleep medicine.

The Medical Board will develop more detailed procedures for RPSGTs who must register under the Act closer to the January 2012 implementation deadline.

Challenges

- ▶ Challenges related to the licensure of sleep technologists have been mounted in several states. Efforts undertaken, in part by the AASM, have been successful in protecting scope of practice definitions for sleep technology and introducing favorable legislation and regulations. A requirement of the enacted legislation and regulations is certification of sleep technologists, often by firm deadlines.
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New Wrinkles

- ▶ The ABSM has established a NEW credential for sleep techs (Registered Sleep Technologist, or RST). If you are an RPSGT, the cost for registration is \$25 and proof of 50 hours CEU credit. If you are not registered, the new exam is \$250. Lower cost structure may be attractive to sleep technologists in regards to initiation and maintenance of accreditation.
- ▶ The NCMB has not commented yet regarding whether this credential is sufficient to satisfy its requirements.

ABSM Certification Examination

- ▶ First examination November 2011
- ▶ The ABSM decided to offer a third pathway (RST, in addition to RPSGT and the CPSGT examination) for certification in sleep technology “after ongoing, careful consideration of the current and future needs of the profession.”
- ▶ Pass rate is a area of contention between BRPT and ABSM
- ▶ Current holders of RPSGT credential will be grandfathered into the new credential if they choose

The Certified Polysomnographic Technician (CPSGT)

- ▶ is an entry-level certification earned by individuals new to the sleep field. It is time-limited; certificate holders must earn the RPSGT credential within three years or lose the CPSGT designation.

The Board of Registered Polysomnographic Technologists (BRPT) sets the credentialing standards for the CPSGT certificate and develops, maintains and administers the CPSGT examination for polysomnographic technicians.

CPSGT

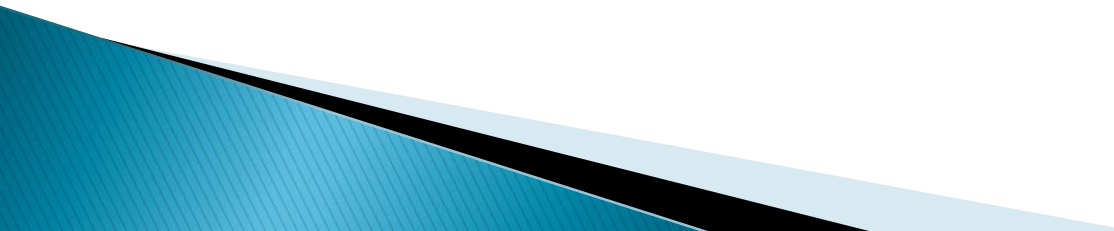
- ▶ The CPSGT certificate program reflects a commitment to competency-based testing early in a sleep professional's career, and requires an early and on-going commitment to continuing education, both cornerstones in enhancing the level of professionalism in the sleep field.

To become certified as a CPSGT, a technician must have necessary clinical experience, hold BLS/CPR certification or its equivalent, adhere to the BRPT Standards of Conduct and pass the CPSGT exam.

History of RCP and Sleep

- ▶ The NC Respiratory Care Board met on October 6, 2005 and approved a ruling that exempted non-credentialed polysomnographic technicians and trainees from licensure. The ruling requires the trainees to work under:
 - ▶ the “direct” supervision of a RPSGT or licensed RCP and
 - ▶ the technicians to work under the “general” supervision of a RPSGT or licensed RCP.
- ▶ In addition, each trainee and technician was given a deadline (36 months) to complete the competency standards for sleep testing and to take the RPSGT exam.

History of RTs and Sleep

- ▶ Sleep Disorders Specialty Examination of the National Board of Respiratory Care (NBRC), with support of the AARC, ACCP, ASA, ATS (CRT-SDS, RRT-SDS)
 - ▶ CRT-SDS and RRT-SDS credentials are still not a credential recognized by the State of North Carolina.
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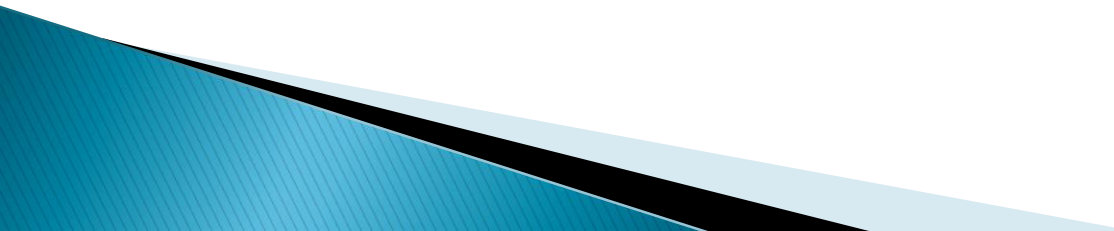
Quiz

- ▶ You are working as a non-registered technician in a laboratory in South Carolina and wish to attend a sleep continuing education conference in Greensboro in January. You should:
 - ▶ A) find a meeting in Charleston
 - ▶ B) get credentialed by BRPT
 - ▶ C) see if they have a meeting in December
 - ▶ D) have lunch your consigliere before attending

Quiz

- ▶ The A-STEP program:
- ▶ A) is an entry-level program through which persons may attain privilege to sit for the RPSGT examination
- ▶ B) is required by AASM for non-registered technicians in order for sleep centers to become reaccredited
- ▶ C) is not recognized by the State of North Carolina as being necessary or sufficient to practice as a polysomnographic technologist

Quiz

- ▶ You are working in a federal military hospital in North Carolina as an unregistered sleep technician. Come January 1, you must:
 - ▶ A) have found another job
 - ▶ B) be studying for your exam of choice
 - ▶ C) register for the A-STEP program
 - ▶ D) relax and eat your greens and black-eyed peas and go back to work after New Year's
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Quiz

- ▶ You are an unregistered technician who performs sleep studies for a North Carolina university research laboratory, including industrially-sponsored studies. Medical center patients are studied in your laboratory, but your job does not involve them. You should:
 - ▶ A) start moonlighting in the clinical laboratory
 - ▶ B) quit your job immediately
 - ▶ C) come to work