

ACT No. 304

2017 Regular Session

HOUSE BILL NO. 404

BY REPRESENTATIVES HENSGENS AND BARRAS

1 AN ACT

2 To amend and reenact R.S. 37:2865(A)(3) and 2869(A)(3) and (B) and to repeal R.S.
3 37:2862(4), relative to the practice of polysomnography; to authorize individuals
4 enrolled in an approved education program to practice polysomnography; to repeal
5 certain educational requirements for licensure; to repeal outdated definitions; to
6 require rulemaking by the Louisiana State Board of Medical Examiners; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 37:2865(A)(3) and 2869(A)(3) and (B) are hereby amended and
10 reenacted to read as follows:

11 §2865. Technologist; qualifications for license; renewal; reciprocity; title

12 A. In order to obtain a polysomnographic technologist license, an
13 applicant shall demonstrate all of the following to the Louisiana State Board
14 of Medical Examiners:

15 * * *

16 (3) ~~After July 1, 2017, the following requirements shall also be met:~~

17 (a) ~~The applicant has graduated from a CAAHEP accredited~~
18 ~~program.~~

19 (b) The applicant has passed an examination that is administered as
20 a component of a certification program that is accredited by the National
21 Commission for Certifying Agencies, the American National Standards

1 Institute, or other national accrediting organizations approved by the
2 Louisiana State Board of Medical Examiners.

3 * * *

4 §2869. Individuals and practices not affected

5 A. Nothing in this Chapter shall be construed as prohibiting, preventing, or
6 restricting the practice, services, or activities of:

7 * * *

8 (3)(a) Any individual pursuing a course of study in a ~~CAAHEP~~-accredited
9 polysomnographic technology education program ~~from~~ approved by the Louisiana
10 State Board of Medical Examiners.

11 (b) This Paragraph shall only apply to an individual performing a
12 polysomnography procedure or service, ~~provided~~ if both of the following conditions
13 are met:

14 ~~(a)~~ (i) The polysomnographic procedure or service is within the individual's
15 course of study.

16 ~~(b)~~ (ii) The ~~polysomnography~~ polysomnographic procedure or service is
17 performed under the direct supervision of a physician or a polysomnographic
18 technologist licensed by the Louisiana State Board of Medical Examiners.

19 B.(1) The provisions of this Chapter shall not apply to licensed respiratory
20 therapists.

21 (2) Nothing in this Chapter shall be construed as prohibiting,
22 preventing, or restricting the practice, services, or activities of any individual
23 pursuing a course of study in a program accredited by the Commission on
24 Accreditation for Respiratory Care if both of the following conditions are
25 met:

26 (a) The polysomnographic procedure or service is within the individual's
27 course of study.

28 (b) The polysomnographic procedure or service is performed under the direct
29 supervision of a physician or a polysomnographic technologist licensed by the
30 Louisiana State Board of Medical Examiners.

1 Section 2. R.S. 37:2862(4) is hereby repealed in its entirety.

2 Section 3. The Louisiana State Board of Medical Examiners shall promulgate, in
3 accordance with the Administrative Procedure Act, all administrative rules and amendments
4 necessary to bring its policies and procedures into conformance with the provisions of this
5 Act.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____