2017 Regular Session

HOUSE BILL NO. 404

BY REPRESENTATIVES HENSGENS AND BARRAS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEALTH CARE: Amends the Polysomnographic Practice Act

1	AN ACT
2	To amend and reenact R.S. 37:2869(A)(3) and to repeal R.S. 37:2865(A)(3), relative to the
3	practice of polysomnography; to authorize individuals enrolled in a certified
4	education program to practice polysomnography; to require rulemaking by the
5	Louisiana State Board of Medical Examiners; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. $37:2869(A)(3)$ is hereby amended and reenacted to read as follows:
8	§2869. Individuals and practices not affected
9	A. Nothing in this Chapter shall be construed as prohibiting, preventing, or
10	restricting the practice, services, or activities of:
11	* * *
12	(3)(a) Any individual pursuing a course of study in a CAAHEP accredited
13	polysomnographic technology education program from one of the following:
14	(i) A program accredited by the Commission on Accreditation of Allied
15	Health Education Programs.
16	(ii) A sleep technologist program accredited by the American Board of Sleep
17	Medicine.
18	(iii) A sleep technologist program accredited by the American Academy of
19	Sleep Medicine.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(iv) A sleep technologist program approved by the Board of Registered
2	Polysomnographic Technologists.
3	(b) This Paragraph shall only apply to an individual performing a
4	polysomnography procedure or service , provided if both of the following conditions
5	are met:
6	(a) (i) The polysomnographic procedure or service is within the individual's
7	course of study.
8	(b) (ii) The polysomnography procedure or service is performed under the
9	direct supervision of a physician or a polysomnographic technologist licensed by the
10	Louisiana State Board of Medical Examiners.
11	* * *
12	Section 2. R.S. 37:2865(A)(3) is hereby repealed in its entirety.
13	Section 3. The Louisiana State Board of Medical Examiners shall promulgate, in
14	accordance with the Administrative Procedure Act, all administrative rules and amendments
15	necessary to bring its policies and procedures into conformance with the provisions of this
16	Act.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 404 Engrossed	2017 Regular Session	Hensgens
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Abstract: Authorizes individuals enrolled in certain education programs to practice polysomnography.

<u>Present law</u> prohibits an individual from engaging or attempting to engage in the practice of polysomnography or performing or attempting to perform polysomnograms, unless the individual is licensed by the La. State Bd. of Medical Examiners (LSBME).

<u>Present law</u> provides an exception for an individual enrolled in a program accredited by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) if both of the following conditions are met:

- (1) The polysomnographic procedure or service is within the individual's course of study.
- (2) The polysomnography procedure or service is performed under the direct supervision of a physician or a polysomnographic technologist licensed by the LSBME.

<u>Proposed law</u> retains <u>present law</u> but expands the exception to programs accredited by the American Board of Sleep Medicine or the American Academy of Sleep Medicine or approved by the Board of Registered Polysomnographic Technologists.

<u>Present law</u> requires an applicant for a polysomnographic technologist license after July 1, 2017, to demonstrate that the applicant has graduated from a CAAHEP accredited program and has passed an examination that is administered as a component of a certification program that is accredited by a national accrediting organization approved by the LSBME.

Proposed law repeals present law.

Requires the LSBME to promulgate all administrative rules and amendments necessary to bring its policies and procedures into conformance with the provisions of <u>proposed law</u>.

(Amends R.S. 37:2869(A)(3); Repeals R.S. 37:2865(A)(3))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Health and Welfare</u> to the <u>original</u> bill:

- 1. Restore present law provisions relative to polysomnographic technicians.
- 2. Expand the exception to the license requirement for individuals enrolled in certain education programs.
- 3. Delete the deadline for a notice of intent to be published.
- 4. Make technical changes.