

New York State Sleep Medicine Professionals:

The New York State Education Department, at the behest of the New York State Board of Respiratory Therapy (SBRT) is considering an interpretation of the respiratory therapy statute that will severely and negatively impact the practice of sleep medicine in New York State and put your practice of Sleep Medicine in jeopardy. No determination has been finalized, but under strong consideration is an interpretation that would place Polysomnographic Technology under the scope of practice of Respiratory Therapy.

Specifically, the Education Department is considering prohibiting non-hospital based sleep centers from performing polysomnography testing unless performed by a licensed Respiratory Therapist. In addition, hospital-based sleep centers would be prohibited from doing CPAP or Bi-PAP titrations or administering oxygen unless performed by a licensed Respiratory Therapist. The result of this action is the elimination of the profession of Polysomnographic Technology in New York State. If these interpretations were formally rendered, the State Education Department could initiate proceedings against Polysomnographic Technologists for practicing Respiratory Therapy without a license and could even refer offenders to the Attorney General for criminal prosecution.

The American Academy of Sleep Medicine has approved and is currently taking action, in conjunction with the New York State Society of Sleep Medicine (NYSSSM), on several initiatives to delay the enforcement and reverse the ruling.

The Academy is:

- ☉ Soliciting the support and participation of the Medical Society of the State of New York, the Association of Polysomnographic Technologists, and the American Sleep Apnea Association
- ☉ Preparing a letter of agreement with the American Thoracic Society and the American College of Chest Physicians
- ☉ Notifying the SBRT that the AASM is now involved and vehemently opposes the decision
- ☉ Engaging the major publications and media outlets informing them about the dangers of sleep apnea and the SBRT's plan to limit access to care and quality of care
- ☉ Should it become necessary, the AASM is prepared to seek legal redress through the New York State Attorney General's office
- ☉ The AASM is also prepared, if necessary, to seek the introduction of new legislation that will protect the Polysomnographic Technologists and the Sleep Medicine professions.

In order to secure the continued safe, informed, and quality practice of Sleep Medicine, we need to make available all the resources possible in achieving our desired outcome.

Your involvement in this issue is much needed and anticipated. I urge you to contact the AASM Government Relations department at (708) 492-0930 or mwhite@aasmnet.org and let us know how you would like to be involved and personal resources you can provide. With your support,

we will be able to mount an effective advocacy program that will generate a successful outcome for the field and for your patients.

Sincerely,

Michael J. Sateia, MD
President, AASM

Neil B. Kavey, MD
President, NYSSSM

Daniel Rifkin, MD
President Elect, NYSSSM