

# HOUSE BILL 1082

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8lr2419

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By: **Delegate Benson**

Introduced and read first time: February 7, 2008

Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2008

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Polysomnographic Technologists – Education and Licensing Requirements –**  
3 **~~Waiver~~**

4 FOR the purpose of requiring the State Board of Physicians to waive certain education  
5 requirements for certain polysomnographic technologists who ~~have practiced~~  
6 ~~polysomnography in another state and~~ meet certain requirements by a certain  
7 date; altering the date by which an individual must be licensed before the  
8 individual may practice polysomnography in the State; and generally relating to  
9 ~~the waiver of~~ education and licensing requirements for polysomnographic  
10 technologists.

11 BY repealing and reenacting, without amendments,  
12 Article – Health Occupations  
13 Section 14–5C–01(b)  
14 Annotated Code of Maryland  
15 (2005 Replacement Volume and 2007 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Health Occupations  
18 Section 14–5C–08 and 14–5C–10  
19 Annotated Code of Maryland  
20 (2005 Replacement Volume and 2007 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That the Laws of Maryland read as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Health Occupations**

2 14–5C–01.

3 (b) “Board” means the State Board of Physicians.

4 14–5C–08.5 (a) Except as otherwise provided in this subtitle, on or after [October 1,  
6 2009] **OCTOBER 1, 2012**, an individual shall be licensed by the Board before the  
7 individual may practice polysomnography in this State.8 (b) This section does not apply to a student enrolled in an education program  
9 under § 14–5C–09(c)(3) of this subtitle while practicing polysomnography in that  
10 program.

11 14–5C–10.

12 (a) The Board shall waive the education requirement under § 14–5C–09(c)(3)  
13 of this subtitle if on or before ~~September 30, 2009~~ **SEPTEMBER 30, 2012**, an  
14 individual:15 (1) Has passed the national certifying examination by the Board of  
16 Registered Polysomnographic Technologists;17 (2) Is certified by the Board of Registered Polysomnographic  
18 Technologists as a registered polysomnographic technologist;

19 (3) Has submitted an application for licensure to the Board; and

20 (4) Meets all of the requirements under § 14–5C–09(b) and (c)(1) and  
21 (2) of this subtitle.22 ~~(b) IF AN INDIVIDUAL HAS PRACTICED POLYSOMNOGRAPHY IN~~  
23 ~~ANOTHER STATE, THE BOARD SHALL WAIVE THE EDUCATION REQUIREMENT~~  
24 ~~UNDER § 14 5C 09(C)(3) OF THIS SUBTITLE IF ON OR BEFORE SEPTEMBER 30,~~  
25 ~~2014, THE INDIVIDUAL:~~26 ~~(1) HAS PASSED THE NATIONAL CERTIFYING EXAMINATION BY~~  
27 ~~THE BOARD OF REGISTERED POLYSOMNOGRAPHIC TECHNOLOGISTS;~~28 ~~(2) IS CERTIFIED BY THE BOARD OF REGISTERED~~  
29 ~~POLYSOMNOGRAPHIC TECHNOLOGISTS AS A REGISTERED POLYSOMNOGRAPHIC~~  
30 ~~TECHNOLOGIST;~~

1           ~~(3) HAS SUBMITTED AN APPLICATION FOR LICENSURE TO THE~~  
2 ~~BOARD; AND~~

3           ~~(4) MEETS ALL OF THE REQUIREMENTS UNDER § 14-5C-09(B)~~  
4 ~~AND (C)(1) AND (2) OF THIS SUBTITLE.~~

5           ~~[(b)] (c)~~ (1) If an individual has not satisfied the requirements under  
6 subsection (a) of this section on or before ~~September 30, 2009~~ **SEPTEMBER 30, 2012,**  
7 ~~OR THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION ON OR BEFORE~~  
8 ~~SEPTEMBER 30, 2014,~~ the individual may petition the Board for an extension.

9           (2) The Board shall determine whether to grant an extension under  
10 this subsection on a case-by-case basis.

11           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2008.

Approved:

\_\_\_\_\_ Governor.

\_\_\_\_\_ Speaker of the House of Delegates.

\_\_\_\_\_ President of the Senate.