



Issue Response

OREGON HEALTH LICENSING AGENCY

Respiratory Therapy & Polysomnography

February 13, 2013

Between May of 2012 and October of 2012, the Oregon Health Licensing Agency (Agency) received multiple questions regarding durable medical equipment.

Issue #1

Must a person have a polysomnographic technologist's license to help select and fit sleep masks for patients?

Answer #1

Yes, unless the person is exempt from licensure under ORS 688.805 or a respiratory care practitioner licensed under ORS 688.

Issue #2

Must a person have a polysomnographic technologist's license to set pressures and flows on sleep apnea machines?

Answer #2

Yes, unless the person is exempt from licensure under ORS 688.805 or a respiratory care practitioner licensed under ORS 688. A sleep apnea machine is a Continuous Positive Airway Pressure (CPAP), Auto CPAP, standard Bi-Level Positive Airway Pressure (BiPAP_ or specialty BiPAP devices).

Issue #3

Must a person have a polysomnographic technologist's license to set-up and educate patients about the use of durable medical equipment to treat sleep disorders, like sleep masks and sleep apnea machines?

Answer #3

Yes, unless the person is exempt from licensure under ORS 688.805 or a respiratory care practitioner licensed under ORS 688.

Issue #4

Who is exempt under ORS 688.805?

Answer #4

ORS 688.805 allows the practice of respiratory care or polysomnography without a license if:

- A person is licensed by another state agency and the respiratory care or polysomnography is within the scope of the license;
- A person in the military services or working in federal facilities when functioning in the course of assigned duties;
- It is self-care by a patient, or gratuitous care by a friend or family member who does not claim to be respiratory care practitioner;
- It is respiratory care services rendered in the course of an emergency;
- The practice of respiratory care is by a student enrolled in a respiratory care education program approved by the American Medical Association in collaboration with the Joint Review Committee for Respiratory Therapy Education or their successors or equivalent organizations, as approved by the Respiratory Therapist and Polysomnographic Technologist Licensing Board; or
- The practice of polysomnography is by a student who is (A) Enrolled in an education program for polysomnography approved by the Board; and (B) In the physical presence of a supervisory approved by the board.

Additional Information

A licensed respiratory therapist does not need to be licensed as a polysomnographic technologist in order to provide polysomnography services.

Important Note: The Agency does not provide personal legal advice to licensees or members of the public. The responses above are specific to only those questions asked. Even slight changes in the scope or content of the question may change the applicability of these responses in a different situation. Please consult your own attorney for legal advice regarding Oregon laws and administrative rules.