



Respiratory Therapist and Polysomnographic Technologist Licensing Board

**OREGON ADMINISTRATIVE RULES
(UNOFFICIAL COPY)
CHAPTER 331, DIVISION 705 – 740
PERMANENT RULES EFFECTIVE
MARCH 15, 2019**



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Division 705

GENERAL ADMINISTRATION

331-705-0050

Definitions

The following definitions apply to OAR 331-705-0000 through 331-720-0020:

- (1) "Affidavit of Licensure" means an original document or other approved means of verifying an authorization to practice (certification, licensure or registration) status and history, including information disclosing all unresolved or outstanding penalties and/or disciplinary actions. Refer to OAR 331-030-0040.
- (2) "Agency" means the Oregon Health Licensing Agency.
- (3) "AASM" means the American Academy of Sleep Medicine.
- (4) "A-STEP" means the Accredited Sleep Technology Education Program.
- (5) "BRPT" means Board of Registered Polysomnographic Technologists.
- (6) "CAAHEP" means Commission on Accreditation of Allied Health Education Programs.
- (7) "CoARC" means Commission on Accreditation for Respiratory Care.
- (8) "NBRC" means the National Board for Respiratory Care.
- (9) "Official transcript" means an original document authorized by the appropriate office in the Oregon Department of Education and certified by a college or university indicating applicant identity information, hours and types of course work, examinations and scores that the student has completed. Original documents must be submitted directly to the Agency from the college or university by United States Postal Service mail or other recognized mail service providers in a sealed envelope;
- (10) "RPSGT" means Registered Polysomnographic Technologists.
- (11) "RRT" means Registered Respiratory Therapist.
- (12) "Qualified Medical Director for Polysomnography" has the definition set forth in ORS Chapter 688.800.

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(13) “Qualified Medical Director for Respiratory Care” has the definition set forth in ORS Chapter 688.800.

Statutory/Other Authority: ORS 676.605, 676.615, & 688.830

Statutes/Other Implemented: 688.830, ORS 676.605 & 676.615

History:

[HLO 5-2017, amend filed 12/13/2017, effective 01/01/2018](#)

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

HLA 7-2010, f. & cert. ef. 11-1-10

HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04

HDLP 2-1998, f. & cert. ef. 6-15-98

HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98

331-705-0080

Licensure Exemption for Supervisors and Polysomnography Students

(1) Students actively enrolled in the following education programs are exempt from polysomnographic technologist licensure pursuant to ORS 688.805(2)(b)(A):

(a) Associate’s degree program in polysomnography, polysomnographic technology, or sleep technology from an accredited community college, college, or university; or

(b) Polysomnography course of study from a CAAHEP accredited institution;

(2) In accordance with ORS 688.805(2)(b)(B) to be exempt from licensure students in subsection (1) of this rule must be supervised by one of the following:

(a) A licensed polysomnographic technician;

(b) A qualified medical director for polysomnography;

(c) Respiratory therapist who holds a Sleep Disorder Specialty credential through the NBRC; or

(d) Respiratory therapist who holds a RSPGT credential through the BRPT.

(3) Direct supervision, for the purpose of this rule, is supervision of a student in polysomnography by an approved supervisor who is physically present with the student while the student is working. The supervisor must exercise direction and control over the student’s work. An approved supervisor supervising a student may not supervise more than one student per shift.

Statutory/Other Authority: ORS 676.606, 676.607, 676.611, 676.615 & 688.830

Statutes/Other Implemented: ORS 688.800 & 688.805

History:

HLA 7-2013, f. 5-16-13, cert. ef. 6-1-13

HLA 5-2013(Temp), f. 3-12-13, cert. ef. 4-1-13 thru 9-28-13

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

Division 710

APPLICATION FOR LICENSURE

331-710-0000

Training

Training, or formal education, required for licensure is a planned sequence of instruction of specific content, pursuant to ORS 688.815(1)(c), structured to meet stated curriculum objectives which includes evaluation of attainment of those objectives, and offered by a post-secondary educational institution accredited by the Committee On Accreditation For Respiratory Care, or its successors, or recognized by the National Board for Respiratory Care.

Statutory/Other Authority: ORS 676.605, 676.615, 688.815 & 688.830

Statutes/Other Implemented: ORS 676.605, 676.615, 688.815 & 688.830

History:

HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04

HDLP 2-1998, f. & cert. ef. 6-15-98

HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98

331-710-0005

Respiratory Therapist License

(1) A respiratory therapist license holder, licensed under ORS 688.815, may perform respiratory care services and polysomnography services defined under ORS 688.800.

(2) A respiratory therapist license is good for one year and becomes inactive on the last day of the month one year from the date of issuance.

Statutory/Other Authority: ORS 676.605, 676.615, 688.815 & 688.830

Statutes/Other Implemented: ORS 676.605, 676.615, 688.815 & 688.830

History:

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

331-710-0010

Application Requirements for a Respiratory Therapist License

An individual applying for licensure to practice respiratory care must:

(1) Meet the requirements of OAR 331 division 30.

(2) Submit a completed application form prescribed by the Agency, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application and license fees.

(3) Pass fingerprint-based national criminal background check pursuant to OAR 331-030-0004;

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http://sos.oregon.gov/archives/Pages/oregon_administrative_rules.aspx or call (503) 373-0701

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- (4) Be at least 18 years of age and provide official documentation confirming date of birth, such as a copy of the birth certificate, driver's license, passport or military/government identification;
- (5) Submit proof of having a high school diploma or equivalent; and
- (6) Submit satisfactory evidence of having an active credential as an RRT through the NBRC. Proof of having an active RRT credential must be submitted directly to the Office by the NBRC;
- (7) Submit proof of having passed the Respiratory Therapy Oregon Laws and Administrative rules examination within two years before the date of application.
- (8) An individual licensed prior to January 1, 2018 who obtained licensure with a Certified Respiratory Therapist (CRT) credential through the NBRC is not required to obtain the RRT credential.

NOTE: The applicant is responsible for payment of fees assessed by the organization when obtaining required official documentation.

Statutory/Other Authority: ORS 676.605, 676.615, 688.815, 688.830 & 676.612

Statutes/Other Implemented: ORS 676.605, 676.615, 688.815, 688.830 & 676.612

History:

[HLO 5-2017, amend filed 12/13/2017, effective 01/01/2018](#)

HLA 14-2012, f. 9-12-12, cert. ef. 9-14-12

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

HLA 7-2010, f. & cert. ef. 11-1-10

HLO 1-2005, f. 2-28-05 cert. ef. 3-1-05

HLO 10-2004(Temp), f. & cert. ef. 11-8-04 thru 3-31-05

HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04

HDLP 2-1998, f. & cert. ef. 6-15-98

HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98

331-710-0015

Temporary Respiratory Therapist Licensure

- (1) A respiratory therapist temporary license authorizes a holder to practice respiratory care under supervision and pending passage of the qualifying examination.
- (2) For the purpose of this rule supervision means the required presence of a licensed respiratory therapist or qualified Medical Director for respiratory care within the work location at the same time as the respiratory therapist temporary license holder.
- (3) A respiratory therapist temporary license holder must notify the Agency within 10 calendar days of changes in employment status or supervisor.
- (4) A respiratory therapy temporary license is valid for six months and may not be renewed.

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Statutory/Other Authority: ORS 676.605, 676.615, 688.815 & 688.830

Statutes/Other Implemented: ORS 676.605, 676.615, 688.815 & 688.830

History:

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

331-710-0020

Application Requirements for a Temporary Respiratory Therapist License

To qualify for a respiratory therapist temporary license for the applicant must:

- (1) Meet the requirements of OAR 331 division 30;
- (2) Submit a completed application form prescribed by the Agency, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application and license fees;
- (3) Pass fingerprint-based national criminal background check pursuant to OAR 331-030-0004;
- (4) Be at least 18 years of age, and provide official documentation confirming the applicant's date of birth, such as a copy of the birth certificate, driver's license, or passport;
- (5) Submit a statement, signed by the Registrar or a Dean of a college or university and sent directly to the Agency from that college or university, verifying the applicant has completed all work necessary to obtain a degree in respiratory care; and
- (6) Provide information identifying supervisor pursuant to OAR 331-710-0015.

Statutory/Other Authority: ORS 676.605, 676.615, 688.815, 688.830 & 676.612

Statutes/Other Implemented: ORS 676.605, 676.615, 688.815, 688.830 & 676.612

History:

[HLO 5-2017, amend filed 12/13/2017, effective 01/01/2018](#)

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

HLA 7-2010, f. & cert. ef. 11-1-10

HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04

HDLP 2-1998, f. & cert. ef. 6-15-98

HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98

331-710-0045

Polysomnographic Technologist License

- (1) A polysomnographic technologist, licensed under ORS 688.815, may perform polysomnography services defined under ORS 688.800.
- (2) A polysomnographic technologist license is good for one year and becomes inactive on the last day of the month one year from the date of issuance.

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Statutory/Other Authority: ORS 676.605, 676.615, 688.815 & 688.830

Statutes/Other Implemented: ORS 676.605, 676.615, 688.815 & 688.830

History:

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

331-710-0050

Application Requirements for Polysomnographic Technologist License

- (1) An individual applying for licensure to practice polysomnography must:
- (a) Meet the requirements of OAR chapter 331 division 30;
 - (b) Submit a completed application form prescribed by the Agency, containing the information listed in OAR 331-030-0000 and accompanied by payment of the required fees;
 - (c) Pass fingerprint-based national criminal background check pursuant to OAR 331-030-0004;
 - (d) Be at least 18 years of age, and must provide documentation, confirming date of birth, such as a copy of the birth certificate, driver's license or passport;
 - (e) Submit proof of having a high school diploma or equivalent;
 - (f) Submit all required fees; and
- (2) Submit documentation of qualification through one of the following pathways:
- (a) License Pathway One Academic Degree: An applicant under pathway one must:
 - (A) Submit official transcripts defined under OAR 331-705-0050 showing successful completion of an Associate's degree in polysomnography, polysomnographic technology, or sleep technology from an accredited community college, college or university, or successful completion of a polysomnography course of study from a CAAHEP accredited institution. In addition to an official transcript defined under 331-705-0050 an applicant who has obtained education through a CAAHEP accredited institution must submit a statement, signed by the Registrar or a Dean of a college or university and sent directly to the Agency from that college or university, verifying the applicant has successfully completed a polysomnography course of study;
 - (B) Submit satisfactory evidence of passage a Board approved examination listed under OAR 331-712-0010(1) within two years before the date of application. Examination results must be submitted to the Agency directly from the examination provider; examination results or other documentation provided directly by the applicant are not acceptable; and
 - (C) Submit satisfactory evidence of having passed the Board approved examination listed under OAR 331-712-0010(3) within two years before the date of application.

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(b) License Pathway Two Polysomnographic Technologist Temporary Licensee: An applicant under pathway two must applying for permanent licensure must:

(A) Submit documentation showing completion of 18 months of training and work experience pursuant to OAR 331-710-0110, obtained under polysomnographic technologist temporary-DS licensure (See 331-710-0060) and temporary-IS licensure (See 331-710-0080), including verification by an approved supervisor pursuant to 331-710-0100, and certification of successful completion and satisfactory performance of such experience by a qualified medical director for polysomnography, all on forms provided by the Agency;

(B) Submit satisfactory evidence of passage of a Board approved examination listed under OAR 331-712-0010(1) or (2) within two years before the date of application. Examination results must be submitted to the Agency directly from the examination provider; examination results or other documentation provided directly by the applicant are not acceptable; and

(C) Submit satisfactory evidence of having passed the Board approved examination listed under OAR 331-712-0010(3) within two years before the date of application.

(c) License Pathway Three Reciprocity: An applicant under pathway three must:

(A) Submit an affidavit of licensure pursuant to OAR 331-030-0040, from every state where the applicant has been licensed as a polysomnographic technologist, including an affidavit of licensure demonstrating proof of a current polysomnographic technologist license from another state, obtained through qualifications substantially equivalent to Oregon's requirements. At least one of the applicant's out-of-state licenses must be active and all of the applicant's out-of-state licenses must not be subject to current or pending disciplinary action, and must be free from disciplinary history for three years before the date of application for Oregon polysomnographic licensure; and

(B) Submit satisfactory evidence of having passed the Board approved examination listed under OAR 331-712-0010(3) within two years before the date of application.

(d) License Pathway Four Endorsement: An applicant may qualify for licensure by endorsement if the applicant holds a qualifying professional credential in another field. An applicant under pathway four must:

(A) Submit an affidavit of licensure pursuant to OAR 331-030-0040 demonstrating proof of a current license, which is active with no current or pending disciplinary action, and no disciplinary history for the three years before the date of application for Oregon polysomnographic licensure, as a:

(B) Physician (Doctor of Medicine or Doctor of Osteopathy) licensed under ORS Chapter 677;

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- (C) Respiratory therapist licensed under ORS chapter 688 with the RPSGT credential from the BRPT; or
- (D) CRT or RRT who holds a Sleep Disorder Specialty credential through NBRC; and
- (E) Submit satisfactory evidence of having passed the Board approved examination listed under OAR 331-712-0010(3) within two years before the date of application.
- (e) License Pathway Five BRPT Credential: Pursuant to ORS 688.819 an applicant under pathway five must submit documentation showing completion of a combined education and training program required and approved by the BRPT as of March 1, 2013; and must:
- (A) Prove successful passage of the RPSGT examination provided by the BRPT:
- (i) After completing a combined education and training program required and approved by the BRPT as of March 1, 2013; or
- (ii) Before the BRPT required an individual to complete a combined education and training program in order to take the examination, and has since met the education and training requirements established by the BRPT as of March 1, 2013;
- (B) Submit satisfactory evidence of having passed the Oregon Laws and Rules examination for polysomnography listed under OAR 331-712-0010(3) within two years before the date of application.
- (C) For the purpose of subsection (e) of this rule “education” includes a self-study education program approved by the BRPT as of March 1, 2013.
- (D) For the purpose of subsection (e) of this rules combined education and training and examination results must be submitted to the Agency directly from the BRPT; examination results or other documentation provided directly by the applicant are not acceptable.
- (E) A copy of the 2013 BRPT RPSGT Candidate Handbook is available at the Health Licensing Office or a PDF version is available at http://www.brpt.org/downloads/exam/BRPT-RPSGT-Candidate-Handbook_2014_11-2014.pdf.

Statutory/Other Authority: ORS 676.605, 676.615, 688.830, 676.612, 676.592 & 688.819

Statutes/Other Implemented: ORS 676.605, 676.615, 688.830, 676.612 & 688.819

History:

[HLO 5-2017, amend filed 12/13/2017, effective 01/01/2018](#)

HLO 5-2015, f. 12-21-15, cert. ef. 1-1-16

HLA 16-2013, f. 12-31-13, cert. ef. 1-1-14

HLA 4-2013, f. 3-12-13, cert. ef. 4-1-13

HLA 14-2012, f. 9-12-12, cert. ef. 9-14-12

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

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331-710-0060

Polysomnographic Technologist Temporary-DS (Direct Supervision) Licensure

- 1) A polysomnographic technologist Temporary-DS license authorizes the holder to temporarily practice polysomnography under direct supervision by an approved supervisor.
- (2) Direct supervision is supervision of the Temporary-DS licensee by an approved supervisor who is immediately physically present with the Temporary-DS licensee while the Temporary-DS licensee is working, and who exercises direction and control over the Temporary-DS licensee's work.
- (3) A polysomnographic technologist Temporary-DS license holder must notify the Agency within 10 calendar days of changes in employment status and changes in supervisor.
- (4) A polysomnographic technologist Temporary-DS license is valid for six months and may not be renewed.

Statutory/Other Authority: ORS 676.615, 676.607, 688.819 & 688.830

Statutes/Other Implemented: ORS 676.607, 676.615, 688.800, 688.815, 688.819 & 688.830

History:

HLA 16-2013, f. 12-31-13, cert. ef. 1-1-14

HLA 14-2012, f. 9-12-12, cert. ef. 9-14-12

331-710-0070

Application Requirements for Polysomnographic Technologist Temporary-DS License

An applicant for a polysomnographic technologist Temporary-DS license must:

- (1) Meet the requirements of OAR chapter 331 division 30;
- (2) Submit a completed application form prescribed by the agency, containing the information listed in OAR 331-030-0000 and accompanied by payment of all required fees;
- (3) Pass fingerprint-based national criminal background check pursuant to OAR 331-030-0004;
- (4) Be at least 18 years of age, and must provide documentation confirming date of birth, such as a copy of the birth certificate, driver's license, or passport;
- (5) Submit proof of having a high school diploma or equivalent; and
- (6) Submit a certificate of completion for the AASM A-STEP Self Study Modules; and
- (7) Submit information identifying the applicant's approved supervisor pursuant to OAR 331-710-0100, on a form prescribed by the Agency;

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Statutory/Other Authority: 676.592, ORS 676.615, 688.819, 688.830 & 676.612

Statutes/Other Implemented: 688.819 & 688.830

History:

[HLO 5-2017, amend filed 12/13/2017, effective 01/01/2018](#)

HLA 16-2013, f. 12-31-13, cert. ef. 1-1-14

HLA 14-2012, f. 9-12-12, cert. ef. 9-14-12

331-710-0080

Polysomnographic Technologist Temporary-IS (Indirect Supervision) Licensure

- (1) A polysomnographic technologist Temporary-IS license authorizes the holder to temporarily practice polysomnography under indirect supervision by an approved supervisor.
- (2) Indirect supervision is supervision of the Temporary-IS licensee by an approved supervisor who is physically present and onsite, but may not be immediately accessible at the sleep facility when the Temporary-IS licensee is working, who reasonably oversees the work of the Temporary-IS licensee, and who is available for questions and assistance when needed.
- (3) A polysomnographic technologist Temporary-IS license holder must notify the agency within 10 calendar days of changes in employment status and changes in supervisor.
- (4) A polysomnographic technologist Temporary-IS license obtained under OAR 331-710-0090(5)(a) of this rule is valid for one year and may be renewed once.
- (5) A polysomnographic technologist Temporary-IS license obtained under OAR 331-710-0090(5)(b) of this rule is valid for one year and may not be renewed.
- (6) A Temporary-IS licensee is prohibited from performing services on persons 12 and under.
- (7) A polysomnographic technologist temporary-IS license is invalid after passage of all required written examinations listed under OAR 331-712-0010 for a full polysomnographic technologist license under 331-710-0040.

Statutory/Other Authority: ORS 676.615, 688.819 & 688.830

Statutes/Other Implemented: ORS 676.615

History:

[HLO 5-2017, amend filed 12/13/2017, effective 01/01/2018](#)

HLA 16-2013, f. 12-31-13, cert. ef. 1-1-14

HLA 4-2013, f. 3-12-13, cert. ef. 4-1-13

HLA 16-2012(Temp), f. & cert. ef. 11-19-12 thru 5-17-13

HLA 14-2012, f. 9-12-12, cert. ef. 9-14-12

331-710-0090

Application Requirements for Polysomnographic Temporary-IS Licensure

An applicant for a polysomnographic technologist Temporary-IS license must:

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- (1) Meet the requirements of OAR chapter 331 division 30;
- (2) Submit a completed application form prescribed by the Agency, containing the information listed in OAR 331-030-0000 and accompanied by payment of all required fees;
- (3) Be at least 18 years of age, and provide official documentation confirming the applicant's date of birth, such as a copy of the birth certificate, driver's license, or passport;
- (4) Pass fingerprint-based national criminal background check pursuant to OAR 331-030-0004;
- (5) Submit documentation of meetings qualifications listed in (6)(a) or (6)(b) of this rule;
 - (a) A Temporary Licensee-DS: applying for Temporary-IS licensure must:
 - (A) Submit documentation of successful completion of 30 sleep tests as a polysomnographic technologist Temporary-DS licensee, which includes the signatures of an approved supervisor and certification by a qualified medical director for polysomnography of successful completion of 30 sleep studies and satisfactory performance;
 - (B) Complete and pass the Oregon Laws and Rules examination for polysomnography within two years before the date of registration application;
 - (C) Submit information identifying the applicant's approved supervisor on a form prescribed by the Agency; and
 - (b) An individual with an Academic Degree: applying for Temporary-IS licensure must:
 - (A) Submit a statement, signed by the Registrar or a Dean of a college or university and sent directly to the Agency from that college or university, verifying the applicant has completed all work necessary to obtain an associate's degree in polysomnography, polysomnographic technology, or sleep technology from an accredited community college, college or university, or successful completion of a polysomnography course of study from a CAAHEP accredited institution;
 - (B) Complete and pass the Oregon Laws and Rules examination for polysomnography within two years before the date of registration application; and
 - (C) Submit information identifying the applicant's approved supervisor on a form prescribed by the Agency.

Statutory/Other Authority: ORS 676.615, 688.819, 688.830, 676.612 & 676.592

Statutes/Other Implemented: 688.819

History:

[HLO 5-2017, amend filed 12/13/2017, effective 01/01/2018](#)

HLA 16-2013, f. 12-31-13, cert. ef. 1-1-14

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HLA 16-2012(Temp), f. & cert. ef. 11-19-12 thru 5-17-13

HLA 14-2012, f. 9-12-12, cert. ef. 9-14-12

331-710-0100

Supervision of a Temporary Polysomnographic Technologist

- (1) To be approved as a supervisor of a polysomnographic temporary licensee, an individual must:
 - (a) Hold a valid polysomnographic technologist license under ORS chapter 688 or provide proof of being a “qualified medical director for polysomnography” as defined in ORS 688.800(3);
 - (b) Have no current or pending disciplinary action imposed by the Agency or other regulatory body; and
 - (c) Submit proof of having been actively practicing polysomnography for at least three years prior to requesting approval as a supervisor; and
 - (d) Submit a completed request for approval on a form prescribed by the Agency;
- (2) A polysomnography supervisor shall not supervise a temporary licensee until all Agency required documentation has been completed and submitted to the Agency and the supervisor has received Agency approval.
- (3) A supervisor may supervise up to four patients per shift; whether they are the supervisor’s own patients or patients of temporary DS or IS licensees.
- (4) An approved supervisor of a Temporary-DS licensee must be immediately physically present with the Temporary-DS licensee while the Temporary-DS licensee is working, and must exercise direction and control over the Temporary-DS licensee’s work.
- (5) An approved supervisor of a Temporary-IS licensee must be physically present and onsite, but may not be immediately accessible at the sleep facility when the Temporary-IS licensee is working, and must reasonably oversee the work of the Temporary-IS licensee, and be available for questions and assistance when needed.
- (6) An approved supervisor must notify the Agency in writing within 10 calendar days if a temporary polysomnographic technologist licensee is no longer being supervised, and must provide the number of hours of training and work experience completed on a form prescribed by the Agency.
- (7) A designated supervisor must exercise management, guidance, and control over the activities of the temporary polysomnographic technologist and must exercise professional judgment and be responsible for all matters related to the polysomnography.

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(8) Approval of a temporary polysomnographic technologist's training and work experience under OAR 331-710-0110 must be documented by the handwritten signature of the approved supervisor, the supervisor's license number, and date of supervisor's review, placed beside the temporary polysomnographic technologist's signature, on a form prescribed by the agency.

(9) An approved supervisor's Agency approval may be withdrawn if the supervisor provides incomplete or inadequate training during supervision or falsifies documentation.

(10) This rule is not intended for or required of purely administrative supervisors.

Statutory/Other Authority: ORS 676.615, 676.607, 688.819 & 688.830

Statutes/Other Implemented: ORS 676.607, 676.615, 688.800, 688.815, 688.819 & 688.830

History:

HLA 16-2013, f. 12-31-13, cert. ef. 1-1-14

HLA 14-2012, f. 9-12-12, cert. ef. 9-14-12

331-710-0110

Training and Work Experience Requirements for Polysomnography

(1) Training and work experience for polysomnography applicants must involve all of the following:

- (a) Patient interaction & professional behavior;
- (b) Patient assessment;
- (c) Polysomnography theory;
- (d) Performing polysomnography preparation and setup;
- (e) Performing polysomnography recording and monitoring;
- (f) Scoring sleep studies;
- (g) Artifacts, and arrhythmias;
- (h) Sleep related breathing disorders;
- (i) Positive airway pressure and oxygen;
- (j) Evaluation of sleepiness;
- (k) Movement disorders: disorders involving arousal and seizures;
- (l) Scoring waveforms;
- (m) Scoring sleep stages;

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http://sos.oregon.gov/archives/Pages/oregon_administrative_rules.aspx or call (503) 373-0701

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- (n) Scoring respiratory events;
 - (o) Scoring arousals, electroencephalography abnormalities, movements and cardiac events;
 - (p) Sleep deprivation;
 - (q) Insomnia;
 - (r) Medications and sleep;
 - (s) Circadian sleep and shift work
 - (t) Arrhythmia recognition;
 - (u) Emergency procedures and care;
 - (v) Patient education and mask fitting;
 - (w) Pediatric sleep; and
- (2) For the purpose of this rule “Artifact” means an extraneous electrical signal in a recording channel on a polysomnograph, which originates from the patient, equipment, or external sources, and which may mask or interfere with the desired signal (E.g., snores that appear on the EEG channel, pulses of hypertensive patients that appear on the chin EMG channel, etc.).
- (3) A Temporary-IS licensee is prohibited from performing services on persons 12 and under. See OAR 331-710-0080.

Statutory/Other Authority: ORS 676.615, 676.607, 688.819 & 688.830

Statutes/Other Implemented: ORS 676.607, 676.615, 688.800, 688.815, 688.819 & 688.830

History:

HLA 16-2013, f. 12-31-13, cert. ef. 1-1-14

HLA 14-2012, f. 9-12-12, cert. ef. 9-14-12

Division 712

EXAMINATIONS

331-712-0010

Polysomnography Approved Examinations

The Board has approved the following examinations for qualification as a licensed polysomnographic technologist:

- (1) The RPSGT “registration examination” administered by the BRPT;
- (2) The SDS examination administered by the NBRC; and
- (3) The Oregon Laws and Rules examination for polysomnography administered by the Agency.

NOTE: An applicant is responsible for direct payment to the organization of all application, examination, national certification or other fees associated with any examination.

Statutory/Other Authority: ORS 676.607, 676.615, 688.830 & 2011 OL Ch. 715

Statutes/Other Implemented: ORS 676.607, ORS 676.612, 676.615, 676.625, 688.815 & 688.830, 688.834, 688.836, 2011 OL Ch. 715 & ORS 676.606

History:

HLA 14-2012, f. 9-12-12, cert. ef. 9-14-12

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

331-712-0020

General Examination Information

- (1) To be eligible for examination administered by the Agency, an applicant must meet identification requirements listed under OAR 331-030-0000.
- (2) The examination is administered in English only, unless an Agency approved testing contractor or vendor provides the examination in languages other than English.
- (3) Examination candidates may be electronically monitored during the course of testing.
- (4) Examination candidates must adhere to the maximum time allowance for each section of the examination, as established by the Board.
- (5) Notes, notetaking, textbooks, notebooks, electronic equipment and communication devices, such as personal computers, pagers and cellular telephones or any other devices deemed inappropriate by the Agency, are prohibited in the examination area.
- (6) Candidate conduct that interferes with the examination may result in the candidate's disqualification during or after the examination, the candidate's examination being deemed

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invalid, and forfeiture of the candidate's examination fees. Such conduct includes but is not limited to:

- (a) Directly or indirectly giving, receiving, soliciting, attempting to give, receive or solicit aid during the examination process;
 - (b) Violations of subsections (1), (5), or (6) of this rule;
 - (c) Removing or attempting to remove any examination-related information, notes or materials from the examination site;
 - (d) Failing to follow directions relative to the conduct of the examination; and
 - (e) Exhibiting behavior that impedes the normal progress of the examination.
- (7) If the candidate is disqualified from taking the examination or the candidate's examination is deemed invalid for reasons under subsection (6) of this rule, the candidate may be required to reapply, submit additional examination fees, and request in writing to schedule a new examination date, before being considered for another examination opportunity.

Statutory/Other Authority: ORS 676.607, 676.615, 688.830, OL 2011 & Ch. 715

Statutes/Other Implemented: ORS 676.606, ORS 676.607, ORS 676.612, 676.615, 676.625, 688.815 & 688.830, 688.834, 688.836, OL 2011 & Ch. 715

History:

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

Division 715

LICENSURE; RENEWAL

331-715-0000

License Display and Posting Requirements

- (1) A licensee must show proof of valid license with the agency upon request or post the license document in public view at the licensee's primary workplace.
- (2) A licensee may temporarily conceal the address printed on the license document with a covering that is removable.
- (3) A licensee must carry the license identification card (pocket card) with them, or post in plain view, the official license anytime services are being provided.

Statutory/Other Authority: ORS 676.605, 676.615 & 688.830

Statutes/Other Implemented: ORS 676.605, 676.615 & 688.830

History:

HLA 7-2010, f. & cert. ef. 11-1-10

HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04

HDLP 3-2001, f. 6-29-01, cert. ef. 7-1-01

HDLP 2-2001, f. & cert. ef. 5-1-01

HDLP 2-1998, f. & cert. ef. 6-15-98

HDLP 1-1998(Temp), f. & cert. ef. 3-20-98 thru 4-1-98

HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98

331-715-0010

License Issuance and Renewal

- (1) A licensee is subject to the provisions of OAR chapter 331, division 30 regarding the renewal of a license, and provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate license.
- (2) License renewal under this rule is valid for one year.
- (3) LICENSE RENEWAL: To avoid delinquency penalties, license renewal must be made prior to the license entering inactive status. The licensee must submit the following:
 - (a) Renewal application form;
 - (b) Payment of required renewal fee pursuant to OAR 331-705-0060;
 - (c) Attestation of having obtained required continuing education under OAR 331-720-0010 or 331-720-0015, on a form prescribed by the Agency, whether license is current or inactive; and

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(d) Attest to having provided the required information to the Oregon Health Authority pursuant to ORS 676.410;

(e) Pay fee established by Oregon Health Authority pursuant to ORS 676.410; and

(f) Information, on a form prescribed by the Agency, permitting the Agency to perform a state criminal background check pursuant to OAR 331-030-0004;

(4) **INACTIVE LICENSE RENEWAL:** A license may be inactive for up to three years. A licensee who is inactive is not authorized to practice. When renewing after entering inactive status, the licensee must submit the following:

(a) Renewal application form;

(b) Payment of delinquency and license fees pursuant to OAR 331-705-0060;

(c) Attestation of having obtained required continuing education under OAR 331-720-0010 or 331-720-0015, on a form prescribed by the Agency, whether license is current or inactive;

(d) Attest to having provided the required information to the Oregon Health Authority pursuant to ORS 676.410;

(e) Pay fee established by Oregon Health Authority pursuant to ORS 676.410; and

(f) Information, on a form prescribed by the Agency, permitting the Agency to perform a state criminal background check pursuant to OAR 331-030-0004;

(5) **EXPIRED LICENSE:** A license that has been inactive for more than three years is expired and the licensee must reapply for licensure and meet the requirements listed in OAR 331-710-0010 or 331-710-0050.

Statutory/Other Authority: 688.830, 676.615 & 676.586

Statutes/Other Implemented: 688.830 & 676.586

History:

[HLO 5-2017, amend filed 12/13/2017, effective 01/01/2018](#)

HLO 2-2016, f. & cert. ef. 7-1-16

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

HLA 7-2010, f. & cert. ef. 11-1-10

HLO 1-2005, f. 2-28-05 cert. ef. 3-1-05

HLO 10-2004(Temp), f. & cert. ef. 11-8-04 thru 3-31-05

HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04

HDLP 2-1998, f. & cert. ef. 6-15-98

HDLP 1-1998(Temp), f. & cert. ef. 3-20-98 thru 4-1-98

HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98

Division 718

STANDARDS OF PRACTICE

331-718-0000

Standards of Practice for Respiratory Care

- (1) A licensee must comply with the prevailing community standards for professional conduct. The Board recognizes and adopts the American Association of Respiratory Care (AARC) Statement of Ethics and Professional Conduct effective April 2015 as its professional standards model. Documents are available on the AARC Website at <http://www.aarc.org/>.
- (2) At minimum, licensees are subject to directives and policies established by the medical facilities, businesses or agencies by which they are employed or regulated.
- (3) A licensee must comply with the following safety and infection control requirements:
 - (a) All devices or items that come into direct contact with a client must be cleaned, sanitized or disinfected according to the manufacturer's instructions or Centers for Disease Control and Prevention (CDC) Standard Precautions;
 - (b) All items that come in direct contact with the client's skin that do not require disinfecting must be clean;
 - (c) All items that come in direct contact with the client's skin that cannot be cleaned or disinfected must be disposed of in a covered waste receptacle immediately after use;
 - (d) All disinfecting solutions and agents must be kept at adequate strengths to maintain effectiveness, be free of foreign material and be available for immediate use at all times unless equipment is prepackaged and pre-sterilized;
 - (e) All high-level and low-level disinfecting agents must be EPA registered. High-level disinfectant means a chemical agent which has demonstrated tuberculocidal activity. Low-level disinfectant means a chemical agent which has demonstrated bactericidal, germicidal, fungicidal and limited virucidal activity;
 - (f) Before use, disposable prepackaged products and sterilized re-usable instruments must be stored in clean, sterilized containers that can be closed between treatments to maintain effective sterilization of the instrument until removed from the container.
- (4) A licensee must observe and follow the Standard Precautions adopted by the CDC as defined in OAR 437 division 2, subdivision Z, and the CDC Standard Precautions for public

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service workers regarding personal protection equipment and disposal of blood or bodily fluid contaminated articles, tools and equipment when providing services to patients.

Statutory/Other Authority: 676.615 & 688.830

Statutes/Other Implemented: 688.830

History:

[HLO 5-2017, amend filed 12/13/2017, effective 01/01/2018](#)

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

331-718-0010

Pharmacological Agents for Respiratory Care

(1) A licensee administering intravenous narcotics, paralytics and opioids under ORS 688.800(3)(a) is prohibited from monitoring the patient and must have another qualified licensed individual present to monitor the patient throughout procedures with intravenous narcotics, paralytics and opioids.

(2) All policies, procedures and protocols for respiratory therapists related to administration of intravenous pharmacological agents must be made available to the Agency if requested.

Statutory/Other Authority: ORS 676.607, 676.615, 688.830, OL 2011 & Ch. 715

Statutes/Other Implemented: ORS 676.606, 676.607, 676.612, 676.615, 676.625, 688.815 & 688.830, 688.834, 688.836, OL 2011 & Ch. 715

History:

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

331-718-0020

Standards of Practice for Polysomnography

(1) A licensee must comply with the prevailing community standards for professional conduct. The Board recognizes and adopts the BRPT Standards of Conduct as its professional standards model. Documents are available on the BRPT Website at <http://www.brpt.org>.

(2) At minimum, licensees are subject to directives and policies established by the medical facilities, businesses or agencies by which they are employed or regulated.

(3) A licensee must comply with the following safety and infection control requirements:

(a) All devices or items that come into direct contact with a client must be cleaned or disinfected according to the manufacturer's instructions or Centers for Disease Control and Prevention (CDC) Standard Precautions;

(b) All items that come in direct contact with the client's skin that do not require disinfecting must be clean;

(c) All items that come in direct contact with the client's skin that cannot be cleaned or disinfected must be disposed of in a covered waste receptacle immediately after use;

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- (d) All disinfecting solutions and agents must be kept at adequate strengths to maintain effectiveness, be free of foreign material and be available for immediate use at all times unless equipment is prepackaged, pre-sterilized and within the expiration date listed on the label of the disinfecting solution;
- (e) All high-level and low-level disinfecting agents must be EPA registered. High-level disinfectant means a chemical agent which has demonstrated tuberculocidal activity. Low-level disinfectant means a chemical agent which has demonstrated bactericidal, germicidal, fungicidal and limited virucidal activity;
- (f) Before use instruments must be stored in clean containers that can be closed between use to maintain effective cleanliness until removed from the container.
- (g) Masks must be disinfected before each use on a client by removing foreign and completely saturating the mask with a high level disinfectant solution, spray or foam used to manufacturer's instructions.
- (4) A licensee must observe and follow the Standard Precautions adopted by the CDC as defined in OAR 437 division 2, subdivision Z, and the CDC Standard Precautions for public service workers regarding personal protection equipment and disposal of blood or bodily fluid contaminated articles, tools and equipment when providing services to patients.

Statutory/Other Authority: ORS 676.605, 676.615 & 688.830

Statutes/Other Implemented: ORS 676.605, 676.615 & 688.830

History:

HLA 4-2013, f. 3-12-13, cert. ef. 4-1-13

HLA 16-2012(Temp), f. & cert. ef. 11-19-12 thru 5-17-13

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

Division 720

CONTINUING EDUCATION

331-720-0010

Continuing Education Requirements for Respiratory Care

- (1) To maintain licensure, a respiratory care practitioner must complete a minimum of seven hours of continuing education every year. At least 2.5 hours of the required continuing education must be related to clinical practice of respiratory care defined under ORS 688.800.
- (2) A license holder must document compliance with the continuing education requirement through attestation on the license renewal application. A licensee is subject to provisions of OAR 331-720-0020 pertaining to periodic audit of continuing education.
- (3) Satisfactory continuing education must be obtained by participation in or attendance at a course provided by:
 - (a) An institution of higher education accredited by the Northwest Association of Accredited Schools, the Northwest Commission on Colleges and Universities, the State Board of Higher Education, Oregon Higher Education Coordinating Commission, American Medical Association Committee on Allied Health Education and Accreditation in collaboration with the Committee on Accreditation for Respiratory Care, or its successor, or the Commission on Accreditation for Allied Health Education Programs offering an Associate Degree in Respiratory Care; or
 - (b) The NBRC, AARC, Oregon Medical Association, the Oregon Osteopathic Association, the American Medical Association Continuing Medical Education, the American Osteopathic Association, the American Nurses Association, or other professional or medical organizations or associations which conduct educational meetings, workshops, symposiums, and seminars where CEU credit is offered and where subject matter meets the requirements under subsection (4) of this rule;
- (4) The subject matter of the continuing education must be specifically related to respiratory care as outlined in ORS 688.800(5).
- (5) Continuing education may include teaching a course sponsored by a continuing education provider listed in subsection (3) of this rule and where the subject matter meets the requirements under subsection (4) of this rule (provided that no more than half the required hours be in teaching).
- (6) Obtaining and maintaining proof of participation in required continuing education is the responsibility of the licensee. The licensee must ensure that adequate proof of attainment of required continuing education is available for audit or investigation or when otherwise requested by the agency. Adequate proof of participation is listed under OAR 331-720-0020(3).

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(7) Documentation of participation in continuing education requirements must be maintained for a period of two years following renewal, and must be available to the agency upon request.

(8) For the purpose of this rule continuing education hours mean actual academic, classroom, or course work time, including but not limited to workshops, symposiums, or seminars. Continuing education hours do not include travel time to or from the training site, registration or check-in periods, breaks or lunch periods.

Statutory/Other Authority: ORS 676.605, 676.615 & 688.830

Statutes/Other Implemented: ORS 676.605, 676.615 & 688.830

History:

HLA 16-2013, f. 12-31-13, cert. ef. 1-1-14

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

HLA 7-2010, f. & cert. ef. 11-1-10

HLO 1-2005, f. 2-28-05 cert. ef. 3-1-05

HLO 10-2004(Temp), f. & cert. ef. 11-8-04 thru 3-31-05

HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04

HDLP 2-1998, f. & cert. ef. 6-15-98

HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98

331-720-0015

Continuing Education Requirements for Polysomnography

(1) To maintain licensure, a polysomnographic technologist must complete a minimum of seven hours of continuing education every year.

(2) A license holder must document compliance with the continuing education requirement through attestation on the license renewal application. A licensee is subject to provisions of OAR 331-720-0020 pertaining to periodic audit of continuing education.

(3) Satisfactory continuing education must be obtained by participation in or attendance at a course provided by:

(a) An institution of higher education accredited by the Northwest Association of Accredited Schools, the Northwest Commission on Colleges and Universities, the State Board of Higher Education, Oregon Higher Education Coordinating Commission, American Medical Association Committee on Allied Health Education and Accreditation in collaboration with the Committee on Accreditation for Respiratory Care, or its successor, or the Commission on Accreditation of Allied Health Education Programs in Polysomnographic Technology; or

(b) The BRPT, AARC, Oregon Medical Association, the Oregon Osteopathic Association, the American Medical Association Continuing Medical Education, the American Osteopathic Association, the American Nurses Association, American Association of Sleep Technologists and its affiliates, or other professional or medical organizations or associations which conduct educational meetings, workshops, symposiums, and seminars where CEU credit is offered and where subject matter meets the requirements under subsection (4) of this rule;

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- (4) The subject matter of the continuing education must be specifically related to polysomnography as outlined in ORS 688.800(2).
- (5) Continuing education may include teaching a course sponsored by a continuing education provider listed in subsection (3) of this rule and where the subject matter meets the requirements under subsection (4) of this rule (provided that no more than half the required hours be in teaching).
- (6) Obtaining and maintaining proof of participation in required continuing education is the responsibility of the licensee. The licensee must ensure that adequate proof of attainment of required continuing education is available for audit or investigation or when otherwise requested by the agency. Adequate proof of participation is listed under OAR 331-720-0020(3).
- (7) Documentation of participation in continuing education requirements must be maintained for a period of two years following renewal, and must be available to the agency upon request.
- (8) For the purpose of this rule continuing education hours mean actual academic, classroom, or course work time, including but not limited to workshops, symposiums, or seminars. Continuing education hours do not include travel time to or from the training site, registration or check-in periods, breaks or lunch periods.

Statutory/Other Authority: ORS 676.605, 676.615 & 688.830

Statutes/Other Implemented: ORS 676.605, 676.615 & 688.830

History:

HLA 16-2013, f. 12-31-13, cert. ef. 1-1-14

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12

331-720-0020

Continuing Education: Audit, Required Documentation and Sanctions

- (1) The Oregon Health Licensing Agency will audit a select percentage of licenses to verify compliance with continuing education requirements.
- (2) Licensees notified of selection for audit of continuing education attestation must submit to the agency, within 30 calendar days from the date of issuance of the notification, satisfactory evidence of participation in required continuing education in accordance with OAR 331-720-0010, Continuing Education Requirements for Respiratory Care; or 331-720-0015, Continuing Education Requirements for Polysomnography
- (3) Evidence of successful completion of the required continuing education must include the following:
 - (a) Name of continuing education sponsor/provider;
 - (b) Course agenda — including the date of the training and breakdown of hours for each agenda item, lunch and breaks;

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(c) Course outline — including a detailed summary of each topic discussed and the learning objective or training goal of each agenda item; The content of the course must have a direct relationship between the course training and subject matter related to Respiratory Care as set forth in OAR 331-720-0010, or Polysomnography as set forth in 331-720-0015;

(d) Background resume of speakers or instructors; and

(e) Documentation of attendance or successful course completion. Examples include a certificate, transcript, sponsor statement or affidavit attesting to attendance, diploma.

(4) If documentation of continuing education is incomplete, the licensee has 30 calendar days from the date of the deficiency notice to correct the deficiency and submit further documentation of completion of the required continuing education.

(5) Misrepresentations of continuing education or failure to complete continuing education requirements may result in disciplinary action, which may include, but is not limited to assessment of a civil penalty and suspension or revocation of the license.

Statutory/Other Authority: ORS 676.605, 676.615 & 688.830

Statutes/Other Implemented: ORS 676.605, 676.615 & 688.830

History:

HLA 16-2013, f. 12-31-13, cert. ef. 1-1-14

HLA 7-2010, f. & cert. ef. 11-1-10

HLO 4-2004, f. 6-29-04, cert. ef. 7-1-04

HDLP 2-1998, f. & cert. ef. 6-15-98

HDLB 1-1997(Temp), f. 12-19-97, cert. ef. 12-22-97 thru 6-19-98

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Division 740

FEEES

331-740-0000

Fees

- (1) An applicant or licensee are subject to the provisions of OAR 331-010-0010 and 331-010-0020 regarding the payment of fees, penalties and charges.
- (2) Fees established by the Oregon Health Licensing Agency pursuant to ORS 676.607 are as follows:
- (a) Application:
 - (A) License: \$50.
 - (B) Temporary license: \$50.
 - (b) Examination — Oregon laws & rules: \$50.
 - (c) Original issuance of authorization to practice:
 - (A) License: \$50.
 - (B) Temporary license: \$50.
 - (C) Temporary six month license: \$50
 - (d) Renewals:
 - (A) Licenses: \$50.
 - (B) Online license: \$45
 - (C) Temporary license: \$50
 - (e) Delinquent (late) renewal of license: \$50 for each year in inactive status up to three years.
 - (f) Replacement of license, including name change: \$25.
 - (g) Duplicate license document: \$25 per copy with maximum of three.
 - (h) Affidavit of licensure for reciprocity: \$50.

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(i) Information packets: \$10

(j) An additional \$25 administrative processing fee will be assessed if a NSF or non-negotiable instrument is received for payment of fees, penalties and charges. Refer to OAR 331-010-0010.

Statutory/Other Authority: ORS 676.607, 676.615, 688.830, OL 2011 & Ch. 715

Statutes/Other Implemented: 676.607, 676.612, 676.615, 676.625, 688.815 & 688.830, 688.834, 688.836, OL 2011, Ch. 715 & ORS 676.606

History:

HLA 15-2011, f. 12-30-11, cert. ef. 1-1-12