

SENATE AMENDMENTS TO SENATE BILL 723

By COMMITTEE ON HEALTH CARE, HUMAN SERVICES AND RURAL HEALTH
POLICY

April 20

- 1 On page 1 of the printed bill, delete lines 6 through 28 and delete page 2.
2 On page 3, delete lines 1 through 10 and insert:
3 **“SECTION 1.** ORS 688.800 is amended to read:
4 **“688.800.** As used in ORS 688.800 to 688.840:
5 **“[(1) ‘Board’ means the Respiratory Therapist Licensing Board, established within the Oregon**
6 **Health Licensing Agency.]**
7 **“(1) ‘Polysomnographic technologist’ means a person licensed under section 8 of this 2011**
8 **Act.**
9 **“(2) ‘Polysomnography’ means the treatment, management, diagnostic testing, education**
10 **and care of patients with disorders related to sleep. ‘Polysomnography’ includes, but is not**
11 **limited to:**
12 **“(a) The use of the following during treatment, management, diagnostic testing, educa-**
13 **tion and care of patients with disorders related to sleep:**
14 **“(A) Supplemental low-flow oxygen therapy, using up to six liters per minute of oxygen;**
15 **“(B) Continuous or bilevel positive airway pressure titration on spontaneously breathing**
16 **patients using a mask or oral appliance, if the mask or oral appliance does not extend into**
17 **the trachea or attach to an artificial airway;**
18 **“(C) Capnography;**
19 **“(D) Cardiopulmonary resuscitation;**
20 **“(E) Pulse oximetry;**
21 **“(F) Sleep staging, including surface electroencephalography, surface electrooculography**
22 **and submental surface electromyography;**
23 **“(G) Electrocardiography;**
24 **“(H) Respiratory effort monitoring, including thoracic and abdominal movement moni-**
25 **toring;**
26 **“(I) Plethysmography blood flow monitoring;**
27 **“(J) Snore monitoring;**
28 **“(K) Audio or video monitoring of movement or behavior;**
29 **“(L) Body movement monitoring;**
30 **“(M) Nocturnal penile tumescence monitoring, when performed in a facility approved by**
31 **the Respiratory Therapist and Polysomnographic Technologist Licensing Board;**
32 **“(N) Nasal and oral airflow monitoring;**
33 **“(O) Body temperature monitoring; or**
34 **“(P) Portable monitoring devices and other medical equipment used to treat sleep disor-**
35 **ders;**

1 “(b) Analyzing data for the purpose of assisting a physician who diagnoses and treats
2 disorders related to sleep;

3 “(c) Implementation and monitoring of durable medical equipment used in the treatment
4 of sleep disorders; and

5 “(d) Educating patients and immediate family members of patients regarding testing and
6 treatment of sleep disorders.

7 “(3) ‘Qualified medical director for polysomnography’ means the medical director of an
8 inpatient or outpatient polysomnography facility who is a physician licensed under ORS
9 chapter 677, has special interest and knowledge in the diagnosis and treatment of sleep dis-
10 orders and is actively practicing in the field of sleep disorders.

11 “[(2)] (4) ‘Qualified medical director for respiratory care’ means the medical director of any
12 inpatient or outpatient respiratory care service, department or home care agency who is a physician
13 licensed [*by the State of Oregon*] under ORS chapter 677 and who has special interest and knowl-
14 edge in the diagnosis and treatment of respiratory problems.

15 “[(3)] (5) ‘Respiratory care’ means the treatment, management, diagnostic testing, control and
16 care of patients with deficiencies and abnormalities associated with the cardiopulmonary system [*in*
17 *accordance with the prescription of a licensed physician and under a qualified medical director*]. ‘Re-
18 spiratory care’ includes, but is not limited to:

19 “(a) Direct and indirect respiratory care services, including but not limited to the administration
20 of pharmacological, diagnostic and therapeutic agents related to respiratory care procedures neces-
21 sary to implement a treatment, disease prevention, pulmonary rehabilitative or diagnostic regimen
22 prescribed by a physician;

23 “(b) Transcription and implementation of the written or verbal orders of a physician pertaining
24 to the practice of respiratory care;

25 “(c) Observing and monitoring signs and symptoms, reactions, general behaviors, general phys-
26 ical responses to respiratory care treatment and diagnostic testing, including determination of
27 whether such signs, symptoms, reactions, general behaviors or general physical responses exhibit
28 abnormal characteristics;

29 “(d) Implementation based on observed abnormalities, or appropriate reporting, referral, respir-
30 atory care protocols or changes in treatment, pursuant to a prescription by a person authorized to
31 practice medicine under the laws of this state; and

32 “(e) The initiation of emergency procedures under the rules of the board or as otherwise per-
33 mitted under ORS 688.800 to 688.840.

34 “[(4)] (6) ‘Respiratory care practitioner’ means a person licensed under ORS [*688.800 to*
35 *688.840*] **688.815**.

36 “[(5)] (7) ‘Respiratory care services’ means cardiopulmonary care services [*rendered in accord-*
37 *ance with the prescription of a licensed physician and includes*] **including**, but [*is*] not limited to, the
38 diagnostic and therapeutic use of the following:

39 “(a) Except for the purpose of anesthesia, administration of medical gases, aerosols and
40 humidification;

41 “(b) Environmental control mechanisms and hyperbaric therapy;

42 “(c) Pharmacologic agents related to respiratory care procedures;

43 “(d) Mechanical or physiological ventilatory support;

44 “(e) Bronchopulmonary hygiene;

45 “(f) Cardiopulmonary resuscitation;

1 “(g) Maintenance of the natural airway;
2 “(h) Maintenance of artificial airways;
3 “(i) Specific diagnostic and testing techniques employed in the medical management of patients
4 to assist in diagnosis, monitoring, treatment and research of pulmonary abnormalities, including
5 measurements of ventilatory volumes, pressures and flows, collection of specimens of blood and
6 blood gases, expired and inspired gas samples, respiratory secretions and pulmonary function testing;
7 and
8 “(j) Hemodynamic and other related physiologic measurements of the cardiopulmonary
9 system.”.

10 In line 35, delete “place” and insert “setting”.

11 In lines 37 and 38, restore the bracketed material.

12 In line 38, after “director” insert “for respiratory care”.

13 In line 41, delete “place” and insert “setting”.

14 Delete lines 42 and 43 and insert:

15 “(b) Must be performed in accordance with the prescription or verbal order of a physician or
16 physician assistant licensed under ORS chapter 677 or a nurse practitioner licensed under ORS
17 678.375 to 678.390 and under the direction of a qualified medical director for polysomnography.”.

18 On page 4, delete lines 3 and 4 and insert:

19 “(2) A polysomnographic technologist may use the title ‘Licensed Polysomnographic
20 Technologist’ and the abbreviation ‘LPSGT.’”.

21 On page 5, delete lines 34 through 36 and insert:

22 “(1) ORS 688.800 to 688.840 do not prohibit a respiratory care practitioner from practicing
23 polysomnography in accordance with the prescription or verbal order of a physician and under the
24 direction of a qualified medical director for respiratory care or for polysomnography.”.

25 On page 6, line 3, after “director” insert “for polysomnography or for respiratory care”.

26 On page 7, delete lines 10 through 12.

27 In line 13, delete “(c)” and insert “(b)”.

28 In line 14, delete “(d)” and insert “(c)”.

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