

## **POLICY STATEMENT**

### **BOARD OF MEDICAL EXAMINERS’ TENNESSEE POLYSOMNOGRAPHY PROFESSIONAL STANDARDS COMMITTEE**

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#### **LAPSED REGISTERED POLYSOMNOGRAPHIC TECHNOLOGIST (“RPSGT”) CREDENTIAL POLICY**

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The Board of Medical Examiners’ Polysomnography Professional Standards Committee recognizes that an individual may inadvertently allow his/her Registered Polysomnographic Technologist (“RPSGT”) credential, issued by the Board of Registered Polysomnographic Technologists (“BRPT”), to expire. However, applicable Tennessee law prohibits an individual from providing polysomnography services as a polysomnographic technologist unless he/she has an active RPSGT credential. While the Committee does not condone an individual working with an expired RPSGT credential, the Committee recognizes that these inadvertent lapses can occur. As such, the Committee has adopted the following procedures for assessing discipline against a polysomnographic technologist with an expired RPSGT credential.

1. Immediately upon recognition that his/her RPSGT credential has expired, the individual must cease practicing, must take all necessary steps to become re-credentialed with the BRPT, and must contact the Committee’s administrative office to inform the office of the date when his/her RPSGT credential expired and of when he/she stopped practicing as a polysomnographic technologist.
  - A. Once re-credentialed with the BRPT, the individual shall inform the Committee’s administrative office of the date that he/she became re-credentialed with the BRPT and provide proof of his/her valid RPSGT credential.
  - B. The administrative office shall discipline the individual according to Section 3 outlined below.
2. If the administrative office discovers that an individual has been practicing with an expired RPSGT credential upon receipt of the individual’s license renewal application, the following procedure shall occur:
  - A. The administrative office shall contact the individual and determine the date when his/her RPSGT credential expired and of how long he/she continued practicing as a polysomnographic technologist despite having an expired RPSGT credential.
  - B. The administrative office shall inform the individual that he/she must cease practicing and must take all necessary steps to become re-credentialed with the BRPT.

- C. Once re-credentialed with the BRPT, the individual shall inform the Committee's administrative office of the date that he/she became re-credentialed with the BRPT and provide proof of his/her valid RPSGT credential.
  - D. Upon receiving proof from the individual that he/she has become re-credentialed with the BRPT, the administrative office shall review the individual's renewal application and determine whether it meets the proper criteria for license renewal, including but not limited to, a completed application, supporting documentation (including any required proof of continuing education), and the applicant's payment of all fees. Although the Committee and administrative staff recognize the applicant's urgent interest in having his/her license reinstated, preferential treatment will not be given to these applicants. All applications are reviewed in the order in which they are received.
  - E. Along with granting or denying the renewal license application, the administrative office shall discipline the applicant according to Section 3 outlined below.
3. After the Committee's administrative office determines how long the individual provided polysomnography services as a polysomnographic technologist with an expired RPSGT credential, the individual shall be disciplined as follows:
- A. No monetary discipline will be assessed against the individual if the individual becomes re-credentialed with the BRPT **within ninety (90) calendar days from the date that his/her credential expired, and he/she provides proof of his/her valid RPSGT credential to the administrative office.**
  - B. **If the work history reflects that the individual has practiced in excess of ninety (90) calendar days, but less than six (6) months on an expired RPSGT credential, the administrative office will present to the licensee an Agreed Citation which specifies payment of a fine in the amount of Fifty Dollars (\$50) per month for every month in which the individual has worked at least one day beyond the ninety (90) calendar day grace period.**
    - i. In the case where an individual has applied for a renewed license, the individual's license will not be renewed unless and until the Agreed Citation is executed by the licensee and payment of the fine remitted to the Committee's administrative office.
    - ii. The individual shall be notified that all Agreed Citations prepared in accordance with this policy shall be reportable on the Department of Health's website, its disciplinary action report issued in the month the action is taken, and to all appropriate federal databanks including the National Practitioner Data Bank (NPDB).
    - iii. This remedy is only available to those polysomnographic technologists who have practiced on an expired **RPSGT credential for less than six (6) months from the date the RPSGT credential expired.**
  - C. **If the licensee refuses to execute the Agreed Citation and/or remit the civil penalty described therein within sixty (60) days of the date the Agreed Citation is sent to the**

**licensee, or if the licensee practiced on a lapsed license for six (6) months or longer,** the licensee shall be referred to the Office of Investigations and Office of General Counsel for formal disciplinary action. Upon a proven violation, the minimum disciplinary action for this violation shall be:

- i. A formal and reportable Reprimand on the license;
  - ii. Assessment of civil penalties in an amount to exceed \$50 per month for every month in which the individual has worked at least one day beyond the ninety (90) calendar day grace period;
  - iii. Assessment of costs associated with investigating and prosecuting the matter; and
  - iv. Any and all other remedies the Committee deems appropriate.
- D. In the event the matter is referred to the Office of Investigations and Office of General Counsel for formal disciplinary action, **the Committee's administrative office shall be permitted to renew those applicants' licenses for whom they have received a completed license renewal application,** supporting documentation (including any required proof of continuing education), and the applicant's payment of all fees, **subject to further action on the license as described in Paragraph 3.C. above.** Though the Committee's administrator may grant the license renewal upon approval from the Committee's consultant, preferential treatment will not be given to these applicants. These applications will be reviewed in the order in which they are received. For those applicants who have declined an Agreed Citation, their application will be deemed received sixty (60) days from the date the Agreed Citation was sent.

**ADOPTED BY THE POLYSOMNOGRAPHY PROFESSIONAL STANDARDS COMMITTEE ON THE 23<sup>rd</sup> DAY OF FEBRUARY, 2016.**

**RATIFIED BY THE BOARD OF MEDICAL EXAMINERS ON THE 15<sup>th</sup> DAY OF MARCH, 2016.**