

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SUBCOMMITTEE RECOMMENDATION
4 FOR ENGROSSED

5 SENATE BILL NO. 1477

By: Yen of the Senate

and

Cox of the House

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10 SUBCOMMITTEE RECOMMENDATION

11 [Oklahoma Sleep Diagnostic Testing Regulation Act -
12 exclusion - effective date]

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15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 63 O.S. 2011, Section 7200.3, is
17 amended to read as follows:

18 Section 7200.3 As used in the Oklahoma Sleep Diagnostic Testing
19 Regulation Act:

20 1. "Advanced practice nurse" means a person licensed to
21 practice as an advanced practice nurse by the Oklahoma Board of
22 Nursing pursuant to the Oklahoma Nursing Practice Act;

23 2. "Interpreting physician" means a physician who provides
24 professional interpretation of data generated by sleep diagnostic

1 tests. An interpreting physician shall be board-certified in sleep
2 medicine by the American Board of Sleep Medicine (ABSM) or the
3 American Board of Medical Specialties or must have completed a one-
4 year sleep medicine fellowship accredited by the Accreditation
5 Council for Graduate Medical Education (ACGME) or received a
6 Certification of Special Qualifications (CSQ) or a Certification of
7 Added Qualifications (CAQ) in Sleep Medicine issued by the American
8 Osteopathic Association;

9 3. "Physician" means a person licensed to practice:

- 10 a. allopathic medicine and surgery by the State Board of
11 Medical Licensure and Supervision pursuant to the
12 Oklahoma Allopathic Medical and Surgical Licensure and
13 Supervision Act, or
14 b. osteopathic medicine by the State Board of Osteopathic
15 Examiners pursuant to the Oklahoma Osteopathic
16 Medicine Act;

17 4. "Physician assistant" means a person licensed to practice as
18 a physician assistant by the State Board of Medical Licensure and
19 Supervision pursuant to the Physician Assistant Act;

20 5. "Sleep diagnostic test" means any technological recording
21 procedure used for the diagnosis of sleep-related breathing
22 disorders or other disorders of sleep;

23 6. "Sleep diagnostic testing facility" means a building or
24 place situated in a fixed location or a mobile entity that is used

1 to conduct sleep diagnostic tests and includes sleep disorder
2 centers and laboratories for sleep-related breathing disorders, ~~but~~
3 ~~does not include a hospital that conducts sleep diagnostic tests for~~
4 ~~its patients, including sleep diagnostic tests performed under~~
5 ~~arrangements made by a hospital for its patients whereby the~~
6 ~~hospital exercises professional responsibility over the arranged~~
7 ~~services; and~~

8 7. "Supervising physician" means a physician responsible for
9 the supervision of the sleep diagnostic testing performed,
10 including, but not limited to, the quality of the testing performed,
11 the proper operation and calibration of the equipment used to
12 perform sleep diagnostic tests and the actions of nonphysician
13 personnel engaged in the performance of the sleep diagnostic
14 testing. A supervising physician shall be board-certified in sleep
15 medicine by the American Board of Sleep Medicine (ABSM) or the
16 American Board of Medical Specialties or shall have completed a one-
17 year sleep medicine fellowship accredited by the Accreditation
18 Council for Graduate Medical Education (ACGME), or received a
19 Certification of Special Qualifications (CSQ) or a Certification of
20 Added Qualifications (CAQ) in Sleep Medicine issued by the American
21 Osteopathic Association.

22 SECTION 2. This act shall become effective November 1, 2016.

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24 55-2-9564 AM 03/24/16

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