

24.33.06 – RULES FOR LICENSURE OF RESPIRATORY THERAPISTS AND PERMITTING OF POLYSOMNOGRAPHERS IN IDAHO

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to Sections 54-4305, ~~54-4306~~, ~~54,4309~~, 54-4310, and 54-4311, Idaho Code.(3-28-23)

001. SCOPE.

These rules govern the practice of respiratory care and polysomnography related to respiratory care. (3-28-23)

002. -- 009. (RESERVED)

010. DEFINITIONS.

01. Board of Registered Polysomnographic Technologists. A nationally recognized private testing, examining and credentialing body for the polysomnography related respiratory care profession. (3-28-23)

02. Comprehensive Registry Exam. The comprehensive registry examination administered by the Board of Registered Polysomnographic Technologists, or administered by an equivalent board, recognized by the Board, the successful completion of which entitles a person to the professional designation of Registered Polysomnographic Technologist (RPSGT). (3-28-23)

~~03. Written Registry and Clinical Simulation Examinations. The certification examinations administered by the National Board of Respiratory Care, Inc., or certification examinations administered by an equivalent board, recognized by the Board, the successful completion of which entitles a person the professional designation of "Registered Respiratory Therapist" (RRT). (3-28-23)~~

011. -- 030. (RESERVED)

~~031. GENERAL QUALIFICATIONS FOR LICENSURE AND RENEWAL.~~

~~Requirements for licensure and renewal are found in Title 54, Chapter 43, Idaho Code, IDAPA 24.33.03, and on Board-approved forms. (3-28-23)~~

01. Application for Respiratory Care and Polysomnography Related Respiratory Care Practitioner. (3-28-23)

a. The Board may issue a dual license/permit to perform respiratory care and polysomnography related respiratory care to an applicant who meets the requirements set forth in this chapter and Sections 54-4308 and 54-4307(2) and (3), Idaho Code. ~~A dual license/permit shall authorize the holder to perform respiratory care and polysomnography related respiratory care in this state. (3-28-23)~~

b. ~~Application for a dual license/permit shall be made to the Board on a form prescribed by the Board, together with the application fee. (3-28-23)~~

c. ~~Such dual license/permit shall expire on the expiration date printed on the face of the certificate unless renewed. (3-28-23)~~

032. CONTINUING EDUCATION.

01. Evidence of Completion. ~~Prior to renewal, reinstatement or reapplication, each applicant shall submit evidence of successfully completing no less than twelve (12) hours per year of approved respiratory therapy related continuing education. Continuing education activities include but are not limited to: attending or presenting at conferences, seminars or inservice programs; or formal course work in respiratory therapy related subjects. Licensees are responsible for choosing respiratory therapy related continuing education programs that focus on~~

Commented [RS1]: Move substance to licensing; authorized by 54-4307, but only applicable to licensing polysomnographers, so a specific definition is probably not needed.

Commented [SL2R1]: Add licensing section

Commented [RS3]: Duplicative of 54-4303(9), though inverted.

Commented [SL4R3]: Approved 3/7

Commented [RS5]: Superfluous and otherwise would be duplicative of 54-4308.

Commented [SL6]: Simplified by adding to previous sentence

Commented [RS7]: Duplicative of 54-4307(2) and 54-4308.

Commented [SL8]: Remove this whole section 3/7

Commented [SL9]: Does not need to be stated

Commented [RS10]: Duplicative of 54-4310(2).

Commented [SL11]: Licensees are responsible for choosing continuing education programs related to the practice of respiratory therapy that focus on protecting the health and safety of the public.

protecting the health and safety of the public.

(3-28-23)

~~02. — Polysomnographer Continuing Education. Prior to renewal, reinstatement or reapplication, each applicant shall submit evidence of successfully completing no less than twelve (12) hours per year of approved polysomnographic related respiratory care continuing education. The Board, as recommended by the Licensure Board, may substitute all or a portion of the coursework required in Subsection 032.02 when an applicant for renewal shows evidence of passing an approved challenge exam or of completing equivalent education as determined by the Board, as recommended by the Licensure Board, to be in full compliance with the education requirements of this chapter.~~

Commented [RS12]: Also duplicative of 54-4310(2).

033. PROVISIONAL LICENSE OR PERMIT.

01. **Provisional Licensure or Permit by Examination.** A provisional license or permit may be issued ~~until notification of exam results~~ to an applicant following graduation from an accredited or approved respiratory care or polysomnography-related respiratory care educational program ~~as set forth in Sections 54-4303, 54-4306, 54-4307, 54-4308, 54-4309, Idaho Code, if the applicant otherwise meets the license or permit requirements set forth in Sections 54-4307(2) & (4) or 54-4308, Idaho Code;~~ and the applicant has either applied to take or has taken the requisite Board-approved national examination(s) and is awaiting results. An applicant who fails to pass the requisite Board-approved national examination(s) during the six (6) month timeframe is not eligible for further temporary licensure or permitting. Provisional licenses and permits issued to examination candidates are issued for a period not to exceed six (6) months and are nonrenewable.

Commented [SL13]: Simplified

(3-28-23)

~~02. — Unsuccessful Examination Candidates. An applicant who fails to pass the requisite Board-approved national examination(s) during the six (6) month timeframe is not eligible for further temporary licensure or permitting.~~

Commented [SL14]: Added to the paragraph above.

034. SUPERVISION OF RESPIRATORY CARE.

The practice or provision of respiratory care or polysomnography services by persons ~~holding a student, consulting, or training exemption or a provisional license or permit~~ not fully licensed shall be under the supervision of a respiratory care practitioner or licensed physician who shall be responsible for the activities of the person being supervised ~~and shall review and countersign all patient documentation performed by the person being supervised.~~ The supervising respiratory care practitioner or licensed physician need not be physically present or on the premises at all times but must be available for telephonic consultation. ~~The extent of communication between the supervising or consulting respiratory care practitioner or licensed physician and the person being supervised shall be determined by the competency of the person, the treatment setting, and the diagnostic category of the client.~~

Commented [RS15]: Revision suggested, but appears authorized by statute. Exemption = 54-4312(1)(d) and requires supervision. Provisional = 54-4306 and gives Board broad authority.

Commented [SL16]: Do not accept these changes 3/7

(3-28-23)

035. -- 045. (RESERVED)

046. FEES -- TABLE.

Commented [SL17]: All fee tables combined

01. ~~Fees -- Table.~~ Nonrefundable fees ~~for Respiratory Care Practitioners~~ are as follows:

Fees – Table (Non-Refundable)	
Respiratory Care Practitioner Initial Licensure Fee	- Not more than \$180
Respiratory Care Practitioner Reinstatement Fee	- \$50 plus unpaid renewal fees
Annual Renewal Fee for Inactive License	- Not more than \$100
Inactive Conversion Fee	- Not more than \$100
Annual Renewal Fee	- Not more than \$140
Provisional License Fee	- Not more than \$90

Dual Licensure/Permit Fee	- Not more than \$180
A person holding a current license or permit, if qualified, may apply for and obtain a dual license/permit without paying an additional fee.	

(3-28-23)

02. Fees Table. Nonrefundable Permit Fees for Polysomnography Related Respiratory Care Practitioners.

Fees Table (Non-Refundable)	
Initial Permit Fee—Registered Polysomnographic Technologist and Polysomnographic Technician	- Not more than \$180
Reinstatement Fee—Registered Polysomnographic Technologist and Polysomnographic Technician	- \$50 plus unpaid renewal fees
Annual Renewal Fee—Registered Polysomnographic Technologist and Polysomnographic Technician	- Not more than \$140
Provisional Permit Fee—Registered Polysomnographic Technologist	- Not more than \$90
Annual—Renewal—Fee—for—Inactive—License—Polysomnographic Technologist and Polysomnographic Technician	- Not more than \$100
Inactive Conversion Fee	- Not more than \$100 plus unpaid active licensure fees for the time inactive

(3-28-23)

03. Fees Table. Nonrefundable Dual Licensure/Permit Fees for Practitioners of Respiratory and Polysomnography Related Respiratory Care.

(3-28-23)

a. Initial Licensure/Permit Fee. A person holding a current license or permit, if qualified, may apply for and obtain a dual license/permit without paying an additional fee.

Commented [RS18]: Repeated in the table below. I suggest that this one be struck.

Fees Table (Non-Refundable)	
Dual Licensure/Permit Fee	- Not more than \$180
A person holding a current license or permit, if qualified, may apply for and obtain a dual license/permit without paying an additional fee.	
Reinstatement Fee	- \$50 plus unpaid renewal fees
Annual Renewal Fee	- Not more than \$140
Renewal is required upon the expiration of either the permit or the license, whichever expires first if the two (2) initially were not obtained at the same time.	

(3-28-23)

047. -- 999. (RESERVED)