

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL 1985

6 By: (Crain)

7 COMMITTEE SUBSTITUTE

8 An Act relating to professions and occupations;  
9 amending Section 3, Chapter 360, O.S.L. 2009 (63 O.S.  
10 Supp. 2009, Section 7200.3), which relates to the  
11 Oklahoma Sleep Diagnostic Testing Regulation Act;  
12 modifying board certification requirements; and  
13 providing an effective date.

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

15 SECTION 1. AMENDATORY Section 3, Chapter 360, O.S.L.  
16 2009 (63 O.S. Supp. 2009, Section 7200.3), is amended to read as  
17 follows:

18 Section 7200.3. As used in the Oklahoma Sleep Diagnostic  
19 Testing 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  
tests. An interpreting physician shall be board-certified in sleep

1 ~~medicine by the American Board of Sleep Medicine (ABSM) or the~~  
2 ~~American Board of Medical Specialties or must have completed a one-~~  
3 ~~year sleep medicine fellowship accredited by the Accreditation~~  
4 ~~Council for Graduate Medical Education (ACGME) a specialty approved~~  
5 ~~by the State Board of Medical Licensure and Supervision or the State~~  
6 Board of Osteopathic Examiners;

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

8 a. allopathic medicine and surgery by the Oklahoma State  
9 Board of Medical Licensure and Supervision pursuant to  
10 the Oklahoma Allopathic Medical and Surgical Licensure  
11 and Supervision Act, or

12 b. osteopathic medicine by the State Board of Osteopathic  
13 Examiners pursuant to the Oklahoma Osteopathic  
14 Medicine Act;

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

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

21 6. "Sleep diagnostic testing facility" means a building or  
22 place situated in a fixed location or a mobile entity that is used  
23 to conduct sleep diagnostic tests and includes sleep disorder  
24 centers and laboratories for sleep-related breathing disorders, but

1 does not include a hospital that conducts sleep diagnostic tests for  
2 its patients, including sleep diagnostic tests performed under  
3 arrangements made by a hospital for its patients whereby the  
4 hospital exercises professional responsibility over the arranged  
5 services; and

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

17 SECTION 2. This act shall become effective November 1, 2010.

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