

1 ENGROSSED SENATE  
2 BILL NO. 1985

By: Crain of the Senate

and

Cox of the House

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7 [ Oklahoma Sleep Diagnostic Testing Regulation Act -

8 board certification -

9 effective date ]

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

13 SECTION 1. AMENDATORY Section 3, Chapter 360, O.S.L.  
14 2009 (63 O.S. Supp. 2009, Section 7200.3), is amended to read as  
15 follows:

16 Section 7200.3. As used in the Oklahoma Sleep Diagnostic  
17 Testing Regulation Act:

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

21 2. "Interpreting physician" means a physician who provides  
22 professional interpretation of data generated by sleep diagnostic  
23 tests. An interpreting physician shall be board-certified in sleep  
24 ~~medicine by the American Board of Sleep Medicine (ABSM) or the~~

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

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

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

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

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

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

20 6. "Sleep diagnostic testing facility" means a building or  
21 place situated in a fixed location or a mobile entity that is used  
22 to conduct sleep diagnostic tests and includes sleep disorder  
23 centers and laboratories for sleep-related breathing disorders, but  
24 does not include a hospital that conducts sleep diagnostic tests for

1 its patients, including sleep diagnostic tests performed under  
2 arrangements made by a hospital for its patients whereby the  
3 hospital exercises professional responsibility over the arranged  
4 services; and

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

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

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