



NORTH CAROLINA RESPIRATORY CARE BOARD

1100 Navaho Drive, Suite 242
Raleigh, NC 27609

January 10, 2013

Dan Grady, RCP, MEd, RRT, FAARC
Clinical Specialist for Research and Education
Respiratory Care Department
Mission Health System
509 Biltmore Avenue
Asheville, NC 28801

Dear Mr. Grady,

This letter is sent on behalf of the North Carolina Respiratory Care Board in response to your letter of December 14, 2012 requesting the Board's interpretation of provisions in its rules and in the Respiratory Care Practice Act relating to the performance of support activities by Blood Gas Lab Support Technicians ("the Technicians") who work in any one of the blood gas labs at Mission Health System. In the information you submitted, you confirmed that these Technicians do not perform arterial blood sampling, do not interpret blood gas results, and do not represent themselves as a respiratory care practitioner ("RCP"). You also confirmed that the Technicians receive training and an annual competency assessment and that the Technicians and the Mission Health System blood gas labs have been accredited by the College of American Pathologists, and certified by the Centers for Medicare and Medicaid Services of the US Department of Health and Human Services. You also indicated that the tasks listed in your request would be performed under the direct supervision of a licensed RCP and under the supervision of a medical director who is a licensed physician.

The Respiratory Care Board discussed your request during its regular scheduled meeting held on January 10, 2013 and has determined the provision of *support activities by Blood Gas Lab Support Technicians which are performed under the direct supervision of a licensed RCP* and a licensed physician are exempted under the section of the Respiratory Care Practice Act which declares that certain specified persons and practices are not affected by the Act:

§ 90-664. Persons and practices not affected.

The requirements of this Article shall not apply to:

(1) Any person registered, certified, credentialed, or licensed to engage in another profession or occupation or any person working under the supervision of a person registered, certified, credentialed, or licensed to engage in another profession or occupation in this State who is performing work incidental to or within the practice of that profession or occupation and does not represent himself or herself as a respiratory care practitioner.

To ensure that these support activities fit within this exemption in the Act, and to assure the quality and efficacy of the activities, the practice or facility where these tasks are performed must: 1) maintain written policies and guidelines that define the persons who may perform these tasks; 2) establish clear guidelines for the use of the data collected and 3) require each Technician to have documented training and annual competency reviews conducted by a Respiratory Care Practitioner or by another appropriate medical professional, in each of the tasks in which the Technician will be engaged.

Please advise if you have any other questions about this issue.

Regards,

Floyd E. Boyer, RRT, RCP
Executive Director