



NORTH CAROLINA RESPIRATORY CARE BOARD
125 Edinburgh South Drive, Suite 100
Cary, NC 27511

July 14, 2016

Floyd Boyer, BS, RRT, RCP, FAARC
Affordable Health Care Consultants, LLC
161 Deer Run Lane
Autryville, NC 28318

Dear Mr. Boyer,

This letter is sent on behalf of the North Carolina Respiratory Care Board in response to your email of February 29, 2016 requesting the Board's interpretation of state statutes and rules that relate to the performance of CPAP by a Registered Polysomnography Technologist (RPSGT) for therapeutic purposes in a sleep center at Carolinas Medical Center. We understand that the CPAP procedures in question would only be performed in the course of providing treatment to a person who has been referred to the sleep center for diagnosis or treatment of obstructive sleep apnea. On July 14, 2016, the Board met and approved the following interpretation of the Respiratory Care Practice Act and the Board's rules:

The NCRCB is not empowered to interpret the Polysomnography Practice Act (PPA), which is codified in Article 42 of Chapter 90 of the N.C. General Statutes and is administered by the North Carolina Medical Board (NCMB); so we contacted NCMB to get its views on the scope of practice for an RPSGT, as it relates to your question. The NCMB indicated it could not provide guidance on this issue and referred us to the Board of Registered Polysomnographic Technologists (BRPT), which is an independent, non-profit certification board that conducts a validated program of competency based testing for RPSGTs. We reviewed the BRPT examination matrix and determined that the therapeutic application of CPAP is included on the exam matrix, indicating that it falls within the scope of practice of an RPSGT.

Thus, CPAP procedures provided in the course of diagnosing or treating sleep disorders fall within the scope of the RPSGT practice; and the PPA states that "The practice of polysomnography shall be performed under the general supervision of a licensed physician". Accordingly NCRCB has determined that when performed by polysomnographic technologists who are registered with the Board of Registered Polysomnographic Technologists and with the North Carolina Medical Board, the provision of CPAP to patients who are being diagnosed or treated for sleep disorders, when performed under the general supervision and orders of a licensed physician, is exempted from licensure under the Respiratory Care Practice Act as stated in § 90-664 (1), so long as they do not otherwise in some way exceed the scope of their practice of polysomnography as a RPSGT as defined by the PPA and BRPT.

We also emphasize that this letter does not in any way address the ability of an RPSGT to provide CPAP therapy to patients who have any other respiratory pathology besides a sleep disorder. Please advise if you have any other questions about this issue.

Regards,

 PH.D., RRT, RCP
William L. Croft, Ph.D., RRT, RCP
Executive Director