



**Tennessee Board of Medical Examiners’
Polysomnography Professional Standards Committee
Regular Board Meeting**

May 13, 2025

MINUTES

The regular meeting of the Tennessee Board of Medical Examiners’ Polysomnography Professional Standards Committee (hereinafter, “the Committee”) was called to order at 9:00 a.m. in the Poplar Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243.

Members Present:	Roxanne Valentino, MD
	James McGuirk, MD
	Roy Shedd, RPSGT
	Mark Spiceland, RPSGT
	Jim O. Donaldson, RPSGT
Members Absent:	Charity Worrick, RPSGT
Staff Present:	Stacy Tarr, Executive Director
	Ashley Fine, Advisory Attorney
	Brandi Allocco, Administrative Director
	Kavita Vankineni, MD, Medical Board Consultant

Dr. Roxanne Valentino called the meeting to order at 9:00 am and conducted a roll call of members present. A quorum was established.

APPLICANT INTERVIEWS

Theresa Clouse Dr. Roxanne Valentino moved to table the application until the August meeting. Mr. Jim Donaldson seconded. All were in favor, none opposed.

RULEMAKING HEARINGS

0880-14-.02 Moderator Ashley Fine, Senior Associate General Counsel, Department of Health, called the hearing to order at 9:08 AM. Ms. Fine asked each Committee member to state their name for the record. The following Committee members are present: Roxanne Valentino, James McGuirk, Roy Shedd, Mark Spiceland, and Jim Donaldson. This rulemaking hearing took place pursuant to T.C.A. § 4-5-204 to solicit comments on the Committee's proposal to amend rule 0880-14-.02 regarding fees. Ms. Fine presented a summary of the information on which the amended rules contained in the notice of rulemaking hearing are based. Due to the 2023 fiscal year-end projections and the fact the Committee has been operating in a deficit in 2022, 2023, and 2024, and to ensure compliance with state law, the committee proposed the following: an application fee increase from \$200.00 to \$375.00, and the biennial licensure fee renewal increase from \$120.00 to \$275.00. The notice of rulemaking was published on February 5, 2025, on the Tennessee Administrative website. Additional notice was given via email blasts and a posting on the committee's website. Ms. Fine then read the proposed rule amendments into the record. Ms. Fine turned the hearing over to the Committee. Ms. Fine confirmed there were no public comments. There were no names listed on the sign-in sheet placed at the door to give public comments, and no public comments were received prior to the rulemaking hearing. Dr. James McGuirk made a motion to approve the rule amendments as presented. Mr. Mark Spiceland seconded. The motion passed. Ms. Fine presented the Economic Impact Statement and Regulatory Flexibility Analysis. Dr. Valentino moved to approve both forms, Mr. Donaldson seconded. All in favor, none opposed. The rulemaking hearing was concluded.

At 9:17 AM, immediately after the rulemaking was closed, the rulemaking hearing on fees was reopened to conduct a roll call vote on the Notice of Rulemaking Hearing. Roy Shedd-in favor, Roxanne Valentino- in favor, Mark Spiceland- in favor, Jim Donaldson- in favor, James McGuirk-in favor. The rulemaking hearing on fees was concluded.

0880-14-.03 Moderator Ashley Fine, Senior Associate General Counsel, Department of Health. The hearing was called to order at 9:17 AM. Ms. Fine asked each Committee member to state their name for the record. The following Committee members are present: Roxanne Valentino, James McGuirk, Roy Shedd, Mark Spiceland, and Jim Donaldson. This rulemaking hearing took place pursuant to T.C.A. § 4-5-204 to solicit comments on the Committee's proposal to amend rule 0880-14-.03. Ms. Fine presented a summary of the information on which the amended rules contained in the notice of rulemaking hearing are based. The Committee is extending the time limit for accepting examination scores for out-of-state applicants who are otherwise not applying by endorsement, from twelve (12) months to thirty-six (36) months. The notice of rulemaking was published on February 5, 2025, on the Tennessee Administrative website. Additional notice was given via email blasts and a posting on the committee's website. Ms. Fine then read the proposed rule amendments into the record. Rule 0880-14-.03 (1) (h) An applicant who is applying for licensure in Tennessee, and who has never been licensed or practiced in another state, shall complete and obtain a passing score on the national certifying exam given by the BRPT within twelve (12) months of applying for initial licensure. (j) All applicants for licensure must be credentialed by the BRPT. (k) 1. Complete the Committee approved application; and 2. Provide proof of possessing a current license, in good standing, from another state; and 3. Demonstrate that they have completed the educational requirements in T.C.A. § 63-31-106(b)(1); and 4. Demonstrate current credentialing by the BRPT; and, (l) An applicant who is applying for licensure in Tennessee, and who has previously practiced in another state that does not require licensure, shall be eligible for licensure in Tennessee if the applicant: 1. Practiced as a polysomnographic technologist for at least twelve (12) of the preceding thirty-six (36) months from the date of the application, which need not be consecutive; and 2. Submits proof satisfactory to the Committee documenting the applicant's work history; and 3. Submits proof of having received a passing score on the national certifying exam given by the BRPT within thirty-six (36) months preceding the application for licensure in Tennessee; and 4. Submits proof of having maintained BRPT credentials.

Ms. Fine confirmed there were no public comments. There were no names listed on the sign-in sheet placed at the door to give public comments, and no public comments were received prior to the rulemaking hearing. Ms. Fine then expressed to the Committee that it would be helpful if a statement could be provided on the record on why the timeframes were selected. She then turned the hearing over to the Committee. Dr. Valentino stated that initial applicants are new and have not practiced or obtained licensure; they have twelve months to apply for a license. Applicants with an out-of-state license have practiced in another state. Applicants with practice in another state without a license would have work experience of at least twelve (12) months. Dr. McGuirk moved to accept the rule amendments as presented. Dr. Valentino second. A roll-call vote was taken. Roy Shedd-in favor, Roxanne Valentino- in favor, Mark Spiceland- in favor, Jim Donaldson- in favor, James McGuirk-in favor. Ms. Fine presented the Economic Impact Statement and Regulatory Flexibility Analysis. Mr. Spiceland moved to approve both forms. Dr. Valentino seconded. All in favor, none opposed. The rulemaking hearing was concluded.

APPLICANT INTERVIEWS (Cont.)

Sherri Hanson-Ms. Hanson is an applicant for an initial polysomnography technologist license by endorsement. Ms. Hansen holds an active polysomnography license in California. Ms. Hanson has a background in lab operations and experience running Accredited Sleep Technologist Education Program (ASTEP) programs. Currently, she serves as a program director, which requires licensure for post-secondary authorization. Dr. Kavita Vankineni, Medical Consultant, confirmed that Tennessee and California licensure requirements are substantially similar, and recommended approval of the application. Dr. McGuirk moved to grant a license. Mr. Donaldson seconded. All in favor, none opposed.

DEPARTMENTAL REPORTS

Administrative Office Report Ms. Brandi Allocco, Administrative Director, presented the administrative office report for the reporting period of August 1, 2024, to April 30, 2025.

- **Licensing Activity:**
 - Full license applications: 19
 - Temporary permit applications: 16
 - Reinstatements: 4
- **New Licenses Issued:**
 - Full licenses: 14
 - Temporary permits: 17
- **Renewals:**
 - Total renewals: 134
 - Online renewals: 126 (94% online renewal rate)
- **Active Licensees as of April 30, 2025:**
 - Full polysomnography licenses: 445
 - Temporary permits: 20

Hearing no questions, Ms. Allocco concluded her report.

Office of General Counsel Ms. Fine presented the Office of General Counsel Report.

- The Committee was reminded of the Conflict-of-Interest Policy and the Open Meetings ACT.
- There are currently two cases open with the Office of General Council.
- A rulemaking hearing will be held at the August meeting to amend Rule 0880-14-.09 to cap the number of hours required for reinstatement and the time period for submission of such hours.

- The disciplinary coordinator is currently monitoring three licensees, two for a reprimand and one for suspension.

APPROVAL OF MINUTES

Mr. Spiceland motioned to approve the August 27, 2024, meeting minutes; Mr. Shedd seconded. All in favor, none opposed.

CONDUCT NEW BUSINESS

Ratification of new licenses, temporary permits, and reinstatement of licenses Ms. Stacy Tarr, Executive Director, informed the committee that all individuals listed had been reviewed and approved by both the medical consultant and the committee consultant. Applicants had received an authorization to practice letter until formal approval. Once approved by this committee, the Board of Medical Examiners would ratify the decision at their next meeting, after which licenses would be issued. Mr. Shedd moved to approve. Mr. Spiceland seconded. All in favor, none opposed.

PRESENTATION OF DISCIPLINARY ORDERS (Disciplinary Orders have been hyperlinked to the provider's name)

Consent Orders

Sharon Luncheon, RPSGT – did not appear before the Board nor did a legal representative appear on her behalf. Ms. Regan Cothron represented the State. Mr. Donaldson motioned to approve; Mr. Shedd seconded. All in favor, none opposed.

Becky Reid, RPSGT – did not appear before the Board nor did a legal representative appear on her behalf. Ms. Regan Cothron represented the State. Mr. Donaldson motioned to approve the consent order; Mr. Spiceland seconded. All in favor, none opposed.

DEPARTMENTAL REPORTS (Cont.)

Financial Report-Ms. Noranda French, Interim Fiscal Director, presented the financial report.

Ms. French reviewed the FY 2024 data with the Committee

- The board closed FY 2024 with a negative balance of \$16,929.76, leading to a negative reserve balance of \$12,125.74.
- Breakdown of expenditures:
 - Salaries & benefits: \$20,671
 - Below-the-line expenditures: \$7,990
 - Allocated expenditures: \$25,595
- Financial trends show the board was on track for 2023 and 2024, with a peak in spending during FY 2022.
- 70% of revenue comes from renewals, a typical pattern among health-related boards.
- The Committee's revenue must be at least twice its expenditures for two consecutive fiscal years, which it currently is not.
- The reserve balance must exceed two times the three-year average operating expenditures, which it does not.
- A technological project affecting all health-related boards is scheduled for FY 2026. The Committee's portion is estimated at \$20,634, further impacting its financial standing.

Ms. French then presented the Committee with 2025 data.

- **Expenditures (July 1 - April 15):**
 - Payroll & benefits: \$11,800
 - Below-the-line expenditures: \$4,259
 - Allocated expenditures: \$16,533
 - Total estimated expenditures: \$31,801
- Revenue generated as of April 15: \$22,945
- Projected negative balance if closed today: -\$8,856
- Carryover balance projection (excluding the tech project): -\$20,982

The financial office fully supports the board's fee increase to address the deficit and regain self-sufficiency in compliance with TCA requirements.

LEGISLATIVE UPDATE (Linked to the 2025 Legislative wrap)

Grayson Carter- Legislative Liaison, presented the legislative wrap for the 2025 legislative session.

DEPARTMENTAL REPORTS (Cont.)

Office of Investigations Ms. Angela Esau, Complaint Coordinator, presented the report.

Year to date, there has been one complaint, which has been closed for insufficient evidence. Currently, there are no open complaints. Hearing no questions, Ms. Esau concluded her report.

CONDUCT NEW BUSINESS(Cont.)

Letters to the Tennessee Higher Education Commission (THEC) regarding the Committee's involvement in approving education programs

Ms Fine explained to the Committee that the Tennessee Higher Education Commission (THEC) has statutes and rules that require educational institutions in Tennessee to obtain an authorization. (See Rule 1540-01-02.04 (1) and Rule 1540-01-10.) THEC issues an authorization to educational programs, which must be renewed. When approving schools, THEC looks to see if the program being reviewed is approved by the profession's Board or Committee. This Committee does not directly approve schools, rather, the Committee's statutes set forth which types of accredited educational programs are approved., Ms. Fine explained that T.C.A. § 63-31-106 b(1) outlines which educational programs are approved by law Under the statute, programs accredited by CAHEP or ASSAM are approved. ee. Ms. Sherri Hanson and Mr. Dustin Smith, who have signed up for public comment on this agenda item, are seeking Committee approval for their ASTEP program, which is AASM-accredited. Ms. Fine provided the Committee with a draft letter that the Committee could provide to Ms. Hanson and to other programs upon request in the future. Mr. Smith and Ms. Hanson addressed the Committee, asking for a subject matter expert approval letter stating that ASTEP is an applicable pathway for licensure. Ms. Fine pointed out that the draft letter highlights that the Committee does not grant approvals to individual educational programs, but rather that an A-Step program, accredited by the AASM, is approved under T.C.A. § 63-31-106 b(1)(D) .. Mr. Spiceland moved to approve the draft letter. Mr. Donaldson seconded. All in favor, none opposed.

Removing the educational programs page from the Committee's website

Ms. Fine stated the Committee is not charged with approving schools, so it has been suggested to remove the list from the website. It appears the list was posted when the ASTEP program was no longer an approved course to help the public what programs would meet requirements in absence of the A-Step program. Because the Committee does not individually approve school programs, and school representatives would not have to appear before them, it would be challenging to keep the list accurate and updated. Dr. Valentino agreed that it would be difficult. Mr. Spiceland moved to remove the education tab from the website. Dr. McGuirk seconded. All in favor, none opposed.

CME Waiver Request

Ms. Allocco presented a waiver request from Ms. Toni Foley. Ms. Foley submitted the request prior to her expiration date, reporting a deficiency and undue hardship meeting the requirements of Rule 0880-14-.09(1) (a)(4). Dr. McGuirk moved to approve. Mr. Donaldson seconded. All in favor, none opposed.

Consideration of CME

Ms. Jessica Flannigan was audited and submitted continuing education hours that may be approved pursuant to Rule 0880-14-.09 (c)2. The coursework submitted by Ms. Flannigan was provided by an approved organization from the rule and pertained to the practice of Polysomnography. Dr. McGuirk moved to accept the CMEs. Mr. Donaldson seconded. All in favor, none opposed.

Proposed rule chapter amendments based on 2021 PC 328, including final vote on changes previously discussed at the Committee's 2024 meetings and including additional discussion on at least the following: Definitions, License Qualifications, and Continuing Education Requirements Required for Reinstatement

Ms. Fine presented the Committee with a clean draft of the rule changes for their consideration. This draft stemmed from a discussion held at the August 27, 2024 board meeting. A summary of the changes was discussed. The following is a summary of the more substantive rule amendments in that discussion. For more detailed information, please review the livestream recordings for August 27, 2024, and May 13, 2025.

Definition of Committee Consultant changed to "Committee Consultant" means the medical director of the Board of Medical Examiners or a designee appointed by the Committee to perform the duties as listed in Rule0880-14-.08(2).

Application Requirement-An applicant shall submit proof of United States or Canadian citizenship, or evidence of being legally entitled to live and work in the United States pursuant to T.C.A. § 4-58-103.

0880-14-.03(3) was amended, and the existing policy regarding Trainees was reviewed. A Trainee can provide sleep services without a license as long as they are actively enrolled in A-Step program. The Committee was in favor of keeping 0880-14-.03(3)(a)(1-10) and 0880-14-.03(3)(b) and deleting 0800-

14-.03(3)(c). Mr. Spiceland would like to revisit defining actively enrolled. Ms. Fine let the Committee know that once the rules are in effect, the Committee could create a policy to define actively enrolled.

An applicant must attest to completion of all continuing education requirements as listed in Rule 0880-14-.09 on the renewal application.

0880-14-.06 was changed by adding language clarifying that an applicant must complete any continuing education requirements as listed in Rule 0880-14-.09 and consistent with amendments made to Rule 0880-14-.06(6) below for both reinstating from an expired or voluntarily retired license. Paragraph six was added to cap the number of continuing education hours required for reinstatement.

Dr. McGuirk moved to approve with these additional changes and submit them to rulemaking. Spiceland seconded. All in favor, none opposed.

Ms. Fine informed the Committee that additional changes could be made during rulemaking as long as they remained in the scope of the rule amendments.

Dr. Valentino adjourned the meeting at 10:58 a.m.