



**POLYSOMNOGRAPHY PROFESSIONAL STANDARDS COMMITTEE**  
**Regular Board Meeting**

**Friday, May 25, 2021**

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**MINUTES**

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A regular meeting of the Tennessee Board of Medical Examiners' Polysomnography Professional Standards Committee was held in the Division of Health Related Boards, 665 Mainstream Drive, Poplar Room, Nashville, TN 37243.

Members Present:

Mark Spiceland, RPSGT  
Penny Sprigs-Smith, RPSGT  
Jim O. Donaldson, RPSGT  
Scott Vogt, RPSGT

Absent Members:

Stephen Heyman, MD  
Charity Worrick, RPSGT  
Theresa Hill, Consumer Member

Staff Present:

Angela Lawrence, Executive Director  
Rene Saunders, MD, Medical Consultant  
Samuel Moore, Advisory Attorney  
Stacy Tarr, Administrative Director

The Committee convened at 9:09 a.m. A quorum was present, Ms. Penny Smith-Sprigs, Committee chair, called the meeting to order with a roll call.

**Approval of Minutes**

After review, Mr. Donaldson made a motion to approve the minutes for the February 23, 2021 Committee meeting. Mr. Vogt seconded the motion. The motion carried.

### **Applicant Interviews**

Mr. Moore reviewed the Conflict of Interest Policy with the Committee.

**Gregory Kantner** – Mr. Kantner is an applicant for a Polysomnography Technician by grandfathering clause. Mr. Kantner reports having practiced as a sleep technician since 2003. He was certified by the BRPT in 2008. T.C.A §63-31-106 (a)(2) prior to July 1, 2010, any person who is engaged in the practice of polysomnography without being licensed under this chapter shall not be deemed in violation of this chapter or the Respiratory Care Practitioner Act, compiled in chapter 27 of this title. After discussion, Mr. Vogt motioned to approve his application. Mr. Donaldson seconded the motion. The motion carries.

### **Ratification of New Licenses and Reinstatements**

Mr. Donaldson motioned to ratify the new licenses/reinstatements. Ms. Sprigs-Smith seconded the motion. The motion carried.

### **Discussion Regarding A-Step Applicants**

Mr. Moore stated the A-Step process requires a Legislative change and is not possible to create through rule. If the Committee is interested in making this change, they will need to reach out to their congressman.

Mr. Vogt suggested the Committee table the discussion until a full board is present. The Committee determined this issue is not something they can take up in a regular Committee meeting and will need to reach out to their congressman. Mr. Vogt rescinded his motion.

### **Discussion Regarding Out of State Supervision**

Dr. Saunders stated this issue arose during remote sleep study interpretation. We have applicants who will apply out of state and typically their supervisor is in another state as well. The Committee does not have a policy suggesting the supervisor must hold an unencumbered license in the State of Tennessee.

Mr. Moore stated this could be potentially a rule change if this is something the Committee feels needs to be addressed.

Mr. Vogt made a motion that applicants applying for licensure have a supervisor that has an unencumbered license in the State of Tennessee.

Ms. Sprigs-Smith stated she would also add that a supervising physician needs to be in the same field and boarded in sleep studies prior to supervising.

Mr. Moore stated he felt this could limit supervision to a polysomnographer and would be more stringent restriction on the supervisor. Mr. Moore stated it may be best for the Committee to reach

out to the professional organization to see how many individuals this may affect. This would be helpful prior to drafting a rule change.

Mr. Vogt withdrew his initial motion. Mr. Vogt made a motion to table the application until further research could be done by administrative staff regarding other states and their supervision. Ms. Sprigs-Smith seconded the motion. The motion carried.

### **Office of Investigations and Disciplinary Coordinator**

Ms. Lori Leonard, Disciplinary Coordinator reported that there are three currently monitored licensees under Board Order and one licensee under suspension. In 2021, the Office of Investigation received two complaints regarding lapsed license. No complaints were closed. Two open complaints are being investigated

### **Office of General Counsel**

Mr. Moore reported that there is currently one open case that is set for trail at the August 2021 meeting. There are no contested cases, orders of modification, or declaratory orders on today's agenda.

Two agreed citations were presented for ratification by the Committee:

**Lacy Hashimoto** (License No. 1289) for failure to maintain proper continuing education credits. Mr. Donaldson motioned to ratify the citation. Mr. Spiceland seconded the motion. The motion carries.

**Jack Adams** (License No. 6) for failure to maintain proper continuing education credits. Mr. Donaldson motioned to ratify the citation. Ms. Smith-Sprigs seconded the motion. The motion carried.

### **Manager's Report**

Ms. Tarr reported that between February 1, 2021 and April 30, 2021, 3 technologists (full license), 15 technicians (temporary permit), 14 Trainee/Student, and 6 reinstatement applications were received in the administrative office and 23 new licenses issued:

#### **Total New Licenses Issued**

Technologist (Full)	11
Technicians (Temporary)	0
Trainee	12
Number of Renewals	59
Online Renewals	50
Percentage of renewals on-line	84%

The total number of active licensees as of April 30, 2021 is 523. The total number of temporary permits is 50, and total student/trainee permits is 169.

**Discussion regarding Continuing Education for Reinstatement of Expired/Lapsed license**

Mr. Moore presented a draft to the Committee regarding language added to Rule 0880-14-.06 (4). Language would add the word “expired” licensee as well as an addition:

(f) No person whose license has expired may be reinstated without submitting evidence of having obtained continuing education. The continuing education hours documented at the time of reinstatement of an expired license must equal the hours required had the license remained in an active status and must have been successfully completed within six (6) months immediately preceding the date of reinstatement. Continuing education hours obtained as a prerequisite for reinstating an expired license may not be counted toward yearly requirement as provided in Rule 0880-14-.09.

Upon discussion, Mr. Spiceland made a motion to approve the language as submitted. Mr. Donaldson seconded the motion. The motion carried.

**There being no other Committee business, the meeting was adjourned at 10:09 a.m.**