

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: June 11, 2008
POSITION: Neutral
SPONSOR: American Academy of Sleep Medicine

BILL NUMBER: SB 1526
AUTHOR: D. Perata
RELATED BILLS: SB 1125

BILL SUMMARY

This bill would require the Medical Board of California (Board) to adopt regulations by January 1, 2010, to establish qualifications for certified polysomnographic technologists (specialists for patients with sleep and wake disorders), as specified, and would establish registration and renewal fees.

FISCAL SUMMARY

The Board estimates a cost of \$135,000 in 2009-10 and \$58,000 ongoing to complete the regulations and implement the program (one ongoing position, one limited term position). There would also be a one-time cost of approximately \$47,000 in 2009-10 to provide programming changes to incorporate the registration program into the current information technology system. The Board has sufficient reserves for this increase in costs. Any request for additional resources would be evaluated as part of the annual budget process.

There are more than 175 sleep laboratories in California and approximately 65 percent of the staff are currently unlicensed by any entity. There are likely less than 1,000 practitioners that would be regulated by the Board or certified as a polysomnographic technologist.

The Board indicates that revenues generated as a result of the fees established in this bill will not be known until additional information is gathered regarding the potential number of statewide applicants.

COMMENTS

This bill is intended to address the growing practice of diagnosing and treating sleep and wake disorders. Currently, licensed physicians specialize in sleep medicine and utilize training technicians to assist them. In addition, licensees of the Respiratory Care Board also provide treatment for sleep-related respiratory disturbances such as those associated with obstructive sleep apnea.

This bill would require the Board to adopt regulations by January 1, 2010, to establish the qualifications to register as a certified polysomnographic technologist. This bill would also require the submission of fingerprints to the Department of Justice to ensure criminal record clearance is achieved. This bill also establishes a fee for registration and for renewal. Fees are to be remitted to the Contingent Fund of the Medical Board for the administration of the registration program. Finally, this bill specifies under what circumstances registration may be denied, suspended, revoked or the registrant subject to discipline

Based on a review of the need for regulation of polysomnographic technologists, approximately 30 percent of the practitioners in this area are currently licensed by the Respiratory Care Board while only 5 percent are licensed by other health-related boards such as the Medical Board of California. Therefore, it is unclear who should regulate these practitioners. A related bill, SB 1125 (Denham) proposes to establish a regulatory program under the Respiratory Care Board rather than the Medical Board of California.

Analyst/Principal Date Program Budget Manager Date
(0240) K. Shelton Todd Jerue

Department Deputy Director Date

Governor's Office: By: Date: Position Approved
Position Disapproved

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)

**Form DF-43
BILL NUMBER**

AUTHOR

AMENDMENT DATE

D. Perata

June 11, 2008

SB 1526

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							Fund Code
	LA	(Dollars in Thousands)							
	CO	PROP	2007-2008		2008-2009		2009-2010		
	RV	98	FC	FC	FC	FC			
1110/ConAfr-ReqBd	SO	No		--		--	C	\$182	0758
0820/Justice	SO	No	----- No/Minor Fiscal Impact -----						0017
<u>Fund Code</u>	<u>Title</u>								
0017	Fingerprint Fees Account								
0758	Contingent Fd of the Medical Board of CA								