



Virginia Department of Planning and Budget **Economic Impact Analysis**

18 VAC 85-140 Regulations Governing the Practice of Polysomnographic Technologists
Department of Health Professions
April 1, 2015

Summary of the Proposed Amendments to Regulation

The Board of Medicine (Board) proposes to: 1) within this regulation update the name of the national organization that accredits certifying or credentialing bodies, and 2) clarify which cardiopulmonary resuscitation course is required for polysomnographic technologist licensure.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

Polysomnographic technologists work with licensed physicians to monitor, test, and treat individuals who suffer from sleep disorders. Chapter 838 of the 2010 Acts of Assembly directed the Board to begin licensing this profession and to develop the associated regulatory requirements. The initial regulations establishing licensure for this profession became effective on December 31, 2014.

One of the requirements for polysomnographic technologist licensure is documentation of a relevant certification or credential. One of the three choices for demonstrating a relevant certification or credential is described as follows: “A professional certification or credential approved by the board from an organization or entity that is a member of the National Organization for Competency Assurance.” The entity formerly known as the National Organization for Competency Assurance is now called the Institute for Credentialing Excellence. The Board proposes to amend the regulation to reflect the current name of this entity. This proposed change may produce a moderate benefit in that it may save some individuals some

wasted time searching for organizations that are members of an entity name that no longer applies.

The regulation text specifies that current certification in Basic Cardiac Life Support with a hands-on practice training evaluation segment is required for both initial licensure and license renewal. There has been some confusion among potential licensees as toward which existing courses would satisfy this requirement. The Board proposes to change “Basic Cardiac Life Support” to “Basic Life Support for Health Care Providers,” the actual name of the course they must take. This proposed change may also provide some moderate benefit in that it will likely reduce confusion and perhaps save time for potential polysomnographic technologist licensees.

Businesses and Entities Affected

The proposed amendments affect polysomnographic technologists applying for licensure or renewal of licensure. The initial regulations establishing licensure for this profession became effective on December 31, 2014. Thus far 28 individuals have become licensed as polysomnographic technologists.¹

Localities Particularly Affected

The proposed amendments do not disproportionately affect particular localities.

Projected Impact on Employment

The proposed amendments are unlikely to significantly affect employment.

Effects on the Use and Value of Private Property

The proposed amendments are unlikely to significantly affect the use and value of private property.

Small Businesses: Costs and Other Effects

The proposed amendments will not increase costs for small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed amendments do not adversely affect small businesses.

¹ Date source: Department of Health Professions

Real Estate Development Costs

The proposed amendments do not significantly affect real estate development costs.

Legal Mandate

General: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia and Executive Order Number 14 (2010). Section 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to:

- the projected number of businesses or other entities to whom the proposed regulatory action would apply,
- the identity of any localities and types of businesses or other entities particularly affected,
- the projected number of persons and employment positions to be affected,
- the projected costs to affected businesses or entities to implement or comply with the regulation, and
- the impact on the use and value of private property.

Small Businesses: If the proposed regulatory action will have an adverse effect on small businesses, § 2.2-4007.04 requires that such economic impact analyses include:

- an identification and estimate of the number of small businesses subject to the proposed regulation,
- the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents,
- a statement of the probable effect of the proposed regulation on affected small businesses, and
- a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

Additionally, pursuant to § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules (JCAR) is notified at the time the proposed regulation is submitted to the *Virginia Register of Regulations* for publication. This analysis shall represent DPB's best estimate for the purposes of public review and comment on the proposed regulation.

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