

**House Study Bill 567 - Introduced**

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON FRY)

**A BILL FOR**

1 An Act relating to the practice of polysomnography.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 148G.1, Code 2018, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 10A. *"Sleep diagnostic testing facility"*  
4 means a building or place situated in a fixed location  
5 or a mobile entity that is used to provide sleep-related  
6 services and includes sleep-related disorder centers and  
7 laboratories for sleep-related respiratory disorders, but  
8 does not include a hospital licensed under chapter 135B that  
9 provides sleep-related services for its patients, including  
10 sleep-related services provided under arrangements made by  
11 the hospital for its patients whereby the hospital exercises  
12 professional responsibility over the arranged services.

13 Sec. 2. Section 148G.3, Code 2018, is amended to read as  
14 follows:

15 **148G.3 Location of services.**

16 The practice of polysomnography shall take place only in a  
17 facility that is accredited by a nationally recognized sleep  
18 medicine laboratory or center accrediting agency, in a facility  
19 operated by a hospital or a hospital licensed under chapter  
20 135B, or in a patient's home, with testing equipment provided  
21 by a sleep diagnostic testing facility, hospital licensed  
22 under chapter 135B, or mobile testing company with a physical  
23 location in the state of Iowa, pursuant to rules adopted by  
24 the board; provided, however, that the scoring of data and the  
25 education of patients may take place in another setting.

26 Sec. 3. NEW SECTION. **148G.3A Supervision of sleep-related**  
27 **services in a patient's home.**

28 Sleep-related services provided in a patient's home shall  
29 be conducted under the general supervision of a physician or  
30 qualified health care professional prescriber and the results  
31 thereof shall be interpreted by a physician or qualified health  
32 care professional prescriber. Patients shall be educated on  
33 the proper use of testing equipment by a respiratory care and  
34 polysomnography practitioner, registered polysomnographic  
35 technologist, or physician employed by or affiliated with the

1 sleep diagnostic testing facility providing the sleep-related  
2 services.

3     Sec. 4. NEW SECTION. 148G.3B **Operation of sleep diagnostic**  
4 **testing facilities.**

5     A sleep diagnostic testing facility shall comply with all of  
6 the following standards:

7     1. A sleep diagnostic testing facility shall be supervised  
8 by a physician.

9     2. Beginning July 1, 2018, a new sleep diagnostic testing  
10 facility shall be fully or provisionally certified or  
11 accredited by the American academy of sleep medicine, except  
12 that full or provisional certification or accreditation  
13 shall not be required until December 31, 2018, for any sleep  
14 diagnostic testing facility that has submitted a completed  
15 application for certification or accreditation to the American  
16 academy of sleep medicine on or before June 30, 2018. This  
17 section does not require a sleep diagnostic testing facility  
18 operating before July 1, 2018, to receive certification or  
19 accreditation from the American academy of sleep medicine.

20     3. Data from the provision of sleep-related services  
21 shall be interpreted by a physician or qualified health care  
22 professional prescriber.

23     4. All sleep-related services shall be conducted by or under  
24 the general supervision of a physician or qualified health care  
25 professional prescriber.

26   EXPLANATION

27                   The inclusion of this explanation does not constitute agreement with  
28                   the explanation's substance by the members of the general assembly.

29     This bill concerns the practice of polysomnography in Iowa.

30     The bill adds a requirement that any in-home sleep  
31 diagnostic testing be performed with equipment provided by a  
32 sleep diagnostic testing facility, hospital, or mobile testing  
33 company with a physical location in Iowa and that the patient  
34 receive education on the proper use of such equipment by a  
35 respiratory care and polysomnography practitioner, registered

1 polysomnographic technologist, or physician employed by or  
2 affiliated with the sleep diagnostic testing facility. The  
3 bill also requires that any sleep-related services provided in  
4 a patient's home be performed under the general supervision  
5 of and be analyzed by a physician or qualified health care  
6 professional prescriber.

7 The bill requires any new sleep diagnostic testing facility,  
8 as defined in the bill, operating on or after July 1, 2018,  
9 to be fully or provisionally certified or accredited by  
10 the American academy of sleep medicine, except that such  
11 accreditation or certification shall not be required until  
12 December 31, 2018, for a sleep diagnostic testing facility  
13 that submitted a completed application for certification or  
14 accreditation to the American academy of sleep medicine on or  
15 before July 1, 2018.