

STATE OF NEW YORK

5337

2025-2026 Regular Sessions

IN ASSEMBLY

February 13, 2025

Introduced by M. of A. LEVENBERG -- read once and referred to the
Committee on Higher Education

AN ACT to amend the education law, in relation to polysomnographic technology services

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 5 of section 8505 of the education law, as
2 added by chapter 262 of the laws of 2011, is amended to read as follows:

3 5. (a) The provision of polysomnographic technology services, as
4 defined by the commissioner, by an individual, under the direction and
5 supervision of a licensed physician, who has obtained authorization
6 issued by the department.

7 (i) Such authorization shall be issued to individuals who have met
8 standards, including those relating to education, experience, examina-
9 tion and character, as promulgated in regulations of the commissioner,
10 including, but not limited to:

11 (A) completion of an associate or higher degree in polysomnographic
12 technology; or

13 1. in a program registered by the department; or
14 2. in a program determined by the department to be substantially
15 equivalent to a registered program such as ASTEP, STAR, or CAAHEP; or

16 (B) a registered polysomnographic technologist in good standing with
17 the board of registered polysomnographic technologists; or

18 (C) a registered respiratory therapist in good standing with the
19 national board of respiratory care; or

20 (D) a certified respiratory therapist in good standing with the
21 national board of respiratory care.

22 (ii) Such authorization shall be subject to the full disciplinary and
23 regulatory authority of the board of regents and the department, pursu-
24 ant to this title, as if such authorization were a professional license
25 issued under this article.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD07299-01-5

1 **(b)** The application fee for such authorization shall be three hundred
2 dollars. Each authorization holder shall register with the department
3 every three years and shall pay a registration fee of three hundred
4 dollars.

5 § 2. This act shall take effect on the one hundred twentieth day after
6 it shall have become a law. Effective immediately, the addition, amend-
7 ment and/or repeal of any rule or regulation necessary for the implemen-
8 tation of this act on its effective date are authorized to be made and
9 completed on or before such effective date.