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:

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

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

(i) Such authorization shall be issued to individuals who have met standards, including those relating to education, experience, examination and character, as promulgated in regulations of the commissioner**, including, but not limited to:**

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

1. in a program registered by the department; or

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

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

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

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

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

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

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

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.