§ 8505. Exempt persons. This article shall not prohibit:

1. The practice of respiratory therapy as an integral part of a program of study by students enrolled in approved respiratory therapy education programs;

2. The performance of any of the modalities included in the definition of respiratory therapy by any other duly licensed, certified or registered health care provider, provided that such modalities are within the scope of his or her practice;

3. Unlicensed assistants from being employed in a hospital, as defined in article twenty-eight of the public health law, for purposes other than the practice of respiratory therapy;

4. The practice of respiratory therapy by any legally qualified respiratory therapy practitioner of any other state or territory who is serving in the armed forces or the public health service of the United States or who is employed by the veterans administration, while engaged in the performance of his or her duties.

5. 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. 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. 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. 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.