

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

IDAHO STATE BOARD OF MEDICINE

24.33.06 – Rules of the Licensure Of Respiratory Therapists And Permitting Of Polysomnographers In Idaho

Who does this rule apply to?

This rule applies to respiratory therapists who are licensed or seek to be licensed under the Board of Medicine (“Board”) and to any polysomnographers who are permitted or seek to be permitted under the Board.

What is the purpose of this rule?

The purpose of this rule is to provide information on the eligibility for licensure, renewal licensure, licensure fees, and continuing education requirements for respiratory therapists and polysomnographers. In addition, this rule provides definitions that are not provided in the statute, at 54-4301 et. seq.

What is the legal authority for the agency to promulgate this rule?

This rule implements the following statutes passed by the Idaho Legislature:

The Medical Practice Act

Physicians and Physician Assistants:

- [54-1801, et seq.](#)
- [54-1806, Idaho Code](#) – Powers and Duties
- [54-1806A, Idaho Code](#) – Medical Disciplinary Enforcement
- [54-1814, Idaho Code](#) – Grounds for Medical Discipline

Respiratory Care Practice Act:

- [54-4301, et seq.](#) – The Respiratory Care Practice Act
- [54-4304A, Idaho Code](#) – Polysomnography Related Respiratory Care
- [54-4305, Idaho Code](#) – Licensure or Temporary Permit Required
- [54-4309, Idaho Code](#) – Issuance of License or Temporary Permit
- [54-4310, Idaho Code](#) – Renewal of License or Temporary Permit
- [54-4311, Idaho Code](#) – Fees
- [54-4312, Idaho Code](#) – Suspension and Revocation of License or Temporary Permit
- [54-4314, Idaho Code](#) – Board of Medicine and Licensure Board – Powers and Duties
- [54-4316, Idaho Code](#) – Rules and Regulations

Who do I contact for more information on this rule?

Idaho State Board of Medicine

Office hours: 8:00 am to 5:00 pm

345 W. Bobwhite Court, Suite 150

Boise, ID 83706

Phone: (208) 327-7000

Fax: (208) 327-7005

Email: info@bom.idaho.gov

<https://bom.idaho.gov/BOMPortal/Home.aspx>

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24.33.06 – RULES FOR LICENSURE OF RESPIRATORY THERAPISTS AND PERMITTING OF POLYSOMNOGRAPHERS IN IDAHO

000. LEGAL AUTHORITY.

Pursuant to Sections 54-4304A, 54-4305, 54-4309, 54-4310, 54-4311, 54-4312 and 54-4316, Idaho Code, the Idaho State Board of Medicine is authorized to promulgate rules governing the practice of respiratory care and polysomnography related respiratory care. (3-20-20)T

001. TITLE AND SCOPE.

01. Title. These rules are titled IDAPA 24.33.06, “Rules for Licensure of Respiratory Therapists and Permitting of Polysomnographers in Idaho.” (3-20-20)T

02. Scope. Pursuant to Sections 54-4304 and 54-4304A, Idaho Code, and this chapter, respiratory therapists must be licensed and polysomnographers issued a permit by the Board prior to commencement of practice and related activities. (3-20-20)T

002. -- 009. (RESERVED)

010. DEFINITIONS.

01. Board of Registered Polysomnographic Technologists. A nationally recognized private testing, examining and credentialing body for the polysomnography related respiratory care profession. (3-20-20)T

02. Comprehensive Registry Exam. The comprehensive registry examination administered by the Board of Registered Polysomnographic Technologists, or administered by an equivalent board, recognized by the Board, the successful completion of which entitles a person to the professional designation of Registered Polysomnographic Technologist (RPSGT). (3-20-20)T

03. Conditional Permit. A time-restricted permit issued by the Board. (3-20-20)T

04. Medical Practice Act. Title 54, Chapter 18, Idaho Code. (3-20-20)T

05. Written Registry and Clinical Simulation Examinations. The certification examinations administered by the National Board of Respiratory Care, Inc., or certification examinations administered by an equivalent board, recognized by the Board, the successful completion of which entitles a person the professional designation of “Registered Respiratory Therapist” (RRT). (3-20-20)T

011. APPLICATION TO BOTH PERMITS AND LICENSES.

The provisions of this chapter governing procedures for suspension and revocation of licenses, payment and assessment of fees and governing misrepresentation, penalties and severability and other administrative procedures shall apply equally to permits for the practice of polysomnography related respiratory care services as to licenses for the practice of respiratory care. (3-20-20)T

012. -- 030. (RESERVED)

031. GENERAL QUALIFICATIONS FOR LICENSURE AND RENEWAL.

Requirements for licensure and renewal are found in Title 54, Chapter 43, Idaho Code, IDAPA 24.33.03, and on Board-approved forms. (3-20-20)T

01. Application for Respiratory Care and Polysomnography Related Respiratory Care Practitioner. (3-20-20)T

a. The Board may issue a dual license/permit to an applicant who meets the requirements set forth in this chapter and Sections 54-4306 and 54-4304A(2) and (3), Idaho Code. A dual license/permit shall authorize the holder to perform respiratory care and polysomnography related respiratory care in this state. (3-20-20)T

b. Application for a dual license/permit shall be made to the Board on a form prescribed by the Board, together with the application fee. (3-20-20)T

c. Such dual license/permit shall expire on the expiration date printed on the face of the certificate unless renewed. (3-20-20)T

032. CONTINUING EDUCATION.

01. Evidence of Completion. Prior to renewal each applicant for renewal, reinstatement or reapplication, shall submit evidence of successfully completing no less than twelve (12) clock hours per year of continuing education acceptable to the Board. Continuing education must be germane to the practice or performance of respiratory care. Appropriate continuing professional education activities include but are not limited to, the following: (3-20-20)T

- a. Attending or presenting at conferences, seminars or inservice programs. (3-20-20)T
- b. Formal course work in Respiratory Therapy related subjects. (3-20-20)T

02. Polysomnographer Continuing Education. Each individual applicant for renewal of an active permit shall, on or before the expiration date of the permit, submit satisfactory proof to the Licensure Board of successful completion of not less than twelve (12) hours of approved continuing education pertaining to the provision of polysomnographic-related respiratory care per year in addition to any other requirements for renewal as adopted by the Board. The Board, as recommended by the Licensure Board, may substitute all or a portion of the coursework required in Section 032 when an applicant for renewal shows evidence of passing an approved challenge exam or of completing equivalent education as determined by the Board, as recommended by the Licensure Board, to be in full compliance with the education requirements of this chapter. (3-20-20)T

033. SUPERVISION OF RESPIRATORY CARE.

The practice or provision of respiratory care by persons holding a student or consulting and training exemption, or temporary permit shall be in direct association with a respiratory care practitioner or licensed physician who shall be responsible for the activities of the person being supervised and shall review and countersign all patient documentation performed by the person being supervised. The supervising respiratory care practitioner or licensed physician need not be physically present or on the premises at all times but must be available for telephonic consultation. The extent of communication between the supervising or consulting respiratory care practitioner or licensed physician and the person being supervised shall be determined by the competency of the person, the treatment setting, and the diagnostic category of the client. (3-20-20)T

034. DENIAL OR REFUSAL TO RENEW LICENSE OR PERMIT OR SUSPENSION OR REVOCATION OF LICENSE OR PERMIT.

Discipline. A new or renewal application may be denied, and every person licensed or issued a permit pursuant to Title 54, Chapter 43, Idaho Code and these rules is subject to discipline, pursuant to the procedures and powers established by and set forth in Section 54-4312, Idaho Code and the Administrative Procedures Act. (3-20-20)T

035. -- 045. (RESERVED)

046. FEES -- TABLE.

01. Fees -- Table. Nonrefundable fees for Respiratory Care Practitioners are as follows:

Fees – Table (Non-Refundable)	
Respiratory Care Practitioner Initial Licensure Fee	- Not more than \$180
Respiratory Care Practitioner Reinstatement Fee	- \$50 plus unpaid renewal fees
Annual Renewal Fee for Inactive License	- Not more than \$100
Inactive Conversion Fee	- Not more than \$100
Annual Renewal Fee	- Not more than \$140
Temporary Permit Fee	- Not more than \$180

(3-20-20)T

02. Fees – Table. Nonrefundable Permit Fees for Polysomnography Related Respiratory Care

Practitioners.

Fees – Table (Non-Refundable)		
Initial Permit Fee – Registered Polysomnographic Technologist	-	Not more than \$180
Initial Permit Fee -Polysomnographic Trainee	-	Not more than \$100
Reinstatement Fee – Registered Polysomnographic Technologist	-	\$50 plus unpaid renewal fees
Annual Renewal Fee – Registered Polysomnographic Technologist	-	Not more than \$140
Annual Renewal Fee – Polysomnographic Trainee	-	Not more than \$70
Temporary Permit Fee – Registered Polysomnographic Technologist	-	Not more than \$180
Temporary Permit Fee – Polysomnographic Trainee	-	Not more than \$90
Conditional Permit Fee – Registered Polysomnographic Technologist	-	Not more than \$180
Conditional Permit Fee – Polysomnographic Trainee	-	Not more than \$90
Annual Renewal Fee for Inactive License—Polysomnographic Technologist	-	Not more than \$100
Inactive Conversion Fee	-	Not more than \$100 plus unpaid active licensure fees for the time inactive

(3-20-20)T

03. Fees - Table. Nonrefundable Dual Licensure/Permit Fees for Practitioners of Respiratory and Polysomnography Related Respiratory Care. (3-20-20)T

a. Initial Licensure/Permit Fee. A person holding a current license or permit, if qualified, may apply for and obtain a dual license/permit without paying an additional fee.

Fees – Table (Non-Refundable)	
Dual Licensure/Permit Fee	- Not more than \$180
A person holding a current license or permit, if qualified, may apply for and obtain a dual license/permit without paying an additional fee.	
Reinstatement Fee	- \$50 plus unpaid renewal fees
Annual Renewal Fee	- Not more than \$140
Renewal is required upon the expiration of either the permit or the license, whichever expires first if the two (2) initially were not obtained at the same time.	

(3-20-20)T

047. -- 999. (RESERVED)

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