

Tennessee Polysomnography Professional Standards Committee  
Policy Statement Regarding  
Enforcement and Penalties for Unlicensed Practice

The unlicensed practice of polysomnography is a violation of TENN. CODE ANN. §63-31-101 *et seq.* It is unlawful for a Polysomnographic Student or Trainee to practice Polysomnography without first notifying the Polysomnography Professional Standards Committee (hereinafter “Committee”) Administrative Offices, or to practice in such a capacity after completing his/her schooling. It is also unlawful for a Polysomnographic Technician to practice on such a permit more than twelve (12) months—with a possible three (3) month extension—after completion of his/her schooling, or to practice on such a permit after the successful completion of the national certifying examination. When the Committee becomes aware that an individual is practicing either without, or after the expiration of, his/her credentials in any of the manners listed above, the following action shall commence. The Committee’s administrative staff shall notify the individual by certified mail, return receipt requested, that within thirty (30) days of the date of receipt of the notice, the matter may be settled if the individual submits satisfactory documentation of one of the following three:

1. The individual did not practice polysomnography during the time that the Committee’s documentation alleges;
2. The individual has, since the time the matter came to the attention of the Committee, become enrolled in an accredited educational program as described in TENN. CODE ANN. §63-31-106(b)(1), and has ceased the unlicensed practice of polysomnography; or
3. The individual has submitted an application for licensure along with all the applicable fees.

If the individual provides satisfactory documentation of either number two (2) or three (3) above, then the matter may be settled by an Agreed Citation which specifies a Type C civil penalty in the amount of One Hundred Dollars (\$100.00) for each month the individual practiced without or after the expiration of his/her license.

If the individual fails to submit satisfactory documentation of one of the above, the matter will be referred to the Office of General Counsel for full prosecution. Upon a proven violation, the minimum disciplinary action for this violation shall be:

- a. A formal and reportable Reprimand; and
- b. Assessments of a Type C civil penalty in the amount of One Hundred Dollars (\$100.00) for each month the individual practiced either without or after the expiration of his/her license during and after the thirty (30) day grace period; and
- c. Assessment of the costs associated with the prosecution of the matter; and
- d. Any and all other remedies the Committee deems appropriate.

**Adopted by the Polysomnographic Professional Standards Committee on this 26<sup>th</sup>  
day of February 2013.**

**Adopted by the Board of Medical Examiners on this 19<sup>th</sup> day of March 2013.**