

Amendment No. 3 to HB1760

**Daniel
Signature of Sponsor**

AMEND Senate Bill No. 1682*

House Bill No. 1760

by deleting Section 10 and substituting instead the following:

SECTION 10. Tennessee Code Annotated, Section 63-31-109, is amended by deleting the section and substituting instead the following:

(a) The board has the power to impose any sanctions on a person who is certified under this chapter, up to and including certification revocation, if the person certified is found guilty of violating any of the provisions of this chapter or of committing any of the following acts or offenses:

(1) Making false or misleading statements or committing fraud in procuring certification;

(2) Gross health care liability, ignorance, negligence or incompetence in the course of professional practice;

(3) Making or signing in one's professional capacity any document that is known to be false at the time it is made or signed;

(4) Engaging in the practice of polysomnography when mentally or physically unable to safely do so;

(5) Making false statements or representations or being guilty of fraud or deceit in the practice of polysomnography when mentally or physically unable to safely do so;

(6) Undertaking any duties that are outside the authorized scope of practice of a specialty occupational certification as a polysomnographic technologist, as set forth in this chapter;

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(7) Violating the code of ethics adopted by the board for specialty occupational certification as a polysomnography technologist;

(8) Use or attempted use of a polysomnographic procedure or equipment for which the person certified has not received sufficient education or training in the proper use of that procedure or equipment;

(9) Willfully failing to file, or willfully impeding the filing of, any report or record that is required by law;

(10) Knowingly failing to meet appropriate standards for the delivery of polysomnographic services; and

(11) Breaching patient confidentiality.

(b) An action taken under this section shall be subject to the applicable provisions of the Fresh Start Act that are compiled in chapter 1, part 1 of this title.

AND FURTHER AMEND by adding the following section immediately preceding the last section and renumbering the subsequent section:

SECTION 18. Tennessee Code Annotated, Section 63-31-110, is amended by deleting the section.