



RON CHAPMAN, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

AFL REVISION NOTICE

Subject: Sleep Study Lab Staffing
Revision To: AFL 10-22
Revision Date: February 27, 2012
Attachment: AFL 12-10

This notice is to inform you that the California Department of Public Health has revised All Facilities Letter (AFL) 10-22 with the attached AFL 12-10, which supersedes AFL 10-22 as well as AFL 10-04.

The AFL has been revised to clarify nurse staffing requirements for General Acute Care Hospital (GACH) outpatient supplemental services where polysomnography is provided and is being issued in response to questions from facilities and providers of polysomnographic services.

Please review the AFL and contact your local District Office if you have further questions.



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AFL 12-10
(Supersedes
AFLs 10-04, 10-22)

TO: General Acute Care Hospitals

SUBJECT: Sleep Study Lab Staffing

AUTHORITY: Title 22 California Code of Regulations (CCR) Sections 70529(c) and (d); 70701(a)(4).

The purpose of this All Facilities Letter is to clarify nurse staffing requirements for General Acute Care Hospital (GACH) outpatient supplemental services where polysomnography is provided and is being issued in response to questions from facilities and providers of polysomnographic services.

The California Department of Public Health (CDPH) enforces patient care standards in GACH outpatient supplemental service settings. Title 22 CCR Section 70529(c) requires that a registered nurse be responsible for the "nursing service" in the outpatient service. Federal regulations require "appropriate professional and nonprofessional personnel" be available in the outpatient service (Title 42 CFR Section 482.54(b)(2)). Title 22 CCR Sections 70529(d) and 70701(a)(4) require sufficient nursing and other personnel to provide the scope of services offered and to meet the needs of the patients.

All GACH units must have policies and procedures in place governing how services are to be provided to patients including outpatient sleep labs. Outpatient sleep study labs must provide sufficient services to provide the scope of polysomnographic services offered. If, based on the GACH's policies and procedures and consideration of patient need, nursing services are not required in the outpatient sleep study lab, then a registered nurse is not required.

Facilities are responsible for following all applicable laws. CDPH's failure to expressly notify facilities of changes does not relieve facilities of their responsibility for following all laws and regulations. Facilities should refer to the full text of applicable sections of Title

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42 Code of Federal Regulations and Title 22 California Code of Regulations Sections to ensure compliance. If you have any questions, please contact your local District Office.

Sincerely,

Original Signed by Debby Rogers

Debby Rogers, RN, MS, FAEN
Deputy Director
Center for Health Care Quality