Ga. Comp. R. & Regs. r. 360-13-.12 Practice of Respiratory Care Without Certification Prohibited; Exceptions

Georgia Administrative Code
Department 360. RULES OF GEORGIA COMPOSITE MEDICAL BOARD
Chapter 360-13. RESPIRATORY CARE PROFESSIONALS, TECHNICIANS,
AND THERAPISTS

Current through Rules filed through January 26, 2017

Rule 360-13-.12. Practice of Respiratory Care Without Certification Prohibited; Exceptions

(1) Unless certified pursuant to O.C.G.A. Title 43, Chapter 34, Article 6, no person shall:

(a) Practice respiratory care; or

(b) Represent himself or herself to be a respiratory care professional who is certified pursuant to O.C.G.A. 43-34-151.

(2) The prohibition in subsection (1) does not apply to:

(a) The delivery of respiratory care by health care personnel who have been formally trained in these modalities and who are duly licensed to provide that care under any other provision of Title 43;

(b) The practice of respiratory care which is an integral part of the program of study by students enrolled in a respiratory care education program recognized by the Committee on Accreditation for Respiratory Care (COARC) and the American Medical Association Committee on Allied Health Education and Accreditation (CAHEA) or the equivalent thereof as accepted by the Board. Students enrolled in respiratory therapy education programs shall be identified as "Student-RCP" and shall only provide respiratory care under direct clinical supervision;

(c) Self-care by a patient or gratuitous care by a friend or family member who does not represent or hold himself or herself out to be a respiratory care professional;

(d) Respiratory care services rendered in the course of an emergency disaster;

(e) Persons in the military services or working in Federal facilities when functioning in the course of their assigned duties;

(f) The performance of respiratory care diagnostic testing by individuals

http://rules.sos.state.ga.us/search.aspx?sortby=&search=yes&searchWithin=&wc=&query=respiratory%20care&lid=0&docId=10428&hierarchy=search=&search...
who are certified or registered as pulmonary function technologists by the National Board for Respiratory Care, or equivalent certifying agency, as recognized by the Board;

(g) The delivery, assembly, setup, testing, and demonstration of oxygen and aerosol equipment upon the order of a physician licensed under Art. 2 of Chapter 34, Title 43. Provided, however, that no person providing such services shall be authorized to assist patients, develop care plans, instruct patients in taking treatment, or discuss the hazards, administration, or side effects of medications with patients.

(h) Persons who perform limited respiratory care procedures under the supervision of a certified respiratory care professional in a hospital or nursing home when the Board has defined the competencies required to perform such limited respiratory care procedures.

1. The Board has defined the following class of persons as having the competencies required to perform such limited respiratory care procedures:

(i) Students of an accredited Respiratory Care Program who perform limited respiratory care procedures under the supervision of a certified respiratory care professional in a hospital or nursing home, if the student's competency has been validated through an accredited education program and by the hospital or nursing home for whom he or she is employed.

(I) Upon completion of the educational program, the student must then apply for a temporary permit as specified in Chapter 34. In addition, pending the granting or denial of a certificate or permit, graduates of an accredited respiratory care program who have applied for certification or a permit shall only perform limited respiratory care procedures where their competency has been validated in writing to the Board through the accredited program and by the hospital or nursing home for whom they are employed.

(II) Any student who performs limited respiratory care procedures without complying with the requirements listed in the above paragraphs of Rule 360-13-.12(2)(b) is engaging in the practice of respiratory care without certification, which is prohibited by O.C.G.A. 43-34-151. Any certified respiratory care professional who supervises a student prior to compliance with the above listed paragraphs of Rule 360-13-.12(2)(b) is aiding and assisting an uncertified person to engage in the practice of respiratory care and may be subject to disciplinary action.

Cite as Ga. Comp. R. & Regs. R. 360-13-.12
Authority: O.C.G.A. Secs. 43-34-143, 43-34-150, 43-34-151.
History. Original Rule entitled "Practice of Respiratory Care Without Certification Prohibited; Exceptions" adopted. F. Aug. 14, 2003; eff. Sept. 3,
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