

Utah
Title 58 -- Occupations and Professions
Chapter 57 -- Respiratory Care Practices Act

- **Respiratory Care Practice Act contains exemption language**

58-57-7. Exemptions from licensure.

(1) For purposes of Subsection (2)(b), "qualified" means an individual who is a registered polysomnographic technologist or a Diplomate certified by the American Board of Sleep Medicine.

(2) In addition to the exemptions from licensure in Section 58-1-307, the following persons may engage in the practice of respiratory therapy subject to the stated circumstances and limitations without being licensed under this chapter:

(a) any person who provides gratuitous care for a member of his immediate family without representing himself as a licensed respiratory care practitioner;

(b) any person who is a licensed or qualified member of another health care profession, if this practice is consistent with the accepted standards of the profession and if the person does not represent himself as a respiratory care practitioner;

(c) any person who serves in the Armed Forces of the United States or any other agency of the federal government and is engaged in the performance of his official duties;

(d) any person who acts under a certification issued pursuant to Title 26, Chapter 8a, Utah Emergency Medical Services System Act, while providing emergency medical services; and

(e) any person who delivers, installs, or maintains respiratory related durable medical equipment and who gives instructions regarding the use of that equipment in accordance with Subsections 58-57-2(3) and (6), except that this exemption does not include any clinical evaluation or treatment of the patient;

(f) (i) any person who is working in a practitioner's office, acting under supervision; and

(ii) for purposes of this Subsection (2)(f) and Subsection (g), "supervision" means one of the following will be immediately available for consultation in person or by phone:

(A) a practitioner;

(B) a respiratory therapist;

(C) a Diplomate of the American Board of Sleep Medicine; or

(D) a registered polysomnographic technologist; and

(g) a polysomnographic technician or trainee, acting under supervision, as long as they only administer the following in a sleep lab, sleep center, or sleep facility:

(i) oxygen titration; and

(ii) positive airway pressure that does not include mechanical ventilation.

(3) Nothing in this chapter permits a respiratory care practitioner to engage in the unauthorized practice of other health disciplines.