

(1) THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER KNOWS THAT THE LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST IS:

(I) IN AN ALCOHOL OR DRUG TREATMENT PROGRAM THAT IS ACCREDITED BY THE JOINT COMMISSION ON THE ACCREDITATION OF HEALTH CARE ORGANIZATIONS OR IS CERTIFIED BY THE DEPARTMENT; OR

(II) UNDER THE CARE OF A HEALTH CARE PRACTITIONER WHO IS COMPETENT AND CAPABLE OF DEALING WITH ALCOHOLISM AND DRUG ABUSE; AND

(2) (I) THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER IS ABLE TO VERIFY THAT THE LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST REMAINS IN THE TREATMENT PROGRAM UNTIL DISCHARGE; AND

(II) THE ACTION OR CONDITION OF THE LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST HAS NOT CAUSED INJURY TO ANY PERSON WHILE THE TECHNOLOGIST IS PRACTICING AS A LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST.

(C) (1) IF THE LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST ENTERS, OR IS CONSIDERING ENTERING, AN ALCOHOL OR DRUG TREATMENT PROGRAM THAT IS ACCREDITED BY THE JOINT COMMISSION ON ACCREDITATION OF HEALTH CARE ORGANIZATIONS OR THAT IS CERTIFIED BY THE DEPARTMENT, THE LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST SHALL NOTIFY THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER OF THE LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST'S DECISION TO ENTER THE TREATMENT PROGRAM.

(2) IF THE LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST FAILS TO PROVIDE THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, AND THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER LEARNS THAT THE LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST HAS ENTERED A TREATMENT PROGRAM, THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER SHALL REPORT TO THE BOARD THAT THE LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST HAS ENTERED A TREATMENT PROGRAM AND HAS FAILED TO PROVIDE THE REQUIRED NOTICE.

(3) IF THE LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST IS FOUND TO BE NONCOMPLIANT WITH THE TREATMENT PROGRAM'S POLICIES AND PROCEDURES WHILE IN THE TREATMENT PROGRAM, THE TREATMENT PROGRAM SHALL NOTIFY THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER OF THE LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST'S NONCOMPLIANCE:

(4) ON RECEIPT OF THE NOTIFICATION REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE HOSPITAL, RELATED INSTITUTION, ALTERNATIVE HEALTH SYSTEM, OR EMPLOYER OF THE LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST SHALL REPORT THE LICENSED POLYSOMNOGRAPHIC TECHNOLOGIST'S NONCOMPLIANCE TO THE BOARD.