

**MASSACHUSETTS
BOARD OF RESPIRATORY CARE
ADVISORY ON**

July 18, 2017

**NOTICE: TO ALL RESPIRATORY THERAPISTS LICENSED BY THE MASSACHUSETTS BOARD
OF RESPIRATORY CARE:**

In August of 2016, the Governor signed into law Chapter 185 of the Acts of 2016, entitled “An Act Relative to Respiratory Therapy.”¹ This law authorizes employees of durable medical equipment companies who have completed a minimum of 500 hours of positive airway pressure equipment and supply related training under the supervision of a respiratory therapist licensed in the commonwealth, to perform the delivery, initial setup and maintenance of positive airway pressure equipment and supplies for home care patients”

The Board of Respiratory Care does not have jurisdiction over DME companies and the Board is not responsible for the implementation of this law. Consequently, the Board cannot provide any guidance to licensed respiratory therapists and other stakeholders.

¹ See M.G.L.c. 112 §23V (e) an employee working for a durable medical equipment company in the commonwealth and having a minimum of 500 hours of positive airway pressure equipment and supply related training under the supervision of a respiratory therapist licensed in the commonwealth, performing the delivery, initial setup and maintenance of positive airway pressure equipment and supplies for home care patients with a diagnosis of obstructive sleep apnea; provided, however, that this exemption does not apply to clinical assessment, clinical evaluation or clinical intervention on home care patients.