

**California Code of Regulations
Title 16. Professional and Vocational Regulations
Division 13.6. Respiratory Care Board
Article 6. Scope of Practice**

PROPOSED MODIFIED LANGUAGE

BASIC RESPIRATORY TASKS AND SERVICES

Legend:

Changes addressed in Notice of Proposed Regulatory Action (45-day comment period):

- Deleted text is indicated by ~~strikethrough~~
- Added text is indicated with an underline

Modified Text (15-day comment period):

- Deleted text is indicated by ~~double strikethrough~~
- Added text is indicated by double underline

Adopt Proposed Section 1399.365 as follows:

1399.365. Basic Respiratory Tasks and Services.

(a) For purposes of this section, “assessment” means making an analysis or judgment and making recommendations concerning the management, diagnosis, treatment, or care of a patient or as a means to perform any task in regard to the care of a patient. Assessment as used in this section is beyond documenting observations, and gathering and reporting data to a licensed respiratory care practitioner, registered nurse, or physician.

(b) For purposes of ~~Pursuant to~~ subdivision (a) of section 3702.5 of the ~~B&P Business and Professions code~~, basic respiratory tasks and services (“tasks”), ~~described more specifically below~~, do not require a respiratory assessment, and ~~only require manual, technical skills, or data collection. Basic respiratory tasks do not include manipulation of an invasive or non-invasive ventilator and do not include assessment or evaluation of chest auscultation. Basic respiratory tasks include the following:~~

- (a1) Patient ~~D~~data collection.
- (b2) Application and monitoring of ~~the~~a pulse oximeter.
- (c3) Medication administration by aerosol that does not require manipulation of an invasive or non-invasive mechanical ventilator. ~~Basic respiratory tasks do not include pre-treatment assessment, use of medical gas mixtures other than oxygen, preoxygenation, endotracheal or nasal suctioning, or post-treatment assessment.~~
- (d4) Heat moisture exchanger (HME) and oxygen tank replacement for patients who are using non-invasive mechanical ventilation. ~~Basic respiratory tasks do not include the initial setup, change out, or replacement of the breathing circuit or adjustment of oxygen liter flow or oxygen concentration.~~

~~(e5) Hygiene care including replacement of tracheostomy ties and gauze and cleaning of the stoma sites. Basic respiratory tasks do not include tracheal suctioning, cuff inflation/deflation, use or removal of an external speaking valve, or removal and replacement of the tracheostomy tube or inner cannula.~~

~~(f6) Use of a manual resuscitation device and other cardio-pulmonary resuscitation technical skills (basic life support level) in the event of an emergency.~~

~~(g7) Documentation of care provided, which includes data retrieved from performing a breath count or transcribing data from an invasive or non-invasive ventilator interface.~~

(8) Observing and gathering data from chest auscultation, palpation, and percussion.

(c) For purposes of subdivision (a) of section 3702.5 of the B&P, basic respiratory tasks and services do not include the following:

(1) Manipulation of an invasive or non-invasive ventilator.

(2) Assessment or evaluation of observed and gathered data from chest auscultation, palpation, and percussion.

(3) Pre-treatment or post-treatment assessment.

(4) Use of medical gas mixtures other than oxygen.

(5) Preoxygenation, or endotracheal or nasal suctioning.

(6) Initial setup, change out, or replacement of a breathing circuit or adjustment of oxygen liter flow or oxygen concentration.

(7) Tracheal suctioning, cuff inflation/deflation, use or removal of an external speaking valve, or removal and replacement of the tracheostomy tube or inner cannula.

NOTE: Authority cited: Sections 3702.5 and 3722, Business and Professions Code. Reference: Sections 2860, 3701, 3702, 3702.5, 3702.7, 3703, and 3765 Business and Professions Code.