

HOUSE BILL No. 5262

October 15, 1991, Introduced by Reps. Bennane, Berman, Gubow, Gire, Stallworth, Olshove, DeMars, Yokich, Hertel and Munsell and referred to the Committee on Public Health.

A bill to amend sections 16131 and 16263 of Act No. 368 of the Public Acts of 1978, entitled as amended

"Public health code,"

section 16131 as amended by Act No. 473 of the Public Acts of 1988 and section 16263 as amended by Act No. 216 of the Public Acts of 1990, being sections 333.16131 and 333.16263 of the Michigan Compiled Laws; and to add part 185.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 16131 and 16263 of Act No. 368 of the
2 Public Acts of 1978, sections 16131 as amended by Act No. 473 of
3 the Public Acts of 1988 and section 16263 as amended by Act
4 No. 216 of the Public Acts of 1990, being sections 333.16131 and
5 333.16263 of the Michigan Compiled Laws, are amended and part 185
6 is added to read as follows:

1 Sec. 16131. The terms of office of individual members of
 2 the council or the boards and task forces, except those appointed
 3 to fill vacancies, shall expire 4 years after appointment as
 4 follows:

5	Nursing	June 30
6	Optometry	June 30
7	Pharmacy	June 30
8	Podiatric medicine and surgery	June 30
9	Dentistry	June 30
10	Chiropractic	December 31
11	Counseling	June 30
12	Health occupations council	December 31
13	LABORATORY TESTING	DECEMBER 31
14	Medicine	December 31
15	Occupational therapists	December 31
16	Osteopathic medicine and surgery	December 31
17	Physical therapy	December 31
18	Psychology	December 31
19	Sanitarians	December 31
20	Veterinary medicine	December 31

21 Sec. 16263. (1) Except as provided in subsection (2), the
 22 following words, titles, or letters or a combination thereof,
 23 with or without qualifying words or phrases, are restricted in
 24 use only to those persons authorized under this article to use
 25 the terms and in a way prescribed in this article:

1 (a) "Chiropractic", "doctor of chiropractic",
2 "chiropractor", "d.c.", and "chiropractic physician".

3 (b) "Dentist", "doctor of dental surgery", "oral and maxil-
4 lofacial surgeon", "orthodontist", "prosthodontist",
5 "periodontist", "endodontist", "oral pathologist", "pediatric
6 dentist", "dental hygienist", "registered dental hygienist",
7 "dental assistant", "registered dental assistant", "R.D.A.",
8 "d.d.s.", "d.m.d.", and "r.d.h.".

9 (c) "Doctor of medicine" and "m.d.".

10 (d) "Physician's assistant" and "p.a.".

11 (e) "Registered professional nurse", "registered nurse",
12 "r.n.", "licensed practical nurse", "l.p.n.", "nurse midwife",
13 "nurse anesthetist", "nurse practitioner", "trained attendant",
14 and "t.a.".

15 (f) "Doctor of optometry", "optometrist", and "o.d.".

16 (g) "Osteopath", "osteopathy", "osteopathic practitioner",
17 "doctor of osteopathy", "diplomate in osteopathy", and "d.o.".

18 (h) "Pharmacy", "pharmacist", "apothecary", "drugstore",
19 "druggist", "medicine store", "prescriptions", and "r.ph.".

20 (i) "Physical therapy", "physical therapist",
21 "physiotherapist", "registered physical therapist", "licensed
22 physical therapist", "physical therapy technician", "p.t.",
23 "r.p.t.", "l.p.t.", and "p.t.t.".

24 (j) "Chiropodist", "chiropody", "chiropodical", "podiatry",
25 "podiatrist", "podiatric", "doctor of podiatric medicine", "foot
26 specialist", "podiatric physician and surgeon", and "d.p.m.".

1 (k) "Consulting psychologist", "psychologist",
 2 "psychological assistant", and "psychological examiner",
 3 "licensed psychologist", and "limited licensed psychologist".

4 (l) "Licensed professional counselor", "licensed counselor",
 5 "professional counselor", and "l.p.c.".

6 (m) "Sanitarian", "registered sanitarian", and "r.s.".

7 (n) "Veterinary", "veterinarian", "veterinary doctor",
 8 "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.",
 9 "d.v.m.", "animal technician", or "animal technologist".

10 (o) "Occupational therapist", "occupational therapist
 11 registered", "certified occupational therapist", "o.t.",
 12 "o.t.r.", "c.o.t.", "certified occupational therapy assistant",
 13 "occupational therapy assistant", or "c.o.t.a.".

14 (P) "LABORATORY SCIENTIST", "LABORATORY TECHNOLOGIST",
 15 "LABORATORY TECHNICIAN", "LABORATORY PRACTITIONER", "L.S.",
 16 "L.T.", OR "L.P.".

17 (2) Notwithstanding section 16261, a person who was spe-
 18 cially trained at an institution of higher education in this
 19 state to assist a physician in the field of orthopedics and upon
 20 completion of training, received a 2-year associate of science
 21 degree as an orthopedic physician's assistant before January 1,
 22 1977, may use the title "orthopedic physician's assistant"
 23 whether or not the person is licensed under this article.

24 PART 185. LABORATORY TESTING PERSONNEL

25 SEC. 18501. (1) AS USED IN THIS PART:

26 (A) "ACCREDITED EDUCATIONAL PROGRAM" MEANS A PROGRAM THAT
 27 PROVIDES INSTRUCTION AND EXPERIENCE IN LABORATORY TESTING AND

1 THAT HAS BEEN ACCREDITED BY AN ACCREDITING AGENCY RECOGNIZED BY
2 THE UNITED STATES DEPARTMENT OF EDUCATION AND APPROVED BY THE
3 DEPARTMENT.

4 (B) "CLIENT" MEANS THE PERSON UPON WHOSE BODY OR BODY PART A
5 LABORATORY TEST IS PERFORMED.

6 (C) "LABORATORY DIRECTOR" MEANS THAT TERM AS DEFINED IN
7 SECTION 20501.

8 (D) "LABORATORY PRACTITIONER" MEANS AN INDIVIDUAL WHO IS
9 LICENSED UNDER THIS ARTICLE TO ENGAGE IN THE PRACTICE OF LABORA-
10 TORY TESTING AT THE LABORATORY PRACTITIONER LEVEL, SUBJECT TO
11 SECTION 18517.

12 (E) "LABORATORY TECHNICIAN" OR "LABORATORY TECHNOLOGIST"
13 MEANS AN INDIVIDUAL WHO IS LICENSED UNDER THIS ARTICLE TO ENGAGE
14 IN THE PRACTICE OF LABORATORY TESTING AT THE LABORATORY TECHNOLO-
15 GIST LEVEL, SUBJECT TO SECTION 18517.

16 (F) "LABORATORY SCIENTIST" MEANS AN INDIVIDUAL WHO IS
17 LICENSED UNDER THIS ARTICLE TO ENGAGE IN THE PRACTICE OF CLINICAL
18 LABORATORY TESTING AT THE LABORATORY SCIENTIST LEVEL AND WHO,
19 SUBJECT TO SECTION 18517.

20 (G) "LABORATORY TEST" MEANS A MICROBIOLOGICAL, SEROLOGICAL,
21 CHEMICAL, HEMATOLOGICAL, RADIOASSAY, CYTOLOGICAL, BIOPHYSICAL,
22 IMMUNOLOGICAL, OR OTHER PATHOLOGICAL EXAMINATION THAT IS PER-
23 FORMED ON MATERIAL DERIVED FROM A HUMAN BODY, OR ANY OTHER TEST
24 OR PROCEDURE THAT PROVIDES INFORMATION FOR THE DIAGNOSIS, PREVEN-
25 TION, MONITORING, OR TREATMENT OF A DISEASE OR ASSESSMENT OF A
26 MEDICAL CONDITION. LABORATORY TEST DOES NOT INCLUDE A WAIVERED
27 TEST, OR THE COLLECTION, HANDLING, AND PREPARATION OF A BODY

1 FLUID OR MICROBIOLOGY CULTURE SPECIMEN USED FOR A LABORATORY
2 TEST.

3 (H) "PRACTICE OF LABORATORY TESTING AT THE LABORATORY PRAC-
4 TITIONER LEVEL" MEANS ANY OF THE FOLLOWING:

5 (i) PERFORMING A LABORATORY TEST PURSUANT TO ESTABLISHED
6 PROTOCOLS.

7 (ii) COMPARING PATIENT DATA TO REFERENCE RANGES ESTABLISHED
8 OR APPROVED BY THE LABORATORY DIRECTOR OR A LABORATORY
9 SCIENTIST.

10 (iii) APPLYING ARITHMETIC OR ALGEBRAIC CALCULATIONS ACCORD-
11 ING TO PROTOCOLS.

12 (iv) PERFORMING AUTOMATED TESTS IN A MANNER REQUIRING COM-
13 PLETE RELIANCE ON LABORATORY INSTRUMENTS FOR CALIBRATIONS, CALCU-
14 LATIONS, AND ANALYSES.

15 (I) "PRACTICE OF LABORATORY TESTING AT THE LABORATORY TECH-
16 NICIAN OR LABORATORY TECHNOLOGIST LEVEL" MEANS THE PRACTICE OF
17 LABORATORY TESTING AT THE LABORATORY PRACTITIONER LEVEL AND ALL
18 OF THE FOLLOWING:

19 (i) PERFORMING A TEST PURSUANT TO CRITERIA ESTABLISHED OR
20 APPROVED BY THE LABORATORY DIRECTOR OR A LABORATORY SCIENTIST.

21 (ii) EVALUATING DATA PURSUANT TO CRITERIA ESTABLISHED OR
22 APPROVED BY THE LABORATORY DIRECTOR OR A LABORATORY SCIENTIST.

23 (iii) ARITHMETICAL, MATHEMATICAL, OR STATISTICAL MANIPULA-
24 TION OF NUMBERS ACCORDING TO PROTOCOL.

25 (iv) IDENTIFYING A DIRECT CAUSE OF IMPROPER ASSAY PER-
26 FORMANCE AND CORRECTING THAT CAUSE ACCORDING TO STRATEGIES

1 ESTABLISHED BY THE LABORATORY DIRECTOR OR A LABORATORY
2 SCIENTIST.

3 (J) "PRACTICE OF LABORATORY TESTING AT THE LABORATORY SCIEN-
4 TIST LEVEL" MEANS THE PRACTICE OF LABORATORY TESTING AT THE LABO-
5 RATORY PRACTITIONER LEVEL, THE PRACTICE OF LABORATORY TESTING AT
6 THE LABORATORY TECHNICIAN OR LABORATORY TECHNOLOGIST LEVEL, AND
7 ALL OF THE FOLLOWING:

8 (i) DECISION MAKING THAT EMPLOYS ADVANCED KNOWLEDGE OF
9 PATHOPHYSIOLOGY, LABORATORY METHODS, AND LABORATORY INSTRUMENTA-
10 TION, AND THAT DOES NOT EMPLOY PREDETERMINED CRITERIA.

11 (ii) ESTABLISHING CRITERIA FOR DECISION MAKING IN LABORATORY
12 TESTING.

13 (iii) VALIDATING LABORATORY TEST DATA.

14 (iv) ESTABLISHING PROCEDURES FOR REPORTING RESULTS.

15 (v) SELECTING APPROPRIATE CALCULATION METHODS IN THE ABSENCE
16 OF ESTABLISHED GUIDELINES.

17 (vi) WITHOUT PRESET STRATEGIES, IDENTIFYING CAUSES OF
18 IMPROPER ASSAY PERFORMANCE AND DETERMINING ALTERNATIVE MEANS OF
19 OBTAINING CORRECT ASSAY PERFORMANCE OR SOLUTIONS TO PROBLEMS CRE-
20 ATED BY INCORRECT ASSAY PERFORMANCE.

21 (K) "PROTOCOL" MEANS INFORMATION PREPARED OR APPROVED BY THE
22 LABORATORY DIRECTOR OR A LABORATORY SCIENTIST THAT PROVIDES A
23 STEP-BY-STEP DESCRIPTION OF THE MANNER IN WHICH A LABORATORY TEST
24 IS TO BE PERFORMED.

25 (L) "SUPERVISION" MEANS THE OVERSEEING OF OR PARTICIPATION
26 IN THE WORK OF ANOTHER INDIVIDUAL BY A HEALTH PROFESSIONAL
27 LICENSED UNDER THIS ARTICLE WHO IS IN DIRECT COMMUNICATION WITH

1 THE INDIVIDUAL BY RADIO, TELEPHONE, TELECOMMUNICATION, OR IN
2 PERSON.

3 (M) "WAIVERED TEST" MEANS A LABORATORY TEST THAT DOES NOT
4 REQUIRE THE PERSON PERFORMING THE LABORATORY TEST TO DO ANY OF
5 THE FOLLOWING:

6 (i) RENDER A DECISION.

7 (ii) VALIDATE DATA.

8 (iii) MAKE CALCULATIONS OTHER THAN THE PERFORMANCE OF SIMPLE
9 ARITHMETIC.

10 (iv) CALIBRATE INSTRUMENTS OR EQUIPMENT.

11 (v) MODIFY A SPECIMEN.

12 (2) IN ADDITION TO THE DEFINITIONS IN THIS PART, ARTICLE 1
13 CONTAINS GENERAL DEFINITIONS AND PRINCIPLES OF CONSTRUCTION
14 APPLICABLE TO ALL ARTICLES IN THIS CODE AND PART 161 CONTAINS
15 DEFINITIONS APPLICABLE TO THIS PART.

16 SEC. 18503. (1) BEGINNING 2 YEARS AFTER THE EFFECTIVE DATE
17 OF THIS PART, A PERSON SHALL NOT ENGAGE IN LABORATORY TESTING AS
18 DESCRIBED IN SECTION 18501(1), (H), (I), OR (J) UNLESS THAT
19 PERSON IS LICENSED OR OTHERWISE AUTHORIZED BY THIS ARTICLE.

20 (2) A LICENSED LABORATORY SCIENTIST SHALL ONLY USE THE
21 TITLES "LICENSED LABORATORY SCIENTIST", "LABORATORY SCIENTIST",
22 OR "L.S.".

23 (3) A LICENSED LABORATORY TECHNICIAN OR LICENSED LABORATORY
24 TECHNOLOGIST SHALL ONLY USE THE TITLES "LICENSED LABORATORY
25 TECHNICIAN", "LICENSED LABORATORY TECHNOLOGIST", "LABORATORY
26 TECHNICIAN", "LABORATORY TECHNOLOGIST", OR "L.T.".

1 (4) A LICENSED LABORATORY PRACTITIONER SHALL ONLY USE THE
2 TITLES "LICENSED LABORATORY PRACTITIONER", "LABORATORY
3 PRACTITIONER", OR "L.P."

4 SEC. 18505. (1) THE BOARD MAY GRANT A LIMITED LICENSE TO AN
5 INDIVIDUAL TO PRACTICE LABORATORY TESTING AT THE LABORATORY SCI-
6 ENTIST, LABORATORY TECHNICIAN OR TECHNOLOGIST, OR LABORATORY
7 PRACTITIONER LEVEL. AN INDIVIDUAL WHO HOLDS A LIMITED LICENSE
8 UNDER THIS SECTION SHALL PROVIDE A LABORATORY TEST SERVICE ONLY
9 UNDER THE SUPERVISION OF A PERSON LICENSED UNDER THIS PART TO
10 PERFORM THAT TEST.

11 (2) A LIMITED LICENSE ISSUED UNDER THIS SECTION IS EFFECTIVE
12 FOR 4 YEARS FROM THE DATE OF ISSUANCE.

13 (3) IN ADDITION TO THE SANCTIONS PRESCRIBED UNDER SECTIONS
14 16221 AND 16226, THE BOARD SHALL REVIEW THE SUPERVISION OF AN
15 INDIVIDUAL LICENSED UNDER THIS SECTION AT LEAST ONCE ANNUALLY AND
16 MAY REVOKE OR SUSPEND A LIMITED LICENSE IF THE BOARD DETERMINES
17 THAT THE INDIVIDUAL TO WHOM THAT LIMITED LICENSE IS ISSUED LACKS
18 ADEQUATE SUPERVISION.

19 SEC. 18507. THIS PART DOES NOT APPLY TO ANY OF THE
20 FOLLOWING:

21 (A) AN INDIVIDUAL WHO IS ENROLLED IN AN ACCREDITED EDUCA-
22 TIONAL PROGRAM, IF THE LABORATORY TESTING PERFORMED BY THAT INDI-
23 VIDUAL IS PART OF A COURSE OF STUDY WITHIN THE ACCREDITED EDUCA-
24 TIONAL PROGRAM, AND THE RESULTS OF THAT LABORATORY TESTING ARE
25 NOT USED FOR DIAGNOSIS, PREVENTION, MONITORING, OR TREATMENT OF
26 DISEASE.

1 (B) AN INDIVIDUAL ENGAGED IN TEACHING OR RESEARCH, IF THE
2 RESULTS OF ANY LABORATORY TESTS PERFORMED BY THAT INDIVIDUAL ARE
3 NOT USED IN DIAGNOSIS, PREVENTION, MONITORING, OR TREATMENT OF
4 DISEASE.

5 (C) A CERTIFIED, LICENSED, OR STATUTORILY RECOGNIZED MEMBER
6 OF ANY OTHER PROFESSION WHO PRACTICES HIS OR HER PROFESSION AS
7 AUTHORIZED BY LAW, IF THAT INDIVIDUAL DOES NOT HOLD HIMSELF OR
8 HERSELF OUT TO THE PUBLIC AS A LABORATORY SCIENTIST, LABORATORY
9 TECHNOLOGIST, LABORATORY TECHNICIAN, OR LABORATORY PRACTITIONER
10 LICENSED UNDER THIS ARTICLE.

11 SEC. 18509. (1) THE MICHIGAN BOARD OF LABORATORY TESTING IS
12 CREATED WITHIN THE DEPARTMENT. THE BOARD SHALL COMPLY WITH
13 PART 161 AND SHALL CONSIST OF THE FOLLOWING 7 MEMBERS:

14 (A) AT LEAST 1 PERSON ENGAGED PRIMARILY IN THE PRACTICE OF
15 LABORATORY TESTING AT THE LABORATORY PRACTITIONER LEVEL.

16 (B) AT LEAST 1 PERSON ENGAGED IN THE PRACTICE OF LABORATORY
17 TESTING AT THE LABORATORY TECHNICIAN OR LABORATORY TECHNOLOGIST
18 LEVEL.

19 (C) AT LEAST 1 PERSON ENGAGED IN THE PRACTICE OF LABORATORY
20 TESTING AT THE LABORATORY SCIENTIST LEVEL.

21 (D) TWO PUBLIC MEMBERS.

22 (2) THE BOARD MEMBERS APPOINTED UNDER SUBSECTION (1)(A) TO
23 (C) SHALL MEET THE REQUIREMENTS OF SECTION 16135(2).

24 (3) THE BOARD SHALL SUBMIT FOR PUBLIC HEARING UNDER THE
25 ADMINISTRATIVE PROCEDURES ACT OF 1969 RULES TO IMPLEMENT THIS
26 PART WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF THIS PART.

1 SEC. 18511. (1) EXCEPT AS OTHERWISE PROVIDED IN
2 SECTION 18513, THE BOARD MAY ISSUE A LICENSE UNDER THIS PART AS
3 FOLLOWS:

4 (A) TO ENGAGE IN THE PRACTICE OF LABORATORY TESTING AT THE
5 LABORATORY PRACTITIONER LEVEL TO AN INDIVIDUAL WHO THE BOARD
6 DETERMINES HAS SUFFICIENT KNOWLEDGE ESSENTIAL TO THE SAFE AND
7 COMPETENT PRACTICE OF HIS OR HER PROFESSION AND WHO HAS SUCCESS-
8 FULLY COMPLETED HIGH SCHOOL OR ITS EQUIVALENT AND EITHER OF THE
9 FOLLOWING:

10 (i) AN ACCREDITED EDUCATIONAL PROGRAM.

11 (ii) ONE YEAR OF FULL-TIME LABORATORY EXPERIENCE WITHIN THE
12 3-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE OF APPLICATION IN A
13 LABORATORY ACTIVITY APPROVED BY THE BOARD AND UNDER THE SUPERVI-
14 SION OF A LICENSEE OR AN INDIVIDUAL DESCRIBED IN SECTION 18513
15 WHO IS APPROVED BY THE BOARD.

16 (B) TO ENGAGE IN THE PRACTICE OF LABORATORY TESTING AT THE
17 LABORATORY TECHNICIAN OR LABORATORY TECHNOLOGIST LEVEL TO AN
18 INDIVIDUAL WHO THE BOARD DETERMINES HAS SUFFICIENT KNOWLEDGE
19 ESSENTIAL TO THE SAFE AND COMPETENT PRACTICE OF HIS OR HER PRO-
20 FESSION AND WHO HAS SUCCESSFULLY COMPLETED OR ATTAINED ANY 1 OF
21 THE FOLLOWING:

22 (i) AN ACCREDITED EDUCATIONAL PROGRAM AT THE MEDICAL LABORA-
23 TORY TECHNICIAN, CLINICAL LABORATORY TECHNICIAN, OR HISTOLOGIC
24 TECHNICIAN LEVEL.

25 (ii) SIXTY SEMESTER HOURS OF COLLEGE COURSE WORK APPROVED BY
26 THE BOARD AND 1 YEAR OF FULL-TIME LABORATORY EXPERIENCE WITHIN
27 THE 3 YEARS IMMEDIATELY PRECEDING THE DATE OF APPLICATION IN A

1 LABORATORY ACTIVITY APPROVED BY THE BOARD AND UNDER THE
2 SUPERVISION OF A LICENSED LABORATORY SCIENTIST. FOR A PERIOD
3 ENDING 2 YEARS AFTER THE EFFECTIVE DATE OF THIS PART, THE SUPER-
4 VISION REQUIRED UNDER THIS SUBPARAGRAPH MAY BE PROVIDED BY AN
5 INDIVIDUAL WHO MEETS THE REQUIREMENTS OF SUBDIVISION (A) AND IS
6 APPROVED BY THE BOARD.

7 (iii) LICENSURE AS A LABORATORY PRACTITIONER AND 4 ADDI-
8 TIONAL YEARS OF FULL-TIME LABORATORY EXPERIENCE ENCOMPASSING
9 AREAS OF LABORATORY TESTING APPROVED BY THE BOARD, UNDER THE
10 SUPERVISION OF A LICENSED LABORATORY SCIENTIST, TECHNOLOGIST, OR
11 TECHNICIAN OR AN INDIVIDUAL DESCRIBED IN SECTION 18513. FOR A
12 PERIOD ENDING 2 YEARS AFTER THE EFFECTIVE DATE OF THIS PART, THE
13 SUPERVISION REQUIRED UNDER THIS SUBPARAGRAPH MAY BE PROVIDED BY
14 AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF SUBDIVISION (A) AND
15 IS APPROVED BY THE BOARD.

16 (C) TO ENGAGE IN LABORATORY TESTING AT THE LABORATORY SCIEN-
17 TIST LEVEL TO AN INDIVIDUAL WHO THE BOARD DETERMINES HAS SUFFI-
18 CIENT KNOWLEDGE ESSENTIAL TO THE SAFE AND COMPETENT PRACTICE OF
19 HIS OR HER PROFESSION AND WHO HAS SUCCESSFULLY COMPLETED OR
20 ATTAINED ANY 1 OF THE FOLLOWING:

21 (i) AN ACCREDITED EDUCATIONAL PROGRAM AT THE MEDICAL TECH-
22 NOLOGIST, CYTOTECHNOLOGIST, CLINICAL LABORATORY SCIENTIST, OR
23 HISTOTECHNOLOGIST LEVEL.

24 (ii) NINETY SEMESTER HOURS OF COLLEGE COURSE WORK APPROVED
25 BY THE BOARD AND 2 YEARS OF FULL-TIME LABORATORY EXPERIENCE
26 WITHIN THE 4-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE OF
27 APPLICATION UNDER THE SUPERVISION OF A LICENSED LABORATORY

1 SCIENTIST OR AN INDIVIDUAL DESCRIBED IN SECTION 18513, IN AN AREA
2 OR AREAS OF LABORATORY TESTING APPROVED BY THE BOARD. FOR A
3 PERIOD ENDING 2 YEARS AFTER THE EFFECTIVE DATE OF THIS PART, THE
4 SUPERVISION REQUIRED UNDER THIS SUBPARAGRAPH MAY BE PROVIDED BY
5 AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF SUBDIVISION (A) AND
6 IS APPROVED BY THE BOARD.

7 (iii) SIXTY SEMESTER HOURS OF COLLEGE COURSE WORK APPROVED
8 BY THE BOARD AND 4 YEARS, WITHIN THE 6-YEAR PERIOD IMMEDIATELY
9 PRECEDING THE DATE OF APPLICATION, OF FULL-TIME LABORATORY
10 EXPERIENCE, UNDER THE SUPERVISION OF A LICENSED LABORATORY SCIEN-
11 TIST OR AN INDIVIDUAL DESCRIBED IN SECTION 18513, IN AN AREA OR
12 AREAS OF LABORATORY TESTING APPROVED BY THE BOARD. FOR A PERIOD
13 ENDING 2 YEARS AFTER THE EFFECTIVE DATE OF THIS PART, THE SUPER-
14 VISION REQUIRED UNDER THIS SUBPARAGRAPH MAY BE PROVIDED BY AN
15 INDIVIDUAL WHO MEETS THE REQUIREMENTS OF SUBDIVISION (A) AND IS
16 APPROVED BY THE BOARD.

17 (2) THE BOARD MAY ACCEPT A PERSON'S CERTIFICATION BY A
18 NATIONAL ORGANIZATION APPROVED BY THE BOARD AS EVIDENCE THAT THE
19 PERSON HAS SUFFICIENT KNOWLEDGE ESSENTIAL TO THE SAFE AND COMPE-
20 TENT PRACTICE OF HIS OR HER PROFESSION. THE BOARD SHALL NOT
21 ACCEPT CERTIFICATION OF THAT PERSON, HOWEVER, UNLESS THE CERTIFY-
22 ING NATIONAL ORGANIZATION REQUIRES SUCCESSFUL PASSAGE OF A COMPE-
23 TENCY BASED EXAMINATION VALIDATED BY THAT ORGANIZATION.

24 SEC. 18513. (1) IF A PERSON APPLIES FOR LICENSURE WITHIN
25 1 YEAR OF THE EFFECTIVE DATE OF THIS PART AND THAT PERSON IS
26 TRAINED IN LABORATORY TESTING AND HAS BEEN EMPLOYED IN A

1 LABORATORY FOR A PERIOD OF MORE THAN 1 YEAR, THE BOARD SHALL
2 ISSUE TO THAT PERSON EITHER OF THE FOLLOWING:

3 (A) A LICENSE FOR THE LEVEL THAT THE PERSON IS TRAINED IN
4 LABORATORY TESTING.

5 (B) A LICENSE FOR THE LEVEL AT WHICH THE PERSON IS CURRENTLY
6 EMPLOYED IN A LABORATORY.

7 (2) THE BOARD SHALL REQUIRE EACH INDIVIDUAL WHO APPLIES FOR
8 RENEWAL OF A LICENSE GRANTED UNDER THIS SECTION TO MEET APPLICA-
9 BLE CONTINUING EDUCATION REQUIREMENTS OF SECTION 18515.

10 SEC. 18515. (1) IN ADDITION TO THE REQUIREMENTS OF
11 PART 161, THE BOARD SHALL REQUIRE A LABORATORY SCIENTIST, LABORA-
12 TORY TECHNOLOGIST, OR LABORATORY TECHNICIAN SEEKING RENEWAL OF A
13 LICENSE TO FURNISH EVIDENCE OF EITHER OF THE FOLLOWING:

14 (A) THE LICENSEE'S SUCCESSFUL COMPLETION, DURING THE 3 YEARS
15 IMMEDIATELY PRECEDING APPLICATION FOR RENEWAL, OF AT LEAST
16 30 HOURS OF CONTINUING EDUCATION COURSES, CLINICS, LECTURES,
17 TRAINING PROGRAMS, SEMINARS, OR OTHER PROGRAMS RELATED TO LABORA-
18 TORY TESTS THAT ARE APPROVED BY THE BOARD.

19 (B) PROOF OF RECERTIFICATION BY A NATIONAL ACCREDITING
20 AGENCY APPROVED BY THE BOARD.

21 (2) THE BOARD SHALL REQUIRE A LABORATORY PRACTITIONER SEEK-
22 ING RENEWAL OF A LICENSE TO FURNISH EVIDENCE OF THAT PERSON'S
23 SUCCESSFUL COMPLETION, DURING THE 3 YEARS IMMEDIATELY PRECEDING
24 APPLICATION FOR RENEWAL, OF AT LEAST 10 HOURS OF CONTINUING EDU-
25 CATION COURSES, CLINICS, LECTURES, TRAINING PROGRAMS, SEMINARS,
26 OR OTHER PROGRAMS APPROVED BY THE BOARD.

1 SEC. 18517. A LICENSEE SHALL NOT PERFORM AN ACT, TASK, OR
2 FUNCTION WITHIN THE PRACTICE OF LABORATORY TESTING FOR WHICH HE
3 OR SHE IS NOT TRAINED.

4 SEC. 18519. A COMMUNICATION BETWEEN A LICENSEE AND A CLIENT
5 AND A CLIENT'S TEST RESULTS ARE CONFIDENTIAL AND SHALL NOT BE
6 DISCLOSED TO A THIRD PARTY BY THE LICENSEE WITHOUT THE CONSENT OF
7 THE CLIENT OR EXCEPT AS OTHERWISE PROVIDED BY LAW. FOR PURPOSES
8 OF THIS SECTION, "THIRD PARTY" DOES NOT INCLUDE A HEALTH CARE
9 PROFESSIONAL LICENSED UNDER THIS ACT WHO REQUESTED THE LABORATORY
10 TEST OR TESTS ON BEHALF OF THE CLIENT.