

SENATE BILL No. 340

May 29, 1991, Introduced by Senators FAXON and SCHWARZ
and referred to the Committee on Health Policy.

A bill to amend section 20521 of Act No. 368 of the Public
Acts of 1978, entitled as amended

"Public health code,"

being section 333.20521 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 20521 of Act No. 368 of the Public Acts
2 of 1978, being section 333.20521 of the Michigan Compiled Laws,
3 is amended to read as follows:

4 Sec. 20521. (1) The owner, laboratory director, and gov-
5 erning body of a clinical laboratory are responsible for the
6 operation of the clinical laboratory.

7 (2) The laboratory director is responsible for the making
8 and keeping of an accurate record for each specimen examined and
9 procedure followed.

1 (3) A clinical laboratory shall analyze test samples
2 submitted by the department and report to the department on the
3 results of the analyses, except that proficiency evaluation pro-
4 grams of recognized professional organizations may be acceptable
5 to the department in lieu ~~thereof~~ OF THOSE RESULTS. The ana-
6 lyses and reports may be considered by the department in taking
7 action under section 20165 or 20525.

8 (4) A CLINICAL LABORATORY SHALL ALLOW AN INDIVIDUAL WHO WAS
9 THE SUBJECT OF A TEST PERFORMED BY THAT CLINICAL LABORATORY TO
10 EXAMINE THE RESULTS OR REPORT, IF ANY, ARISING FROM THAT TEST OR
11 PROVIDE A COPY OF THE RESULTS OR REPORT, IF ANY, ARISING FROM
12 THAT TEST, UPON THE PERSON'S REQUEST AND UPON THAT PERSON'S PAY-
13 MENT OF THE ACTUAL COST OF COPYING THE RESULTS OR REPORT.

14 (5) UPON THE REQUEST OF AN ADULT, A CLINICAL LABORATORY MAY
15 PERFORM A TESTING PROCEDURE FOR WHICH IT IS LICENSED UPON THAT
16 INDIVIDUAL, AND SHALL PROVIDE THAT INDIVIDUAL WITH A COPY OF A
17 REPORT OR RESULTS OF THAT TESTING PROCEDURE.

18 (6) SUBJECT TO SUBSECTION (7), A CLINICAL LABORATORY MAY
19 PERFORM A PROCEDURE FOR WHICH IT IS LICENSED UPON AN ADULT WHO
20 REQUESTS THAT PROCEDURE, AND SHALL PROVIDE THAT ADULT WITH A COPY
21 OF A REPORT OR RESULTS OF THE PROCEDURE, ACCOMPANIED BY A STATE-
22 MENT IDENTIFYING THE NORMAL RANGE OF RESULTS FOR THAT PROCEDURE.

23 (7) A CLINICAL LABORATORY SHALL DO EACH OF THE FOLLOWING:

24 (A) COMPLY WITH THOSE RULES GOVERNING CLINICAL LABORATORIES
25 THAT ARE PROMULGATED BY THE DEPARTMENT PURSUANT TO SECTION 5111.

26 (B) SUBJECT TO SUBDIVISION (A), DISCLOSE THE RESULTS OF A
27 PROCEDURE PERFORMED PURSUANT TO SUBSECTION (6) SOLELY TO THE

1 ADULT UPON WHOM THAT PROCEDURE WAS PERFORMED, OR TO A PHYSICIAN
2 OR INSURANCE CARRIER SPECIFIED IN WRITING BY THAT ADULT.