



HOUSE BILL No. 4485

March 11, 1993, Introduced by Reps. Bennane, Gubow, DeMars 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 TECHNICIAN",
 15 "LABORATORY PRACTITIONER", "L.S.", "L.T.", OR "L.P.".

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

23 PART 185. LABORATORY TESTING PERSONNEL

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

25 (A) "ACCREDITED EDUCATIONAL PROGRAM" MEANS A PROGRAM THAT
 26 PROVIDES INSTRUCTION AND EXPERIENCE IN LABORATORY TESTING AND
 27 THAT HAS BEEN ACCREDITED BY AN ACCREDITING AGENCY RECOGNIZED BY

1 THE UNITED STATES DEPARTMENT OF EDUCATION AND APPROVED BY THE
2 DEPARTMENT.

3 (B) "BOARD" MEANS THE MICHIGAN BOARD OF LABORATORY TESTING
4 CREATED UNDER SECTION 18509.

5 (C) "CLIENT" MEANS THE PERSON UPON WHOSE BODY, BODY FLUID,
6 OR BODY PART A LABORATORY TEST IS PERFORMED.

7 (D) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH.

8 (E) "LABORATORY" MEANS THE SITE AT WHICH A LABORATORY TEST
9 IS PERFORMED.

10 (F) "LABORATORY DIRECTOR" MEANS THAT TERM AS DEFINED IN
11 SECTION 20501.

12 (G) "LABORATORY PRACTITIONER" MEANS AN INDIVIDUAL WHO IS
13 LICENSED UNDER THIS ARTICLE TO ENGAGE IN THE PRACTICE OF LABORA-
14 TORY TESTING AT THE LABORATORY PRACTITIONER LEVEL, SUBJECT TO
15 SECTION 18517.

16 (H) "LABORATORY TECHNICIAN" MEANS AN INDIVIDUAL WHO IS
17 LICENSED UNDER THIS ARTICLE TO ENGAGE IN THE PRACTICE OF LABORA-
18 TORY TESTING AT THE LABORATORY TECHNICIAN LEVEL, SUBJECT TO
19 SECTION 18517.

20 (I) "LABORATORY SCIENTIST" MEANS AN INDIVIDUAL WHO IS
21 LICENSED UNDER THIS ARTICLE TO ENGAGE IN THE PRACTICE OF LABORA-
22 TORY TESTING AT THE LABORATORY SCIENTIST LEVEL, SUBJECT TO
23 SECTION 18517.

24 (J) "LABORATORY TEST" MEANS A MICROBIOLOGICAL, SEROLOGICAL,
25 CHEMICAL, HEMATOLOGICAL, RADIOMETRIC, CYTOLOGICAL, BIOPHYSICAL,
26 IMMUNOLOGICAL, HISTOLOGICAL, GENETIC, OR OTHER CLINICAL OR
27 ANATOMIC PATHOLOGICAL EXAMINATION OR PROCEDURE THAT IS PERFORMED

1 ON MATERIAL DERIVED FROM OR EXISTING IN A HUMAN BODY THAT
2 PROVIDES INFORMATION FOR THE DIAGNOSIS, PREVENTION, MONITORING,
3 OR TREATMENT OF A DISEASE OR ASSESSMENT OF A MEDICAL CONDITION OR
4 PREDISPOSITION. LABORATORY TEST DOES NOT INCLUDE A WAIVERED
5 TEST, OR THE COLLECTION, HANDLING, AND PREPARATION OF A BODY
6 FLUID OR MICROBIOLOGY CULTURE SPECIMEN USED FOR A LABORATORY
7 TEST, OR A TEST THE RESULTS OF WHICH ARE USED SOLELY FOR EVIDEN-
8 TIARY PURPOSES IN A CIVIL OR CRIMINAL PROCEEDING.

9 (K) "PRACTICE OF LABORATORY TESTING AT THE LABORATORY PRAC-
10 TITIONER LEVEL" MEANS ANY OF THE FOLLOWING:

11 (i) PERFORMING A LABORATORY TEST PURSUANT TO ESTABLISHED
12 PROTOCOLS.

13 (ii) COMPARING PATIENT DATA TO REFERENCE RANGES ESTABLISHED
14 OR APPROVED BY THE LABORATORY DIRECTOR OR A LABORATORY
15 SCIENTIST.

16 (iii) APPLYING ARITHMETIC OR ALGEBRAIC CALCULATIONS ACCORD-
17 ING TO PROTOCOLS.

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

21 (L) "PRACTICE OF LABORATORY TESTING AT THE LABORATORY TECH-
22 NICIAN LEVEL" MEANS THE PRACTICE OF LABORATORY TESTING AT THE
23 LABORATORY PRACTITIONER LEVEL AND ANY OF THE FOLLOWING:

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

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

1 (iii) ARITHMETICAL, MATHEMATICAL, OR STATISTICAL
2 MANIPULATION OF NUMBERS ACCORDING TO PROTOCOL.

3 (iv) IDENTIFYING A DIRECT CAUSE OF IMPROPER TEST PERFORMANCE
4 AND CORRECTING THAT CAUSE ACCORDING TO STRATEGIES ESTABLISHED BY
5 THE LABORATORY DIRECTOR OR A LABORATORY SCIENTIST.

6 (M) "PRACTICE OF LABORATORY TESTING AT THE LABORATORY SCIEN-
7 TIST LEVEL" MEANS THE PRACTICE OF LABORATORY TESTING AT THE LABO-
8 RATORY PRACTITIONER LEVEL, THE PRACTICE OF LABORATORY TESTING AT
9 THE LABORATORY TECHNICIAN LEVEL, AND ANY OF THE FOLLOWING:

10 (i) DECISION MAKING THAT EMPLOYS ADVANCED KNOWLEDGE OF
11 PATHOPHYSIOLOGY, CYTOPATHOLOGY LABORATORY METHODS, OR LABORATORY
12 INSTRUMENTATION, AND THAT DOES NOT EMPLOY PREDETERMINED
13 CRITERIA.

14 (ii) ESTABLISHING CRITERIA FOR DECISION MAKING IN LABORATORY
15 TESTING.

16 (iii) VALIDATING LABORATORY TEST DATA.

17 (iv) ESTABLISHING PROCEDURES FOR REPORTING RESULTS.

18 (v) SELECTING APPROPRIATE CALCULATION METHODS IN THE ABSENCE
19 OF ESTABLISHED GUIDELINES.

20 (vi) WITHOUT PRESET STRATEGIES, IDENTIFYING CAUSES OF
21 IMPROPER TEST PERFORMANCE AND DETERMINING ALTERNATIVE MEANS OF
22 OBTAINING CORRECT TEST PERFORMANCE OR SOLUTIONS TO PROBLEMS CRE-
23 ATED BY INCORRECT TEST PERFORMANCE.

24 (N) "PROTOCOL" MEANS INFORMATION PREPARED OR APPROVED BY THE
25 LABORATORY DIRECTOR OR A LABORATORY SCIENTIST THAT PROVIDES A
26 STEP-BY-STEP DESCRIPTION OF THE MANNER IN WHICH A LABORATORY TEST
27 IS TO BE PERFORMED.

1 (O) "SUPERVISION" MEANS THE OVERSEEING OF OR PARTICIPATION
2 IN THE WORK OF ANOTHER INDIVIDUAL BY A HEALTH PROFESSIONAL
3 LICENSED UNDER THIS ARTICLE WHO IS IN DIRECT COMMUNICATION WITH
4 THE INDIVIDUAL BY RADIO, TELEPHONE, TELECOMMUNICATION, OR IN
5 PERSON.

6 (P) "WAIVERED TEST" MEANS A LABORATORY TEST THAT DOES NOT
7 REQUIRE THE PERSON PERFORMING THE LABORATORY TEST TO DO ANY OF
8 THE FOLLOWING:

9 (i) RENDER A DECISION.

10 (ii) VALIDATE DATA.

11 (iii) MAKE CALCULATIONS OTHER THAN THE PERFORMANCE OF SIMPLE
12 ARITHMETIC.

13 (iv) CALIBRATE INSTRUMENTS OR EQUIPMENT.

14 (v) MODIFY A SPECIMEN.

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

19 SEC. 18503. (1) BEGINNING 1 YEAR AFTER THE EFFECTIVE DATE
20 OF THIS PART, A PERSON SHALL NOT ENGAGE IN LABORATORY TESTING AS
21 DESCRIBED IN SECTION 18501(1)(K), (L), OR (M) UNLESS THAT PERSON
22 IS LICENSED OR OTHERWISE AUTHORIZED BY THIS ARTICLE.

23 (2) A LICENSED LABORATORY SCIENTIST SHALL ONLY USE THE
24 TITLES "LICENSED LABORATORY SCIENTIST", "LABORATORY SCIENTIST",
25 OR "L.S.".

1 (3) A LICENSED LABORATORY TECHNICIAN SHALL ONLY USE THE
2 TITLES "LICENSED LABORATORY TECHNICIAN", "LABORATORY TECHNICIAN",
3 OR "L.T.".

4 (4) A LICENSED LABORATORY PRACTITIONER SHALL ONLY USE THE
5 TITLES "LICENSED LABORATORY PRACTITIONER", "LABORATORY
6 PRACTITIONER", OR "L.P.".

7 SEC. 18505. (1) THE BOARD MAY GRANT A LIMITED LICENSE TO AN
8 INDIVIDUAL TO PRACTICE LABORATORY TESTING AT THE LABORATORY SCI-
9 ENTIST, LABORATORY TECHNICIAN, OR LABORATORY PRACTITIONER LEVEL.
10 AN INDIVIDUAL WHO HOLDS A LIMITED LICENSE UNDER THIS SECTION
11 SHALL PROVIDE A LABORATORY TEST SERVICE ONLY UNDER THE SUPERVI-
12 SION OF A PERSON LICENSED OR OTHERWISE AUTHORIZED UNDER THIS PART
13 TO PERFORM THE TEST.

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

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

22 SEC. 18507. THIS PART DOES NOT APPLY TO ANY OF THE
23 FOLLOWING:

24 (A) AN INDIVIDUAL WHO IS ENROLLED IN AN ACCREDITED EDUCA-
25 TIONAL PROGRAM, IF THE LABORATORY TESTING PERFORMED BY THAT INDIV-
26 IDUAL IS PART OF A COURSE OF STUDY WITHIN THE ACCREDITED
27 EDUCATIONAL PROGRAM, AND THE RESULTS OF THAT LABORATORY TESTING

1 ARE NOT USED FOR DIAGNOSIS, PREVENTION, MONITORING, OR TREATMENT
2 OF A DISEASE OR ASSESSMENT OF A MEDICAL CONDITION OR
3 PREDISPOSITION.

4 (B) AN INDIVIDUAL ENGAGED IN TEACHING OR RESEARCH, IF THE
5 RESULTS OF ANY LABORATORY TESTS PERFORMED BY THAT INDIVIDUAL ARE
6 NOT USED IN DIAGNOSIS, PREVENTION, MONITORING, OR TREATMENT OF A
7 DISEASE OR ASSESSMENT OF A MEDICAL CONDITION OR PREDISPOSITION.

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

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

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

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

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

23 (D) TWO PUBLIC MEMBERS.

24 (2) THE BOARD MEMBERS APPOINTED UNDER SUBSECTION (1)(A) TO
25 (C) SHALL HAVE AMONG THEM ANATOMICAL AND CLINICAL PATHOLOGICAL
26 TESTING EXPERIENCE AND SHALL MEET THE REQUIREMENTS OF SECTION
27 16135(2).

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

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

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

13 (i) AN ACCREDITED EDUCATIONAL PROGRAM AT THE LABORATORY
14 PRACTITIONER LEVEL OR AT AN EQUIVALENT LEVEL THAT IS APPROVED BY
15 THE BOARD.

16 (ii) ONE YEAR OF FULL-TIME LABORATORY EXPERIENCE WITHIN THE
17 3-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE OF APPLICATION IN A
18 LABORATORY ACTIVITY APPROVED BY THE BOARD AND UNDER THE SUPERVI-
19 SION OF A LABORATORY SCIENTIST, A LABORATORY TECHNICIAN, AN INDIV-
20 IDUAL DESCRIBED IN SECTION 18513 WHO IS APPROVED BY THE BOARD TO
21 PRACTICE LABORATORY TESTING AT THE LABORATORY SCIENTIST OR LABO-
22 RATORY TECHNICIAN LEVEL, OR AN INDIVIDUAL DESCRIBED IN SECTION
23 18519.

24 (B) TO ENGAGE IN THE PRACTICE OF LABORATORY TESTING AT THE
25 LABORATORY TECHNICIAN LEVEL TO AN INDIVIDUAL WHO THE BOARD DETER-
26 MINES HAS SUFFICIENT KNOWLEDGE ESSENTIAL TO THE SAFE AND

1 COMPETENT PRACTICE OF HIS OR HER PROFESSION AND WHO HAS
2 SUCCESSFULLY COMPLETED OR ATTAINED ANY 1 OF THE FOLLOWING:

3 (i) AN ACCREDITED EDUCATIONAL PROGRAM AT THE MEDICAL LABORA-
4 TORY TECHNICIAN, CLINICAL LABORATORY TECHNICIAN, OR HISTOLOGIC
5 TECHNICIAN LEVEL.

6 (ii) SIXTY SEMESTER HOURS OF COLLEGE COURSE WORK APPROVED BY
7 THE BOARD AND 1 YEAR OF FULL-TIME LABORATORY EXPERIENCE WITHIN
8 THE 3 YEARS IMMEDIATELY PRECEDING THE DATE OF APPLICATION IN A
9 LABORATORY ACTIVITY APPROVED BY THE BOARD AND UNDER THE SUPERVI-
10 SION OF A LABORATORY SCIENTIST, AN INDIVIDUAL DESCRIBED IN SEC-
11 TION 18513 WHO IS APPROVED BY THE BOARD TO PRACTICE LABORATORY
12 TESTING AT THE LABORATORY SCIENTIST LEVEL, OR AN INDIVIDUAL
13 DESCRIBED IN SECTION 18519.

14 (iii) LICENSURE AS A LABORATORY PRACTITIONER AND 4 ADDI-
15 TIONAL YEARS OF FULL-TIME LABORATORY EXPERIENCE ENCOMPASSING
16 AREAS OF LABORATORY TESTING APPROVED BY THE BOARD, AND UNDER THE
17 SUPERVISION OF A LABORATORY SCIENTIST OR AN INDIVIDUAL DESCRIBED
18 IN SECTION 18513 WHO IS APPROVED BY THE BOARD TO PRACTICE LABORA-
19 TORY TESTING AT THE LABORATORY SCIENTIST LEVEL, OR AN INDIVIDUAL
20 DESCRIBED IN SECTION 18519.

21 (C) TO ENGAGE IN THE PRACTICE OF LABORATORY TESTING AT THE
22 LABORATORY SCIENTIST LEVEL TO AN INDIVIDUAL WHO THE BOARD DETER-
23 MINES HAS SUFFICIENT KNOWLEDGE ESSENTIAL TO THE SAFE AND COMPE-
24 TENT PRACTICE OF HIS OR HER PROFESSION AND WHO HAS SUCCESSFULLY
25 COMPLETED OR ATTAINED ANY 1 OF THE FOLLOWING:

1 (i) AN ACCREDITED EDUCATIONAL PROGRAM AT THE MEDICAL
2 TECHNOLOGIST, CYTOTECHNOLOGIST, CLINICAL LABORATORY SCIENTIST, OR
3 HISTOTECHNOLOGIST LEVEL.

4 (ii) NINETY SEMESTER HOURS OF COLLEGE COURSE WORK APPROVED
5 BY THE BOARD AND 2 YEARS OF FULL-TIME LABORATORY EXPERIENCE
6 WITHIN THE 4-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE OF APPLI-
7 CATION IN AREAS OF LABORATORY TESTING APPROVED BY THE BOARD AND
8 UNDER THE SUPERVISION OF A LABORATORY SCIENTIST, AN INDIVIDUAL
9 DESCRIBED IN SECTION 18513 WHO IS APPROVED BY THE BOARD TO PRAC-
10 TICE LABORATORY TESTING AT THE LABORATORY SCIENTIST LEVEL, OR AN
11 INDIVIDUAL DESCRIBED IN SECTION 18519.

12 (iii) SIXTY SEMESTER HOURS OF COLLEGE COURSE WORK APPROVED
13 BY THE BOARD AND 4 YEARS, WITHIN THE 6-YEAR PERIOD IMMEDIATELY
14 PRECEDING THE DATE OF APPLICATION, OF FULL-TIME LABORATORY
15 EXPERIENCE IN AREAS OF LABORATORY TESTING APPROVED BY THE BOARD
16 AND UNDER THE SUPERVISION OF A LABORATORY SCIENTIST, AN INDIVID-
17 UAL DESCRIBED IN SECTION 18513 WHO IS APPROVED BY THE BOARD TO
18 PRACTICE LABORATORY TESTING AT THE LABORATORY SCIENTIST LEVEL, OR
19 AN INDIVIDUAL DESCRIBED IN SECTION 18519.

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

1 SEC. 18513. (1) IF A PERSON APPLIES FOR LICENSURE WITHIN
2 1 YEAR OF THE EFFECTIVE DATE OF THIS PART AND THAT PERSON IS
3 TRAINED IN LABORATORY TESTING OR HAS ENGAGED IN THE PRACTICE OF
4 LABORATORY TESTING IN A LABORATORY FOR A PERIOD OF AT LEAST 1
5 YEAR, THE BOARD SHALL ISSUE TO THAT PERSON EITHER OF THE
6 FOLLOWING:

7 (A) A LICENSE FOR THE LEVEL THAT THE PERSON IS TRAINED IN
8 LABORATORY TESTING OR CERTIFIED IN LABORATORY TESTING BY A
9 NATIONAL CERTIFYING AGENCY APPROVED BY THE BOARD.

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

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

15 SEC. 18515. (1) IN ADDITION TO THE REQUIREMENTS OF
16 PART 161, THE BOARD SHALL REQUIRE A LABORATORY SCIENTIST OR LABO-
17 RATORY TECHNICIAN SEEKING RENEWAL OF A LICENSE TO FURNISH EVI-
18 DENCE OF EITHER OF THE FOLLOWING:

19 (A) THE LICENSEE'S SUCCESSFUL COMPLETION, DURING THE 3 YEARS
20 IMMEDIATELY PRECEDING APPLICATION FOR RENEWAL, OF AT LEAST
21 30 HOURS OF CONTINUING EDUCATION COURSES, CLINICS, LECTURES,
22 TRAINING PROGRAMS, SEMINARS, OR OTHER PROGRAMS RELATED TO LABORA-
23 TORY TESTING THAT ARE APPROVED BY THE BOARD.

24 (B) PROOF OF RECERTIFICATION BY A NATIONAL CERTIFICATION
25 AGENCY APPROVED BY THE BOARD.

1 (2) THE BOARD SHALL REQUIRE A LABORATORY PRACTITIONER
2 SEEKING RENEWAL OF A LICENSE TO FURNISH EVIDENCE OF EITHER OF THE
3 FOLLOWING:

4 (A) THAT PERSON'S SUCCESSFUL COMPLETION, DURING THE 3 YEARS
5 IMMEDIATELY PRECEDING APPLICATION FOR RENEWAL, OF AT LEAST
6 10 HOURS OF CONTINUING EDUCATION COURSES, CLINICS, LECTURES,
7 TRAINING PROGRAMS, SEMINARS, OR OTHER PROGRAMS APPROVED BY THE
8 BOARD.

9 (B) PROOF OF RECERTIFICATION BY A NATIONAL CERTIFICATION
10 AGENCY APPROVED BY THE BOARD.

11 SEC. 18517. A LICENSE ISSUED UNDER THIS PART IS EFFECTIVE
12 FOR 3 YEARS. A LICENSEE SHALL NOT PERFORM AN ACT, TASK, OR FUNC-
13 TION WITHIN THE PRACTICE OF LABORATORY TESTING FOR WHICH HE OR
14 SHE IS NOT TRAINED.

15 SEC. 18519. THE SUPERVISION DESCRIBED IN SECTIONS 18505 AND
16 18511 AND REQUIRED FOR THE LICENSURE OF AN INDIVIDUAL UNDER THIS
17 PART MAY BE PROVIDED BY A PHYSICIAN LICENSED UNDER PART 170 OR
18 175 WHO COMPLIES WITH THE REQUIREMENTS OF THE BOARD. THE BOARD
19 SHALL PROMULGATE RULES PURSUANT TO THE ADMINISTRATIVE PROCEDURES
20 ACT OF 1969 THAT GOVERN THE QUALIFICATIONS OF A PHYSICIAN AUTHO-
21 RIZED TO PROVIDE SUPERVISION UNDER THIS PART.

22 SEC. 18521. A COMMUNICATION BETWEEN A LICENSEE AND A CLIENT
23 AND A CLIENT'S TEST RESULTS ARE CONFIDENTIAL AND SHALL NOT BE
24 DISCLOSED TO A THIRD PARTY BY THE LICENSEE WITHOUT THE CONSENT OF
25 THE CLIENT OR EXCEPT AS OTHERWISE PROVIDED BY LAW. FOR PURPOSES
26 OF THIS SECTION, "THIRD PARTY" DOES NOT INCLUDE A HEALTH CARE

1 PROFESSIONAL LICENSED UNDER THIS ACT WHO REQUESTED THE LABORATORY
2 TEST OR TESTS ON BEHALF OF THE CLIENT.