SENATE BILL No. 402

February 16, 1993, 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:

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

Sec. 20521. (1) The owner, laboratory director, and governing body of a clinical laboratory are responsible for the operation of the clinical laboratory.

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

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

(4) A CLINICAL LABORATORY SHALL DO BOTH OF THE FOLLOWING:

(A) ALLOW AN INDIVIDUAL WHO WAS THE SUBJECT OF A TEST PERFORMED BY THE CLINICAL LABORATORY TO EXAMINE THE RESULTS OR REPORT, IF ANY, ARISING FROM THAT TEST.

(B) PROVIDE A COPY OF THE RESULTS OR REPORT, IF ANY, ARISING FROM A TEST DESCRIBED IN SUBDIVISION (A), UPON THE TEST SUBJECT'S REQUEST AND UPON THAT PERSON'S PAYMENT OF THE ACTUAL COST OF COPYING THE RESULTS OR REPORT.

(5) SUBJECT TO SUBSECTION (6), A CLINICAL LABORATORY MAY PERFORM A PROCEDURE FOR WHICH IT IS LICENSED UPON AN ADULT WHO REQUESTS THAT PROCEDURE, AND SHALL PROVIDE THAT ADULT WITH A COPY OF A REPORT OR RESULTS OF THE PROCEDURE, ACCOMPANIED BY A STATEMENT IDENTIFYING THE NORMAL RANGE OF RESULTS FOR THAT PROCEDURE.

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

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

(B) SUBJECT TO SUBDIVISION (A), DISCLOSE THE RESULTS OF A PROCEDURE PERFORMED PURSUANT TO SUBSECTION (5) SOLELY TO THE ADULT UPON WHOM THAT PROCEDURE WAS PERFORMED, OR TO A PHYSICIAN OR INSURANCE CARRIER SPECIFIED IN WRITING BY THAT ADULT.