

2016 -- S 2970

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO HEALTH AND SAFETY - LABORATORIES

Introduced By: Senators Coyne, Crowley, Jabour, and Goldin

Date Introduced: May 10, 2016

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 23-16.2-2, 23-16.2-6 and 23-16.2-7 of the General Laws in
2 Chapter 23-16.2 entitled "Laboratories" are hereby amended to read as follows:

3 **23-16.2-2. Definitions. [Effective January 1, 2016.]** -- When used in this chapter:

4 (1) "Analytical laboratory" means a facility for the biological, microbiological, chemical,
5 physical, and radiochemical examination of potable water, nonpotable water or other
6 environmental matrices.

7 (2) "Clinical laboratory" means a facility for the biological, microbiological, serological,
8 chemical, immunohematological, hematological, radiobioassay, cytological, pathological, or
9 other examination of materials derived from the human body for the purposes of providing
10 information for the diagnosis, prevention, or treatment of any disease or impairment of or the
11 assessment of the health of human beings.

12 (3) "Director" means the director of the department of health.

13 (4) "Persons" means any individual, firm, partnership, corporation, company,
14 association, or joint stock association.

15 (5) "Station" means a facility for the collection, processing, and transmission of the
16 materials described in subdivisions (1) and (2) for the purposes described in subdivisions (1) and
17 (2).

18 (6) "Certification" means the determination by the department of health that an analytical
19 laboratory is capable of performing specific tests or analyses of environmental samples in

1 accordance with the requirements of the regulations promulgated pursuant to this chapter.

2 (7) ~~"Medical laboratory test" or "laboratory test" means a microbiological, serological,~~
3 ~~chemical, hematological, radiobioassay, cytological, immunological, or other pathological~~
4 ~~examination that is performed on material derived from the human body, the test or procedure~~
5 ~~conducted by a medical laboratory that provides information for the diagnosis, prevention, or~~
6 ~~treatment of a disease or assessment of a medical condition.~~

7 (8) ~~"Nationally recognized certification examination" means an appropriate examination,~~
8 ~~as determined by the director, covering both academic and practical knowledge, including, but~~
9 ~~not limited to, those offered by the American Society of Medical Pathologists (ASCP), American~~
10 ~~Medical Technologists (AMT), National Credentialing Agency (NCA), or the American~~
11 ~~Association of Bioanalysts Board of Registry (AAB), and including any appropriate categorical~~
12 ~~or specialty examinations.~~

13 **23-16.2-6. Issuance or denial of license. [Effective January 1, 2016.] --** Not less than
14 thirty (30) days from the time any application for the license is received, the director shall grant
15 the application and issue a license to maintain a laboratory or station if the director shall be
16 satisfied that the applicant complies with the rules and regulations promulgated in accordance
17 with this chapter establishing standards for the qualifications of personnel and adequacy of
18 equipment and facilities. The standards for qualification of personnel ~~who perform medical~~
19 ~~laboratory tests shall require, as a minimum, successful completion of a nationally recognized~~
20 ~~certification examination. Notwithstanding this requirement, the director may establish, by~~
21 ~~regulation, alternative criteria for individuals who previously qualified under federal regulatory~~
22 ~~requirements, such as 42 CFR § 493.1433 of the March 14, 1990 federal register, or other criteria~~
23 ~~that may be established to have met the requirements of this chapter.~~ shall include provisions for
24 minimum standards of professional education or experience, as determined by the director. The
25 director may provide for the examination of applicants to determine their qualifications.

26 Notwithstanding the preceding statements in this section, upon payment of any applicable license
27 fees, the director may grant immediate licensure to any medical laboratory licensed as a medical
28 laboratory in another state and certified under the Medical Laboratory Improvement Act of 1988,
29 when the medical laboratory has been asked to perform a medical laboratory service which is not
30 offered by any other medical laboratory then licensed in this state.

31 **23-16.2-7. Suspension and revocation of license. [Effective January 1, 2016.] --** (a)
32 The department of health may revoke or suspend the license or specific certification of any
33 laboratory or station for conduct by or chargeable to the laboratory or stations as follows:

34 (1) Failure to observe any term of the license or specific certification issued under

1 authority of this chapter by the department of health;

2 (2) Failure to observe any order made under authority of this chapter or under the
3 statutory authority vested in the department of health;

4 (3) Engaging in, aiding, abetting, causing, or permitting any action prohibited under this
5 chapter;

6 (4) Failing to observe any regulations promulgated by the department of health.

7 (b) Whenever the director shall have reason to believe that any laboratory or station, for
8 the maintenance of which the director has issued a license or specific certification as provided for
9 in § 23-16.2-4, is being maintained in violation of the rules and regulations provided in § 23-16.2-
10 5, the director may, pending an investigation and hearing, suspend for a period not exceeding
11 thirty (30) days, any license or specific certification issued under authority of this chapter and
12 may, after due notice and hearing, revoke the license or specific certification if the director finds
13 that the laboratory or station is being maintained in violation of the rules and regulations. The
14 holder of a license shall upon its revocation promptly surrender the license or specific
15 certification to the director.

16 (c) ~~The director may revoke or suspend the license, or may impose appropriate fines as~~
17 ~~promulgated in regulation, of any laboratory or station that does not ensure that all personnel~~
18 ~~meet the requirements of this chapter.~~

19 SECTION 2. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
20 amended by adding thereto the following chapter:

21 CHAPTER 16.5

22 MEDICAL LABORATORY SCIENCE PRACTICE

23 **23-16.5-1. Short title.** -- This chapter shall be known and may be cited as the "Medical
24 Laboratory Science Practice Act".

25 **23-16.5-2. Declaration of policy and statement of purpose.** -- It is declared to be a
26 policy of the state that the practice of medical laboratory science by health care professionals
27 affects the public health, safety, and welfare and is subject to control and regulation in the public
28 interest. It is further declared that medical laboratories and medical laboratory science
29 practitioners provide essential services to practitioners of the healing arts by furnishing vital
30 information which may be used in the diagnosis, prevention, and treatment of disease or
31 impairment and the assessment of the health of humans. The purpose of this chapter is to provide
32 for the better protection of public health by providing minimum qualifications for medical
33 laboratory science practitioners, and by ensuring that medical laboratory tests are performed with
34 the highest degree of professional competency by those engaged in providing medical laboratory

1 science services in the state.

2 **23-16.5-3. Definitions.** -- The following words and terms when used in this chapter have
3 the following meaning unless otherwise indicated within the context:

4 (1) "Accredited medical laboratory program" means a program planned to provide a
5 predetermined amount of instruction and experience in medical laboratory science that has been
6 accredited by one of the accrediting agencies recognized by the United States Department of
7 Education.

8 (2) "Board" means the medical laboratory science board appointed by the director of
9 health.

10 (3) "Department" means the Rhode Island department of health.

11 (4) "Director" means the director of the Rhode Island department of health.

12 (5) "Limited function test" means a test conducted using procedures which, as determined
13 by the director, have an insignificant risk of an erroneous result, including those which:

14 (i) Have been approved by the United States Food and Drug Administration for home
15 use;

16 (ii) Employ methodologies that are so simple and accurate as to render the likelihood of
17 erroneous results negligible; or

18 (iii) The director has determined pose no reasonable risk of harm to the patient if
19 performed incorrectly.

20 (6) "Medical laboratory" or "laboratory" means any facility or office in which medical
21 laboratory tests of either an analytical or clinical nature are performed.

22 (7) "Medical laboratory science practitioner" or "one who engages in the practice of
23 medical laboratory science" means a health care professional who performs medical laboratory
24 tests or who is engaged in management, education, consulting, or research in medical laboratory
25 science, and includes laboratory directors, supervisors, medical laboratory scientists
26 (technologists), specialists, and technicians working in a laboratory, but does not include persons
27 employed by a medical laboratory to perform supportive functions not related to direct
28 performance of laboratory tests and does not include medical laboratory trainees. Provided,
29 however, nothing contained in this chapter shall apply to a medical perfusionist engaged in the
30 testing of human laboratory specimens for extracorporeal functions, which shall include those
31 functions necessary for the support, treatment, measurement, or supplementation of the
32 cardiopulmonary or circulatory system of a patient.

33 (8) "Medical laboratory scientist" and/or "technologist" means a person who performs
34 medical laboratory tests pursuant to established and approved protocols requiring the exercise of

1 independent judgment and responsibility, maintains equipment and records, performs quality
2 assurance activities related to test performance, and may supervise and teach within a medical
3 laboratory setting.

4 (9) "Medical laboratory technician" means a person who performs laboratory tests
5 pursuant to established and approved protocols which require limited exercise of independent
6 judgment and responsibility, maintains equipment and records, and performs quality assurance
7 activities related to test performance.

8 (10) "Medical laboratory test" or "laboratory test" means a microbiological, serological,
9 chemical, hematological, radiobioassay, cytological, immunological, or other pathological
10 examination which is performed on material derived from the human body, the test or procedure
11 conducted by a medical laboratory which provides information for the diagnosis, prevention, or
12 treatment of a disease or assessment of a medical condition.

13 **23-16.5-4. Exceptions.** -- This chapter shall not apply to:

14 (1) Any person performing medical laboratory tests within the scope of their practice and
15 for which they are licensed pursuant to any other provisions of the general laws.

16 (2) Medical laboratory science practitioners employed by the United States government
17 or any bureau, division, or agency of the United States government while in the discharge of the
18 employee's official duties.

19 (3) Medical laboratory science practitioners engaged in teaching or research, provided
20 that the results of any examination performed are not used in health maintenance, diagnosis, or
21 treatment of disease.

22 (4) Students or trainees enrolled in a medical laboratory science education program
23 provided that these activities constitute a part of a planned course in the program, that the persons
24 are designated by title such as intern, trainee, or student, and the persons work directly under the
25 supervision of an individual licensed by this state to practice laboratory science.

26 (5) Individuals performing limited function tests.

27 **23-16.5-5. License required.** -- (a) No person shall practice medical laboratory science
28 or hold themselves out as a medical laboratory science practitioner in this state unless they are
29 licensed pursuant to this chapter.

30 (b) All persons who were engaged in the practice of medical laboratory science on July 1,
31 1992, who are certified by or eligible for certification by an agency approved by the department
32 of health, and who have applied to the department of health on or before July 1, 1994, and have
33 complied with all necessary requirements for the application, may continue to perform medical
34 laboratory tests until July 1, 1995 unless the application is denied by the department of health, or

1 the withdrawal of the application, whichever occurs first.

2 (c) Persons not meeting the education, training, and experience qualifications for any
3 license described in this chapter may be considered to have met the qualifications providing they
4 have:

5 (1) Three (3) years acceptable experience between January 1, 1986 and January 1, 1996
6 and submit to the department of health the job description of the position which the applicant has
7 most recently performed attested to by their employer and notarized; or

8 (2) No less than twelve (12) years acceptable experience prior to 1993 and submits to the
9 department of health the job description of the position which the applicant has most recently
10 performed attested to by their employer and notarized on or before December 1, 2001.

11 (d) After December 1, 2001, no initial license shall be issued until an applicant meets all
12 of the requirements under this chapter, and successfully completes a nationally recognized
13 certification examination, such as NCA, DHHS, ASCP, state civil service examination, or others
14 including appropriate categorical and specialty exams. Provided, however, that the provisions of
15 this subsection shall not be available to any individual who has been previously denied a license
16 as a medical laboratory science practitioner by the department of health.

17 **23-16.5-6. Administration.** -- (a) There is created within the division of professional
18 regulation of the department of health a medical laboratory advisory board which shall consist of
19 seven (7) persons who have been residents of the state for at least two (2) years prior to their
20 appointment, and who are actively engaged in their areas of practice. The director of the
21 department of health, with the approval of the governor, shall make appointments to the board
22 from lists submitted by organizations of medical laboratory science practitioners and
23 organizations of physicians and pathologists.

24 (b) The board shall be composed of:

25 (1) One physician certified by the American Board of Pathology or American Board of
26 Osteopathic Pathology;

27 (2) One physician who is not a laboratory director and is not a pathologist;

28 (3) Four (4) medical laboratory science practitioners, one of whom is a non-physician
29 laboratory director, one of whom is a medical laboratory scientist (technologist), and one of
30 whom is a medical laboratory technician, whom, except for their initial appointments, hold active
31 and valid licenses as medical laboratory science practitioners in this state, and one of whom is a
32 medical laboratory science practitioner not falling in one of the first three (3) categories; and

33 (4) One public member who is not associated with or financially interested in the practice
34 of medical laboratory science.

1 (c) Board members shall serve for a term of three (3) years, and until their successors are
2 appointed and qualified, except that the initial appointments, which shall be made within sixty
3 (60) days after July 1, 2016, shall be as follows:

4 (1) One pathologist, one non-physician laboratory director, and one medical laboratory
5 scientist, shall be appointed to serve for three (3) years;

6 (2) One public representative and one non-pathologist physician, shall be appointed to
7 serve for two (2) years; and

8 (3) The remaining members shall be appointed to serve for one year.

9 (d) The membership of the board shall receive no compensation for their services.

10 (e) Whenever a vacancy shall occur on the board by reason other than the expiration of a
11 term of office, the director of the department of health with the approval of the governor shall
12 appoint a successor of like qualifications for the remainder of the unexpired term. No person shall
13 be appointed to serve more than two (2) successive three (3) year terms.

14 **23-16.5-7. Duties and powers of the medical laboratory advisory board. -- In addition**
15 **to any other power conferred upon the board pursuant to this chapter, the board shall recommend**
16 **to the director:**

17 (1) Rules and regulations for the implementation of this chapter including, but not limited
18 to, regulations that delineate qualifications for licensure of medical laboratory science
19 practitioners as defined in this chapter, specify requirements for the renewal of licensure,
20 establish standards of professional conduct, and recommend on the amendment or on the repeal
21 of the rules and regulations. Following their adoption, the rules and regulations shall govern and
22 control the professional conduct of every person who holds a license to perform medical
23 laboratory tests or otherwise engages in the profession of medical laboratory science;

24 (2) Standard written, oral, or practical examinations for purposes of licensure of medical
25 laboratory science practitioners as provided for in §23-16.5-5;

26 (3) Rules and regulations governing qualifications for licensure of specialists in those
27 medical laboratory science specialties that the board may determine in accordance with §23-16.5-
28 8(c);

29 (4) Rules and regulations governing personnel performing tests in limited function
30 laboratories;

31 (5) A schedule of fees for applications and renewals;

32 (6) Establish criteria for the continuing education of medical laboratory science
33 practitioners as required for license renewal;

34 (7) Any other rules and regulations necessary to implement and further the purpose of

1 [this chapter.](#)

2 **23-16.5-8. Standards for licensure. -- (a) Medical laboratory scientist (technologist). -**
3 [The department of health shall issue a medical laboratory scientists license to an individual who](#)
4 [meets the qualifications developed by the board, including at least one of the following](#)
5 [qualifications:](#)

6 [\(1\) A baccalaureate degree in medical laboratory science \(medical technology\) from an](#)
7 [accredited college or university whose curriculum included appropriate medical education;](#)

8 [\(2\) A baccalaureate degree in biological, chemical, or physical science from an accredited](#)
9 [college or university, and subsequent to graduation has at least twelve \(12\) months of appropriate](#)
10 [medical education in an accredited medical laboratory science program;](#)

11 [\(3\) A baccalaureate degree which includes a minimum of thirty-six \(36\) semester \(or](#)
12 [equivalent\) hours in the biological, chemical, and physical sciences from an accredited college or](#)
13 [university plus two \(2\) years of full-time work experience including a minimum of four \(4\)](#)
14 [months in each of the four \(4\) major disciplines of laboratory practice \(medical chemistry,](#)
15 [medical microbiology, hematology, immunology/immunohematology\);](#)

16 [\(4\) A baccalaureate degree consisting of ninety \(90\) semester \(or equivalent\) hours,](#)
17 [thirty-six \(36\) of which must be in the biological, chemical, or physical sciences, from an](#)
18 [accredited college or university, and appropriate medical education in an accredited medical](#)
19 [laboratory science program; or](#)

20 [\(5\) A medical laboratory scientist \(technologist\) who previously qualified under federal](#)
21 [regulatory requirements such as 42 CFR §493.1433 of the March 14, 1990 Federal Register or](#)
22 [other regulations or criteria which may be established by the board.](#)

23 [\(b\) Medical laboratory technician. - The department of health shall issue a medical](#)
24 [laboratory technician's license to an individual who meets the qualifications promulgated by the](#)
25 [board, including at least one of the following qualifications:](#)

26 [\(1\) An associate degree or completion of sixty \(60\) semester \(or equivalent\) hours from a](#)
27 [medical laboratory technician program \(MLT or equivalent\) accredited by an agency recognized](#)
28 [by the United States Department of Education that included a structured curriculum in medical](#)
29 [laboratory techniques;](#)

30 [\(2\) A high school diploma \(or equivalent\): and](#)

31 [\(i\) Completion of twelve \(12\) months in a technician training program such as CLA](#)
32 [\(ASCP\) medical laboratory assistant \(American Society of Clinical Pathologists\), \[CLA\) \(ASCP\)\]](#)
33 [in an accredited school and medical laboratory technician-certificate \(MLT-C\) programs](#)
34 [approved by the board; or](#)

1 (ii) Successful completion of an official military medical laboratory procedure course of
2 at least fifty (50) weeks duration and has held the military enlisted occupational specialty of
3 medical laboratory specialist (laboratory technician); or

4 (3) A medical laboratory technician who previously qualified under federal regulatory
5 requirements such as 42 CFR §493.1441 of the March 14, 1990 Federal Register which meet or
6 exceed the requirements for licensure set forth by the board.

7 (c) Medical histologic technician. - The department of health shall issue a medical
8 histologic technician license to an individual who meets the qualifications promulgated by the
9 board, including at least one of the following:

10 (1) An associate degree or at least sixty (60) semester hours (or equivalent) from an
11 accredited college or university to include a combination of mathematics and at least twelve (12)
12 semester hours of biology and chemistry, and successful completion of an accredited program in
13 histologic technique or one full year of training in histologic technique under the supervision of a
14 certified histotechnologist or an appropriately certified histopathology supervisor with at least
15 three (3) years experience.

16 (2) A high school diploma (or equivalent) and two (2) years full-time acceptable
17 experience under the supervision of a certified/licensed medical histologic technician at a licensed
18 medical laboratory in histologic technique.

19 (d) Cytotechnologist. - The department of health shall issue a cytotechnologist license to
20 an individual who meets the qualifications promulgated by the board including at least one of the
21 following:

22 (1) A baccalaureate degree from an accredited college or university with: twenty (20)
23 semester hours, thirty (30) quarter hours of biological science; eight (8) semester hours, twelve
24 (12) quarter hours of chemistry; three (3) semester hours, four (4) quarter hours of mathematics;
25 and successful completion of a twelve (12) month cytotechnology program.

26 (2) A baccalaureate degree from an accredited college or university with: twenty (20)
27 semester hours, thirty (30) quarter hours of biological science; eight (8) semester hours, twelve
28 (12) quarter hours of chemistry; three (3) semester hours, four (4) quarter hours of mathematics;
29 and five (5) years full-time acceptable medical laboratory experience including cytopreparatory
30 techniques, microscopic analysis, and evaluation of the body systems within the last ten (10)
31 years. At least two (2) of these years must be subsequent to the completion of the academic
32 component and at least two (2) years must be under the supervision of a licensed physician who is
33 a pathologist, certified, or eligible for certification, by the American Board of Pathology in
34 anatomic pathology or has other suitable qualifications acceptable to the board.

1 (3) A cytotechnologist who previously qualified under federal regulatory requirements
2 such as 42 CFR §493.1437 of the March 14, 1990 Federal Register.

3 (e) The board shall recommend standards for any other medical laboratory science
4 practitioners specializing in areas such as nuclear medical technology, radioimmunoassay,
5 electron microscopy, forensic science, molecular biology, or similar recognized academic and
6 scientific disciplines with approval of the director of the department of health.

7 **23-16.5-9. Waiver of requirements.** -- The board shall recommend regulations
8 providing procedures for waiver of the requirements of §23-16.5-8 for all applicants who hold a
9 valid license or its equivalent issued by another state; provided that the requirements under which
10 that license or its equivalent was issued, meet or exceed the standards required by this chapter
11 with the approval of the director. The board may also recommend regulations it deems
12 appropriate with respect to individuals who hold valid licenses or their equivalent in other
13 countries.

14 **23-16.5-10. Licensure application procedures.** -- (a) Licensure applicants shall submit
15 their application for licensure to the department of health upon the forms prescribed and furnished
16 by the department of health, and shall pay the designated application or examination fee.

17 (b) Upon receipt of application and payment of a fee, the department of health shall issue
18 a license for a medical laboratory scientist or technologist, a medical laboratory technician, or an
19 appropriate specialty license to any person who meets the qualifications specified in this chapter
20 and the regulations promulgated under this chapter.

21 (c) The board may recommend a procedure for issuance of temporary permits to
22 individuals otherwise qualified under this chapter who intend to engage in medical laboratory
23 science practice in this state for a limited period of time not to exceed eighteen (18) months.

24 (d) The board may recommend a procedure for issuance of provisional licenses to
25 individuals who otherwise qualify under this chapter but are awaiting the results of certification
26 examinations. A provisional license so issued shall be converted to a license under the provisions
27 of §23-16.5-8 or expire not more than twelve (12) months after issuance. At the discretion of the
28 board, the provisional license may be reissued at least one time with the director's approval.

29 **23-16.5-11. Licensure renewal.** -- (a) Licenses issued pursuant to this chapter shall
30 expire on a date and time specified by the department of health.

31 (b) Every person licensed pursuant to this chapter shall be issued a renewal license every
32 two (2) years upon:

33 (1) Submission of an application for renewal on a form prescribed by the department of
34 health and payment of an appropriate fee recommended by the board; and

1 (2) Proof of completion, in the period since the license was first issued or last renewed, of
2 at least thirty (30) hours of continuing education courses, clinics, lectures, training programs,
3 seminars, or other programs related to medical laboratory practice which are approved or
4 accepted by the board; or proof of re-certification by a national certification organization that
5 mandates an annual minimum of fifteen (15) hours of continuing education, such as the National
6 Certification Agency for Medical Laboratory Personnel.

7 (c) The board may recommend any other evidence of competency it shall deem
8 reasonably appropriate as a prerequisite to the renewal of any license provided for by this chapter,
9 as long as these requirements are uniform as to application, are reasonably related to the
10 measurement of qualification, performance, or competence, and are desirable and necessary for
11 the protection of the public health.

12 **23-16.5-12. Disciplinary requirements.** -- The board may make recommendations to the
13 director of the department of health pertaining to the issuance, renewal, or revocation of a license,
14 or suspension, placement on probation, censure, or reprimand of a licensee, or any other
15 disciplinary action that the board may deem appropriate, including the imposition of a civil
16 penalty, for conduct that may result from, but not necessarily be limited to:

17 (1) A material misstatement in furnishing information to the department of health;

18 (2) A violation or negligent or intentional disregard of this chapter, or of the rules or
19 regulations promulgated under this chapter;

20 (3) A conviction of any crime under the laws of the United States or any state or territory
21 of the United States which is a felony or which is a misdemeanor, an essential element of which
22 is dishonesty, or of any crime which is directly related to the practice of the profession;

23 (4) Making any misrepresentation for the purpose of obtaining registration or violating
24 any provision of this chapter;

25 (5) Violating any standard of professional conduct adopted by the board;

26 (6) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to
27 deceive, defraud, or harm the public;

28 (7) Providing professional services while mentally incompetent, under the influence of
29 alcohol or narcotic or controlled dangerous substance that is in excess of therapeutic amounts or
30 without valid medical indication;

31 (8) Directly or indirectly contracting to perform medical laboratory tests in a manner
32 which offers or implies an offer of rebate, fee-splitting inducements or arrangements, or other
33 unlawful remuneration; or

34 (9) Aiding or assisting another person in violating any provision of this chapter or any

1 rule adopted under this chapter.

2 **23-16.5-13. Hearing requirements -- Procedure.** -- (a) The proceedings for the
3 revocation, suspension or limiting of any license may be initiated by any person, corporation,
4 association, or public officer or by the board by the filing of written charges with the board, but
5 no license shall be revoked, suspended, or limited without a hearing before the board within sixty
6 (60) days after the filing of written charges in accordance with the procedures established by the
7 board. A license may be temporarily suspended without a hearing for the period not to exceed
8 thirty (30) days upon notice to the licensee following a finding by the board that there exists a
9 significant threat to the public health and approved by the director.

10 (b) Any appeal from the action of the board shall be in accordance with the provisions of
11 chapter 35 of title 42 ("the administrative procedures act").

12 **23-16.5-14. Roster of licenses.** -- The department of health shall maintain a roster of the
13 names and addresses of persons currently licensed and registered under the provision of this
14 chapter, and of all persons whose licenses have been suspended or revoked within the previous
15 year.

16 **23-16.5-15. Receipts.** -- The proceeds of any fees collected pursuant to the provisions of
17 this chapter shall be deposited as general revenues.

18 **23-16.5-16. Severability.** -- If any provision of this chapter or the application of any
19 provision to any person or circumstance shall be held invalid, that invalidity shall not affect the
20 provisions or application of this chapter which can be given effect without the invalid provision
21 or application, and to this end the provisions of the chapter are declared to be severable.

22 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY - LABORATORIES

1 This act would restore certain provisions of chapter 16.2 of title 23 as well as all of
2 chapter 16.3 of title 23, which were repealed or deleted in the 2015 Budget Act, 2015 H 5900
3 Substitute A as amended. These provisions pertain to definitions, licensing, and the operation of
4 medical laboratories.

5 This act would take effect upon passage.

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