

ENROLLED ACT NO. 36, SENATE

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING  
2021 GENERAL SESSION

AN ACT relating to professions and occupations; modifying the authority of clinical laboratories as specified; providing exceptions for the collection and testing of human specimens by clinical laboratories; requiring rulemaking authority; and providing for effective dates.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 33-34-107(a) and by creating a new subsection (e) is amended to read:

**33-34-107. Acceptance, collection, identification and examination of specimens.**

(a) A clinical laboratory ~~shall~~may examine human specimens ~~only~~ at the request of a licensed physician, dentist or other person authorized by law to use the findings of laboratory examinations. A clinical laboratory may examine human specimens at the request of any person for the purpose of testing and analysis and a licensed physician or other authorized person shall not be required to collect the specimens as provided under subsection (d) of this section.

(e) Subsection (d) of this section shall not apply to a direct to consumer test. For the purpose of this subsection and as further defined by the department of health, a "direct to consumer test" means a diagnostic device that is marketed directly to consumers, where the consumer initiates the testing process and collects their own human specimen for the purpose of testing and analysis by a clinical laboratory.

ORIGINAL SENATE  
FILE NO. SF0047

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**Section 2.** The department of health shall promulgate rules and regulations necessary to implement this act on or before July 1, 2021.

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**Section 3.**

(a) Except as provided in subsection (b) of this section, this act is effective July 1, 2021.

(b) Sections 2 and 3 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk