

2015 -- H 6340

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LC002919  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO HEALTH AND SAFETY

Introduced By: Representative Patricia A. Serpa

Date Introduced: June 24, 2015

Referred To: House Finance

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.** --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, association,  
14 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) "Clinical laboratory test" or "laboratory test" means a microbiological, serological,~~  
3 ~~chemical, hematological, radiobioassay, cytological, immunological, or other pathological~~  
4 ~~examination which is performed on material derived from the human body, the test or procedure~~  
5 ~~conducted by a clinical laboratory which 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 Clinical 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.** -- Not less than thirty (30) days from the time  
14 any application for the license is received, the director shall grant the application and issue a  
15 license to maintain a laboratory or station if the director shall be satisfied that the applicant  
16 complies with the rules and regulations promulgated in accordance with this chapter, establishing  
17 standards for the qualifications of personnel and adequacy of equipment and facilities. The  
18 standards for qualification of personnel ~~who perform clinical laboratory tests shall require, as a~~  
19 ~~minimum, successful completion of a nationally recognized certification examination.~~  
20 ~~Notwithstanding this requirement, the director may establish, by regulation, alternative criteria for~~  
21 ~~individuals who previously qualified under federal regulatory requirements, such as 42 CFR §~~  
22 ~~493.1433 of the March 14, 1990 federal register, or other criteria which may be established to~~  
23 ~~have met the requirements of this chapter.~~ shall include provisions for minimum standards of  
24 professional education or experience, as determined by the director. The director may provide for  
25 the examination of applicants to determine their qualifications. Notwithstanding the preceding  
26 statements in this section, upon payment of any applicable license fees, the director may grant  
27 immediate licensure to any clinical laboratory licensed as a clinical laboratory in another state and  
28 certified under the Clinical Laboratory Improvement Act of 1988, when the clinical laboratory  
29 has been asked to perform a clinical laboratory service which is not offered by any other clinical  
30 laboratory then licensed in this state.

31 **23-16.2-7. Suspension and revocation of license.** – (a) The department of health may  
32 revoke or suspend the license or specific certification of any laboratory or station for conduct by  
33 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 16.3

22 CLINICAL LABORATORY SCIENCE PRACTICE

23 **23-16.3-1. Short title. --** This chapter shall be known and may be cited as the "Clinical  
24 Laboratory Science Practice Act".

25 **23-16.3-2. Declaration of policy and statement of purpose. --** It is declared to be a  
26 policy of the state that the practice of clinical 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 clinical laboratories and clinical laboratory science practitioners  
29 provide essential services to practitioners of the healing arts by furnishing vital information which  
30 may be used in the diagnosis, prevention, and treatment of disease or impairment and the  
31 assessment of the health of humans. The purpose of this chapter is to provide for the better  
32 protection of public health by providing minimum qualifications for clinical laboratory science  
33 practitioners, and by ensuring that clinical laboratory tests are performed with the highest degree  
34 of professional competency by those engaged in providing clinical laboratory science services in

1 the state.

2 **23-16.3-3. 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 clinical laboratory program" means a program planned to provide a  
5 predetermined amount of instruction and experience in clinical 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 clinical laboratory science board appointed by the director of  
9 health.

10 (3) "Clinical laboratory" or "laboratory" means any facility or office in which clinical  
11 laboratory tests are performed.

12 (4) "Clinical laboratory science practitioner" or "one who engages in the practice of  
13 clinical laboratory science" means a health care professional who performs clinical laboratory  
14 tests or who is engaged in management, education, consulting, or research in clinical laboratory  
15 science, and includes laboratory directors, supervisors, clinical laboratory scientists  
16 (technologists), specialists, and technicians working in a laboratory, but does not include persons  
17 employed by a clinical laboratory to perform supportive functions not related to direct  
18 performance of laboratory tests and does not include clinical laboratory trainees. Provided,  
19 however, nothing contained in this chapter shall apply to a clinical perfusionist engaged in the  
20 testing of human laboratory specimens for extracorporeal functions, which shall include those  
21 functions necessary for the support, treatment, measurement, or supplementation of the  
22 cardiopulmonary or circulatory system of a patient.

23 (5) "Clinical laboratory scientist" and/or "technologist" means a person who performs  
24 clinical laboratory tests pursuant to established and approved protocols requiring the exercise of  
25 independent judgment and responsibility, maintains equipment and records, performs quality  
26 assurance activities related to test performance, and may supervise and teach within a clinical  
27 laboratory setting.

28 (6) "Clinical laboratory technician" means a person who performs laboratory tests  
29 pursuant to established and approved protocols which require limited exercise of independent  
30 judgment and which are performed under the personal and direct supervision of a clinical  
31 laboratory scientist (technologist), laboratory supervisor, or laboratory director.

32 (7) "Clinical laboratory test" or "laboratory test" means a microbiological, serological,  
33 chemical, hematological, radiobioassay, cytological, immunological, or other pathological  
34 examination which is performed on material derived from the human body, the test or procedure

1 conducted by a clinical laboratory which provides information for the diagnosis, prevention, or  
2 treatment of a disease or assessment of a medical condition.

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

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

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

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

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

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

14 **23-16.3-4. Exceptions. -- This chapter shall not apply to:**

15 (1) Any person performing clinical laboratory tests within the scope of his or her practice  
16 and for which he or she is licensed pursuant to any other provisions of the general laws.

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

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

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

27 (5) Individuals performing limited function tests.

28 **23-16.3-5. License required. --** (a) No person shall practice clinical laboratory science or  
29 hold himself or herself out as a clinical laboratory science practitioner in this state unless he or  
30 she is licensed pursuant to this chapter.

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

1 laboratory tests until July 1, 1995 unless the application is denied by the department of health, or  
2 the withdrawal of the application, whichever occurs first.

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

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

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

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

18 **23-16.3-6. Administration.** -- (a) There is created within the division of professional  
19 regulation of the department of health a clinical laboratory advisory board which shall consist of  
20 seven (7) persons who have been residents of the state for at least two (2) years prior to their  
21 appointment, and who are actively engaged in their areas of practice. The director of the  
22 department of health, with the approval of the governor, shall make appointments to the board  
23 from lists submitted by organizations of clinical laboratory science practitioners and  
24 organizations of physicians and pathologists.

25 (b) The board shall be composed of:

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

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

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

34 (4) One public member who is not associated with or financially interested in the practice

1 of clinical laboratory science.

2 (c) Board members shall serve for a term of three (3) years, and until their successors are  
3 appointed and qualified, except that the initial appointments, which shall be made within sixty  
4 (60) days after July 1, 1992, shall be as follows:

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

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

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

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

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

15 **23-16.3-7. Duties and powers of the clinical laboratory advisory board. -- In addition**  
16 to any other power conferred upon the board pursuant to this chapter, the board shall recommend  
17 to the director:

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

25 (2) Standard written, oral, or practical examinations for purposes of licensure of clinical  
26 laboratory science practitioners as provided for in § 23-16.3-5;

27 (3) Rules and regulations governing qualifications for licensure of specialists in those  
28 clinical laboratory science specialties that the board may determine in accordance with § 23-16.3-  
29 8(c);

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

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

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

1           (7) Any other rules and regulations necessary to implement and further the purpose of  
2 this chapter.

3           **23-16.3-8. Standards for licensure. -- (a) Clinical laboratory scientist (technologist). -**

4 The department of health shall issue a clinical laboratory scientists license to an individual who  
5 meets the qualifications developed by the board, including at least one of the following  
6 qualifications:

7           (1) A baccalaureate degree in clinical laboratory science (medical technology) from an  
8 accredited college or university whose curriculum included appropriate clinical education;

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

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

17           (4) A baccalaureate degree consisting of ninety (90) semester (or equivalent) hours,  
18 thirty-six (36) of which must be in the biological, chemical, or physical sciences, from an  
19 accredited university, and appropriate clinical education in an accredited clinical laboratory  
20 science program.

21           (5) A clinical laboratory scientist (technologist) who previously qualified under federal  
22 regulatory requirements such as 42 CFR § 493.1433 of the March 14, 1990 federal register or  
23 other regulations or criteria which may be established by the board.

24           (b) Clinical laboratory technician. - The department of health shall issue a clinical  
25 laboratory technician's license to an individual who meets the qualifications promulgated by the  
26 board, including at least one of the following qualifications:

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

31           (2) A high school diploma (or equivalent): and (i) Completion of twelve (12) months in a  
32 technician training program such as CLA (ASCP) clinical laboratory assistant (American Society  
33 of Clinical Pathologists), [CLA] (ASCP) in an accredited school and medical laboratory  
34 technician-certificate (MLT-C) programs approved by the board; or (ii) Successful completion of



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

4 (3) A clinical 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) Clinical histologic technician. - The department of health shall issue a clinical  
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) Associate degree or at least sixty (60) semester hours (or equivalent) from an  
11 accredited college/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) High school graduation (or equivalent) and two (2) years full-time acceptable  
17 experience under the supervision of a certified/licensed clinical histologic technician at a licensed  
18 clinical 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 clinical 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 clinical 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 health.

7           **23-16.3-9. Waiver of requirements.** -- The board shall recommend regulations  
8 providing procedures for waiver of the requirements of § 23-16.3-8 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 to 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           **23-16.3-10. 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 clinical laboratory scientist or technologist, a clinical 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 clinical 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 § 23-16.3-8 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           **23-16.3-11. 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 clinical laboratory practice which are approved or accepted  
4 by the board; or proof of re-certification by a national certification organization that mandates an  
5 annual minimum of fifteen (15) hours of continuing education, such as the National Certification  
6 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           **23-16.3-12. Disciplinary requirements.** -- The board may recommend to the director of  
13 health issuance, renewal, or revocation of a license, or suspension, placement on probation,  
14 censure, or reprimand of a licensee, or any other disciplinary action that the board may deem  
15 appropriate, including the imposition of a civil penalty, for conduct that may result from, but not  
16 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 clinical 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       **23-16.3-13. 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.

12       **23-16.3-14. 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       **23-16.3-15. Receipts.** -- The proceeds of any fees collected pursuant to the provisions of  
17 this chapter shall be deposited as general revenues.

18       **23-16.3-16. 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

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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 clinical laboratories.

5           This act would take effect upon passage.

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