

2018 -- H 7421

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO HEALTH AND SAFETY - LABORATORIES

Introduced By: Representative Susan R. Donovan

Date Introduced: February 02, 2018

Referred To: House Health, Education & Welfare

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-16.2-5.1 of the General Laws in Chapter 23-16.2 entitled
2 "Laboratories" is hereby amended to read as follows:

3 **23-16.2-5.1. Payment for services rendered by clinical laboratories -- Commissions,**
4 **rebates, and fees -- Use of laboratory's name.**

5 (a) It shall be ~~unlawful~~ permissible for any purveyor of clinical laboratory services,
6 directly or indirectly, through any person, firm, corporation, or association, or its officers or
7 agents, to bill or receive payment, reimbursement, compensation, or fee from ~~any person~~ persons
8 other than the recipient of the services, the recipient being the person upon whom the clinical
9 services have been or will be rendered.

10 (b) ~~The provisions of subsection (a) of this section shall be inapplicable to payment by:~~

11 (1) ~~A legal relative of the recipient of the services;~~

12 (2) ~~An insurance carrier designated by the recipient of the services;~~

13 (3) ~~A hospital on behalf of an in-patient or out-patient of the hospital having been the~~
14 ~~recipient of the services;~~

15 (4) ~~One purveyor to another purveyor for actual services rendered;~~

16 (5) ~~An industrial firm only for its own employees;~~

17 (6) ~~A trade union health facility only for its registered patients;~~

18 (7) ~~Governmental agencies and/or their specified public or private agent, agency, or~~
19 ~~organization on behalf of the recipient of the services.~~

1 (c) A clinical laboratory shall not offer or give a commission, rebate or other fee, directly
2 or indirectly, to any person as consideration for the referral of a specimen derived from a human
3 body to a clinical laboratory for examination by the laboratory.

4 (d) A clinical laboratory shall not solicit or accept a commission, rebate, or other fee,
5 directly or indirectly, from any person as consideration for the referral of a specimen derived
6 from the human body to a clinical laboratory for examination by the laboratory.

7 (e) A clinical laboratory shall not lend the use of the name of a clinical laboratory or a
8 licensed hospital or clinic, or any other employee of the laboratory or institution, to an unlicensed
9 clinical laboratory.

10 SECTION 2. 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 permit laboratories offering clinical laboratory services to bill or receive
- 2 payment from persons other than the patient.
- 3 This act would take effect upon passage.

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