

4097

2013-2014 Regular Sessions

I N   S E N A T E

March 8, 2013

---

Introduced by Sen. DeFRANCISCO -- read twice and ordered printed, and  
when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to including chemistry,  
hematology, microbiology and blood banking (immunohematology) as areas  
covered by a restricted clinical laboratory license

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Paragraph (a) of subdivision 1 and paragraph (a) of subdi-  
2     vision 2 of section 8610 of the education law, as added by chapter 204  
3     of the laws of 2008, are amended to read as follows:  
4     (a) The department may issue a restricted license pursuant to which  
5     the restricted licensee may receive a certificate to perform certain  
6     examinations and procedures within the definition of clinical laboratory  
7     technology set forth in subdivision one of section eighty-six hundred  
8     one of this article, provided that such a restricted licensee may  
9     perform examinations and procedures only in those of the following areas  
10    which are specifically listed in his or her certificate: histocompati-  
11    bility, cytogenetics, stem cell process, flow cytometry/cellular immu-  
12    nology, CHEMISTRY, HEMATOLOGY, MICROBIOLOGY AND BLOOD BANKING (IMMUNOHE-  
13    MATOLOGY) and molecular diagnosis to the extent such molecular diagnosis  
14    is included in genetic testing-molecular and molecular oncology.  
15    (a) The department may issue a limited license and registration pursu-  
16    ant to which the limited licensee may perform examinations and proce-  
17    dures within the definition of clinical laboratory technology set forth  
18    in subdivision one of section eight thousand six hundred one of this  
19    article, provided that an individual qualifying for a limited license  
20    pursuant to clause three of subparagraph (ii) of paragraph (b) of this  
21    subdivision shall perform only those examinations and procedures that  
22    are for the purpose of human trials of such examinations and procedures  
23    as were the subject of the individual's research and that nothing  
24    contained in this subdivision shall authorize any individual to provide

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD09558-01-3

1 any examinations or procedures that he or she is prohibited from  
2 performing pursuant to the public health law, and provided further that  
3 an individual qualifying for a limited license pursuant to clause four  
4 of subparagraph (ii) of paragraph (b) of this subdivision shall perform  
5 only those examinations and procedures that are within the scope of  
6 practice of histological technicians. A limited license may be granted  
7 to an applicant who is employed in a clinical laboratory under the  
8 direction of a clinical director and may be issued for the purpose of  
9 enabling the applicant to complete the education and to pass the exam  
10 required for licensure as a clinical laboratory technologist or histo-  
11 logical technician in New York state, as applicable. Notwithstanding the  
12 provisions of section sixty-five hundred two of this title, no limited  
13 license shall be valid beyond September first, two thousand [thirteen]  
14 TWENTY, and the registration issued with the limited license shall be  
15 effective until September first, two thousand [thirteen] TWENTY.  
16 S 2. This act shall take effect immediately.