

# STATE OF NEW YORK

10781--A

## IN ASSEMBLY

May 18, 2018

Introduced by M. of A. GOTTFRIED -- read once and referred to the Committee on Health -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to clinical laboratory supervision

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The public health law is amended by adding a new section  
2 576-d to read as follows:

3 § 576-d. Clinical laboratory supervision. 1. Each clinical laboratory  
4 shall have one or more supervisors who shall, under the general direc-  
5 tion of the director, supervise the technical personnel and reporting of  
6 findings, perform tests requiring special scientific skills, and, in the  
7 absence of the director, be responsible for the proper performance of  
8 all laboratory procedures.

9 2. A director who qualifies as provided in regulations promulgated  
10 pursuant to section five hundred seventy-three of this title shall also  
11 be deemed qualified as a supervisor.

12 3. Depending upon the size and functions of the clinical laboratory,  
13 the department may authorize the director to also serve as the supervi-  
14 sor of such laboratory.

15 4. The supervisor shall be on the clinical laboratory premises or  
16 available by phone or synchronous two-way electronic audio visual commu-  
17 nications in accordance with any applicable regulations made by the  
18 department; provided, that if the supervisor is not on the laboratory  
19 premises and the person performing the test qualifies as a medical tech-  
20 nologist as provided in regulations promulgated pursuant to sections  
21 five hundred seventy-four and five hundred seventy-six of this title,  
22 and thirty-one hundred twenty-one of this chapter, the results of his or  
23 her work are reviewed by the supervisor or director during his or her  
24 next duty period, and a record is maintained to reflect the actual  
25 review; and, provided further, that a supervisor shall not supervise  
26 more than five laboratories.

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

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1     5. An individual who qualifies as a supervisor as provided in regu-  
2     lations promulgated pursuant to sections five hundred seventy-four and  
3     five hundred seventy-six of this title, and thirty-one hundred twenty-  
4     one of this chapter shall supervise technical personnel in the specialty  
5     of cytology only.

6     § 2. This act shall take effect immediately.