

STATE OF NEW YORK

1808

2019-2020 Regular Sessions

IN SENATE

January 16, 2019

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Health

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

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

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1 review; and, provided further, that a supervisor shall not supervise
2 more than five laboratories.

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

8 § 2. This act shall take effect immediately.